



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Vice-Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Chair

Jaime De La Cruz
District No. 5

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING AGENDA APRIL 15, 2014

Mission Statement

The County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty, integrity, and respect for the individual, and will hold the organization of County government to that same standard.

The San Benito County Board of Supervisors welcomes you to this meeting and encourages your participation.

- If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide it to the Clerk of the Board prior to the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair.*
- If you wish to speak on an item contained in the agenda please complete a Speaker Card identifying the item(s) and provide it to the Clerk of the Board prior to consideration of the item.*

Each individual speaker will be limited to a presentation total of three (3) minutes.

9:00 a.m. CALL TO ORDER:

a) Pledge of Allegiance to be led by Supervisor Rivas.

b) Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

Award the Child Abuse Prevention Council's Annual Blue Ribbon Award to Esther Curtice.

BOARD OF SUPERVISORS:

Present Proclamation to Water Resources Association of San Benito County declaring May as Water Awareness Month in San Benito County.

- d) **Public Comment:** Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2.
- e) **Department Head Announcements:** Information only.
- f) **Board Announcements:** Information only.

CONSENT AGENDA:

These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified on the Agenda Item Transmittal.

If any member of the public wishes to comment on a Consent Agenda Item, please fill out a speaker card, present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

AGRICULTURAL COMMISSIONER – R. Ross:

- 1) Approve contract with the Department of Food & Agriculture to provide European Grapevine Moth trapping services for the period of February 1, 2014 through August 31, 2014, for a total of \$8,415.00.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Approve contract with California Locums, PC for Psychiatry Services for the period of April 15, 2014 through June 30, 2015, for a maximum annual total of \$373,400.

BOARD OF SUPERVISORS:

- 3) Confirm Supervisor De La Cruz's nomination of Robert Kutz for appointment to the San Benito County Fish & Game Advisory Commission representing District 5 effective April 15, 2014.

BOARD OF SUPERVISORS:

- 4) Approve Certificate of Recognition for the 2014 Teacher of the Year Award recipients for presentation at a later date.

CLERK OF THE BOARD – D. Thome:

- 5) Approve the action minutes of the September 10, 2013, November 5, 2013, November 19, 2013 and March 18, 2014 regular meetings and November 13, 2013 special meeting.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 6) Approve a transfer from contingencies to General Fund in the amount of \$16,328 to be used for the additional Court Maintenance of Effort (MOE) for FY 13/14.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 7) Approve contract Amendment #1 with Shared Vision Consultants, Inc., in the amount of \$3,750.00 for additional hours to complete the System Improvement Plan (SIP) for Child Welfare Services.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) Adopt Ordinance repealing and replacing Ordinance No. 637 providing for regulation of Ambulance and Emergency Medical Services. (Continued from April 1, 2014 meeting) (Ord. No. 923)

HUMAN RESOURCES – G. Cochran:

- 9) Adopt Resolution approving the 457 Plan between MassMutual Financial Group and the County of San Benito; authorize the County Administrative Officer to sign the attached plan documents. (Res. No. 2014-30)

HUMAN RESOURCES – G. Cochran:

- 10) Adopt Resolution electing to be subject to Public Employees' Medical and Hospital Care Act and Fixing the Employer's Contribution at an amount equal to or Greater than that prescribed by Government Code Section 22892(b) which adds the Institutions Association as a separate unit for health benefit purposes. (Res. No. 2014-31)

PROBATION DEPARTMENT – D. Blevins:

- 11) Authorize the Interim Chief Probation Officer to submit an application for the Juvenile Justice Development Plan for the Youthful Offender Block Grant.

PROBATION DEPARTMENT – D. Blevins:

- 12) Authorize the Interim Chief Probation Officer to submit an application for the Juvenile Crime Prevention Act (JJCPA) to the Board of State and Community Corrections (BSCC) provided by this act.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Accept all responsive bids for the Fairview Road/John Smith Road (Install Guardrail); award and approve contract with Midstate Barrier, Inc., as the lowest responsive, responsible bidder in the amount of \$21,650; authorize the Assistant Director to execute the contract upon receipt of all documents as required in the Invitation for Bids; authorize the Assistant Director to issue change orders, not to exceed \$2,165.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 14) Accept all responsive bids for the Salinas Grade (Upgrade Guardrail); award and approve the contract with Midstate Barrier, Inc., as the lowest responsive, responsible bidder in the amount of \$39,837; authorize the Assistant Director to execute the contract upon receipt of all documents as required in the Invitation for Bids; authorize the Assistant Director to issue change orders, in an amount not to exceed \$3,984.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 15) Accept all responsive bids for the John Smith Road Overlay Project; award and approve the contract with Road Reconstructors, Inc. as the lowest responsive, responsible bidder in the amount of \$714,222.; authorize the Assistant Director to execute the contract upon receipt of all documents as required in the Invitation for Bids; authorize the Assistant Director to issue change orders, in an amount not to exceed \$48,211.

PUBLIC HEARINGS – 9:00 a.m. (Or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – B. Turner:

- 16) Conduct a Public Hearing to review the project record and Planning Commission Resolution 2014-04 and to consider the proposed zone change 13-77 (890 Buena Vista Road); make the CEQA and Zone Change findings as found in the discussion of this report; adopt the mitigated negative declaration and mitigation monitoring and reporting program; adopt the ordinance to approve Zone Change

13-177 (890 Buena Vista Road), based on the aforementioned findings and on the conditions of approval found in Exhibit B of the proposed ordinance. (Ord. No. 924)

PLANNING DEPARTMENT – B. Turner:

- 17) Hold a public hearing to consider and potentially adopt a resolution initiating proceedings for the formation of County Service Area No. 56 (Creekside 6); adopt a resolution initiating proceedings for the formation of County Service Area No. 56 (Creekside 6); direct the Public Works Department to prepare and file the required Engineer’s Report; direct Planning Department to negotiate a deposit and reimbursement agreement with Stonecreek to cover formation and start-up costs for the proposed CSA (Res. No. 2014-32)

REGULAR AGENDA:

For each regular agenda item, the following schedule shall occur:

- a) *Staff report.*
- b) *Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.*
- c) *Consideration by the Board.*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 18) Direct staff to move forward with and development of an agreement between the County and City of Hollister for Firehouse #3; direct staff to amend the fire services contract to include \$30,000 annually for on-going operational costs to cover Firehouse #3.

BOARD OF SUPERVISORS:

- 19) Consider resolution regarding Regional Transportation Plan prepared by Council of Governments (COG) and adopt if majority approves. (Supervisor Botelho) (Res. No. 2014-33)

FIRST 5 SAN BENITO – L. Faulkner:

- 20) Read title of ordinance for the record: “An Ordinance Amending Subsection (A) of Section 11.11.005 (“Membership of Chapter 11.11 “First 5 San Benito” of Title 11 of the San Benito County Code; and waive further reading of the ordinance and continue to May 6, 2014 at 9:00 a.m. for adoption.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 21) Approve San Benito County Health & Human Services Reorganization, Budget Augmentation, Class Specifications and Position Changes. (4/5 vote)

HUMAN RESOURCES – G. Cochran:

- 22) Adopt Resolution for CalPERS for exception to the 180 day wait period under Government Code Sections 7522.56 and 21224. (Res. No. 2014-34)

PLANNING DEPARTMENT – B. Turner:

- 23) Approve the Reimbursement Agreement with Paicines Rocks, LLC to fully recover County costs to review and process a Conditional Use Permit and Reclamation Plan and authorize the Chair to sign.

PUBLIC WORKS DEPARTMENT – S. Wittry

24) Receive status update on Cienega Road Realignment Project (2102-680).

CLOSED SESSION:

Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)

- 25) Closed Session-Conference with Labor Negotiators
Agency designated representatives: Dania Torres Wong, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Allyson Hauck, Georgia Cochran and Mark Gregersen
Employee Organizations: Management Employees' Group
Institutions Association
SEIU Local 521 (General Unit Employees)
SEIU United Long Term Care Workers Local 6435
Law Enforcement Management
Deputy Sheriff's Association
Authority: California Government Code Section 54957.6
- 26) Closed Session pursuant to Government Code Section 54957 (b):
Public Employee Discipline/Dismissal/Release
- 27) Closed Session Pursuant to Government Code Section 54957 (b)(1)
Public Employee Performance Evaluation
Title: County Counsel

ADJOURN TO TUESDAY, MAY 6, 2014 AT 9:00 A.M.

NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at www.cosb.us/government/meetings-agendas/. All proposed agenda items with supportive documents are also available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays). This is the same packet that the Board of Supervisors reviews and discusses at each Board meeting.

As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.

In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.