



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 MAY 6, 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 Barrios.

b) Acknowledge Certificate of Posting.

c) PRESENTATIONS & RECOGNITIONS:

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

Proclamation recognizing the month of May 2014 as Mental Health Month in San Benito County.

BOARD OF SUPERVISORS:

Present Proclamation to the Monterey Bay Unified Air Pollution Control District declaring the month of May 2014 as Clean Air Month.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

Approve Proclamation declaring May 2014 as Foster Care Awareness Month in San Benito County.

PUBLIC WORKS DEPARTMENT – A. Nazemi:

Proclamation declaring May 18-24, 2014 as National Public Works Week.

- 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.

ASSESSOR'S OFFICE – T. Slavich:

- 1) Adopt Resolution approving a Lot Line Adjustment for agricultural preserves (Pebble Ridge Vineyard/Doodlebug Ranches/Mederios, etal); and adopt Resolution approving Lot Line Adjustment for agricultural preserves (Stadtler, etal/Jacobson, Karin & Jay/Jacobson, Jay); and adopt Resolution denying a Compatible Use Application for agricultural preserve (Isha Institute of Inner Sciences). (Res. No. 2014-35) (Res. No. 2014-36) (Res. No. 2014-37)

CLERK OF THE BOARD – D. Thome:

- 2) Approve the action minutes of the April 8, 2014 special meeting.

COUNCIL OF GOVERNMENTS – L. Rheinheimer:

- 3) Approve appointment of a part-time temporary Heavy Equipment Mechanic Assistant for the Council of Governments.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 4) Approve supplemental response to the 2013 San Benito County Grand Jury Reports; and direct staff to submit the prepared supplemental response to the Presiding Judge of the San Benito County Superior Court.

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 5) Approve contract with BMI Imaging Systems to provide software upgrade to the Digital Reel System at an amount not to exceed \$11,165; and authorize the County Clerk-Auditor-Recorder to execute said contract.

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 6) Approve contract with K & H Printing to provide printing services for the period of March 15, 2014 through December 31, 2014, in an amount not to exceed \$75,000; and authorize the County Clerk/Auditor/Recorder to sign.

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 7) Approve contract with Kofile Preservation to provide restoration and preservation services for the period of May 6, 2014 through August 30, 2014, in the amount not to exceed \$47,160; and authorize the County Clerk/Auditor/Recorder to sign.

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 8) Approve the HAVA (Help Americans vote Act) grant contract with the Secretary of State for the period of January 21, 2014 through June 30, 2016.

FIRST 5 SAN BENITO – L. Faulkner:

- 9) Adopt Ordinance which amends 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. (Ord. No. 925)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 10) Approve the revised Bylaws of the Emergency Medical Care Commission as submitted.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 11) Re-appointment of Ms. Kendra Bobsin to the Workforce Investment Board for a three-year term effective May 6, 2014 through May 6, 2017.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 12) Approve contract with EGG Pediatric Therapy Services for the period of July 1, 2014 through June 30, 2015, for an amount not to exceed \$79,800.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) Approve the purchase of spinal immobilization equipment for local first responders in the amount of \$13,973.34.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 14) Approve the Requisition for Premier Office Furniture in the amount of \$17,576.25 for eight work stations delivered and installed.

HUMAN RESOURCES – G. Cochran:

- 15) Approve the offer of employment for the Chief Probation Officer, Mr. Restituto “Ted” Baraan in accordance with the attached offer letter effective April 28, 2014.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 16) Approve two year contract with Field Solutions, Inc. for Extraction Well Maintenance at John Smith Road Landfill for the period of July 1, 2014 through June 30, 2016, in the amount of \$26,900.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 17) Adopt Resolution authorizing the Integrated Waste Management Department to apply for the Household Hazardous Waste Program grant funds on behalf of the San Benito County Integrated Waste Management Regional Agency.
(Res. No. 2014-38)

PLANNING DEPARTMENT – B. Turner:

- 18) Approve Reimbursement Agreement with the Wilbur-Ellis Company to fully recover County costs to review and process the Ashurst-Lewis Quarry project, located in Southeast San Benito County.

PLANNING DEPARTMENT – B. Turner:

- 19) Approve Reimbursement Agreement with the Graniterock Company to fully recover County costs to review and process the Graniterock San Benito Sand Plant project, located near Hospital Road at the San Benito River San Benito County.

PLANNING DEPARTMENT – B. Turner:

- 20) Approve Reimbursement Agreement with Robert Enz to fully recover County costs to review and process the Enz Quarry project located at the end of Limekiln Road in San Benito County.

PROBATION DEPARTMENT – R. T. Baraan:

- 21) Approve appointment of temporary Secretary I in the Probation/Juvenile Hall Department.

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 22) Approve open purchase requisition for County Public Works fleet fuel purchases, in the amount of \$50,000; and authorize County Administrative Officer to make purchases and sign the requisition.

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 23) Approve equipment purchase for County Public Works GPS System from Silke Communications, Inc., in the amount of \$16,171.48; and authorize County Administrative Officer to make the purchase and sign the requisition.

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 24) Award and approve the contract with the Don Chapin Company, Inc. as the lowest responsive, responsible bidder for the CSA #31 (Stonegate) Water Meter Replacement and Installation project in the amount of \$130,067.50; authorize the Asst. Public Works Director to execute the contract and authorize the Asst. Public Works Director to issue change orders in an amount not to exceed \$13,006.75.

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.*

HUMAN RESOURCES – G. Cochran:

- 25) Approve San Benito County Human Resources reorganization, class specifications and position changes as described in staff report.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 26) Drought updates from the Sunnyslope County Water District and the San Benito County Water District; and discuss and determine feasible solutions to concerns mentioned by the presenters to ensure water conservation through the summer months.

PLANNING DEPARTMENT – B. Turner:

- 27) Staff recommends that the Board direct staff to accept EMC Planning Group's proposed changes to the draft GPU, accept the workshop's resolving of landowner requests for inclusion in the draft GPU, review and accept EMC Planning Group's mapping updates, and authorize EMC Planning Group and county staff to begin preparation of a recirculated EIR for the draft GPU; and discuss consistency issues between the population projections assumed by the General Plan and projections adopted by AMBAG, COG, and other sources or agencies, as well as how these projections relate to the General Plan, local roads, and state highways located within the County and how the use of these projections would impact the current General Plan process.

COUNTY COUNSEL – M. Granger:

- 28) Removal of Supervisor De La Cruz as the County's representative from the Council of San Benito County Governments (COG) and appointment of replacement Supervisor as County's representative on COG.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 29) Approve letter supporting that CHISPA (Comm. Housing Systems Improvement and Planning Assoc.) and County Behavioral Health be granted a waiver by CalHFA (Ca. Housing and Finance Admin.), allowing 4 units (less than the CalHFA 5 unit minimum requirement) to be built with County MHSA Housing Funds at the proposed CHISPA Buena Vista Road, Low Income Apartments project.

COUNCIL OF GOVERNMENTS – L. Rheinheimer:

- 30) Adopt Resolution supporting the City of Hollister's Active Transportation Program, Safe Routes to School grant application with the California Department of Transportation for funding of the Activating Safe and Equitable Connections in West Hollister project. (Res. No. 2014-39)

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 31) Receive Annual Rate Adjustment Notification from Recology San Benito County.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 32) Approve the Ad Hoc Subcommittee recommendation of paying the FY 2012/2013 John Smith Road Landfill Annual COLA and Change in Law Costs to Waste Connections Inc., in the amount of \$259,971.78.

PLANNING DEPARTMENT – B. Turner:

- 33) Adopt the CEQA findings set forth in Attachment "A" to AIT; and adopt Resolution of Intention to Amend Section 25.45 of Title 25 of the San Benito County Code pertaining Amendments of the Zoning code and Rezoning. (Res. No. 2014-40)

PLANNING DEPARTMENT – B. Turner:

- 34) Adopt the CEQA findings set forth in Attachment "A" to AIT; and adopt Resolution of Intention to Amend Section 25.43.008 of Title 25 of the San Benito County Code pertaining to the Term of Use Permits. (Res. No. 2014-41)

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.)

- 35) Conference with Legal Counsel-Exiting Litigation.
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Ronald Rivkin v. Adam Zawadsky, Kate Bentley, County of San Benito, et.al., Superior Court of California, County of San Benito,
Case No. CU-14-00049
- 36) 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 6434
Law Enforcement Management
Deputy Sheriff's Association
Authority: California Government Code Section 54957.6

AFTERNOON SESSION 1:30 P.M.

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 37) 1) Accept the County Clerk's Certification of Initiative Petition to Ban Fracking; and; 2) pursuant to Election Code 9118: Submit the Ordinance, without alteration; to the voters for the November 4, 2014 statewide general election per Election Code 1405 (b); or direct staff to bring back the matter at a special meeting within 10 days for adoption of the ordinance, without alteration; or before taking either action; order a Fiscal Report pursuant to Election Code 9111, the report shall be presented to the Board within the time prescribed by the Board, but no later than 30 days from today's date.

ADJOURN TO TUESDAY, MAY 20, 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.