



# 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 JUNE 17, 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:**

#### **BOARD OF SUPERVISORS:**

Introduction of Bailee Nelson, Miss San Benito Rodeo 2014, who is representing the San Benito County Saddle Horse Association in the 2014 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 27-29 at Bolado Park.

- 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 Weighmaster enforcement services for the period of July 1, 2014 through June 30, 2015, in the amount of \$1,200.00.

### **AGRICULTURAL COMMISSIONER – R. Ross:**

- 2) Approve contract with the Department of Food & Agriculture for Light Brown Apple Moth Services for the period of September 30, 2013 through October 31, 2014, for a total of \$3,174.10.

### **BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:**

- 3) Approve contract renewal with Door to Hope Substance Abuse Residential Treatment Facility for the period of July 1, 2014 through June 30, 2015, for a maximum total of \$50,000.

### **BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:**

- 4) Approve contract renewal with Hillside Christian Fellowship, Sober Living Environment, for the period of July 1, 2014 through June 30, 2015, for a maximum total of \$72,000.00.

### **CLERK OF THE BOARD – D. Thome:**

- 5) Approve the action minutes of the regular meetings of February 18, 2014 and April 15, 2014.

### **COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 6) Approve sole source purchase of the new web application for GIS including the agreement to the software licensing terms and conditions in the amount of \$20,072.50.

### **EMERGENCY SERVICES – K. O'Neill:**

- 7) Adopt Governing Body Resolution that authorizes the county positions named to execute for and on behalf of the County of San Benito for making application, filing and obtaining state and federal assistance and funding under the State Homeland Security Grant and Emergency Management Performance Grant Programs. (Res. No. 2014-54)

### **HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 8) Adopt Resolution, authorizing the submittal of an application to the Calif. State Department and Community Development for funding under the HOME Investment Partnership Program; and authorize the Director of Health & Human Services Agency to execute a standard agreement, any amendments and any

related documents necessary to the HOME Investment Partnership Program.  
(Res. No. 2014-55)

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 9) Approve Memorandum of Understanding between HHSA and the Public Authority for conducting In Home Supportive Services (IHSS) for administering public assistance programs pursuant to Welfare and Institutions Code Section 12250 (hereinafter In Home Supportive Services or “IHSS”) for the period of July 1, 2014 through June 30, 2016, in the amount of \$46,460 per year.

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 10) Approve the Medi-Cal Managed Care Services Agreement with Blue Cross of California Partnership Plan (doing business as Anthem Blue Cross) effective July 1, 2014 until terminated.

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 11) Approve Amendment #1 to contract with Philip Services Corporation (PSC) for Household Hazardous Waste and Small Quantity Generator (Business) Hazardous Waste, extending the expiration date of June 30, 2014 to June 30, 2015, in an amount not to exceed \$225,000.00.

**PLANNING DEPARTMENT – B. Turner:**

- 12) Approve Amendment to contract with Rincon Consultants, Inc., for the San Juan Oaks project, in an amount not to exceed \$25,600, for a total of \$291,322; and authorize the Interim Planning Director to approve minor contract amendments, authorizing additional work within the 10% contract contingency amount not to exceed \$29,132.

**PROBATION DEPARTMENT – R. Baraan:**

- 13) Grant a one-time exception to the Section of Personnel Rule 4.1.3 regarding family members having the same supervisor to allow the Probation Department to hire the top candidate from the recent Juvenile Institution Officer III interviews, and maintain employment of valuable Deputy Probation Officer Staff.

**PUBLIC WORKS DEPARTMENT – A. Nazemi:**

- 14) Approve contract Amendment #1 with San Benito Engineering and Surveying, Inc. for John Smith Road Realignment project, extending the expiration date from June 30, 2014 to June 30, 2016.

**SHERIFF’S OFFICE – D. Thompson:**

- 15) Approve Budget Amendment to Sheriff’s UNET Expenditure and Revenue Schedules providing for the 2013-14 Anti-Drug Abuse (ADA Enforcement Team Program Grant Award in the amount of \$51,310. (4/5 vote)

**SHERIFF’S OFFICE – D. Thompson:**

- 16) Approve Budget Amendment to Sheriff’s Grant Expenditure and Revenue Schedules providing for Unanticipated Grant Revenue and Associated Expenditures in amount of \$46,000. (4/5 vote)

**SHERIFF'S OFFICE – D. Thompson:**

- 17) Approve change to Sheriff's Schedule of Fixed Assets, Expenditure, and Revenue Schedules adding replacement vehicle 2014 Chevrolet Tahoe; increase expenditures (fixed assets-vehicles) by the insurance reimbursement of \$45,711; and increase revenue in the amount of \$45,711 recognizing the insurance payment. (4/5 vote)

**SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:**

*The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:*

**HEALTH & HUMAN SERVICES AGENCY - J. Rydingsword:**

- 18) Approve Memorandum of Understanding between HHSA and the Public Authority, for conducting In Home Supportive Services (IHSS) for administering public assistance programs pursuant to Welfare and Institutions Code Section 12250 (hereinafter In Home Supportive Services or "IHSS") for the period of July 1, 2014 through June 30, 2016, in the amount of \$46,460 per year.

**HUMAN RESOURCES – G. Cochran:**

- 19) Adopt Resolution approving the side agreement amending the Memorandum of Understanding (MOU) between the Public Authority and SEIU ULTCW Local 6434 regarding treatment of Public Authority Contribution towards Medical Coverage. (Res. No. 2014-56)

*The Board will adjourn as the IHSS Public Authority and reconvene as the San Benito County Board of Supervisors re:*

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

**AGRICULTURAL COMMISSIONER – R. Ross:**

- 20) Hold a public hearing to hear objections, protests or requested changes or corrections to the written report regarding the Mosquito and Disease Control Assessment rate to be imposed; adopt Resolution accepting the annual report for the Mosquito and Disease Control Assessment and levying the rate of \$10.90 per unit Mosquito and Disease Control Assessment for FY 2014/2015 based on the Engineer's report. (Res. No. 2014-57)

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

**ASSESSOR'S OFFICE – T. Slavich:**

- 21) Public Hearing on Land Conservation Act application request for Division: Sans – (10 Assessor Parcel Numbers in Book 24, Pages 12 & 13 and Book 29, Pages 8 & 10 Consisting of 4,660 acres under LCA Contract #10-007).

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

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 22) Hold a public hearing to receive public comment on the proposed application for the 2014 Community Development Block Grant Drought NOFA in the amount of \$500,000; adopt Resolution, authorizing the submittal of an application to the CA State Department and Community Development for funding under the 2014 Community Development Block Grant Drought NOFA; and authorize the Director of Health & Human Services to execute agreement and any amendments or related documents necessary to participate in the CDBG program; and authorize the County Administrator to execute the Assurances pertaining to the grant. (Res. No. 2014-58)

**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.*

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 23) Receive presentation on the review of new Landfill Operating Agreement Terms and Conditions at John Smith Road Landfill.

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 24) Receive Fireworks Safety: Fourth of July and fire update in San Benito County from Fire Chief Mike O’Conner.

**COUNTY COUNSEL – M. Granger:**

- 25) Approve Amendment to current Public Defender Indigent Defense Services Contract and Contract for First Level Conflict Indigent Services with Gregory Laforge and Harry Damkar to extend contract term from July 1, 2014 to October 31, 2014.

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 26) Adopt Resolution supporting a partnership with R.E.A.C.H. San Benito Foundation to create and sustain healthy alternatives for San Benito County residents. (Res. No. 2014-59)

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 27) Review Clear Creek Management Area proposed letter of No Confidence and provide staff direction on any edits and recipients; approve letter and authorize Chair to sign.

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 28) Discuss Transient Occupancy Tax (TOT): next steps; determine a general or special tax; determine amount to increase the TOT tax rate; and direct staff to complete the necessary steps to ensure placement on the November ballot.

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 29) Discuss July 22, 2015 Board meeting agenda and possibly remove the meeting from the calendar.

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 30) Approve title change for Class Specification from Program Assistant to Program Manager.

**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.)*

- 31) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:  
Property: 3110 Southside Road (APN 020-320-029), Hollister, California  
Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel  
Negotiating Parties: Caroline C. Anyeneh  
Under Negotiation: price and terms of payment  
Authority: California Government Code Section 54956.8
- 32) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:  
Property: San Benito High School (APNs 020-170-043, 059-020-001 & 059-020-003), off of Nash Road, Hollister, CA 95023  
Lantis-Ward (APNs 020-170-045 & 020-280-052), at 2100 Cienega Road., Hollister, California  
Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Sara Fontanos, Management Analyst; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel  
Negotiating Parties: Dave Lantis, on behalf of the Lantis-Ward property owners; John Perales, on behalf of the San Benito High School District  
Under Negotiation: price and terms of payment  
Authority: California Government Code Section 54956.8
- 33) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:  
Property: 5381 Fairview Road (APN 017-130-004), Hollister, California  
Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel.  
Negotiating Parties: Larry Drury, on behalf of Go Kids  
Under Negotiation: price and terms of payment  
Authority: California Government Code Section 54956.8

**ADJOURN TO TUESDAY, JULY 8, 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/](http://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.***