



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 DECEMBER 16, 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:

- Pledge of Allegiance to be led by Supervisor Botelho.
- Acknowledge Certificate of Posting.
- PRESENTATIONS & RECOGNITIONS:**

HUMAN RESOURCES:

Presentation of Certificates of Appreciation to County Employees Upon Retirement: Nadine DaRoza, Administrative Services Manager, Health and Human Services, 12.9 years; Patrick Palacios, Deputy District Attorney III, District Attorney's Office, 7.6 years; Jim Plourd, Social Worker IV, Health & Human Services, 14+ years; Ron Ross, Ag Commissioner, Ag Commissioner's Office, 23+ years; Nancy Velho, Child Support Branch Manager, Child Support Services, 22 years.

- 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.
- 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 for Light Brown Apple Moth Regulatory Services for the period of October 1, 2014 through September 30, 2015, for a total of \$16,694.75.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Authorize the Behavioral Health Director to sign Contract Agreement No. 14-90087 and Certifications with the State Department of Health Care Services, Substance Use Disorders Programs for FY 2014-15-16-17; and adopt Resolution to accept the Contract Agreement with the State Department of Health Care Services. (Res. No. 2014-103)

CHILD SUPPORT SERVICES – K. Johnson:

- 3) Approve the Memorandum of Understanding with Santa Cruz County for the Santa Cruz-San Benito Regional Department of Child Support Services effective July 1, 2014 through June 30, 2015, and is automatically renewable thereafter from fiscal year to fiscal year; and authorize the County Administrative Officer to sign.

CHILD SUPPORT SERVICES – K. Johnson:

- 4) Approve the Plan of Cooperation between the California Department of Child Support Services and the San Benito Department of Child Support Services and authorize the Regional Director of Santa Cruz/San Benito Department of Child Support Services to sign the Plan of Cooperation on behalf of the County.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 5) Approve maintenance agreement with Schneider Electric to inspect the current cooler equipment at the IT office in the amount of \$10,943.00; and authorize the CAO to sign the Time & Material Authorization for the inspection of equipment.

COUNTY COUNSEL – M. Granger:

- 6) Approve Amendment No. 1 to legal services contract with Cota Cole, LLP, in the amount of \$42,400.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 7) Receive the Annual Impact Fee Report for FY 13/14; and direct staff to bring the report back at the first Board of Supervisors meeting in 2015 for Board approval.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) Appoint Ms. Samantha Conatti-Fowler to the Community Action Board as the District 2 Representative, for the period of December 2, 2014 through December 2, 2017.

HEALTH & HUMAN SERVICES AGENCY - J. Rydingsword:

- 9) Approve Software License and Support Agreement with AACTS in the amount of \$22,848; approve Service Provider Agreement with CareAccess in the amount of \$1,680.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 10) Approve Memorandum of Understanding between San Benito County and San Benito Health Foundation for Hospital Preparedness Program (HPP) for use of Grant Funds in the amount of \$10,257.40.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 11) Approve contract with the State Department of Public Health for the Maternal, Child and Adolescent Health (MCAH) Program in the amount of \$482,665.00, for the period of July 1, 2014 through June 30, 2015; and authorize the HHSA Director to sign the Agreement and any amendments.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 12) Adopt Resolution authorizing the submission of a grant application for the Achieving Tobacco-Related Health Equity Among California's Diverse Populations for funding period July 1, 2015 through June 30, 2020; and authorize the HHSA Director to sign and submit the 15-100 application and any amendments on behalf of the County. (Res. No. 2014-104)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) Approve Amendment #1 to the Ambulance Agreement with American Medical Response, for rate increase, effective January 1, 2015.

HUMAN RESOURCES – G. Cochran:

- 14) Adopt Resolution rescinding Resolution #2014-94 and approving the revised collective bargaining agreement between the County of San Benito and Management Employees Group; authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action including signing the final MOU agreement; authorize the County Administrator or his/her designee to make any technical edits as later identified; and adopt Resolution fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act with respect to members of the MEG and Unrepresented employee groups. (Res. No. 2014-105 & Res. No 2014-106)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 15) Adopt Resolution authorizing the transfer of \$995,500 of Traffic Impact Fee Funds and authorizes the appropriation of funds to a Revolving Fund for the benefit of CSA No. 31 (Stonegate Water System Improvement Project) and

Authorize Budget Augmentation, transferring expenses as a loan from Traffic Impact Fee account for a total FY14-15 allocation of \$2,774,512. (4/5 vote)
(Res. No. 2014-107)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 16) Approve the Highway Maintenance Agreement with the State of California, Department of Transportation for the Pinnacles National Park Highway (SR 25) (aka: 25 Bypass).

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

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 17) Hold a public hearing to consider adoption of an Ordinance to Amend Ordinance #919, the Emergency Medical Services Fees Ordinance; adopt ordinance establishing a revised fee schedule for Emergency Medical Services; and direct the Clerk of the Board, within 15 days to publish a post-adoption summary of the ordinance pursuant to Government Code Section 25124(b). (Ord. No. 932)

REGULAR AGENDA:

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 18) Receive report from Chief O'Connor, City of Hollister Fire Department, in regards to the 2014 Fire Services for San Benito County.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 19) Adopt Resolution, approving the Transfer of Funds to the Fresno Community Development Financial Institution and authorizing the County Administrative Officer to execute a contract or any necessary documents with the Fresno Community Development Financial Institution in order to effectuate the transfer prior to December 31, 2014 and taking other related action. (Res. No. 2014-108)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 20) Consider the draft Goals and Policies for Mello-Ross Community Facilities Districts and provide feedback on possible additions and revisions; and schedule adoption of the Goals and Policies for a January Board meeting.

COUNCIL OF GOVERNMENTS – M. Gilbert:

- 21) Receive update on the State Route 25 4-Lane Widening Project Development.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 22) Presentation of the Performance Review Project by Optimity Advisors and direct staff to further pursue recommendations.

CLERK OF THE BOARD – D. Thome:

- 23) Approve the 2015 Board of Supervisors Meeting Calendar and Agenda Item Submittal Deadline Listing, as submitted.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 24) Receive the Fiscal Year End 13/14 financial report; and the 1st Quarter 14/15 financial update.

HUMAN RESOURCES – G. Cochran:

- 25) Adopt Resolution for exception to the 180 day wait period under Government Code Sections 7522.56 and 21224 to allow the retiring Agricultural Commissioner/Sealer of Weights and Measures to serve on a part-time temporary basis while the position is being filed and authorize employment of Ron Ross on a part-time basis, effective January 12, 2015. (Res. No. 2014-109)

CLOSED SESSION:

- 26) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:
Property: 3110 Southside Road (APN 020-320-029), Hollister, California
Agency Negotiator(s): Joe Horwedel, Interim Public Works Director; Ray Espinosa, CAO; Matthew W. Granger, County Counsel; Barbara J. Thompson, Assistant County Counsel; and Shirley L. Murphy, Deputy County Counsel
Negotiating Parties: Caroline C. Anyeneh
Under Negotiation: price and terms of payment
Authority: California Government Code Section 54956.8
- 27) Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9; Number of Cases: 1
- 28) Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9; Number of Cases: 1
- 29) Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9; Number of Cases: 1
- 30) Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (d)(2),(e)(2),(e)(3) of Government Code Section 54956.9, Number of Cases: 1
Facts and Circumstances Justifying Closed Session: Receipt of letter from Citadel Exploration, Inc., dated November 6, 2014, passage of Measure J, and the October 21, 2014, adoption of the Measure J Implementing Ordinance.
- 31) Conference with Legal Counsel-Existing Litigation
Subdivisions (a) and (d)(1) of Section 54956.9
Number of Cases: 2
Name of Cases: Service Employees International Union Local 521 v. County of San Benito, Public Employment Relations Board, Case No. SF-CE-946-M
Service Employees International Union Local 521 v. County of San Benito, Public Employment Relations Board, Case No. SF-CE-1059-M

- 32) Conference with Legal Counsel-Existing Litigation
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Center for Biological Diversity v. San Benito County, et.al,
Superior Court of California, County of Monterey, Case No. M123956 (Citadel
Exploration, Inc.-Real Party in interest)
- 33) CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Allyson Hauck, Ray Espinosa, Joe Paul
Gonzalez, Melinda Casillas and Georgia Cochran
Employee Organizations: Institutions Associations
Law Enforcement Management
Management Employees' Group
SEIU Local 521 (General Unit Employees)
Deputy Sheriff's Association
SEIU United Long Term Care Workers Local 6434
Unrepresented Employees
Authority: California Government Code Section 54957.6

AFTERNOON SESSION 1:30 P.M.

PUBLIC HEARINGS – 1:30 p.m. (Or as soon thereafter as the matter may be heard)

ASSESSOR'S OFFICE – T. Slavich:

- 34) Review Land Conservation Act Requests for Compatible Use and Division
Request for the following:
- 1-A) Compatible Use Request – Isha Institute of Inner Sciences – (Assessor
Parcel Number 012-160-003 comprising of 62.77 acres under LCA
Contract #75-48.) Applicant requests to construct a 110' x 110' (12,100
Sq. Ft.). Yoga Hall Building with patios and parking areas.
- 2-B) Division Request – Erickson/Holt – (Assessor Parcel Numbers 025-200-
065, 025-200-023, 025-200-066 & 025-210-046 consisting of 209.62 acres
under LCA Contract 75-013). This request is to divide the preserve of
209.62 acres into 2 preserves of 65.42 acres and 144.20 acres.

ADJOURN TO TUESDAY, JANUARY 20, 2015 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.