



Margie Barrios
District No. 1
Vice-Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5

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

REGULAR MEETING AGENDA JANUARY 20, 2015

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.

BOARD RE-ORGANIZATION:

- c) Open nominations and conduct election for Chair of the Board of Supervisors.
Open nominations and conduct election for Vice-Chair of the Board of Supervisors.
- d) Receive Committee appointments from the newly elected Chair of the Board of Supervisors.

e) PRESENTATIONS & RECOGNITIONS:

BOARD OF SUPERVISORS:

Present Certificate of Recognition to Mike Sanchez for over 40 Years of service to education and youth in the Community.

BOARD OF SUPERVISORS:

Present Certificate of Recognition to Jim West for his eight years of service on the Parks and Recreation Commission.

- f) **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.
- g) **Department Head Announcements:** Information only.
- h) **Board Announcements:** Information only.

The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito County Financing Corporation. (Separate agenda)

9:00 A.M. – (Or as soon thereafter as the matter may be heard)
County Board of Supervisors
SITTING AS THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY FINANCING CORPORATION

Acknowledge Certificate of Posting.

Public comment: *Opportunity to address the Board on items of interest not appearing on the agenda.*

CONSENT AGENDA:

Approve the minutes of the January 8, 2013 meeting.

REGULAR AGENDA:

Appointments of officers for the year 2014.

The Board will adjourn as the Board of Directors of the San Benito County Financing Corporation and reconvene as the Board of Supervisors.

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.

BOARD OF SUPERVISORS:

- 1) Approve Certificate of Recognition for Chamber of Commerce Man and Woman of the Year and Businesses of the year for 2015, to be presented at a later date.

BOARD OF SUPERVISORS:

- 2) Appointment of District 2 Parks and Recreation Commissioner Valerie J. Egland for the term of January 20, 2015 through December 31, 2015 by Supervisor Botelho.

CLERK OF THE BOARD – D. Thome:

- 3) Approve the action minutes of the Board of Supervisors regular meeting of October 7, 2014, October 21, 2014 and November 4, 2014.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 4) Approve and authorize the County Administrative officer to sign and utilize the Authorization to Order Under State Contract between San Benito County and AT&T for network telecommunications services.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 5) Approve the transfer of funds from the Planning Department to the County Counsel's Office to appropriately apply costs for current stages of development projects.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 6) Approve Memorandum of Understanding between the Consulate General of Mexico in San Jose and the San Benito County Health & Human Services Agency to provide services to vulnerable children in our county.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 7) Adopt Resolution accepting the 2015 Low Income Home Energy Assistance Program (LIHEAP) Grant, approving Grant Agreement, and Delegating Authority to the HHSA Director to sign the grant agreement and any amendments. (Res. No. 2015-1)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) Adopt Resolution accepting the 2015 Community Services Block Grant (CSBG) and authorizing the HHSA Director to approve and execute the grant agreement and any amendments. (Res. No. 2015-2)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 9) Adopt Resolution approving the Children's Medical Services 2014-2015 Plan and budget in the amount of \$375,894 for the term of July 1, 2014 through June 30, 2015; authorize the chair to sign the Certification Statements and authorize the HHSA Director to sign the agreement and any amendments. (Res. No. 2015-3)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 10) Accept funding from the California Department of Public Health Tuberculosis Control Branch for FY 2014-2015; and authorize the Director of HHSA to sign the Acceptance of Allotment Agreement and other required Certifications.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 11) Appoint and Re-appoint representatives as listed on the AIT, to the Emergency Medical Care Commission for terms beginning January 20, 2015 through December 31, 2016.

HUMAN RESOURCES – G. Cochran:

- 12) Approve the salary steps as outlined on the AIT for the job class of Public Health Officer.

PLANNING DEPARTMENT – B. Turner:

- 13) Approve Amendment No. 2 to contract with Aspen Environmental Group, in an additional amount of \$98,300, for a total amount not to exceed \$255,100, for preparation of SEIR; authorize the Interim Planning Director to approve minor

contract amendments, increasing the 10% contingency amount by \$11,680, for a revised not to exceed a total of \$25,510.

SHERIFF'S OFFICE – D. Thompson:

- 14) Approve County contributions for one temporary employee in the Sheriff's Office-Jail Division for a time not to exceed June 30, 2015.

SHERIFF'S OFFICE – D. Thompson:

- 15) Approve change to Sheriff's Schedule of Fixed Assets, Expenditure, and Revenue Schedules adding two (2) Zero Electric Motorcycles under the Electric Vehicle (EV) Replacement Program with the Monterey Bay Unified Air Pollution Control District in amount not to exceed \$26,680. (4/5 vote)

TREASURER-TAX COLLECTOR-ADMINISTRATOR – M. L. Andrade:

- 16) Adopt Resolution delegating authority to the County Treasurer to invest and reinvest county funds and other depositor's funds in the county treasury or to sell or exchange securities so purchased, pursuant to the requirement of state law. (Res. No. 2015-4)

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

PLANNING DEPARTMENT – B. Turner:

- 17) Open the Public Hearing and take any public comment on Appeal of the Planning Commission's Approval of Use Permit 1103-14 (Verizon Wireless) by Appellant Frank V. Guerra-Guerra Nut Shelling Company; staff then recommends that the Board continue the Public Hearing, to Board of Supervisors meeting of February 3, 2015 at 9:00 a.m. without closing public hearing.

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

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 18) Hold a Public Hearing to consider the landowners' petition to vacate Vasquez Creek Road, (County Road #8030) as provided by staff; and adopt a Resolution vacating Vasquez Creek Road (County Road #8030). (Res. No. 2015-5)

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.

SHERIFF'S OFFICE – D. Thompson:

- 19) Augment the Sheriff's Schedule of Authorized Positions adding 4 FTE Deputy Sheriff; and increase FY 2014-15 expenditures in the amount of \$72,335 (\$55,575 salary/benefits; \$16,760 operating expenses) for two (2) deputy sheriffs; and commit to funding two (2) additional deputy sheriffs in the FY 2015-16 budget, creating an annual estimated cost of \$490,000 for a total of four (4) deputy sheriffs. (4/5 vote)

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 20) Review and approve the FY 2013/2014 Annual Impact Fee Report.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 21) Consider the draft agreement with the City of Hollister and the San Benito High School District; direct staff to complete the temporary closure agreement negotiations with the other agencies, the CEQA and public engagement process and return with a formal approval to consider the temporary closure; and delegate to the County Administrative Officer approval authority to facilitate a tentative offer of dedication with the School District to the County.

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.)

- 22) Conference with Real Property Negotiator
Property: 5381 Fairview Road (APN 017-130-004), Hollister, California
Agency Negotiator(s): Joe Horwedel, Interim Public Works Director; Arman Nazemi, Assistant Public Works Director; James A. Rydingsword, Director of Health & Human Services; Ray Espinosa, CAO; Matthew W. Granger, County Counsel; Barbara Thompson, Assistant County Counsel; Shirley Murphy, Deputy County Counsel and Sara Fontanos, Management Analyst
Negotiating Parties: Larry Drury, on behalf of Go Kids
Under Negotiation: price and terms of payment
Authority: California Government Code Section 54956.8
- 23) 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)
- 24) Conference with Legal Counsel-Anticipated Litigation
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9:
Number of Cases: (1)

ADJOURN TO TUESDAY, FEBRUARY 3, 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.