



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3
Vice-Chair

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 FEBRUARY 17, 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:

- Pledge of Allegiance to be led by Supervisor Rivas.
- Acknowledge Certificate of Posting.
- 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.
- 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.

CLERK OF THE BOARD – D. Thome:

- 1) Approve the action minutes of the January 20, 2015 regular meeting.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 2) Approve FY 2014/2015 Budget Augmentation and Transfer of \$141,000 for the San Benito County Migrant Center for the property needs assessment repairs and upgrades. (4/5 vote)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 3) Approve additional positions for Human Services due to increased State Funding for Medi-Cal and Eligibility Programs as follows: 4.0 FTE Eligibility Worker I/II, 1.0 FTE Eligibility Worker III, 1.0 FTE Eligibility Supervisor, 4.0 FTE Office Assistant I/II, 1.0 FTE Screener; and approve Budget Augmentation for FY 2014-15 in budget 2212-500 related to Medi-Cal/Eligibility Programs in the amount of \$239,549. (4/5 vote)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 4) Approve Modifications to the Schedule of Authorized Positions for Health & Human Services as follows: Budget 2214-400; delete 1.0 Public Health Nurse IV, add 1.0 Supervising Public Health Nurse, add 1.0 Occupational Therapist I/II; Budget 2402-012; delete 1.0 Integrated Case Worker I/II, add 1.0 Employment and Training Worker I/II.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 5) Approve agreement with California Statewide Automated Welfare Systems Consortium IV Joint Powers Authority for the purchase of seven C-IV workstations, scanners, printers, and ongoing maintenance for the period of FY 2014/2015 to FY 2019/2020.

OFFICE OF EMERGENCY SERVICES – K. O'Neill:

- 6) Adopt Ordinance amending sections 11.01.002, 11.01.003, and 11.01.005 and changing the title of Chapter 11.01 from "Civil Emergencies" to "Emergency Services" in the San Benito County Code. (Ord. No. 933)

PLANNING DEPARTMENT – B. Turner:

- 7) Adopt Resolution upholding the Planning Commission's Approval of Use Permit No. 1103-14 for (Verizon Wireless), and denying the appeal of Guerra Nut Shelling Company heard on February 3, 2015. (Res. No. 2015-8)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 8) Approve Final Map for TSM 14-92, Tract No. 321, for Community Housing Improvement System and Planning Association, Inc., commonly known as CHISPA; authorize the Chair to sign the Final Map; and authorize staff to record the Final Map.

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 ADMINISTRATIVE OFFICE – R. Espinosa:

- 9) Accept introduction, read title and waive further reading of an Ordinance amending Article 1 of Chapter 3.01 of Title 3 of the San Benito County Code to specify compensation paid to Grand Jurors and continue to March 3, 2015 for adoption.

COUNTY COUNSEL – M. Granger:

- 10) Review the draft tree protection ordinance, and provide direction to staff as to any necessary changes; make the CEQA findings set forth in Attachment “A” to the AIT; adopt Resolution of Intention to Amend Article VII of Chapter 25.29 of the San Benito County Code. (Res. No. 2015-9)

COUNTY LIBRARY – N. Conte:

- 11) Approve the contract with CENIC-Califa for the period of December 2, 2014 through June 30, 2016 to provide high speed networking to the County Library, to obtain data circuits to connect the library to CENIC and the CalREN connection; direct E-Rate reimbursement payment be deposited into the Library Project Budget in fiscal 2015/2016; and authorize the County Librarian to apply for more CENIC grant funding as available.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 12) Approve waiver of County Policies and Procedures Handbook Rule 1.H.3 Prohibiting CalPERS benefits for Temporary Employees for Office Assistant II in Health and Human Services Agency.

PLANNING DEPARTMENT – B. Turner:

- 13) Receive progress report on the General Plan Update.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 14) Approve contract change order with All Phase Excavating Construction, Inc. for a total amount of \$161,992.62 for the County Fiber Optic Infrastructure project and authorize: \$141,000 payable to All Phase Excavating Construction, Inc.; \$240.00 to pay for damages to the residence of Manuel Romero at 419 North Street; and \$20,752.62 to the Don Chapin Company for restoration of the damaged sewer line in North Street.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 15) Adopt Resolution adopting the Goals and Policies for Mello-Ross Community facilities Districts. (Res. No. 2015-10)

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 16) Receive presentation in regards to 2014 Year End Report.

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.)

- 17) 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. vs. Center for Biological Diversity; San Benito County, et.al., Court of Appeal, Sixth Appellate District, Case No. H041650

- 18) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9: Number of Cases: (1)
- 19) Conference with Legal Counsel-Anticipated Litigation
Significant Exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9: Number of Cases: (1)
Closed session is authorized by Section 54956.9(d)(2),(e)(2), due to pending employee grievance regarding on-call pay.
- 20) Conference with Legal Counsel-Anticipated Litigation.
Significant Exposure to litigation pursuant to Section 54956.9:
Number of Cases (1)
Closed session is authorized by Section 54956.9(d)(2), (e)(1).
- 21) County Employee Appointment
Title: Assistant County Administrative Officer
Authority: California Government Codes 54957

ADJOURN TO TUESDAY, MARCH 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.