



# 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 APRIL 7, 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 Muenzer.

b) Acknowledge Certificate of Posting.

c) **PRESENTATIONS & RECOGNITIONS:**

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

Approve proclamation declaring April 11, 2015 as Walk a Mile in Her Shoes Day in San Benito County.

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) Approve step increase for part-time Appraiser II position from 22.9/D to 22.9/E.

### **ASSESSOR'S OFFICE – T. Slavich:**

- 2) Approve the Job Specifications and Salary Range for the Supervising Computer Mapping Specialist.

### **ASSESSOR'S OFFICE – T. Slavich:**

- 3) Approve the Job Specifications and Salary Range for the Property Transfer Assessment Technician.

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

- 4) Adopt Resolution authorizing the Director of Behavioral Health Department to sign and execute said Alcohol and/or other Drug Outpatient Services Certification requirements on behalf of San Benito County. (Res. No. 2015-17)

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

- 5) Approve the waiving of the Competitive Bid process and approve the purchase of a 2015 Ford Fusion from Tiffany Ford; approve contract for purchase of one (1) 2015 Ford Fusion Sedan and authorize the Behavioral Health Director to sign contract.

### **BOARD OF SUPERVISORS:**

- 6) Approve the letter of support of Assembly Bill 203 (Obernolte), to extend the deadline for paying or disputing a fire prevention fee that Cal Fire levies on property owners from 30 days to 60 days from the date of assessment; and authorize the Chair to sign.

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

- 7) Approve the action minutes of the February 17, 2015 and the March 3, 2015 regular meetings.

### **COUNCIL OF GOVERNMENTS – M. Gilbert:**

- 8) Extend the appointment of Mary Gilbert as COG Interim Executive Director to July 31, 2015.

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

- 9) Find that competitive bidding would not be in the public interest because local vender Tiffany Ford can provide an equivalent vehicle at a price equal to the price the State received through its competitive bid process; approve the purchase of Ford Escape from Tiffany Ford for the base price of \$24,995.00,

including applicable taxes; authorize the HHS Director to sign purchase contract.

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

- 10) Adopt Resolution accepting the 2015 Community Services Block Grant (CSBG) DWAP Contract #15-2407 and authorize the HHS Director to approve and execute the Grant Agreement (Contract #15F-2407), and any amendments and other documents related to the grant, for and on behalf of the County of San Benito. (Res. No. 2015-18)

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

- 11) Adopt Resolution authorizing submission of an application, work plan and budget for the receipt of Public Health Emergency Preparedness (PHEP) Ebola Supplemental Funding and accepting the award amount of \$66,157.00 for funding period of April 1, 2015 to September 30, 2016; authorize the HHS Director to sign the PHEP award agreement; and upon receipt of PHEP funds, authorize and approve the hiring of a Public Health consultant for the term of the contract. (Res. No. 2015-19)

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

- 12) Approve changes to the Schedule of Authorized Positions for Human Services as follows: Delete 1.0 FTE Staff Services Manager and add 1.0 FTE Deputy Director to the Schedule of Authorized Positions. (Funding for this position exists in the current and projected HHS budgets. There are no county general funds requested.)

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

- 13) Approve the addition of 1.0 FTE Social Work Supervisor I/II to Schedule of Authorized Positions for Health & Human Services; and approve the budget augmentation for FY 2014-15 in Budget 2211-500 related Child Protective Services. (4/5 vote)

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

- 14) Approve Tri-County Commercially Sexually Exploited Children (CSEC) agreement between Monterey, Santa Cruz and San Benito Counties for the period of March 1, 2015 through June 30, 2015; authorize the HHS Director to sign agreement; and approve budget augmentation for budget #221.80.2285.1000. (4/5 vote)

**TREASURER/TAX COLLECTOR – M. L. Andrade:**

- 15) Review list of parcels/assessments for sale and adopt Resolution to provide authorization to hold Public Internet Auction Sale on June 19-22, 2015. (Res. No. 2015-20)

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

**COUNTY COUNSEL’S OFFICE – M. Granger:**

- 16) Hold a public hearing on proposed water conservation ordinance for CSA 31 (“Stonegate”); read title of the ordinance for the record; make the CEQA findings set forth on Exhibit “A” to this AIT; accept introduction, waive further reading, and

adopt Ordinance, entitled "An Ordinance of the County of San Benito Establishing a Water Conservation Program for the Area Served by County Service Area No. 31 ("Stonegate" for the 2015-2016 Water Year and Amending Exhibit "B" of Ordinance 927." (Ord. No. 935)

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

**COUNTY COUNSEL’S OFFICE – M. Granger:**

- 17) Hold a public hearing; read title of ordinance for the record, "An Ordinance Adopting a Permanent Tree Protection Ordinance by amending Article VII "Tree Protection" of Chapter 25.29 ("General Requirements") of Title 25 ("Zoning") of the San Benito County Code, Establishing Regulations on the Removal of Protected Trees to Protect and Preserve Mature Trees in RM and R-1 Zones of San Benito County"; make the CEQA Findings Set Forth on Attachment "A" to AIT; accept the introduction and waive further reading of the ordinance; adopt Ordinance; and retroactively order that display ad regarding the proposed ordinance be published on March 27, 2015, and that a second display ad be published within 15 days of adoption of the ordinance in accordance with the California Government Code. (Ord. No. 936)

**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.*

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

- 18) Receive PowerPoint presentation of Governmental Accounting Standards Board (GASB) No. 68 by Mike Nolan of Hayashi & Wayland; adopt Resolution which adopts a measurement date of June 30, 2014 for GASB No. 68 implementation. (Res. No. 2015-21)

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

- 19) Receive report from BMC Promise Way, LLC, a Delaware limited liability company; DBA Benchmark Communities; and provide direction to staff, as applicable.

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

- 20) Chair shall provide the LAFCO assignments effective March 1, 2015, for a term to be specified by the Chair.

**COUNCIL OF GOVERNMENTS – M. Gilbert:**

- 21) Receive presentation on the Central Coast Coalition 2015 Sacramento Legislative Day.

**FIRST 5 SAN BENITO – L. Faulkner:**

- 22) Receive Presentation from First 5 San Benito Executive Director regarding the proposal for First 5 to become independent from the County; read title of ordinance for the record, "An Ordinance Adding Section 11.11.015 ("Legal Status

of the Commission”) of Title 11 of the San Benito County Code, Changing the Legal Status of First 5 San Benito to that of an Independent Public Entity”; accept introduction, waive further reading of the ordinance and continue the matter to April 21, 2015 at 9:00 a.m. for adoption; and direct staff to begin negotiations on a Separation agreement and possible Management Agreement with First 5 San Benito and/or provide direction to staff.

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

- 23) Approve the Second Amendment to the Commercial Lease Agreement and Subordination, Attornment and Nondisturbance Agreement with CSDC for premises at 1111 & 1131 San Felipe Road, Hollister, CA.

**PLANNING DEPARTMENT – B. Turner:**

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

**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.)*

- 25) County Employee Appointment  
Title: Assistant County Administrative Officer  
Authority: California Government Codes 54957
- 26) Pursuant to Government Code Section 54956.95, the San Benito County Board of Supervisors will meet in closed session with James Rydingsword, Ray Espinosa, Joe Paul Gonzalez, Georgia Cochran and JPA Trindel Insurance Fund to discuss a workers’ compensation settlement (V. Fernquist).
- 27) 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: Passage of Measure J, and the October 21, 2014, adoption of the Measure J Implementing Ordinance; multiple letters regarding Measure J exemption process.
- 28) Conference with Legal Counsel-Existing Litigation  
Subdivisions (a) and (d)(1) of Section 54956.9  
Name of Case: Citadel Exploration, Inc. v. County of San Benito, et.al., filed in the California Superior Court for the County of San Benito, Case No. CU-15-00028

**ADJOURN TO TUESDAY, APRIL 21, 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/](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.***