



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 MAY 19, 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 honoring the San Benito Health Foundation for 40 Years of Service.

EMERGENCY MEDICAL SERVICES – M. Morrow:

Proclaim May 17-23, 2015 as Emergency Medical Services Week; and recognize all members of AMR, Hollister/San Juan Fire, Hazel Hawkins Memorial Hospital Emergency Dept., CalStar, CalFire, Aromas Tri-county Fire Protection District, Hollister PD, Santa Cruz Regional 911, California Highway Patrol and San Benito County Sheriff's Office for outstanding EMS Service in our 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) Adopt Resolutions establishing Agricultural Preserve and authorize the Chair to sign the Land Conservation Contracts. These contracts are a result of prior action and approval by the Board. (Res. No. 2015-30, Res. No. 2015-31, Res. No. 2015-32, Res. No. 2015-33, Res. No. 2015-34, Res. No. 2015-35, Res. No. 2015-36, Res. No. 2015-37)

ASSESSOR'S OFFICE – T. Slavich:

- 2) Approve the reclassification of 1.0 FTE Computer Mapping Specialist III to 1.0 FTE Supervising Computer Mapping Specialist to the Assessor's Office using County Personnel Rule 7.G.1.

ASSESSOR'S OFFICE – T. Slavich:

- 3) Approve the maintenance agreement with Megabyte System, Inc. for the Megabyte Property Tax System at a cost not to exceed \$129,717 for the period of July 1, 2015 through June 30, 2016.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract renewal with North Valley Behavioral Health, LLC for acute care treatment needs for the period of July 1, 2015 through June 30, 2016, for a maximum amount of \$100,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with Natividad Medical Center, Mental Health Unit for the period of July 1, 2015 through June 30, 2016, for an amount not to exceed \$250,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with Unity Care Group, Inc. for residential treatment facility for the period of July 1, 2015 through June 30, 2016, for a maximum amount of \$40,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) Approve contract renewal with Front Street, Inc. for residential care facility for the period of July 1, 2015 through June 30, 2016, for a maximum amount not to exceed \$48,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) Approve contract renewal with 7th Avenue Center, LLC for skilled nursing facility for the period of July 1, 2015 through June 30, 2016, for a maximum amount of \$89,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 9) Approve contract renewal with Kings View Corporation for telepsychiatry services for the period of July 1, 2015 through June 30, 2016, for a maximum total of \$220,000.

CLERK OF THE BOARD:

- 10) Approve the action minutes of the April 21, 2015 regular meeting and the April 28, 2015 special meeting.

FIRST 5 SAN BENITO – L. Faulkner:

- 11) Approve Waiver of County Policies and Procedures Handbook Rule 1.H.3 Prohibiting CalPERS benefits for Temporary Employees and authorize the current Secretary II temporary employee at First 5 to exceed 1,000 hours for the 14/15 fiscal year, with employment not to exceed June 30, 2015 without further approval by the Board of Supervisors.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 12) Reappoint Frank Ledesma as the Representative for the Board of Supervisors for District #1 to the Community Action Board for a three-year term effective 6/1/15 through 6/1/18; reappoint Robert Scoles as the Representative for the Board of Supervisors for District #2 for a three-year term effective 3/1/15 through 3/1/18; reappoint Juan Cruz as the Representative for the Board of Supervisors for District #3 for a three-year term effective 2/21/15 through 2/21/18; and appoint Gerry Wright as the Representative for the Poor for District #3 for a three-year term effective 2/21/15 through 2/21/18.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) Adopt Resolution authorizing the submittal of a grant application from the 2015 California Workforce Accelerator Fund 2.0; and authorize the HHSA Director to apply and sign the grant application and any grant amendments, and all documents pertaining to said grant, for an amount not to exceed \$150,000.
(Res. No. 2015-38)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 14) Approve contract with Gavilan College CalWORKS Program to provide ongoing case management services for the period of July 1, 2015 through June 30, 2016, in the amount not to exceed \$50,000; and authorize the HHSA Director to sign.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 15) Approve contract renewal with Youth Alliance for counseling services related to child welfare for the period of July 1, 2015 through June 30, 2016, in the amount of \$20,000.

PLANNING DEPARTMENT – B. Turner:

- 16) Adopt ordinance, “An Ordinance Adjusting the Codification of Articles within Chapter 25.29 of Title 25 of the San Benito County Code” in regards to Tree Protection. *(Continued from the May 5, 2015 meeting)* (Ord. No. 938)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 17) Approve the plans and specification for the Sheriff Department Emergency Generator, PWB-1501; and authorize the Public Works Director to solicit bids for the Sheriff Department Emergency Generator.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 18) Approve the purchase order to Lyle Signs, Inc. for the purchase of Sign Shop Equipment Supplies in an amount not to exceed \$21,700.50.

SHERIFF’S OFFICE – D. Thompson:

- 19) Approve the addition of one (1) FTE Deputy Sheriff Range L1 to the Sheriff’s UNET Schedule of Authorized Positions; and approve the \$15,700 budget augmentation to the Sheriff’s UNET budget for a Deputy Sheriff, Range L1, Step F, to be paid by the Edward Byrne Memorial Justice Assistance Grant (JAG).

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 ADMINISTRATION OFFICE – R. Espinosa:

- 20) Receive information regarding a potential sales tax initiative from Intergovernmental Committee held on May 7, 2015; take action in support or against the proposed Intergovernmental Committee Sales Tax Initiative; or support the Intergovernmental Initiative and a separate sales tax measure for roads by COG; or provide direction to staff.

COUNTY ADMINISTRATION OFFICE - R. Espinosa:

- 21) Approve sending a letter of support for Senate Bill 16 (Beall) of the 2015-16 Legislative session, a bill that would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system; or authorize Chair to jointly sign a letter of support with the Council of Governments on behalf of the Board of Supervisors.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 22) Receive public testimony from Property Owner; conduct a hearing on the Resolution of Necessity to authorize the acquisition of a fee interest of .888 acres and .687 acres as temporary construction easements from a portion of the property located at 331-351 Hospital Road in Hollister, California and make the required findings; and adopt Resolution of Necessity authorizing and directing the County of San Benito’s Attorneys to prepare, commence, and file proceedings in eminent domain for the purpose of acquiring necessary right of way and real

property interests for the proposed Hospital Road Bridge Project. (Res. No. 2015-39)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 23) Accept report, and direct staff to set Public Hearing for June 16, 2015 to start the process of the creation of a new CSA, or with LAFCO's approval, annexation into existing CSA No. 9; and approve "Owner's Covenant and Irrevocable Agreement to Annex to County Service Area No. 9".

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 24) Approval of Final Map TSM 08-77, Tract No. 317, commonly known as Tyler Knoll, lodged with the Clerk of the Board of Supervisors; accept all offers of dedications (except road right of way as explained below), as shown on the final map on behalf of public for public use, with the specific exception that the dedication of the road right of way is not accepted at this time but shall remain open for possible future acceptance, and subject to the condition that the County is not responsible for any cost or expense, including maintenance, of any offer accepted; and authorize the abandonment of the dam maintenance easements as shown in Book 8 of Maps, Page 14, and in Book 9 Parcel Maps Page 23 and in Book 8 of Maps 61 and the temporary Cul-De-Sac easement shown on Book 9 of Parcel Maps, page 23 as their use ceased to exist and has been terminated; authorize Chair to sign the final map and authorize the County Engineer to record the Final Map.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 25) Approve the agreement templates for form as required by the State of California for financing of the Main Jail Expansion; and adopt Resolution delegating to the County Administrator approval to sign the final Project Delivery and Construction Agreement (Design, Bid, Build) and other contract documents necessary to support the Main Jail Expansion project. (Res. No. 2015-40)

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.)

- 26) Conference with Legal Counsel-Existing Litigation
Subdivisions (a) and (d) (1) of Section 54956.9
Name of Case: BMC Promise Way, LLC, dba: Benchmark Communities v. County of San Benito, Case No. CU-15-00056
- 27) Conference with Real Property Negotiator:
Property: 1135 San Felipe Road (APN 051-110-034), Hollister, California
Agency Negotiator(s): Alan Yamamoto, Behavioral Health Services Director; Joe Horwedel, Interim Public Works Director; Ray Espinosa, CAO; Joe Paul Gonzalez, Clerk-Recorder-Auditor; Maria Sanchez, Behavioral Health Case Management Services/Administrative Services Specialist II; Matthew W. Granger, County Counsel; Barbara J. Thompson, Assistant County Counsel; and Shirley L. Murphy, Deputy County Counsel
Negotiating Parties: George L. Renz

AFTERNOON SESSION 1:30 P.M.

PUBLIC HEARINGS – 1:30 P.M. (or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – B. Turner:

- 28) (1) Hold a public hearing regarding the Appeals of Planning Commission's Approval of Use Permit 1023-09-A – Approval of Revised Panoche Valley Solar Project;
- (2) Consider the evidence submitted to the Board;
- (3) Deny the appeals filed on behalf of appellants, and uphold the decision of the Planning Commission as follows:
- Adopt Resolution certifying the Final Supplemental Environmental Impact Report and adopting findings of fact, a mitigation, monitoring and reporting program, and statement of overriding considerations for the Revised Panoche Valley Solar Project (Attachment 1 to staff report); and adopt Resolution denying the appeals and upholding the Planning Commission's decision (Attachment 2 to staff report).
- (Res. No. 2015-41) (Res. No. 2015-42)

ADJOURN TO TUESDAY, JUNE 2, 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.