



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 JULY 21, 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.
- c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Present Certificate of Recognition to Roy Sims for winning the U.S. Nationals in the Heavyweight and Open Division Classes at the U.S. Sumo Nationals on June 13, 2015 in Missouri.

BOARD OF SUPERVISORS:

Present Proclamations to Angelica Rojas of the San Benito Health Foundation declaring August 9-15, 2015 as Health Center Week, August 2015 as Breastfeeding Awareness Month and the day of August 3, 2015 as Farm Worker Health Day in San Benito County.

BOARD OF SUPERVISORS:

Present Certificate of Recognition to Frank Ledesma for serving 9 years as a member of the Community Action Board (CAB) of San Benito County.

COUNTY ADMINISTRATION OFFICE:

Recognize and congratulate Juan Manuel Puente as the recipient of this year's Trindel Safety Award and recognize nominee Sheyla Funes who has demonstrated an outstanding effort toward a safe and healthy workplace for the County of San Benito.

- 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.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 1) Approve the Memorandum of Understanding between the California Commissioners and Sealers Association and the County of San Benito County for the data entry and submission of pesticide use reports from July 1, 2015 through June 30, 2016, for a total of \$8,968.00.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 2) Approve Contract with the California Department of Food & Agriculture for petroleum labeling and advertising activities from July 1, 2015 through June 30, 2016, for a total of \$975.00.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 3) Approve the contract renewal with Transcend/Christine A. Henriques, Facilitation of Domestic Violence and MHSA prevention and early intervention groups for Victims of Domestic Violence for the period of July 1, 2015 through June 30, 2016, for a maximum total of \$25,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract renewal with Traditions Behavioral Health for Psychiatry Services for the period of July 1, 2015 through June 30, 2016, for a maximum annual total of \$409,094.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with Project Ninety, Inc, residential treatment facility for the period of July 1, 2015 through June 30, 2016, for a maximum total not to exceed \$50,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with Hollister Youth Alliance, for the provision of Mental Health Services for the period of July 1, 2015 through June 30, 2016, in the amount of \$167,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) Approve contract renewal with Medical Search, LLC for Psychiatry Services for the period of July 1, 2015 through June 30, 2016, for a maximum annual total of \$374,400.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) Approve contract with Sun Street Centers, Sober Living Environment for the period of July 1, 2015 through June 30, 2016, for a maximum total of \$72,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 9) Approve the appointment of Robin Louise as a public interest/consumer member for Supervisorial District 4 to the Behavioral Health Board effective July 21, 2015 through July 21, 2018.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 10) Authorize the County's Behavioral Health Director to sign Amended 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 Amended Contract Agreement. (Res. No. 2015-53)

CLERK OF THE BOARD – L. Valdez:

- 11) Approve the action minutes of the March 17, 2015 regular meeting, April 7, 2015 special meeting, the April 7, 2015 regular meeting, the May 5, 2015 regular meeting and the May 19, 2015 regular meeting.

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

- 12) Authorize seven designated County Employees to attend the 2015 New World Customer Conference in Dallas, Texas to be held September 13th through September 15th 2015; at a cost of \$2,740 per attendee to be charged to each employee's respective travel budget.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) Approve contract with Mary White consultant for the period of July 21, 2015 through September 30, 2016, in the amount of \$64,800.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 14) Approve contract with the California Department of Social Services (CDSS) Adoptions Unit for adoption services for the period of July 1, 2015 through June 30, 2016.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 15) Approve Memorandum of Understanding (MOU) between Superior Court of California, County of San Benito-Court Appointed Special Advocates Program

(CASA) and Health & Human Services for the period of July 1, 2015 to June 30, 2017.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 16) Approve out-of-state travel to Montana for a CPS Social Worker in connection with placement of a dependent child for the period of July 26, 2015 to July 27, 2015.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 17) Approve contract with Jose Vasquez for Grant Development and Writing Services for the period of July 21, 2015 through July 20, 2016 with a not-to-exceed amount of \$75,000.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 18) Approve contract between CSWD and the Community Services Development Corporation for the 2014 U.S. Department of Housing and Urban Development (HUD) Continuum of Care (COC) Homeless Assistance Grant for the period of August 1, 2015 through March 31, 2016, for the amount not to exceed \$118,882; and authorize the HHSA Director to sign any amendments and documents pertaining to this contract.

PLANNING DEPARTMENT – B. Turner:

- 19) Approve reimbursement agreement with Earthbound Farm LLC., to reimburse expenses; approve contract with Kimley-Horn and Associates, Inc. for work related to the proposed Earthbound Farm Expansion, in an amount not to exceed \$98,767; authorize the Assistant Planning Director to approve minor contract amendments, authorizing additional work within the 10% contract contingency amount

PROBATION DEPARTMENT – R. T. Baraan:

- 20) Approve contract with Paula Norton as a tutor for the period of July 1, 2015 through June 30, 2016, for an amount not to exceed \$20,000.

PROBATION DEPARTMENT – R. T. Baraan:

- 21) Approve contract with Youth Alliance for aftercare reentry program for the period of July 1, 2015 through June 30, 2016, for an amount not to exceed \$70,000.

PROBATION DEPARTMENT – R. T. Baraan:

- 22) Approve contract with King & Associates for Youthful Offender's Block Grant for the period of July 1, 2015 through June 30, 2016, for amount not to exceed \$20,000.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 23) Approve contract Amendment No. 2 with Cornerstone Structural Engineering Group for the design services and preparation of plans and specifications for the Y Road Bridge at San Benito River crossing in an amount not to exceed \$1,665,890.00 for the total contract; authorize Public Works Director to issue change orders, in an amount not to exceed \$166,589.00.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 24) Receive bid from Bracewell Engineering, Inc., finding it to be the lowest responsive, responsible bid received in response to IFGB PWB-1502; approve contract with Bracewell Engineering, Inc., for operation and maintenance of Water and Wastewater Treatment Plants for CSA's 22 (Cielo Vista, #31 (Stonegate) and #50 (Dunneville Estates), for the period of July 1, 2015 through June 30, 2016.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 25) Adopt Resolution adopting the Final Negative Declaration, required CEQA findings and the Mitigation Monitoring and Reporting for the Rosa Morada Road Bridge. (Res. No. 2015-54)

SHERIFF'S OFFICE – D. Thompson:

- 26) Amend Sheriff's Schedule of Authorized Positions adding 1 FTE Sheriff's Sergeant in the operations division (budget unit 101.40.1175) to be offset with Trial Court Security funds; and Augment Sheriff's Expenditures/Salary & Benefits in the amount of \$97,000; and increase Sheriff's Revenue/Trial Court Security in the amount of \$97,000. (4/5 vote)

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

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 27) Hold a Public Hearing to hear objections, protests or requested changes or corrections to the written report regarding the Mosquito and Disease Control Assessment rate to be imposed; and adopt Resolution accepting the annual report for the Mosquito and Disease Control Assessment and levying the rate of \$11.22 per unit Mosquito and Disease Control Assessment for FY 2015/2016 based on the Engineer's Report. (Res. No. 2015-55)

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 28) Hold a Public Hearing to consider adopting a Resolution adopting increases in certain rates set forth in the previously adopted rate schedule for materials accepted at the John Smith Road Landfill; adopt Resolution revising the rate schedule at John Smith Road Landfill, to take effect July 21, 2015; and approve the payment of \$250,000 to Waste Solutions Group, LLC for the FY 2014-2015 COLA and Change of Law Costs. (Res. No. 2015-56)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 29) Hold a Public Hearing to hear all objections, protests, or requested changes or corrections to the written report of service charges for County Service Area #36 (Emergency Medical Services and Advanced Life Support) for FY 2015/2016; and adopt Resolution accepting the annual report for CSA #36 and benefit assessment charges set forth therein and authorize the Chair to sign. (Res. No. 2015-57)

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.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 30) Review and accept Homeless Services update.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 31) Receive staff presentation and accept the 2015 San Benito County Homeless Census Executive Summary report.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 32) Discussion of options of the use of the Homeless Center CDBG Grant; and selection of Use of CDBG Grant as a Project Recoverable for the Homeless Service Center.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 33) Authorize submittal of grant application for \$75,000 to State Toxic Substance Control Agency for environmental assessment of Southside Road Property Area; and authorize the Director of HHSA to sign application and all necessary documents for processing,

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 34) Authorize HHSA to participate in an Intergovernmental Transfer (IGT) with the California Department of Health Care Services (DHCS) in order to increase Medi-Cal reimbursement for services previously provided to Blue Cross Medi-Cal enrollees by HHSA during the base FY 2013-14; authorize the HHSA Director to execute an Intergovernmental Transfer agreement and to transfer up to \$250,000 to DHCS; authorize the HHSA Director to execute an Intergovernmental Transfer Assessment Fee agreement with the California DHCS for the base year 2013-14; and authorize the HHSA Director to sign an Amendment to the existing Agreement with Blue Cross in substantially the same form, for payment of Medi-Cal managed care capitation rate increases by Anthem Blue Cross to San Benito County to San Benito County HHSA to reimburse the County for services previously provided and to enable the County to provide additional health care services to San Benito County residents.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 35) Approve the concept for the Resource Management Agency; direct the Administration to present, subject to County Counsel review and approval the necessary amendments to the County Code to consolidate Public Works, Planning and Building and Integrated Waste Management Departments into a Resource Management Agency.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 36) Appoint Brent Barnes as Resource Management Agency Director at Step D; approve and authorize the CAO to execute employment contract with Mr. Barnes for the Resource Management Agency Director.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 37) Accept the 2014 Crop Report; and authorize the release of the report via the Agricultural Commissioner's website.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 38) Hear presentation on "Stuff the Bus" program; approve transfer of \$1,000 from contingencies to the CBO program. (4/5 vote)

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 39) Approve the Plans and Specifications for the Main Jail Expansion Project, PWB-150XX; and authorize the Public Works Director to solicit bids for the Main Jail Expansion Project following the approval of the State Department of Finance.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 40) Adopt Resolution to Initiate the Formation of CFD 2015-01 Santa Ranch; and set a Public Hearing for September 1, 2015 at 9:00 a.m. (Res. No. 2015-61)

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.)

- 41) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9: Number of Cases: (2)
- 42) 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 claim from Citadel Exploration Inc., dated July 9, 2015
- 43) Conference with Legal Counsel-Existing Litigation.
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Sierra Club, et al. v. County of San Benito, et.al, filed in the California Superior Court for the County of San Benito, Case No. CU-15-00081
- 44) Conference with Legal Counsel-Anticipated Litigation. Significant Exposure to litigation pursuant to Section 54956.9:
Number of Cases: (1)
Closed session is authorize by Section 54956.9 (d)(2),(e)(1).

PLANNING DEPARTMENT – B. Turner:

- 45) Hold a Public Hearing to review and consider adoption of the Draft 2035 General Plan and consider certification of the EIR for the General Plan; 1) adopt Resolution certifying the EIR and adopting the CEQA Findings and Statement of Overriding Considerations; 2) adopt Resolution adopting the 2035 General Plan, with the 2035 General Plan Errata, and 3) Adopt Resolution adopting the 2035 General Plan Mitigation Monitoring and Reporting Program (MMRP). (Res. No. 2015-58), (Res. No. 2015-59), Res. No. 2015-60)

ADJOURN TO TUESDAY, AUGUST 4, 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.