



# 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 AUGUST 18, 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 Botelho.
- Acknowledge Certificate of Posting.
- PRESENTATIONS & RECOGNITIONS:**

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

Recognize Robert Scoles for serving 9 years as a member of the Community Action Board (CAB) of San Benito County.

#### **HUMAN RESOURCES – G. Cochran:**

Present Certificate of Recognition to Kenneth Nattell, Facilities and Grounds Manager, Public Works for his 7 years of service with the County of San Benito upon his retirement.

#### **OFFICE OF EMERGENCY SERVICES – K. O'Neill:**

Presentation of a check by P.G. & E. in the amount of \$3,000 to the San Benito County Office of Emergency Services to be used for the Community Emergency Response Team (CERT) volunteer program funding; approve the Budget Augmentation in the amount of \$3,000. (4/5 vote)

- 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 contract with the California Department of Food & Agriculture for Certified Farmers Market Inspections for FY 2015/2015 for a total contract of \$4,000.

**BOARD OF SUPERVISORS:**

- 2) Approve Proclamation declaring September 2015 as “Childhood Cancer Awareness Month” in San Benito County.

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

- 3) Approve contract with Hayashi Wayland for assistance in preparation of the County’s Comprehensive Annual Financial Report (CAFR) in an amount not to exceed \$25,000.

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

- 4) Approve contract with The Regents of the University of California to provide general program assistance in for the period of September 1, 2015 through June 30, 2016, in the amount of \$20,000.

**COUNTY COUNSEL – M. Granger:**

- 5) Approve Legal Services Agreement with Cota Cole, LLP, for work in the defense of Award Homes, Inc. v. County of San Benito, City of Hollister, et.al., Superior Court of California, Case No. CU-15-00099 for the period of August 15, 2015 through June 30, 2017, in an amount not to exceed \$77,500.

**COUNTY COUNSEL – M. Granger:**

- 6) Approve Legal Services Agreement with Serlin & Whiteford, LLP, Joint Representation Agreement and Agreement with Center for Biological Diversity related to the County’s collection efforts (Citadel Exploration, Inc.).

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

- 7) Approve the Field Practicum Agreement with the California State University of Stanislaus Social Work Program and authorize the Director of HHSA to sign said agreement.

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

- 8) Authorize the HHSA Director to approve and execute the grant agreement and any amendments related to the three year grant for Tobacco Education contract with California Tobacco Control Program (CTCP) in the amount of \$150,000 for the period of July 1, 2015 through June 30, 2016.

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

- 9) Adopt Resolution authorizing closure of all Public Health Divisions to include Public Health Department (including EMS) at 439 Fourth Street and Environmental Health at 1111 San Felipe Road from 8:00 a.m. to 5:00 p.m. on November 19, 2015 for mass flu vaccination clinic. (Res. No. 2015-64)

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

- 10) Approve the requisitions for Premier Office furniture in the total amount of \$26,766.97 for the workstations delivered and installed for the Agency expansion; and augment fixed assets with \$27,000 from the Federal and State Public Assistance Administration as requested in the Budget Adjustment/Transfer form. (4/5 vote)

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

- 11) Approve contract with Jennifer Westphal to develop and/or resurrect fruit and vegetable gardens in four elementary schools, preschools or after school programs that serve San Benito County's low-income population for the period of August 18, 2015 to September 30, 2015, in the amount of \$16,000.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS DEPARTMENT- B. Barnes:**

- 12) Approve the reclassification of 1.0 FTE Road Maintenance Superintendent to 1.0 FTE Public Works Superintendent as identified in the scheduled of authorized positions for Road Maintenance Division Public Works using County Personnel Rule 7.G.1.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS DEPARTMENT- B. Barnes:**

- 13) Award the contract for Elevator maintenance Services to ThyssenKrup Elevator Company for the period of August 1, 2015 through July 31, 2016 with an automatic renew for up to three consecutive years, in the amount of \$8,100.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS DEPARTMENT- B. Barnes:**

- 14) Approve the purchase of a Caterpillar Backhoe and attachments from Quinn Caterpillar Company in an amount not to exceed \$130,000; and authorize the Resource Management Agency Director to approve the necessary documents.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS DEPARTMENT- B. Barnes:**

- 15) Approve the purchase of a John Deere Compact Utility Tractor, and a Heavy Duty Flail Mower, a Front Loader and Backhoe attachments from Cal-Coast Machinery; approve the purchase of Frontier Pallet forks, 4 in 1 Bucket and Medium Box Bland and attachments from Cal-Coast Machinery, Inc., in an amount not to exceed \$52,000; and authorize the Resource Management Agency Director to sign the necessary documents.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS DEPARTMENT- B. Barnes:**

- 16) Approve contract with Hayashi & Wayland Accounting and Consulting, LLP., for Public Works account services for the period of August 18, 2015 through June 30, 2016, with automatic renewals up to a maximum of three years, for an annual amount not to exceed \$32,000.

**RESOURCE MANAGEMENT AGENCY/PLANNING DEPARTMENT – B. Barnes:**

- 17) Approve the reimbursement agreement with Catalyst Development Partners/Todd A. Deutscher to recover County costs to review and process this project (subdivide approximately 27 acre property located off Southside Road into approximately 90 residential lots).

**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.

**PROBATION DEPARTMENT – R. T. Baraan:**

- 18) It is respectfully recommended that the Board accept the Local Action Plan as approved by the Community Corrections Partnership; authorize the addition of 1.0 FTE Probation Officer and 1.0 FTE Office Assistance III funded by AB 109; and authorize the Chief Probation Officer to negotiate an amendment to the County's commercial lease agreement with the Community Services Corporation for the purposes of establishing a "Community Transition Center."

**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.)*

- 19) Closed Session – Conference with Labor Negotiators  
Agency designated representatives: Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Georgia Cochran, and Steve Coffee  
Employee Organizations: Institutions Associations  
Law Enforcement Management  
Management Employees' Group  
SEIU Local 521 (General Unit Employees)  
SEIU United Long Term Care Workers Local 6434  
Deputy Sheriffs Association  
Confidential  
Confidential Management  
Department Heads  
Unrepresented Employees  
Authority: California Government Code Section 54957.6
- 20) Closed Session – Conference with Legal Counsel-Existing Litigation  
Subdivisions (a) and (d)(1) of Government Code Section 54956.9  
Name of Case: County of San Benito v. Cristina M. Martinez, et.al., Superior Court of California, County of San Benito, Case No. CU-15-00063

- 21) Closed Session – Conference with Legal Counsel-Existing Litigation  
Subdivisions (a) and (d)(1) of Government Code Section 54956.9  
Name of Case: County of San Benito v. Maximo R. Ornelas and Juanita L. Ornelas, et.al, Superior Court of California, County of San Benito,  
Case No. CU-15-00077
- 22) Closed Session – Conference with Legal Counsel-Anticipated Litigation  
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9  
Number of Cases: (2)

**ADJOURN TO TUESDAY, SEPTEMBER 8, 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.***