



# 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 SEPTEMBER 22, 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:**

Recognize Mike Rovella for his 46 years as a mail carrier for the U. S. Postal Service in Hollister, California.

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

Present Proclamation to the San Benito County Health Foundation declaring October 3-18, 2015 as Bi-National Health Week 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.*

### **AGRICULTURAL COMMISSIONER – K. Overstreet:**

- 1) Approve contract with the Department of Pesticide Regulation for the collection and submission of data between July 1, 2015 through February 29, 2016, with reimbursement not to exceed \$13,654.52; adopt Resolution approving agreement #15-C0017 for the collection and submission of compliance and enforcement data pertaining to Calendar year 2014; and approve budget augmentation for unanticipated revenue/fixed assets for computer/technology upgrades in the amount of \$13,000. (4/5 vote) (Res. No. 2015-71)

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

- 2) Approve contract renewal with Charis Youth Center, Inc. for Therapeutic Behavioral Services for the period of July 1, 2015 through June 30, 2016, for a maximum amount of \$80,000.

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

- 3) Authorize the County Behavioral Health Director to assign \$25,000 of County MHSA Prevention and Early Intervention Funds to CalMHSA for FY 2015-16 for the purpose of sustainment and development of mental health prevention and early intervention projects that have regional and State-wide benefit.

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

- 4) Approve the appointment of Robin Louise as a public interest/consumer member, residing in Supervisorial District 4 to the Behavioral Health Board effective September 22, 2015 through September 22, 2018.

### **CHILD SUPPORT SERVICES – K. Johnson:**

- 5) Approve the Plan of Cooperation between the California Department of Child Support Services and the San Benito Department of Child Support Services; and authorize the Director of the San Benito Department of Child Support Services to sign the Plan of Cooperation on behalf of the County.

### **CLERK OF THE BOARD – L. Valdez:**

- 6) Approve the action minutes of the May 26, 2015 special meeting and the June 2, 2015 regular meeting.

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

- 7) Adopt Resolution accepting the certified statement of election results for the September 8, 2015 Special Community Facilities District No. 2015-01 (Santana Ranch CFD) Special Election. (Res. No. 2015-72)

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

- 8) Set and pass the FY 2015/2016 Tax Rates, Debt Service Rates and Direct Assessment Charges; authorize the levy of these rates against the taxable secured property within the County, which is subjected to each rate; adopt Resolution, which sets and approves the FY 2015/2016 tax rates as shown on Appendix A, attached and authorize the Chair to sign; approve the collection fee allowed by Section 29142 and described above. (Res. No. 2015-73)

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

- 9) Authorize the Chair to sign letter directed to Rob Bishop, Chair of the Natural Resources Committee; and authorize the Chair to sign letter directed to the Director of the California State Parks, Director of the California State Parks, Off Highway Division, and the OHMVR Commission in regards to the Clear Creek Management Area: HR 1838 Request for Hearing at House Natural Resources Committee.

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

- 10) Approve contract for services with the City of Hollister and CSG Consultants, Inc. to complete the permit renewal application process as required by the California Department of Toxic Substance Control for the period of July 1, 2015 through June 30, 2016, in the amount of \$10,895.50.

**COUNTY COUNSEL – M. Granger:**

- 11) Approve Amendment #1 to contract with Miller Starr Regalia, for legal services regarding the San Juan Oaks Specific Plan project, in an amount not to exceed \$84,375 for a total contract amount not to exceed \$285,000.

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

- 12) Approve the budget adjustment of \$31,100 from Special Departmental Expenses to Fixed Assets for Homeland Security Funding and approval for purchase of vehicle using GSA Master Contract program.

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

- 13) Appoint Mr. Jeffrey Anyeneh as Representative for District #1 to the Community Action Board for a three-year term effective August 18, 2015 through August 18, 2018 and Carol Thomas, Representative for District #1 for a three-year term effective August 29, 2015 through August 29, 2018.

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

- 14) Approve contract with Youth Alliance for Counseling Services for Cal Works recipients and Family Stabilization identified families for the period of October 1, 2015 through June 30, 2016, in the amount of \$60,000.

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

- 15) Approve the transfer of appropriations within the affected budgets to the fixed asset category to allow for the payment of pending invoices for the purchase of fixed assets.

**IT DEPARTMENT – S. Villicana:**

- 16) Approve the bulk purchase of desktops, laptops and tablets and associated peripherals (monitors, keyboard, not including printers); authorize the Auditor-Controller to pay for Windows 7 upgrade project invoices up to amount not to exceed \$175,000; and require the IT Department to track all invoices related to the Windows 7 Project through the ERP and other means, as determined by the IT Department.

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

- 17) Approve appointment of Temporary Secretary I in the Probation/Gang Prevention Unit.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:**

- 18) Adopt Resolution approving the Right-of-Way Agreement and accepting the Grant Deeds and easement grants for the purchase of real property for the road right-of-way easements for the Union Road Bridge project; and authorize payment of \$90,190.00 to Ridgefield Storage Company, a Washington Corporation and associated escrow fees for the purchase of road right-of-way. (Res. No. 2015-74)

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:**

- 19) Approve contract amendment #3 with Bengal Engineering, LP, for the renewal of the permits and providing environmental services for Hospital Road Bridge Project, and extend the contract term from December 31, 2015 to December 31, 2017 and expanding scope for a contract amendment not to exceed value of \$15,000 and total contract value of \$350,016.20.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:**

- 20) Approve the plans and specifications and bid document for Phase II of the John Smith Rubberized Asphalt Overlay project No. 2102-711.

**RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:**

- 21) Approve contract Amendment #2 with Associated Right of Way Services, increasing existing contract by \$16,500 for a total contract value not to exceed \$162,800.

***The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:***

***SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:***

**HUMAN RESOURCES – G. Cochran:**

- 22) Approve the Recognition Agreement between San Benito County In-Home Support Services Public Authority and SEIU United Long Term Care Workers (ULTCW) recognizing SEIU Local 2015 as the recognized employee organization for the IHSS Providers and authorize the Chair of the Board to sign the Recognition Agreement.

***The Board will adjourn as the Board of the IHSS Public Authority and reconvene as the Board of Supervisors re:***

## **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:**

- 23) Discussion on Unincorporated Sales Tax, Public Education and Outreach:
- (1) Agree to three dates for public education workshops-October 27, November 18, and December 17 at 7 p.m.-locations to be determined;
  - (2) Direct staff to advertise the RFP for a polling opinion or decide against polling;
  - (3) Discuss and determine the public outreach/educational message; or
  - (4) Direct staffs to determine the public outreach message as presented, and coordinate workshop agendas.

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

- 24) (1) Approve a pilot program for credit card purchases for a number not to exceed fifteen cardholders – five in the Health & Human Services Department, one in the county Administrative Office, one in Public Works, one in Probation, one in the sheriff's Office, and the others to be determined as appropriate for sampling needs;
- (2) Approve Chapter 8, "Procurement Card Policies" to be included as part of the County Purchasing and Contracting Policy Manual;
- (3) Authorize the Auditor to sign all Department of General Services participation documents in order to begin program setup and implementation;
- (4) Allow the pilot program for twelve months upon completion of program setup; and
- (5) Request that the Auditor and CAO bring back their recommendations upon commencement of the twelve month pilot program.

### **COUNTY COUNSEL – M. Granger:**

- 25) Make CEQA Findings, read title of Ordinance, accept introduction, waive further reading and Adopt Urgency Ordinance, adding new Chapter 11.15 to the San Benito County Code, restricting and regulating marijuana cultivation within San Benito County, or in the alternative, continue the matter to October 6, 2015 for adoption. (4/5 vote)

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

- 26) Approve and authorize the Chief Probation Officer to sign a one year contract with Lexipol for a flat cost of \$72,000 for implementation of services and 1<sup>st</sup> year subscription fee of \$9,465.00 and an ongoing annual subscription fee of \$7,425 thereafter.

### **RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:**

- 27) Approval of direction for the use of Homeless Service Center Community Development Block Grant and recommended action per Agenda Item Transmittal (AIT).

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

- 28) (1) Read title of ordinance for the record: “An Ordinance Adding Article X to Chapter 21.01 of the San Benito County Code entitled “Small Residential Rooftop Solar Energy System Review Process”:  
(2) Find that the proposed ordinance is exempt from CEQA pursuant to Section 15061(B)(3) of the State CEQA Guidelines because it can be seen with certainty that adoption of the ordinance does not result in a physical change in the environment; and accept introduction and waive further reading of the ordinance and continue to October 6, 2015, for the adoption of said ordinance.

**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.)*

- 29) 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 6434  
Deputy Sheriff’s Association  
Confidential  
Confidential Management  
Department Heads  
Unrepresented Employees  
Authority: California Government Code Section 54957.6
- 30) Conference with Legal Counsel-Existing Litigation.  
Subdivisions (a) and (d)(1) of Section 54956.9  
Name of Case: 926 North Ardmore Avenue, LLC v. County of Los Angeles, California Supreme Court, Case No. S222329.  
Authorization for county Counsel Matt Granger to appear, through signature on written brief, as amicus curiae.
- 31) 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).

**ADJOURNMENT TO NEXT BOARD OF SUPERVISORS MEETING SCHEDULED FOR TUESDAY, OCTOBER 6, 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.***