



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 OCTOBER 6, 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 De La Cruz.

b) Acknowledge Certificate of Posting.

c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Approve Proclamation declaring October 23-31, 2015 as San Benito County's Red Ribbon Week.

BOARD OF SUPERVISORS:

Receive presentation from Assemblyman Alejo on yearly legislative updates regarding issues related to 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 California Department of Food & Agriculture for the Nursery Inspection Program for the period of July 1, 2015 through June 30, 2016, in an amount of \$1,306.00.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 2) Approve contract with the California Department of Food & Agriculture to conduct Light Brown Apple Moth regulatory activities for the period of October 1, 2015 through September 30, 2016, for a total amount of \$11,915.63.

ASSESSOR'S OFFICE – T. Slavich:

- 3) Adopt Resolution approving a Division Application for agricultural preserve (Contract Number 70-23/70-24 & 70-25, Brookhollow Ranch); adopt Resolution approving a Compatible Use Application for agricultural preserve (Contract Number 70-23/70-24 & 70-25, Brookhollow Ranch). (Res. No. 2015-75) & (Res. No. 2015-76)

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract with the Crisis Services of the Alameda County for the provision of telephone screening, crisis intervention/counseling for the period of July 1, 2015 through June 30, 2016, for a maximum amount not to exceed \$45,000.00.

CLERK OF THE BOARD – L. Valdez:

- 5) Approve the minutes of the June 3, 2015 Special Joint Meeting.

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

- 6) Approve contract amendment with Hayashi & Wayland for assistance in preparation of the County's Comprehensive Annual Financial Report (CAFR), an additional \$60,000.00 is requested to complete the reconciliation and mapping process and to produce the CAFR, not to exceed \$85,000.00.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 7) Approve the contract with KIS Professional Services for network support services for the period of October 6, 2015 through June 30, 2016, not to exceed \$42,000.00.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 8) Approve the Household Hazardous Waste Services contract with Stericycle Environmental Solutions through June 30, 2018 with the opportunity to renew for one year to conduct solicitation as required by San Benito County Purchasing Code.

OFFICE OF EMERGENCY SERVICES – K. O’Neill:

- 9) Approve purchase of hand-held radios totaling \$53,874.00.

OFFICE OF EMERGENCY SERVICES – K. O’Neill:

- 10) Approve purchase of hand-held radios totaling \$20,455.64.

RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:

- 11) Approve contract with DV Electric Company to upgrade the electrical system for the San Benito County Free Library in the amount not to exceed \$14,500.00.

RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:

- 12) Approve Final map for TSM 14-92, Tract No. 321 for Community Housing Improvement System and Planning Association, Inc. (commonly known as CHISPA); authorize staff to record the Final Map.

RECOURCE MANAGEMENT AGENCY/PLANNING – B. Barnes:

- 13) 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; adopt Ordinance 940, adding article X to Chapter 21.01 of the San Benito County Code for Small Residential Rooftop Solar Energy Systems. (Ord. No. 940)

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

RESOURCE MANAGEMENT AGENCY/PUBLIC WORKS – B. Barnes:

- 14) Hold a public hearing to adopt Resolution approving the new Controlled Access Highway Agreement for the new Hwy. 156 widening project between San Juan Bautista and Hollister. (Res. No. 2015-77)

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.

BOARD OF SUPERVISORS:

- 15) Receive report from Chair Barrios on the Regional Council of Rural Counties (RCRC) Conference.

COUNCIL OF GOVERNMENTS – M. Gilbert:

- 16) Receive update on the Council of Governments’ Regional Transportation Plan Amendment to include a Highway 25 Widening Project on the Constrained List of Projects.

COUNCIL OF GOVERNMENTS – M. Gilbert:

- 17) Appoint a member to the San Benito/Santa Clara Mobility Partnership.

COUNTY COUNSEL – M. Granger:

- 18) Receive presentation from Paul Smith on recent developments in marijuana legislation; discussion regarding proposed ordinance, marijuana cultivation, regulation and/or taxation; make CEQA Findings and Adopt Ordinance 939, adding new Chapter 11.15 to the San Benito County Code, restricting and regulating marijuana cultivation within San Benito County. (Ord. No. 939)

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, Dana Torres-Wong, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Georgia Cochran, and Steve Coffee
Employee Organizations: Institutions Associations
Law Enforcement Management
Management Employees' Group
SEIU Local 529 (General Unit Employees)
SEIU Local 2015
Deputy Sheriff's Association
Confidential Employees
Confidential Management Employees
Department Heads
Unrepresented Employees
Authority: California Government Code Section 54957.6
- 20) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9.
Number of Cases: (1)

ADJOURN TO TUESDAY, OCTOBER 20, 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.