



SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus
District No. 1
Chair

Anthony Botelho
District No. 2

Pat Loe
District No. 3

Reb Monaco
District No. 4

Jaime De La Cruz
District No. 5
Vice-Chair

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING AGENDA MAY 8, 2007

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.

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance to be led by Supervisor De La Cruz.
- b) Acknowledge Certificate of Posting.

PRESENTATIONS / RECOGNITIONS:

- c) 1) Approve proclamation declaring May 6 - 12, 2007 as "National Nurse Week" in San Benito County. (HHSA)
- 2) Proclamation declaring May 6-12, 2007 as "Building Safety Week" in San Benito County. (Planning Dept.)
- 3) Presentation of Certificate of Recognition to Babe Ruth Baseball honoring their 50th anniversary in San Benito County. (Supervisor De La Cruz)
- 4) Presentation of Certificate of Recognition to Cyndee Colman, retiring after 21 years of services to the San Benito County Sheriff's Office. (Human Resources)
- 5) Presentation of Certificate of Recognition to Eva Reyna in appreciation of over thirty years of dedicated service to the citizens of San Benito County. (Supervisor De La Cruz)

- 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, Introductions and Presentations:** 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 – P. Matulich:

- 6) Approve two (2) letters of support for Senate Bill #311 regarding funding for Weed Management Areas and direct clerk to forward said letter to Senator Dave Cogdill and Senator Jeff Denham.

CLERK OF THE BOARD – L. Churchill

- 7) Approve the action minutes of the April 24, 2007 meeting.

PLANNING AND BUILDING – A. Henriques:

- 8) Adopt and sign letter of concern regarding Senate Bill 68 and direct letter be sent to State Representatives.

PUBLIC WORKS – J. Lo:

- 9) Approve amendment No. 2 to the agreement with CM Pros, Inc. for construction management services, increasing agreement by \$250,000 for a total of \$750,000.

SHERIFF – C. Hill:

- 10) Approve out of state travel for Lt. Escamilla to tour Stanley Integrated Systems manufacturing facility May 21-23, 2007 in Noblesville, Indiana.
- 11) Approve 36-month lease agreement with Monterey Bay Office Products for the lease of a copier/printer and scanner.

PUBLIC HEARING (9:30 A.M. or as soon thereafter as the matter may be heard):

PLANNING DEPARTMENT – A. Henriques:

- 12) Hold public hearing to consider an appeal of the San Benito County Planning Commission decision made on April 4, 2007 re: Minor Subdivision No. 1194-06. Request: Modification of Condition Of Approval 14(a), requiring certain roadway improvements on John Smith Road along the property's frontage, to allow deferment of said roadway improvements. Applicant/Appellant: Al Silva, Jr. Location: 4155 John Smith Road, Hollister, CA. ***(A request for continuance has been submitted by the appellant.)***

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.

SHERIFF – C. Hill:

- 13) Approve request to add an additional Detective to the California Multi-jurisdictional Methamphetamine Enforcement Task Force (CaMMET).

PLANNING DEPARTMENT – A. Henriques:

- 14) Review hearing officer selection and compensation process and adopt ordinance amending Chapter 19 of the San Benito County Code pertaining to Code Enforcement. (*cont. from 4/24/07 mtg.*)
- 15) Receive update report on the General Plan progress and provide direction as necessary.

INTERNAL SERVICES – R. Inman:

- 16) Tentatively approve San Benito County Drug and Alcohol Abuse Policy and bring back policy for final approval after meeting and conferring with employee representatives.

ADMINISTRATIVE BUSINESS:

- 17) Receive informational update from the Hollister Motorcycle Rally Committee. (Supervisor De La Cruz)

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.)

- 18) Conference with Legal Counsel - Existing Litigation - (Subdivision(a) 54956.9)
Name of Case(s):
 - a. MK Ballistics Systems, et al v. Wm. Simpson, et al. (Case No. C-07-00688)
- 19) Conference with Legal Counsel – Anticipated Litigation
 - a) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 Number of Cases: 2
- 20) Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9. Number of Cases: 2

ADJOURN TO TUESDAY, MAY 22, 2007 AT 9:30 A.M.

AGENDA DEADLINE IS MONDAY, MAY 14, 2007 AT 1:00 P.M.

NOTE: A copy of this Agenda is published on the County's Web site on the Friday preceding each Board meeting and may be viewed at www.san-benito.ca.us/agendas. All proposed agenda items with supportive documents are 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.

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.

**ADDENDUM TO THE
MAY 8, 2007
BOARD OF SUPERVISORS
REGULAR MEETING AGENDA**

The following item has been added to the May 8, 2007 Regular Agenda:

CONSENT AGENDA:

SHERIFF – C. Hill:

- 11.1) Authorize Emergency Services Manager to submit the FY2007 Emergency Management Performance Grant (EMPG) on behalf of the County Operational Area.

5/3/07
12:30 p.m.
sn