



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 DECEMBER 4, 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:

- Pledge of Allegiance to be led by Supervisor De La Cruz.
- Acknowledge Certificate of Posting.
- 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.*
- Verbal report by Gary Byrne, Executive Director, Community Foundation regarding the needs of the community. (Supervisor Loe)
- Presentation by Maria Giuriato, Executive Director, Health Professions Education Foundation. (Supervisor De La Cruz)
- Department Head Announcements:** Information only.
- 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.

CLERK OF THE BOARD - L. Churchill:

- 1) Approve corrected minutes for the October 23, 2007 meeting and approve the minutes of the special meeting held on November 20, 2007.

INTERNAL SERVICES – R. Inman:

- 2) Approve Memorandum of Understanding (MOU) between the County of San Benito and the San Benito County Employees Association/SEIU Local 521, effective October 1, 2007 through September 20, 2010.
- 3) Adopt Resolution modifying the compensation and benefits plan for the Management Employees Group (MEG); and approve Employment Agreement with the Management Employees Group (MEG), for a term of three years effective October 1, 2007 through October 2, 2010. (Res. No. 2007-93)
- 4) Adopt Resolution entitled “Resolution of the San Benito County Board of Supervisors regarding wages and benefits for Confidential Management and Confidential Employees from October 7, 2007 to September 30, 2008”. (Res. No. 2007-94)
- 5) Approve contract with Terryberry Company for Employee Recognition Program effective December 3, 2007 through December 1, 2008.

INTEGRATED WASTE – M. Rose:

- 6) Accept Used Oil Block Grant funds from the California Integrated Waste Management Board in the amount of \$24,661., and authorize Integrated Waste Management to sign said grant.
- 7) Approve Amendment to Agreement #1 with Golder Associates and Field Solutions, Inc. and approve contract with Robert F. Enz Construction, Inc. for the installation of a new extraction well for the period of November 27, 2007 to April 30, 2007.

SHERIFF DEPARTMENT – C. Hill:

- 8) Authorize purchase of additional server and operating system, increase revenue and establish fixed assets for County Communications in the amount of \$7,000.

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.

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

- 9) Receive the County Registrar’s report on plan for compliance with Secretary of State re-certification mandate #4 requiring an “Air Gap” solution; and consider budget augmentation from General Fund Contingency to Elections 1001140 in the amount of

\$25,000; and authorize the County Registrar to purchase all needed hardware and software required to implement the "Air Gap" solution in amount not to exceed \$25,000.

SHERRIF DEPARTMENT – C. Hill:

- 10) Approve agreement of Cooperation with California Department of Corrections and Rehabilitation.

INTERNAL SERVICES – R. Inman:

- 11) Approve contract with MuniFinancial to develop Capital Improvement Plan effective October 31, 2007.
- 12) Approve expenditure for out of state for three candidates for Chief Probation Officer interviews.

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.)

- 13) Conference with Legal Counsel – Anticipated Litigation – (Government Code Section 54956.9) (a) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 1
- 14) Conference with Labor Negotiator:
Authority: California Government Code Section 54957.6
Agency Designated Representatives: Rich Inman
Employee Organization: Appointed Department Heads

1:30 P.M. PUBLIC HEARINGS:

ASSESSOR – TOM SLAVICH:

- 15) Hold public hearings to consider Land Conservation Act (LCA) Requests and take action as appropriate re:
- **Fox Creek Fund LLC:** Compatible Use Request: 11 Assessor Parcels, Book 26, Pages 9, 11 & 12 and Book 27, Pages 2 & 3.
 - **Rever / Ginsburg Trust:** Compatible Use Request: APN's 027-10-0-026-0; 027-10-0-028-0; 027-12-0-021-0; 027-12-0-022-0.
 - **Towle, Charles Trust:** Division Request: APN's 027-09-011-0; 027-14-0-007-0; 027-14-0-014-0; 027-14-0-025-0.
 - **Strohn Trust :** Lot Line / Division: 5 Assessor Parcels, Book 27, Pages 28 & 30.
(Proposed resolution.)
 - **Caputo Children's Trust:** Enlargement: 5 Assessor Parcels, Book 27, Page 10.
(Proposed resolution.)
 - **Enza Zaden Research USA Inc.:** New Application: 018-14-0-001-0.
 - **O'Connell Ranch, LLC:** Partial Non-Renewal: 16 Assessor Parcels, Book 13, Pages 9, 10, 11 & 12.
 - **Bourdet, Mitch / Kristy:** Non-Renewal: 021-06-0-018-0

PLANNING DEPARTMENT – A. Henriques:

- 16) Hold a public hearing to consider an appeal of the San Benito County Planning Commission's October 17, 2007 denial re: Minor Subdivision No. 1203-07. Request: Applicant/Appellant: Kenneth May. Location: Chateau Drive, San Juan Bautista, CA. APN 011-023-009. *(Continued from 11/20/07)*

ADJOURN TO TUESDAY, DECEMBER 18, 2007 AT 9:30 A.M.

AGENDA DEADLINE IS MONDAY, DECEMBER 10, 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.