



# 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 18, 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** led by Supervisor Monaco.
- 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.*
- 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.*

**ADMINISTRATIVE BUSINESS:**

- 1) Approve contract with Monterey County for the purpose of providing assistance to veterans of war in San Benito County commencing January 1, 2008 through June 30, 2011.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 2) Approve amended contract with the California Department of Food & Agriculture for Pierce's Disease Control increasing the contract by \$1700 for fiscal years 2007/2008, 2008-2009 and 2009/2010.
- 3) Approve contract with the California Department of Food & Agriculture for Pest Detection Trapping Services in the amount of \$45,743 for fiscal year 2007/2008.

**ASSESSOR – T. Slavich:**

- 4) Adopt Resolution for Assessor Vehicle Standby Allowance. (Res. No. 2007-98)

**BEHAVIORAL HEALTH- A. Yamamoto:**

- 5) Authorize Behavioral Health Director to sign and submit to the State Alcohol and Drug Program the Comprehensive Drug Court Implementation notice of grant award allowing the acceptance of \$18,301 of State General Funds for the period of January 1, 2007 through December 31, 2008; and authorize Behavioral Health Director to sign related documents.

**CLERK OF THE BOARD – L. Churchill:**

- 6) Approve the action minutes of the November 6, 2007 and November 27, 2007 regular meetings.

**COUNTY LIBRARY – N. Conte:**

- 7) Accept donation of 1,060 books from the San Jose Mercury News for distribution by the San Benito County Free Library during the annual Holiday Program.
- 8) Accept \$1000 cash donation from an anonymous donor to be used for the expenses associated with the Bookmobile Project and approve budget augmentation. *(4/5 vote required)*

**HEALTH & HUMAN SERVICES – K. Flores:**

- 9) Approve contract with Janette Simin for nursing services for the period of January 1, 2008 to June 30, 2008 for a contract amount not to exceed \$25,000.
- 10) Re-appoint Mr. Michael Dodgin to the Workforce Investment Board (WIB) to represent the public sector, a mandated representative board position, for a three-year term, effective January 1, 2008 to December 31, 2010. (CSWD)

**INTERNAL SERVICES – R. Inman:**

- 11) Approve class specifications as follows: Assistant County Counsel, Housing Programs Coordinator, Information Technology Manager, and Recycling and Resources Recovery Coordinator; set salary ranges for each; approve 1.0 FTE for Internal Services, Information Technology (IT) Division; and authorize transfer of \$43,000 within the IT budget. *(4/5 vote required)*

**PUBLIC WORKS – J. Lo:**

- 12) Acknowledge the grant applications to the State of California, Safe Route to School Grant Program, requesting placement of four (4) permanent radar speed signs, two (2) each at Southside and Calaveras Schools, in the amount of \$33,000; and requesting a Class I Bicycle Lane facility along Southside Road from gate at Ridgemark to Southside School, in the amount of \$1.2 million, and authorize staff to complete the projects.

**SHERIFF / CORONER: - C. Hill:**

- 13) Approve purchase of a new surveillance vehicle and additional surveillance equipment to be used by the Sheriff's Narcotics Division and authorize transfer of grant funds in the amount of \$77,026.
- 14) Consider changes to the Sheriff Office's Authorized Position Schedule and approve related budget adjustment.
- 15) Approve request to transfer grant funds from Drug Enforcement Agency (DEA) trust account to Sheriff's Operations. *(4/5 vote required.)*
- 16) Approve change in Communications Dispatcher workweek and authorize the Communications Manger to make adjustment on the current payroll.
- 17) Make necessary findings; approve lease purchase of 5 patrol cars through Ford Motor Credit to be used by Sheriffs patrol operations with an annual cost of \$45,824.81; and authorize Sheriff to sign said agreement.

**PUBLIC HEARING: (9:30 a.m. or as soon thereafter as the matter may be heard)**

- 18) Hold a public hearing to consider an ordinance repealing and re-enacting Article II of Chapter 5 of the San Benito County Code and adopting by reference the 2006 edition of the International Property Maintenance Code; the 1997 edition of the Uniform Administrative Code; the 2006 edition to the Uniform Swimming Pool, Spa & Hot Tub Code; and, the California Code of Regulations Title 24, 2007 edition of the California Building Standards Code including the following parts:
- Part 1, California Administrative Code
  - Part 2, California Building Code including the Appendix Chapters
  - Part 3, California Electrical Code including the Appendix Chapters
  - Part 4, California Mechanical Code including the Appendix Chapters
  - Part 5, California Plumbing Code including the Appendix Chapters
  - Part 6, California Energy Code including the Appendix Chapters
  - Part 8, California Historical Code including the Appendix Chapters
  - Part 9, California Fire Code including the Appendix Chapters
  - Part 10, California Existing Building Code including the Appendix Chapters
  - Part 12, California Referenced Standards Code including the Appendix Chapters;
- and, amending those portions of the California Code of Regulations Title 24 and the 1997 Uniform Administrative Code as identified in the ordinance.
- Consider proposed resolution finding that modifications of the California Fire Code are reasonable and necessary because of local climatic, geological and/or topographical conditions.

## **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.

## **COUNCIL OF GOVERNMENTS – L. Rheinheimer:**

- 19) Approve letters to Secretary Bonner in support of Trade Corridors Improvement Funds for the State Route 152 Project and the Highway 156 Improvement Project.

## **INTERNAL SERVICES – R. Inman:**

- 20) Approve contract with Terryberry Company for Employee Recognition Program effective December 3, 2007 through December 1, 2008. **(Continued from 12/4/07 meeting)**

## **PUBLIC WORKS – J. Lo:**

- 21) Make a finding for the sole source purchase of playground equipment manufactured by Landscape Structures' and distributed by Ross Recreation Equipment; and approve the purchase and installation of playground equipment and safety surfacing for Veteran's Memorial Park in the amount of \$43,818.61 and the Historical Park in the amount of \$41,121.53 from Ross Recreation Equipment for a total amount of \$84,940.14.

## **SUPERIOR COURT – G. Solorio:**

- 22) Status Report on the Project Advisory Team's progress with regard to developing a recommendation for a new courthouse construction.

## **PLANNING DEPARTMENT – A. Henriques:**

- 23) Receive updated report regarding Commercial Zone Study and provide direction as necessary.

## **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.)*

- 24)
  - a) Conference with Legal Counsel concerning anticipated and existing litigation.  
Number of cases: 1
  - b) Existing Litigation – (Government Code Section 54956.9(a): Number of cases: 2  
Name of Case: Friends of Tres Pinos v. County of San Benito, et al; Superior Court, San Benito County; Case No. CU-07-00186  
Name of Case: Frank Del Carlo, et al. v. County of San Benito, et al.; Superior Court, San Benito County; Case No. CU-06-00079
- 25) 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: (or as soon thereafter as the mater may be heard)**

**PLANNING DEPARTMENT – A. Henriques:**

- 26) Hold a public hearing to consider an ordinance amending San Benito County Ordinance No. 501, Chapter 5, Article VII of the San Benito County Code, Sections 5-32, 5-33, 5-34, 5-35, 5-36, 5-37, 5-37.1, 5-37.2 establishing Agricultural Building Exemption, revising exemption definitions and requirements and qualifications.
  
- 27) Hold a public hearing to consider an ordinance revising the hillside development regulations by repealing Ordinance No. 781 in its entirety and re-enacting Sections 18-148.1 through 18-148.8 of the San Benito County Code Chapter 18 (Zoning Ordinance No. 479), Article XIII. The Ordinance is entitled an Ordinance of the County of San Benito, Repealing Ordinance No. 781 (Hillside Development Regulations) and Re-Enacting Section 18-148.1 et seq. of Chapter 18 (Zoning) of the San Benito County Code Relating to the Regulation of Hillside Development.

**ADJOURN TO TUESDAY, JANUARY 8, 2008 AT 9:30 A.M.**

**AGENDA DEADLINE IS FRIDAY, DECEMBER 28, 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](http://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.***