



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

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

REGULAR MEETING AGENDA JANUARY 8, 2008

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 Loe.
- b) Acknowledge Certificate of Posting.

BOARD RE-ORGANIZATION:

- c) 1) Open nominations and conduct election for Chair of the Board of Supervisors.
2) Open nominations and conduct election for Vice-Chair of the Board of Supervisors.
- d) Receive Committee appointments from the newly elected Chair of the Board of Supervisors

Continue Meeting:

- e) **Presentation:** Certificates of Recognition to Gino Andrade, Head Coach of the 2007 Junior Pee Wee Vikings Hollister Football Team to be presented to players at a later date. (Jaime De La Cruz)
- f) **Presentation:** Proclaim January 16, 2008 as Pinnacles National Monument Day, 100th Anniversary. (Reb Monaco)

- g) **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.*
- h) **Department Head Announcements:** Information only.
- i) **Board Announcements, Introductions and Presentations:** Information only.

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| CONSENT AGENDA: |
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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 Amendment #1 to agreement with Wald, Ruhnke and Dost Architects, LLP for the Courthouse Modifications Project extending the term to December 31, 2008 and increasing compensation by \$18,961 for a total agreement amount of \$157,366.
- 2) Ratify the addition of .5 FTE Office Assistant II to Council of Governments (COG's) schedule of authorized positions.
- 3) Authorize the additional \$1,000 cost to convert the County Code to dual column from single column with American Legal Publishing; and authorize chair to sign letter.

CHILD SUPPORT SERVICES – K. Johnson:

- 4) Approve purchase of 2008 Ford Taurus; and amend Child Support Service's schedule of fixed assets to include a 2008 Ford Taurus in the amount of \$23,989.32; and approve schedule of revenue to include \$22,989.32 insurance reimbursements; and approve interobject transfer of \$1,000 to fixed assets from services and supplies.

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

- 5) Accept report and adopt Resolution for an additional dollar (\$1.00) fee for recording the first page of every instrument, paper or notice required or permitted by law to be recorded for implementation and ongoing operation of a Social Security Truncation Program. (Res. No.2008-01)
- 6) Approve acquisition, licensing, maintenance, training and installation of the proposed software to our existing software with SunGard Bi-Tech in amount not to exceed \$91,000.

CLERK OF THE BOARD:

- 7) Direct Clerk of the Board to prepare Certificates of Recognition for the Chamber of Commerce Man and Woman of the Year and 2007 Chamber of Commerce Businesses of the Year for presentation on January 19, 2007.
- 8) Approve the action minutes of the December 18, 2007 regular meeting.

COUNTY LIBRARIAN – N. Conte:

- 9) Make a finding that competitive bidding for the purchase of a used Matthews Specialty vehicle for a mobile literacy program would not be in the public interest; and approve purchase of the Matthews Specialty Vehicle from Woodland Public Library; and authorize the County Administrative Officer, as the County's purchasing agent, to negotiate and sign a purchase agreement in an amount not to exceed \$35,000; and authorize the County Librarian to apply for state funding for personnel in support of the literacy vehicle.

HEALTH & HUMAN SERVICES – K. Flores:

- 10) Adopt resolution authorizing the H & HSA Executive Director to execute and sign the Community Service Block Grant (CSBG) and any amendments to such grant. (CSWD) (Res. No. 2008-02)

INTERNAL SERVICES – R. Inman

- 11) Approve contract with the Economic Development Corporation of San Benito County in the amount of \$50,000 for economic development funding for a term of January 8, 2008 through June 30, 2010.
- 12) Approve three percent (3%) salary increase to county department heads effective first pay period in January 2008; and, direct resolution be presented on January 22, 2008 to extend same three percent (3%) salary increase to elected department heads.
- 13) Adopt Resolution entitled "Resolution of the San Benito County Board of Supervisors to Provide Car Allowances to County Department Heads". (Res. No. 2008-03)
- 14) Approve lease agreement for a portion of the premises at 5381 Fairview Road with Go Kids, Inc. for the purpose of providing childcare education and services for the community; and, adopt resolution declaring intent to lease an interest in property declared to be surplus to a tax exempt organization organized for the care, teaching or training of children. (Res. No. 2008-04)
- 15) Approve certification of the lease with the California Department of Education Child Development Division for facilities renovation and repair funding for the Fairview Child Development Center and authorize the County Administrative Officer (CAO) to sign said certification.
- 16) Approve contract with Duane G. Tanner for services as Interim Chief Probation Officer effective December 17, 2007 to March 1, 2008; and issue notice to terminate existing contract if necessary.

LOCAL PLANNING COUNCIL – K. Bobsin:

- 17) Certify the annual Childcare Local Planning Council membership and authorize the Chair to sign certification statement.

BEHAVIORAL HEALTH - A. Yamamoto:

- 18) Adopt resolution approving the modified Mental Health Services Act Agreement No. 07-77335-000 as provided by the Department of Mental Health and authorizing the County Behavioral Health Director to sign the agreement for the term of 7/1/04 through 6/30/08. (Res. No. 2008-05)

PROBATION DEPT. - D. Tanner:

- 19) Approve 36-month leasing contract with US Bancorp and maintenance contract with Monterey Bay Office Products for a Savin 8055 Digital Copier effective January 2008 through January 2011; and authorize Chief Probation Officer to sign said contracts.

PUBLIC WORKS DEPARTMENT – J. Lo:

- 20) Approve travel for Parks and Recreation Commissioners to attend training conference in Long Beach, California, February 26-29, 2008 and to attend one-day workshops and training opportunities through June 2008; and, approve necessary budget transfer.
- 21) Adopt Resolution ordering and directing the placement of stop signs and other appropriate warning signs at the Bureau of Land Management's entrance station on Clear Creek Road, approximately 1.23 miles east of the Coalinga Road/Clear Creek Road intersection. (Res. No. 2008-06)

SHERIFF'S DEPARTMENT – C. Hill:

- 22) Approve agreement with TRG Consulting for the coordination, development and preparation of the construction or expansion of County Jails Request for Proposal (RFP) to the State of California Corrections Standards Authority for the period January 8, 2008 through June 30, 2008 in the amount of \$25,720.
- 23) Approve contract with Watch Systems, LLC to provide ongoing sex offender tracking and community notification for a term beginning on January 1, 2008 and ending on December 31, 2013 for a total amount not to exceed \$35,000.

TREASURER / TAX COLLECTOR / PUBLIC ADMINISTRATOR – M.Andrade:

- 24) Adopt resolution delegating to the Treasurer the Authority to Invest or Re-Invest County Funds and the Funds of Other Depositors in the County Treasury, or to Sell or Exchange Securities so Purchased. (Res. No. 2008-07)
- 25) Authorize the Tax Collector to hold Public Auction Sale of Tax-Defaulted Property on March 4, 5 & 6, 2008; approve the reduction in the minimum bid price if no bids are received or approve the re-offer of unsold parcels at a price, which the Treasurer-Tax Collector deems appropriate; and, approve unsold parcels being re-offered for sale within a 90-day period.

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

- 26) Hold a public hearing to consider an ordinance amending Section 5-8, Article II of Chapter 5 of the San Benito County Code pertaining to amendments the California Fire Code, 2007 Edition; and consider proposed resolution finding that amendment of the California Fire Code are reasonable and necessary regarding the storage of idle pallets, the installation and maintenance of automatic sprinkler and fire warning systems, alarms, road signs, building addresses, water supply systems, vegetation and debris disposal, greenbelts, maintenance of defensible space and roofs because of local climatic, geological and/or topographical conditions. (*Public hearing continued from December 18, 2007*)

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.

INTERNAL SERVICES – R. Inman

- 27) Adopt San Benito County Department Head Salary Plan.

ADMINISTRATIVE BUSINESS:

- 28) Approve and authorize chairman to sign amendment #1 to County Administrative Officer's Employment agreement.

BOARD OF SUPERVISORS:

- 29) Consider and direct staff to pursue a comprehensive evaluation of the cost/benefit associated with expansion of the John Smith Landfill for purposes of increasing daily tonnage receipts and resulting increased local revenue to support priority services and infrastructure.

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.)

- 30) Conference with Legal Counsel – Existing Litigation – (Subdivision (a) of Section 54956.9): 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: Pekin v. Scagliotti, Superior Court, San Benito County; Case No. CU-07-00174

1:30 P.M. PUBLIC HEARING:

PLANNING DEPARTMENT – A. Henriques:

- 31) 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 12/4/07***)

ADJOURN TO TUESDAY, JANUARY 22, 2008 AT 9:30 A.M.

AGENDA DEADLINE IS MONDAY, JANUARY 14, 2008 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.