



# SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus  
District No. 1

Anthony Botelho  
District No. 2  
Vice-Chair

Pat Loe  
District No. 3

Reb Monaco  
District No. 4

Jaime De La Cruz  
District No. 5  
Chair

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

## REGULAR MEETING AGENDA FEBRUARY 5, 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 Marcus.
- b) Acknowledge Certificate of Posting.
- c) **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.*
- d) **Department Head Announcements:** Information only.
- e) **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 amendment to the Memorandum of Understanding (MOU) with City of Hollister and San Benito County Water District adding Sunnyslope County Water District as an additional party to the MOU; and approve Budget Adjustment / Transfer in the amount of \$15,000. *(4/5 vote required.)*

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 2) Adopt Resolution for contract renewal with the Department of Mental Health for State Hospital Bed Use for the FY 2007/2008 at a bed day rate of \$370.26. (Res. No. 2008-12)
- 3) Approve reappointment of Sonny Flores as District 5, public interest and family member to the Mental Health Board effective February 5, 2008 through February 5, 2011.
- 4) Approve reappointment of Judy Cain of District 2, to the Mental Health Board as a Public Interest representative effective February 5, 2008 through February 5, 2011.

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

- 5) Approve the action minutes of the December 4, 2007 and the January 8, 2008 meetings.

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

- 6) Approve contract with Reflectxion Resources, Inc. d.b.a. Reflectx Services for occupational and physical therapy services in the amount not to exceed \$65,000 for the term February 6, 2008 through July 31, 2008 and authorize the Director of Health & Human Services Agency to sign contract.
- 7) Approve contract with Jennifer Hossain for physical therapy services in an amount not to exceed \$40,400 for the term February 6, 2008 through June 30, 2008; and authorize the Director of Health & Human Services Agency to sign the contract.

**INTERNAL SERVICES – R. Inman:**

- 8) Approve Certificate of Recognition for Christine Armer who is retiring after nearly 19 years of service with the San Benito County Probation Department for presentation at a later date.

**PROBATION DEPARTMENT – D. Tanner:**

- 9) Adopt Resolution approving the Juvenile Justice Department Plan and acceptances of the Youthful Offender Block Grant (YOBG) funds; and authorize the Probation Department to expend the YOBG funds. (Res. No. 2008-13)
- 10) Approve contract with Connecting Principles to teach Health Realization to minors and their parents in an amount not to exceed \$15,000 effective February 5, 2008 through June 30, 2008.

**PUBLIC WORKS – J. Lo:**

- 11) Approve reimbursement agreement with Standard Pacific Corporation for improving the intersection of Enterprise Road and Airline Hwy, in the amount of approximately \$96,749 effective February 5, 2008.

**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.

**ADMINISTRATIVE BUSINESS:**

- 12) Consider the request of the Economic Development Corporation (EDC) and designate the County Administrative Officer or her designee to represent the County by serving as a voting member of the EDC Board of Directors.

**INTEGRATED WASTE MANAGEMENT - M. Rose:**

- 13) Receive presentation by Nancy Whalen of the California Climate Action Registry.

**PLANNING DEPARTMENT – A. Henriques:**

- 14) Approve contract with Pacific Municipal Consultants (PMC) for planning and environmental services for the Santana Ranch project.

**SHERIFF’S DEPARTMENT – C. Hill:**

- 15) Receive Status Report on the AB 900, Corrections Standards Authority, Construction Funding Program and County’s grant application for jail expansion funding.

**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.)*

- 16) Conference with Legal Counsel – Two cases of existing Litigation – (Subdivision (a) of Government Code Section 54956.9)
- 1. Name of case: *Guerrero v. County of San Benito, et al*; U. S. District Ct, San Jose; Case No. C08 00307PVT
  - 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

**1:30 P.M. - PUBLIC HEARING: (or as soon thereafter as the mater may be heard)**

**PLANNING DEPARTMENT – A. Henriques:**

- 17) 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. CEQA Determination: Categorically Exempt. (*Continued from Dec. 18, 2007*) (*Request for continuance to March 4, 2008*)

- 18) Hold a public hearing to consider repealing Ordinance No. 820 in its entirety, which allowed the zoning designation of Assessor's Parcel Numbers 22-20-09 and 22-20-10 zoning to be changed from R-1 (Single-Family Residential) to C-1 (Commercial Thoroughfare District) as long as certain conditions were met. Location: Northwest corner of State Highway 25 and Southside Road in the unincorporated area of Tres Pinos, San Benito County, CA. General Plan: Rural/Urban. CEQA Determination: Categorically Exempt.
  
- 19) Hold a public hearing to consider an appeal of the December 5, 2007 Planning Commission decision re: Fiscal-Year 2007-2008 Preliminary Allocations. Request: Overrule the Planning Commission's denial of Preliminary Allocations #08-08 and #08-09. Applicant/Appellant: Larry Anderson. Location: North end of Cypress Street and Southeast corner of Los Altos and Hillcrest Road, Hollister, CA. APN's: 20-12-127 & 20-58-18. Zoning: Rural Residential. CEQA Determination: Categorically Exempt. (*Continued from January 22, 2008*)

**ADJOURN TO TUESDAY, FEBRUARY 12, 2008 AT 9:30 A.M.**

**AGENDA DEADLINE IS MONDAY, FEBRUARY 4, 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](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.***