



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 MARCH 4, 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.
- 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.

Presentations and Recognitions:

- 1) Adopt Resolution recognizing the Emmaus House and supporting its efforts to obtain grants and funding. (Res. No. 2008-18) (Supervisor Loe)
- 2) Adopt Resolution recognizing the San Benito County Homeless Task Force and supporting its efforts to obtain grants and funding. (Res. No. 2008-19) (Supervisor Loe)

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:

- 3) Approve a budget transfer in the amount of \$11,200 from Non-Departmental Expense to budget unit 1001-203, Grand Jury.

AGRICULTURAL COMMISSIONER – P. Matulich:

- 4) Approve out of state travel for one employee to attend annual meeting of the American Mosquito Control Association in Sparks, Nevada from March 2-6, 2008; and approve request to pay for the employees' meals and gas with funds to come from the Mosquito Abatement budget.

BEHAVIORAL HEALTH – A. Yamamoto:

- 5) Approve contract with Merced County to utilize their Psychiatric Health Facility for the period of March 4, 2008 to June 30, 2008 for a maximum amount of \$75,000.
- 6) Approve appointment of Diana Lynn Carr, Supervisorial District 2, to the Mental Health Board effective March 11, 2008 to March 11, 2011, as a Public Interest Representative.

CLERK OF THE BOARD – L. Churchill:

- 7) Approve the minutes of the February 22, 2008 special meeting.

HEALTH & HUMAN SERVICES – K. Flores:

- 8) Approve and authorize the Director of Health & Human Services Agency to hire a Physical Therapist (PT) II at Step F of the range for that classification effective March 5, 2008.
- 9) Approve Amendment #3 to the lease between the County and the Farm Labor Association to extend the term until March 31, 2009 and find that extending the lease term serves the public interest because it ensures continuity and availability of safe and affordable housing for unaccompanied farm workers.
- 10) Approve agreement with the Dept. of Health Services (DHS) for the Public Health Emergency Preparedness CDC/Plan Flu in the amount of \$293,810. for the period of August 31, 2007 to August 9, 2008 and authorize the H & HSA Director to sign said agreement.

PLANNING DEPARTMENT – A. Henriques:

- 11) Approve attached Letter of Support for appropriations for the Pajaro River Flood Control Project and forward letters to California State Senators and Representatives.

PUBLIC WORKS – J. Lo:

- 12) Approve appointment of the Engineering Technician I at Step F of Range 19.0, effective March 10, 2008.

SHERIFF'S DEPARTMENT - C. Hill:

- 13) Approve Deputy Sheriff hire at Range 22.7, Step F based on training and experience.
- 14) Authorize the applicant agent (Emergency Services Manager) to accept the FEMA-1646-DR-CA Hazard Mitigation grant on behalf of the County Operational Area.
- 15) Approve contract for Multi Year lease with GE Capital Corporation for lease on copy machine and printers and authorize Sheriff to sign.

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.

BOARD OF SUPERVISORS:

- 16) Consider approval of a Resolution supporting the retention of a Post Office in the Aromas area. (Supervisor Botelho)

BEHAVIORAL HEALTH – A. Yamamoto:

- 17) Receive information on FY 2006/07 Mental Health Board Annual Report.

PUBLIC WORKS – J. Lo:

- 18) Receive the FY 2007/08 Capital Improvement Program Mid Year Status Report; provide direction as appropriate; and approve budget adjustment reducing revenue and expenditures for the Farm Worker Housing project. (Continued from 2/26/08 meeting)

SHERIFF DEPARTMENT – C. Hill:

- 19) Review of draft AB900 grant application and supporting resolution and provide direction to staff.

AGRICULTURAL COMMISSIONER – P. Matulich:

- 20) Accept report on Santa Clara County Rodeo/Circus Ban proposal and direct staff 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.)

- 21) Conference with Legal Counsel – Existing Litigation – (Subdivision(a) of Section 54856.9) Name of Cases(s)
- 1. Frank Del Carlo, et al. vs. COSB (Case No. CU-06-00079)

2. Michael Pekin & Amanda Hernandez vs. COSB, et al, (Case No. C05-05402)
 3. Friends of Tres Pinos vs. COSB, et al (Case No. CU-07-00186)
- 22) Public Employee performance evaluation: Title County Counsel (Government Code Section 54957)

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

PLANNING DEPARTMENT – A. Henriques:

- 23) 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 Feb. 5, 2008)*
- 24) Hold a public hearing to consider introduction of an ordinance rescinding 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. Proposed ordinance to be considered for final adoption on March 11, 2008. *(Continued from Feb. 5, 2008)*

REGULAR AGENDA (Continued):

PLANNING DEPARTMENT – A. Henriques:

- 25) Review options pertaining to current Hillside Ordinance No. 781 and direct staff accordingly.

ADJOURN TO THURSDAY, MARCH 6, 2008 AT 1:30 P.M. FOR A SPECIAL MEETING.

AGENDA ITEM SUBMITTAL DEADLINE FOR THE REGULAR MEETING ON MARCH 11, 2008 IS MONDAY, MARCH 3, 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.