



# 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 APRIL 8, 2008 9:30 a.m.

### **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 subject matter within the jurisdiction of the Board of Supervisors and 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.

### **PRESENTATIONS / RECOGNITIONS:**

- c) Proclaim April 25, 2008 as Arbor Day in the County of San Benito. (County Administrative Officer for Nants Foley)
- d) **Public Comment:** *Opportunity to address the Board on items of interest on a subject matter within the jurisdiction of the Board of Supervisors and not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2.*
- e) **Department Head Announcements:** Information only.
- f) **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.*

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 1) Approve request to apply for grant funding in the amount of \$2,500 from Fish & Game Commission; and authorize Agricultural Commissioner to sign documents.

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 2) Authorize the County Behavioral Health Director to sign and submit a request for Mental Health Services Act (MHSA) Prevention and Early Intervention Community Program Planning funds for the amount of \$75,000.
- 3) Authorize the Behavioral Health Director to sign the Amendment No. 1 to Negotiated Net Amount Contract (NNA) with the State Department of Alcohol and Drug Programs (ADP) for the period of July 1, 2007 to June 30, 2010 and; adopt Resolution to accept the ADP amendment to the Negotiated Net Amount Contract (NNA). (Res. No. 2008-27)

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

- 4) Approve the action minutes of the March 25, 2008 regular meeting.

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

- 5) Approve contract with K & H Integrated Print Solutions for the upcoming June 3, 2008 Statewide Primary Election for printing of ballots and booklets and address/ mailing services effective March 25, 2008 to July 31, 2008.
- 6) Approve contract with Transcend for translation of election materials for the upcoming June 3, 2008 Primary Election effective March 24, 2008 to June 3, 2008.
- 7) Adopt Resolution consolidating the municipal election for the City of San Juan Bautista with the June 3, 2008 Statewide Direct Primary Election. (Res. No. 2008-28)
- 8) Adopt Resolution consolidating the Aromas-San Juan Unified School District with the June 3, 2008 Statewide Direct Primary Election. (Res. No. 2008-29)

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

- 9) Appoint Mr. Dale Yarmuth to Community Action Board as the District #5 Board of Supervisors representative effective April 8, 2008 to December 31, 2008. (CSWD) (Sup. De La Cruz)
- 10) Appoint Mr. Arthur R. Gaeta to the Community Action Board to represent District #5 Low Income Representative for a three year term effective April 8, 2008 to April 7, 2011. (CSWD)

**PUBLIC WORKS – J. Lo:**

- 11) Approve contract with Link Construction Company, Inc., as the lowest responsive, responsible bidder for the repair of the Cienega Road Bridge at Bird Creek for the period of April 21, 2008 to June 17, 2008 in the amount of \$119,790; and authorize the Public Works Director to approve change orders, when needed, not to exceed 15% of the contract amount, or \$17,968.

**SHERIFF’S DEPARTMENT – C. Hill:**

- 12) Approve purchase of equipment for Off Highway Vehicle patrol and enforcement; and authorize budget adjustment in the amount of \$33,445.

**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.

**ADMINISTRATION:**

- 13) P. G. & E. status report on local power capacity issues.

**PUBLIC WORKS DEPARTMENT – J. Lo:**

- 14) Receive staff report on the energy efficient lighting provided by the Energy Watch Program to reduce energy usage by the County.

**TRES PINOS WATER DISTRICT – P. Alvarado:**

- 15) Consider appointment to the Tres Pinos Water District Board to fill current vacancy for the term expiring in November 2008.

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

- 16) Receive presentation on the Highway 25 Bypass project upcoming detour

**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.)*

- 17) Conference with Legal Counsel – Existing Litigation – (Subdivision (a) of Section 54956.9)
- 1. Simpson vs. County of San Benito, et al. (San Benito Superior Court, Case No. CU 08 00038)

## **AFTERNOON AGENDA**

**1:30 p.m.**

### **REGULAR AGENDA: (Continued)**

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

- 18) Approve reimbursement agreement between El Rancho San Benito LLC and San Benito County to fully recover County costs to review this project.

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

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

- 19) Hold a public hearing to consider an appeal of the San Benito County Planning Commission's March 19, 2008 denial re: Minor Subdivision No. 1165-05(A). Request: overturn Planning Commission's denial and approve Minor Subdivision 1165-05(A), amending the tentative subdivision map to delete Condition 18, requiring dedication of the subdivision's access road. Applicant/Appellant: Jeff Hall Location: McMahan Road, Hollister, CA. APN 17-050-009. CEQA Determination: Mitigated Negative Declaration was adopted in connection with the approval of Minor Subdivision No. 1165-05. No further environmental analysis deemed necessary for the proposed amendment. (Proposed Resolution)

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

**AGENDA DEADLINE IS MONDAY, APRIL 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](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.***

