



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 22, 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 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 Marcus.
- b) Acknowledge Certificate of Posting.
- c) **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.*
- d) **Department Head Announcements:** Information only.
- e) **Board Announcements, Introductions and Presentations:** Information only.

PRESENTATIONS & RECOGNITIONS:

- 1) Child Abuse Prevention Council's presentation of Annual Blue Ribbon Award to Carol Thomas.
- 2) Proclaim the month of May 2008 as National Military Appreciation Month. (Richard Garza Veteran's Service Office)

- 3) Proclaim May as "Water Awareness Month". (Shawn Novack Water Resources Association of San Benito County)
- 4) Proclaim the month of May 2008 as Mental Health Month in San Benito County. (Alan Yamamoto, Director of Mental Health)
- 5) Proclaim April 20 – 26, 2008 as "Safety Seat Checkup Week:" in San Benito County.

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:

- 6) Re-appoint members Ed Strohn, Robert Frusetta & Jim Hawkins, of the Taylor Act Grazing Advisory Board, for three year terms effective July 1, 2008.

BEHAVIORAL HEALTH – A. Yamamoto:

- 7) Approve purchase of (2) two sedan vehicles for total amount of \$31,553; and purchase Digital Copy Machine in the amount of \$12,484; a FY 07-08 budget and fixed assets adjustment in the amount of \$44,037. **(4/5 vote)**

BOARD OF SUPERVISORS:

- 8) Approve Certificates of Recognition for Joe Paul Gonzalez and Marcellina Munoz recognizing them as the MACE 2008 Man and Woman of the Year for presentation on May 3, 2008. (Chairman De La Cruz)

CLERK OF THE BOARD – L. Churchill:

- 9) Acknowledge resignation submitted by Joe Conconi, San Benito Resource Conservation District Director.

FIRST 5 SAN BENITO – K. Castillo:

- 10) Re-appoint Dr. Freidman to the First 5 San Benito Children and Families Commission for a three-year term effective April 22, 2008 to March 31, 2011

HEALTH & HUMAN RESOURCES – K. Flores:

- 11) Appoint Ms. Mimi Laurent to the Workforce Investment Board (WIB) to represent the State of California Department of Rehabilitation, for a three-year term effective April 22, 2008 to April 21, 2011.

INTERNAL SERVICES – R. Inman:

- 12) Amend the Schedule of Positions for Public Health deleting one (1) Deputy Director Public Health and one (1) Supervising Public Health Nurse and allocating one (1) Director of Nursing at Range 33.0.
- 13) Approve new class specifications for Assistant Planning Director salary range 30; approve modifications to Class Specifications Principal Planner; approve new

class specifications Accounting-Appraiser Technician and set current salary range of 14.9; amend Assessor's Office schedule of authorized positions to include flexible position of Accounting-Appraiser Technician/Account Clerk I/II/III; approve modifications to class specifications for Emergency Services Specialist; approve new class specifications for Heavy Equipment Mechanic's Assistant salary range 11.6.

PROBATION DEPARTMENT – B. Cardall:

- 14) Adopt specifications and approve an Invitation for Bid (IFB) for purchase and installation of a Control Panel System for the Juvenile Hall.

SAN BENITO RESOURCE CONSERVATION DISTRICT – K. Guerra:

- 15) Approve the appointment of Tim Foley as Director of the San Benito Resource Conservation District to fill the unexpired term ending November 2008.

SHERIFF'S DEPARTMENT – C. Hill:

- 16) Approve appointment of the 911 Communications System Coordinator Step F of Range 18.8 in the Communications Unit of the Sheriff's Office.
- 17) Approve 2-year agreement for extended warranty/service plan with Eaton Powerware in support of the 911 and Warrant system; and approve budget adjustment in the amount of \$3,390, effective May 1, 2008.
(4/5 vote)

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

PLANNING & BUILDING DEPARTMENT – A. Henriques:

- 18) Consider adoption of the resolution granting the appeal of Jeff Hall (Minor Subdivision No. 1165-05(A) and reversing the Planning Commissions denial and removing Condition #18, requiring dedication of access. *(Continued from 4/8/08 public hearing.)*

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.

HEALTH & HUMAN SERVICES – K. Flores:

- 19) Approve purchase of 2008 Ford Focus replacement vehicle \$15,246.81; approve budget appropriation of \$15,246.81 with offsetting revenue from insurance proceeds; and amend schedule of fixed assets to delete a 2005 Dodge Stratus.
(4/5 vote)
- 20) Approve transfer of \$107,554 from General Fund Contingency Budget to Public Authority Budget for FY 07/08; and increase appropriations in IHSS Public Authority Budget Unit by \$107,554 in Care and Support for FY 07/08. (4/5 vote)

PROBATION DEPARTMENT – B. Cardall:

- 21) Authorize the Probation Department to submit the application for continuation funding to the Corrections Standards Authority to expend the funds provided by the Juvenile Justice Crime Prevention Act (JJCPA).

SHERIFF’S DEPARTMENT – C. Hill:

- 22) Take support of AB 2215 and authorize Chairman to sign letter to Assemblyman Berryhill.

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.)

- 23) Conference with Legal Counsel – One case of existing litigation Subdivision (a) of Government Code Section (54956.9)
1. Name of case: *Steve Schwartz & Associates, Inc. Defined Benefit Pension Plan, vs. Tina Benford, Marty Williams, County of Kern, County of San Benito, and DOES 1 – 10, inclusive, (Case number S-1500-CV-263305 AEW)*

AFTERNOON AGENDA

1:30 p.m.

CONSENT AGENDA: (Continued)

PUBLIC WORKS – J. Lo:

- 24) Approve agreement with Bellinger Foster Steinmetz for the development of a parks and recreation master plan, for the period of April 22, 2008 to April 22, 2009 in the amount of \$141,000; approve the budget adjustment, augmenting the Historical and San Justo Reservoir Parks Budget Unit by \$20,000 and reducing the Administration and Engineering Budget Unit by \$20,000.
- 25) Ratify the agreement signed by Jerry Lo, Public Works Director, with Caltrans funding the San Juan Highway Bike Lane Project from the State’s Bicycle Transportation Account; and augment the Public Works Capital Improvement Projects Budget Unit by \$705,641 recognizing the State and Federal grant revenue for the project. **(4/5 vote)**
- 26) Approve Memorandum of Understanding with the Council of Governments for the San Juan Highway Bike Lanes project.
- 27) Approve contract for Janitorial Services with Jose & Jose Janitorial Building Maintenance for the period of May 5, 2008 to May 4, 2009, in the amount not to exceed \$171,687.

REGULAR AGENDA: (Continued)

PLANNING & BUILDING DEPARTMENT:

- 28) Approve reimbursement agreement with Santana Ranch to fully recover County costs to review the Santana Ranch pacific plan.

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

PLANNING & BUILDING DEPARTMENT – A. Henriques:

- 29) Hold a public hearing; and adopt Resolution, vacating the easement as to the subject parcel, under Government Code section 25367, and finding; (1) that the easement is not longer required for County or public use; (2) that vacation of the easement is consistent with the County's General Plan; and (3) that vacation is exempt from CEQA pursuant to CEQA Guideline section 15061(b)(3).

ADJOURN TO TUESDAY, MAY 6, 2008 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, APRIL 28, 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.