



# 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 JULY 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.**

### **9:00 a.m. CALL TO ORDER:**

- a) Pledge of Allegiance to be led by Supervisor Marcus.
- b) Acknowledge Certificate of Posting.
- c) **PRESENTATIONS / RECOGNITIONS:**  
Present proclamation declaring July as "Parks and Recreation Month" in San Benito County. (Public Works)
- 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.*

**ADMINISTRATION:**

- 1) Approval to reject all bids for the Courthouse Modifications project.
- 2) Approve Amendment #2 with Wald, Ruhnke, and Dost Architects, LLP reducing the compensation by \$13,317.35 for a total agreement amount of \$144,048.65.
- 3) Approve contract with Hollister Veterinarian Clinic to provide veterinarian services for the County of San Benito for the period of July 1, 2008 to June 30, 2010 in amount not to exceed \$6,000 annually.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 4) Approve contract Amendment #1 with the California Dept. of Food & Agriculture for Light Brown Apple Moth Trapping services for FY 2007/2008 to amend contract by an additional amount of \$1,490.00 for total of \$11,107.00.
- 5) Approve contract with the California Dept. of Food & Agriculture for Organic Inspection Services for FY 2008/2009 in the amount of \$4,675.00 and authorize Agricultural Commissioner to sign contract certification.

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 6) Approve contract renewal with John Muir Behavioral Health Center for inpatient acute, psychiatric hospital care for the FY 2008/09 for amount not to exceed \$50,000.
- 7) Approve contract renewal with Victor Treatment Inc. for mental health services for the FY 2008/09 for amount not to exceed \$80,000.
- 8) Approve contract with JDT Consultants for Therapeutic Behavioral Services for the FY 2008/09 for amount not to exceed \$50,000.
- 9) Approve contract renewal with Project Ninety, Inc. for residential substance abuse treatment and recovery services for the FY 2008/09 in amount not to exceed \$105,000.
- 10) Approve contract with Unity Care Group Inc. for mental health services for the FY 2008/09 in amount not to exceed \$75,000.
- 11) Approve contract renewals with Heritage Oaks Hospital, Inc. and Sierra Vista Hospital, Inc. for inpatient psychiatric hospital services for the FY 2008/09 in amount not to exceed \$50,000.
- 12) Approve contract renewal with St. Helena Hospital Center for Behavioral Health and St. Helena Hospital for psychiatric hospital services for FY 2008/09 in amount not to exceed \$50,000.

- 13) Approve contract renewal with Santa Cruz Counseling Center, Inc., Si Se Puede & Hermanas Facilities for residential substance abuse treatment for a maximum total of \$115,190.20 for the FY 2008/09.
- 14) Approve contract with Cal State University Monterey Bay for student intern field placement for the period of July 22, 2008 to July 22, 2011 and authorize the County Behavioral Health Director to sign.
- 15) Approve contract renewal with Merced County for psychiatric health facility and outpatient clinic services in the amount of \$75,000 for the period of July 1, 2008 to June 20, 2010.

**CITY OF HOLLISTER – W. Avera:**

- 16) Adopt Resolution authorizing the submittal of the 2007 Comprehensive Economic Development Strategy (CEDS) report to the Economic Development Administration. (Res. No. 2008-82)

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

- 17) Approve the action minutes for the meeting of June 24, 2008 and the special meetings of July 3, 2008 and July 8, 2008.

**INTERNAL SERVICES – R. Inman:**

- 18) Approve amended job descriptions for Communications Dispatcher II and III to require completion of Basic Dispatcher Course and possession of a Dispatcher Certification from P.O.S.T. be attained within one (1) year from date of hire.
- 19) Approve hourly rate of \$86 for the County Medical Director and Public Health officer
- 20) Award bid and approve contract with Mobile Modular Management for the construction of the interior walls for the Ag Commissioner Modular Facility as the lowest bidder at a total not to exceed \$19,708.

**PROBATION DEPARTMENT- B. Cardall:**

- 21) Approve agreement with the San Benito County Office of Education to continue the Truancy Reduction Program for the FY 2008/09 in amount of \$47,500.

**SHERIFF'S DEPARTMENT – C. Hill:**

- 22) Authorize the applicant grant (OES Manager) to submit the Emergency Operations Center Facility Construction Grant on behalf of the County Operation Area.
- 23) Make a finding that it would not be in the best interest of the public to go out for a competitive bid and declare Eden Radio as a sole source provider for radio maintenance and approve contract renewal with Eden Radio, Inc. for maintenance and repair for the repeater sites effective July 1, 2008 to June 30, 2009 at a cost not to exceed \$26,400

**TREASURER/TAX COLLECTOR – M. L. Andrade:**

- 24) Approve contract with Martha Romero for outside counsel for bankruptcy case in an amount not to exceed \$6,500.00.

**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 – S. Thompson:**

- 25) Status update on the Zebra Mussel infestation and eradication plan – San Justo Reservoir.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 26) Accept the 2007 Crop Report and authorize the release of the report to the public via the department web site.

**CITY OF HOLLISTER REDEVELOPMENT AGENCY – W. Avera:**

- 27) Adopt Resolution subordinating the County's interest in tax increment revenues to proposed bonded indebtedness of the Redevelopment Agency of the City of Hollister.

**INTERNAL SERVICES – R. Inman:**

- 28) Approve "Car Allowance Policy".

**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.)*

- 29) Public Employee performance evaluation – Title: County Counsel – (Government Code Section 54957)
- 30) Authority: California Government Code Section 54957  
Consider Discipline/Dismissal/Release matter of a Public Employee
- 31) Conference with Legal Counsel – Existing Litigation – (Subdivision(a) of Section 54956.9)  
Number of Cases:  
1. *Guerrero v. County of San Benito, et al*; U.S. District Ct., North District; Case No. CO8-00307 PVT.  
2. *Monteon v. Scagliotti, et al*; San Benito County Superior Court; Case No. CU-03-00150.  
3. *Sarsfield v. County of San Benito, et al*; U.S. District Court, Northern District; Case No. C07-2528 JF.  
4. *Del Carlo v. County of San Benito, et al*, Superior Court, San Benito County; Case No. CU-06-00078.  
5. *Friends of Tres Pinos v. County of San Benito, et al*; Superior Court, San Benito County; Case No CU-07-00186.

## **AFTERNOON AGENDA**

### **1:30 P.M.**

<b>CONSENT AGENDA:</b>
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#### **HEALTH & HUMAN SERVICES – K. Flores:**

- 32) Appoint Ms. Maria Davies to the Youth Employment Council to represent the San Benito High School-Workability Program for term effective July 22, 2008. (CSWD)
- 33) Approve contract with City of San Jose for Housing Opportunities for Persons with Aids (HOPWA) for the period of July 1, 2008 to June 20, 2009 in the amount of \$25,950 and authorize the H&HSA Director to sign contract.
- 34) Approve Amendment #1 to contract with Michelle House to provide program evaluation services for the Tobacco Control Program for the period of April 1, 2007 to June 30, 2010 for an amount not to exceed \$9,000 and direct H&HSA Director to sign amendment.
- 35) Approve contract with the National Council on Crime and Delinquency for Structured Decision Making (SDM) Child Welfare Risk Assessment Tool for the period July 1, 2008 to June 30, 2009 in amount of \$23,000 and authorize the H&HSA Director to sign contract.
- 36) Approve contract renewal with Janette Simin for nursing services for the period of July 21, 2008 to October 24, 2008 in amount not to exceed \$13,000 and authorize the H&HSA Director to sign contract.
- 37) Re-appoint Ms. Soila Rojas to the Workforce Investment Board to represent the private sector agency for a three-year term effective August 1, 2008 to July 31, 2011.

#### **PUBLIC WORKS DEPARTMENT – J. Lo:**

- 38) Approve contract with Christina Perez Architect, Wald, Ruhnke & Dost Architects, LLP and Huboi Architecture for architectural and engineering services in an amount not to exceed \$75,000 for each contract for the period of July 1, 2008 to June 30, 2009.
- 39) Adopt specifications for the purchase, delivery and application of the Asphaltic Emulsion for the Chip Seal Project and direct staff to solicit bids for the work and ratify the public notice.
- 40) Approve authorization agreement with Clearwire and T-Mobile to perform preliminary testing to construct and operate communication facilities at Veterans Memorial park and authorize chair to sign the agreement and letter of authorization.

- 41) Award contract to Johnson Controls, Inc., as the lowest responsive, responsible bidder for the repair to an evaporative cooler and installation of a heat pump at Juvenile Hall in an amount not to exceed \$42,310 and authorize the Public Works Director to approve change orders, when needed, not to exceed 10% of the contract amount.

## **REGULAR AGENDA:**

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

- 42) Receive report on outreach and mosquito abatement program activities.
- 43) Recommend preparation of contract amendment extending AMR's contract for an additional five years beyond current termination date of June 30, 2009.
- 44) Accept the H & HSA Director's report related to recent Wildfires.

### **PUBLIC WORKS DEPARTMENT – J. Lo:**

- 45) Receive Status report on the Stonegate community water emergency and direct staff as necessary.

**ADJOURN TO TUESDAY, AUGUST 5, 2008 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, JULY 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](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.

*As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.*

***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.***