SAN BENITO COUNTY
BOARD OF SUPERVISORS

Margie Barrios	Anthony Botelho	Pat Loe	Reb Monaco	Jaime De La Cruz
District No. 1	District No. 2 Chair	District No. 3	District No. 4 Vice-Chair	District No. 5

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

REGULAR MEETING AGENDA
MAY 26, 2009

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 Barrios.

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.

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 amendments to agreements with San Benito County Planning Director Art Henriques and San Benito County Internal Services/Assistant CAO Rich Inman extending agreement to January 2013 for Mr. Henriques and June 2013 for Mr. Inman.

AGRICULTURAL COMMISSIONER – P. Matulich:

2) Approve Mountain Lion survey request letter; authorize Chairman to sign and direct staff to send to the California State Department of Fish & Game.

BEHAVIORAL HEALTH – A. Yamamoto:

3) Approve request for Behavioral Health Department staff to travel out of state to the Academy of Sisters in Bend, Oregon for quarterly case management visits for June 8, 2009 through June 10, 2009.

4) Approve contract with Front Street, Inc. for Residential Care Facility for the Elderly (RCFE) for the period May 26, 2009 to June 30, 2010 for a maximum amount not to exceed $48,000.

5) Approve FY 2009-10 Substance Abuse Crime Prevention Act and Offender Treatment Program Plans for submission to the State Department of Alcohol and Drug Programs and authorize the Behavioral Health Director to sign; adopt resolution signifying Board approval of said plans. (Res. No. 2009-34)

BOARD OF SUPERVISORS:

6) Approve Certificate of Recognition for Jacquelyn Munoz, Superintendent of the Aromas-San Juan Unified School District, who is retiring after more than 35 years in public education for presentation at a later date. (Chairman Botelho)

CLERK, AUDITOR & RECORDER – J. P. Gonzalez:

7) Approve contract with Grace & Associates for professional auditing services for period of June 1, 2009 to June 30, 2014.

CLERK OF THE BOARD – L. Churchill:

8) Approve the action minutes of the April 28, 2009 and May 5, 2009 meetings and the May 19, 2009 special meeting.

HEALTH & HUMAN SERVICES – K. Flores:

9) Approve Memorandum of Understanding (MOU) between San Benito County Community Services and Workforce Development and the Department of Rehabilitation for the One-Stop Career Center activities for the period July 1, 2009 to June 30, 2012, and authorize the Director of Health & Human Services to sign.

10) Approve FY 2008/09 budget augmentation in the amount of $9,825 for the Workforce Investment Act Rapid Response activities; and amend schedule of authorized positions to include an additional 1.0 FTE Employment Training Services Counselor I/II and an additional 1.0 FTE Vocational Assistant Position for the duration of available American Recovery Reinvestment Act (ARRA) funding.

11) Adopt resolution authorizing the Director of the Health and Human Services Agency to submit an application to the California Integrated Waste Management Board for the Local Enforcement Grant for FY 09-10. (Res. No. 2009-35)

12) Approve the Sub-Recipient Agreement, Amendment #1, with the Community Pantry for the period of January 6, 2009 to December 31, 2009 for an amount not to exceed $41,815; and authorize the Health & Human Services Director to sign.

PUBLIC WORKS DEPARTMENT – J. Cox:

13) Approve the second amendment to the agreement with NBS Government Finance for Proposition 218 services for county services areas, extending the term through September 30, 2009 at no increase to compensation.

14) Approve amendment to the joint use agreement with the North County Joint Union School District (NCJUSD); and direct the Acting Public Works Administrator to re-submit to the State for reimbursement of the obligated funds.

15) Approve plans and specifications for the Cienega Road Bridge at Bird Creek Project.

16) Accept bids received on May 8, 2009; award contract to Beltramo Electric, Inc. as the lowest responsive responsible bidder; approve contract for the Pedestrian Push Button Improvement Project for period of May 26, 2009 to September 7, 2009, in the amount of $21,397; authorize the Public Works Administrator to issue change orders to the construction contract in amount not to exceed $5,000; and approve budget adjustment in the amount of $10,000. (4/5 Vote)

SHERIFF'S DEPARTMENT – C. Hill:

17) Approve the radio service three-year agreement with Motorola effective July 1, 2009 through June 30, 2012.

18) Approve revised Memorandum of Agreement with the City of Hollister to apply for funding under the Edward Byrne Memorial Justice Assistance Grant.

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.

SITTING AS THE PUBLIC AUTHORITY FOR IN HOME SUPPORTIVE SERVICES:

IN HOME SUPPORTIVE PUBLIC AUTHORITY:

19) Approve the Public Authority rate decrease for IHSS Providers from $10.50 per hour to $9.85 per hour; approve the rate for hourly Public Authority Administrative Costs of $.38; authorize the Clerk to sign required minute order.

PUBLIC HEARING – 9:30 A.M. *(Or as soon thereafter as the matters may be heard)*

PUBLIC WORKS – J. Cox:

20) Hold public hearing to accept public comment and testimony on the proposed property-related fees for 29 CSA's (County Service Areas) and adopt proposed resolution approving fee reports, confirming the water/sewer portion of the proposed fees and calling for a mail-ballot election with respect to the remainder portion of the proposes fees.

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 54956.9)
Name of Case: Association for Equal Information and Governmental Integrity v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-09-00043

22) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)

AFTERNOON SESSION
1:30 P.M.

CONSENT AGENDA:

INTEGRATED WASTE MANAGEMENT – M. Rose:

23) Approve contract with Clean Harbors Environmental Services, Inc. for hazardous waste management services effective July 1, 2009 to June 30, 2010.

REGULAR AGENDA:

AGRICULTURAL COMMISSIONER – P. Matulich:

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

25) Status update on Light Brown Apple Moth.

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

INTEGRATED WASTE MANGEMENT – M. Rose:

26) Hold a public hearing and adopt resolution amending the rates for disposal at the John Smith Road Landfill as follows:
   a) Compacted Franchise Solid Waste: $43.00
   b) Residual Solid Waste: $26.00

c) "CLEAN" Agricultural Plastic, wood waste, yard waste, fill dirt, asphalt, concrete, brick, porcelain and base rock: $26.00

REGULAR AGENDA (continued):

PLANNING & BUILDING DEPARTMENT – A. Henriques:

27) Review options for fee recovery of Housing Element Revision and other General Plan Update Costs and direct staff accordingly.

ADJOURN TO TUESDAY, JUNE 2, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS FRIDAY, MAY 22, 2009 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.

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.