



# SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios  
District No. 1

Anthony Botelho  
District No. 2

Pat Loe  
District No. 3  
Vice-Chair

Reb Monaco  
District No. 4  
Chair

Jaime De La Cruz  
District No. 5

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

## REGULAR MEETING AGENDA FEBRUARY 2, 2010

### *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.**

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

- Pledge of Allegiance to be led by Supervisor Loe.
- Acknowledge Certificate of Posting.
- 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.*
- Department Head Announcements:** Information only.
- 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.*

### **BOARD OF SUPERVISORS:**

- 1) Approve and sign certificate of recognition for the Native Daughters of the Golden West, San Juan Bautista Parlor No. 179 celebrating its Centennial Year in 2010 for presentation at a later date. (Supervisor Botelho)
- 2) Cancel the scheduled Board of Supervisors meetings of July 6, 2010 and September 7, 2010.

**CLERK OF THE BOARD – L. Churchill**

- 3) Approve the action minutes of the January 12, 2010 meeting.

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

- 4) Re-appoint Ms. Carrie Fosdick to the Workforce Investment Board to represent a required private sector agency for three-year term effective January 24, 2010 through January 23, 2013. (Cswd)
- 5) Approve the transfer of \$6500 in the Public Health Emergency Preparedness budget from office expense to equipment/fixed assets; recognize a fixed assets for two Med Shed portable vaccination units to the Public Health/HHSA budget and amend Schedule of Fixed Assets for FY 09/10.

**SHERIFF’S DEPARTMENT - C. Hill:**

- 6) Approve a transfer of expense from Special Department Expense to Fixed Assets, Equipment in the amount of \$75,967.42; recognize the Mobile Command Vehicle to be added to the OES Budget and Schedule of Fixed Assets.

**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.

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

- 7) Review Draft 2010 San Benito County Regional Transportation Plan and provide comment.

**COUNTY FIRE DEPARTMENT – P. Avila:**

- 8) Receive second quarter activity report on the County Fire Department.

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 9) Receive report on transition from the California Climate Registry to the Climate Registry and direct staff as necessary.
- 10) Adopt resolution in support of the Integrated Waste Management Hierarchy of reduce, reuse, recycle and encourages the use of reusable bags and the reduction of the use of plastic bags.

**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.)*

- 11) Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation pursuant to subdivision (b) of Section 54956.9

- 12) Conference with Legal Counsel – Exiting Litigation – (Subdivision(a) of Section 54956.9)  
1. Larsen vs. County of San Benito, et al. (San Benito Superior Court, Case No. CU-09-00176)

**AFTERNOON SESSION**  
**1:30 p.m.**

**CONSENT AGENDA:**

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 13) Accept all responsive bids in the bid summary report; award contract to The Safety Striping Service, Inc. as the lowest responsive/responsible bidder; approve contract with The Safety Striping Service, Inc. for the Pavement Striping Project in the amount of \$23,601; and authorize the Road Commissioner to issue change orders to the construction contract not to exceed \$5,000.

**REGULAR AGENDA:**

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 14) Adopt Resolution calling for Mail Ballot Elections for various County Service Areas for Tuesday, May 4, 2010, and taking other related action, in connection with proposed Property-Related Fees.
- 15) Adopt Resolution authorizing one or more of its members to file written arguments in support of the ballot measures presented to the voters at the May 4, 2010 Special Election and discuss and approve argument.
- 16) Receive status report on the Sheriff Administration Building, Adult Detention Center Expansion and One-Stop Permit Center and provide direction to staff.

**PUBLIC HEARING – 2:30 p.m. (Or as soon thereafter as the matters may be heard):**

This item was continued from the January 26, 2010 meeting.

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

- 17) Continuation of the appeal of the decisions made by the San Benito County Planning Commission on December 2, 2009 to deny the following Use Permits:  
USE PERMIT NO. 1010-08 – Rodeo. (*Withdrawn by applicant.*)  
USE PERMIT NO. 1011-08 REQUEST: The applicant is requesting a Use Permit for a seasonal flea market with 50 vendor booths, chemical toilets, hand-washing stations, a food truck and a beverage stand. The flea market may be held in conjunction with the rodeo proposed under Use Permit 1010-08.  
APPLICANT: Robert and Araceli Rodriguez. LOCATION: 1370 Shore Road, Hollister, CA (015-040-007). ZONING: Agricultural Productive.  
The uses will also share one parking area with 212 parking spaces. For a complete description of the proposed uses, please refer to the use permit applications on file with the Clerk of the Board.

Board action may include granting, denying or taking other action on the appeal.

**ADJOURN TO TUESDAY, FEBRUARY 9, 2010 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, FEBRUARY 1, 2010 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.***