



# 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 MARCH 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:**

- a) Pledge of Allegiance to be led by Supervisor Botelho.
- b) Acknowledge Certificate of Posting.
- c) **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.
- 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.*

### **BEHAVIORAL HEALTH – A. Yamamoto:**

- 1) Authorize acceptance of \$1,000 donation from Earthbound Farms for the Esperanza Center.

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

- 2) Approve the action minutes of the February 9, 2010 meeting.

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

- 3) Find that competitive bidding would not be in the public interest because local vendor Tiffany Ford and Mercury can provide the same vehicle at a lower price than the price the Federal Government received through its competitive bid process, and authorize the issuance of a purchase order to Tiffany Ford and Mercury of Hollister for the purchase of two fleet pick-up trucks in the amount of \$45,305.86.
- 4) Approve the plans, specifications and bid documents for Juvenile Hall Electronic Plumbing Retrofit.

**SHERIFF'S DEPARTMENT – C. Hill:**

- 5) Approve transfer in the amount of \$41,650; approve Executive Information Services, Inc. as a sole source vendor for the purchase of MDT software in an amount not to exceed \$41,650; reclassify the Mobile Data Terminal software in the OES Budget Schedule of Fixed Assets.
- 6) Accept award from the Federal FY09 Homeland Security Grant Program in the amount of \$213,793; augment FY 2009-10 county budget in revenue and expenses and authorize fixed asset expenditure.
- 7) Adopt Resolution authorizing submission of 2010-2012 Cal-Mett Recovery Act Program Grant for Unet. (Res. No. 2010-22)
- 8) Adopt Resolution authorizing submission of 2010-2012 ADA Recovery Act Program for Unet. (Res. No. 2010-23)

**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.
- 9) Receive activity and status report from the Gang Prevention Coordinator for San Benito County.

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

**PUBLIC WORKS – S. Wittry:**

- 10) Hold public hearing regarding proposed Property Related Fee for CSA 16 (Holiday Estates) and CSA 22 (Cielo Vista) and adopt Resolution confirming Fiscal Year 2009-10 charges for extended services in CSA No.16, Holiday Estates and No. 22, Cielo Vista.

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

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

- 11) Discuss and approve the rebuttal argument attached to the Board report as Exhibit "A"; adopt Resolution authorizing one or more of its members of the San Benito County Board of Supervisors to file a written rebuttal argument in response to the argument submitted against the ballot measure in CSA 23 only.

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

- 12) Review the staff report, powerpoint and draft comment letter to BLM at the Board meeting, and provide direction to staff.

### **BOARD OF SUPERVISORS:**

- 13) Consider and discuss the concept of Commercial Corridors and related land use policies for inclusion in the ongoing General Plan Revision process and provide staff direction.

### **INTERNAL SERVICES – R. Inman:**

- 14) Review and approve the Five Year Impact Report for fiscal year 2003/2004 through 2007/2008 and Annual Report for fiscal year 2008/2009. *(Continued from 2/9/10 meeting.)*

### **ADMINISTRATION:**

- 15) Approve three Budget Adjustments in the amount of \$22,992, authorizing the reduction of Interest Revenue and expenditures in FY 2009-10 as submitted by the Board of Supervisors, County Administrative Office and Aid to Indigents.

## **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.)*

- 16) Conference with Legal Counsel-Anticipated Litigation.  
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9  
Number of Cases: (1)  
Closed session is authorized by Section 54956.9(b)(3)(A).
- 17) Conference with Legal Counsel- Anticipated Litigation.  
Initiation of litigation pursuant to subdivision (c) of section 54956.9  
Number of Cases: (1)
- 18) Authority: California Government Code Section 54957  
CONSIDER DISCIPLINE/DISMISSAL/RELEASE MATTER OF A PUBLIC EMPLOYEE

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

**AGENDA DEADLINE IS MONDAY, MARCH 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.***