



# 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 9, 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 Loe.
- 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.*

### **AGRICULTURAL COMMISSIONER – R. Ross:**

- 1) Approve request for grant funding in support of the Wildlife Services Program from the Fish and Game Advisory Commission in the amount of \$2500.

**CLERK/AUDITOR/RECORDER – J.P. Gonzalez:**

- 2) Approve contract from K & H Integrated Print Solutions for having the lowest responsible quote for the upcoming June 8, 2010 Primary Election for printing of ballots and booklets, and address/ mailing services for sample ballot booklets and ballots.

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

- 3) Approve the action minutes for the February 23, 2010 meeting.

**COUNCIL OF SAN BENITO COUNTY GOVERNMENTS – L. Rheinheimer:**

- 4) Approve Amendment #4 to Employment Agreement with Council of San Benito County Governments and Lisa Rheinheimer adding FY 09-10 goals and objectives.

**COUNTY FIRE – P. Avila:**

- 5) Approve contract with the California Department of Forestry and Fire Protection for fire protection services for the period of July 1, 2009 through June 30, 2012; adopt Resolution to reflect an amount not to exceed \$938,038 in Schedule A services for Fiscal Year 2009-2010. (Res. No. 2010-26)
- 6) Approve Memorandum of Understanding with Aromas Tri-County Fire Protection District for Mobile Data Communications equipment and maintenance in the amount of \$12,562.
- 7) Recognize and add Seven (7) Mobile Data Computers as a fixed asset to the County Fire budget unit and to the County Schedule of Fixed Assets. (Value \$8.00 per unit for total of \$56,000).

**COUNTY COUNSEL – M. Granger:**

- 8) Approve the “Stipulation for Settlement and Confirmation of Arbitrator’s Award” in the amount of \$70,000 in favor of the County by John and Jae Eade, and authorize the Chair to sign.

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

- 9) Approve the plans, specifications and bid documents for Public Works Modular Building Improvements.
- 10) Approve the specifications and bid documents for Treasurer’s Office carpet and paint.
- 11) Find that competitive bidding would not be in the public interest because National Joint Powers Alliance (NJPA) Cooperative Agreements achieve County purchasing requirements through its competitive bid process, and it would be unnecessarily costly for the County to go through its own competitive bidding process when the NJPA has already done so, and authorize the issuance of a purchase order to Pringle Tractor Company of Watsonville for one tractor and mower unit in the amount of \$48,351.40.

**LONG TERM CARE COMMISSION – B. Pate:**

- 12) Appoint Dr. David Reikowski to the San Benito County Long Term Care Commission to fill at At-Large vacancy for a term effective March 9, 2010 through December 31, 2012.

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

- 13) Approve the sub-recipient agreement for the 2010/2011 Community Development Block Grant (CDBG) with the Community Food Bank for the period of January 25, 2010 to June 30, 2011 for the amount not to exceed \$110,000.
- 14) Approve the HHS Director's report; and approve the sub-recipient agreement for the 2010/2011 Community Development Block Grant (CDBG) with the Homeless Coalition of San Benito County for the period of January 25, 2010 to June 30, 2011 in an amount not to exceed \$110,000.
- 15) Approve the sub-recipient agreement with Emmaus House for the period of January 25, 2010 to June 30, 2011 for the amount not to exceed \$110,000.
- 16) Find that competitive bidding would not be in the Public Interest because Local Vendor Tiffany Ford can provide an equivalent vehicle at a price lower than the State received through its competitive bid process, approve purchase of Ford Fusion from Tiffany Motors for the base price of \$15,507 plus applicable taxes; authorize the Health & Human Services Agency Director to sign purchase contract; and amend HHS schedule of fixed assets to include a 2010 Ford Fusion.
- 17) Approve budget augmentation in the amount of \$170,000 to reflect grant activities that will be performed in FY 09/10 including services by Emmaus House, Homeless Task Force and Community Food Bank.
- 18) Re-appoint Ms. Katherine Hough to the Workforce Investment Board to represent a required private sector agency for three-year term effective March 6, 2010 through March 5, 2013. (CSWD)
- 19) Re-appoint Ms. Connie Herndon to the Workforce Investment Board to represent a required private sector agency for a three-year term effective February 27, 2010 through February 26, 2013. (CSWD)
- 20) Approve the agreement with the San Benito County Public Authority (PA) for conducting new requirements for In Home Supportive Services (IHSS) for the period of March 9, 2010 through August 31, 2010 in the amount of \$29,134.

**SITTING AS THE PUBLIC AUTHORITY FOR IN HOME SUPPORTIVE SERVICES (IHSS):**

**REGULAR AGENDA:**

*The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:*

**IN HOME SUPPORTIVE PUBLIC AUTHORITY:**

- 21) 1. Approve the Agreement with San Benito County Public Authority for conducting new requirements for the In Home Supportive Services (IHSS) for \$29,134 for the period of March 9, 2010 through August 31, 2010, and authorize the Chair of the Public Authority Board to sign said agreement;
2. Increase the Office Assistant Full Time Equivalent (FTE) in the Public Authority Budget Schedule of Authorized Positions from .5 FTE to 1.0 FTE;
3. Augment the Public Authority FY 09/10 budget to reflect \$6,898 in additional revenues from the agreement reimbursement and an offsetting amount of \$6,898 in additional expenses related to agreement activities that are expected to occur in the current fiscal year.

*The Board will adjourn as the IHSS Public Authority and reconvene as the Board of Supervisors re:*

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

**PUBLIC WORKS – S. Wittry:**

- 22) Hold public hearing and adopt Resolution, tabulating protests, imposing, in some instances subject to voter-approval, property-related fees in connection with various County Service Areas, providing for the levy of the fees in Fiscal year 2010-11 and subsequent years, and taking certain related actions, including identifying any ballot measures to be withdrawn by the Board of Supervisors.

**REGULAR AGENDA (Continued):**

*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:**

- 23) Approve budget adjustment in the amount of \$20,200; accepting unanticipated grant revenues of \$11,200 and an increase to expenditures for the same amount in Special Department Expenses; and authorize the reduction of revenues and expenditures in FY 2009-10 as submitted by Library staff, for a net savings to the General Fund of \$7,500.

- 24) Approve two budget adjustments in the amount of \$53,162, authorizing the reduction of revenues and expenditures in FY 2009-10 as submitted by Probation and Juvenile Hall.
- 25) Approve four budget adjustments in the amount of \$69,347 authorizing the reduction of revenues and expenditures in FY 2009-10 as submitted by the Public Works Department, for a net savings to the General Fund of \$23,249.

**INTERNAL SERVICES – R. Inman:**

- 26) Review and approve the Five Year Impact Fee Report for fiscal year 2003/2004 through 2007/2008 and Annual Report for fiscal year 2008/2009. *(Continued from 3/2/10 meeting.)*

**AFTERNOON SESSION  
1:30 P.M.**

**PLANNING DEPARTMENT – A. Henriques:**

- 27) Take further public comment on the Clear Creek Management Area Draft Resource Management Plan and Environmental Impact Statement.
- 28) Receive update to the CEQA guidelines and provide direction as necessary.

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

- 29) Receive the midyear status report on the FY 2009/10 Capital Budget.

**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.)*

- 30) Authority: Government Code Section 54957  
Consider Discipline/Dismissal/Release Matter of a Public Employee.
- 31) 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).
- 32) 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.
- 33) Conference with Legal Counsel – Existing litigation (Subdivision (a) of Government Code Section 54956.9)
  1. Name of Case: *Guerrero v. County of San Benito. et al.*; U.S. District Ct., San Jose: Case No. C08 00307PVT.

- 34) 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).

**ADJOURN TO TUESDAY, MARCH 23, 2010 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, MARCH 15, 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.***