SAN BENITO COUNTY
BOARD OF SUPERVISORS

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

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

REGULAR MEETING AGENDA
JULY 27, 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) **PRESENTATIONS & RECOGNITIONS:**

Present Certificate of Recognition to Daniel Coughlin who is retiring after over 21 years of service with the County of San Benito.

SHERIFF'S DEPARTMENT – C. Hill:
Accept donation of a duty vest for K-9 Nantos from Gavilan Kennel Club.

d) **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.*

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 – S. Thompson:

1) Appoint Victoria Coronado to the Area Developmental Disabilities Board VII representing San Benito County for the term August 1, 2010 – August 1, 2013.

AGRICULTURAL COMMISSIONER – R. Ross:

2) Approve contract with the California Department of Food & Agriculture for Pest Detection Trapping Services for the period of July 1, 2010 through June 30, 2011 in the amount of $42,541.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

3) Authorize the County Behavioral Health Director to sign and submit to the State ADP the Comprehensive Drug Court Implementation Notice of Grant Award application allowing the acceptance of $17,502 of State General Funds for the period of January 1, 2011 through December 31, 2011.

4) Approve contract renewal with Merced County for Psychiatric Health Facility and Outpatient Clinic Services for the period of July 1, 2010 through June 30, 2013, for a maximum amount annually of $75,000.

5) Approve contract renewal with Chamberlain's Children Center, Inc. for Therapeutic Behavioral Services for the period of July 1, 2010 through June 30, 2011, for a maximum annual total of $40,000.

BOARD OF SUPERVISORS:

6) Appoint Wilbert White, Jr. to represent Supervisorial District 5 on the San Benito County Parks & Recreation Commission effective July 27, 2010 to fill the vacancy for an unexpired term ending January 2013. (Supervisor De La Cruz)

CLERK OF THE BOARD – L. Churchill:

7 Approve the action minutes of the June 1, 2010 morning session, June 8, 2010 regular meeting, June 22, 2010 regular meeting, July 1, 2010 special meeting and July 9, 2010 special meetings.

COUNTY COUNSEL – M. Granger:

8) Approve Legal Services Agreement with Jefferson Elementary School District for the period of July 27, 2010 through June 30, 2011.

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

9) Adopt Resolution accepting the certified Statement of Election for the June 8, 2010 Statewide Primary Election. (Res. No. 2010-81)

HEALTH & HUMAN SERVICES – K. Flores:

10) Approve contract with State Department of Public Health for Immunization Assistance Program for the period of July 1, 2010 through June 30, 2011 in the amount of $25,500.

11) Approve Memorandum of Understanding with Community Food Bank for use of the Community Food Bank site for mass vaccination clinics in the event of a public health emergency.

12) Approve contract with City of San Jose for Housing Opportunities for Persons with Aids (HOPWA) for the period of July 1, 2010 through June 30, 2011, in the amount of $27,250.

13) Approve continuing monthly out-of-state travel for H&HSA Social Worker for purposes of complying with the monthly child/social worker contracts as ordered by the court case #JV08-00031 of the Superior Court of California, County of San Benito.

HUMAN SERVICES – J. Credico:

14) Adopt Resolution regarding the County Contributions for the Retirement Benefit for the Chief Probation Officer. (Res. No. 2010-82)

PROBATION DEPARTMENT – B. Cardall:

15) Adopt resolution and authorize the Chief Probation Officer to submit the JABG Application and said resolution to the California Standard's Authority. (Res. No. 2010-83)

PUBLIC WORKS DEPARTMENT – S. Wittry:

16) Approve Memorandum of Understanding (MOU) with the City of Hollister pertaining to the Design and Construction of the paving of Hillcrest Road between Memorial Drive and Fairview Road.

17) Approve Joint Use Agreement with the City of San Juan Bautista for the construction and ongoing maintenance of a new restroom at Abbe Park, for the period of July 27, 2010 through July 27, 2030 in an amount not to exceed $100,000; direct the Public Works Administrator to submit all documents necessary for the project application and payment processes with the State of California.

18) Declare equipment and vehicles surplus; and direct staff to remove surplus equipment from inventory per County practice.

19) Approve the plans and specifications for the San Juan Highway Bike Lane Project.

SHERIFF'S DEPARTMENT – C. Hill:

20) Informational report regarding Inmate Welfare Expenditures for FY 2008/2009/2010.

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:

21) Approve funding recommendations presented by the Community Foundation for San Benito County for FY 2010-11.

PUBLIC HEARING – 9:00 A.M. *(Or as soon thereafter as the matter may be heard.)*

PUBLIC WORKS DEPARTMENT – S. Wittry:

22) Hold a public hearing to consider the adoption of a San Benito County Parks and Recreation Facilities Master Plan, and adopt resolution making necessary CEQA findings, adopting the Negative Declaration prepared for the Master Plan, and adopting said Master Plan. Applicant: San Benito County. Location: County-wide.

REGULAR AGENDA (Continued):

PUBLIC WORKS DEPARTMENT – S. Wittry:

23) Issue a proclamation declaring July as "Parks and Recreation Month' in San Benito County.

AGRICULTURAL COMMISSIONER – R. Ross:

24) Accept the 2009 Crop Report; authorize the release of this report to the public via the department web-site.

INTERNAL SERVICES – R. Inman:

25) Appoint Mr. Gary Armstrong as Director of Planning and Building Department.

ADMINISTRATION:

26) Receive update on FY 2010-11 budget preparation and status and adopt the FY 2010-11 Budget Policies.

SITTING AS THE COUNTY BOARD OF EQUALIZATION:

ADOURN AS THE BOARD OF SUPERVISORS AND RECONVENE AS THE COUNTY BOARD OF EQUALIZATION RE:

COUNTY COUNSEL – M. Granger:

27) Approve attached "Extension of Time Requests" and authorize the Chair to execute the Extensions on behalf of the Board; delegate authority to the Chair of the San Benito County Board of Supervisors, acting as Chair of the County

Board of Equalization, to approve and execute future "Extension of Time Requests" on behalf of the Board.

ADOURN AS THE COUNTY BOARD OF EQUALIZATION AND RECONVENE AS THE BOARD OF SUPERVISORS.

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.)

28) 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-0900043.

29) Real Property Negotiations
Property: 2301 Technology Parkway (APN 051-152-004)
Agency Negotiator: Susan Thompson
Negotiating parties: County of San Benito and the Evelyn Pivetti Trust
Under negotiation: Both price and terms of payment

30) Public Employee Performance Annual Evaluation
Title: County Counsel
Authority: California Government Code 54957

AFTERNOON SESSION
1:30 P.M.

CONSENT AGENDA:

PLANNING DEPARTMENT – C. Woodbury:

31) Approve the assignment and assumption of contract from Resource Design to Benchmark Resources for mining inspections for the remainder of the existing contract that expires on June 30, 2012.

32) Approve Reimbursement Agreement with Fairview Corners to fully recover County costs to review Fairview Corners Specific Plan project.

33) Approve contract with Impact Sciences, Inc. to provide peer review on the Fairview Corners Specific Plan Environmental Impact Report for an amount not to exceed $29,425.

PLANNING DEPARTMENT – C. Woodbury:

34) Receive General Plan update status report.

35) Discuss and direct staff regarding amendments to San Benito County Code Section 21.01.02I(L) requiring fire sprinklers in non-residential buildings; find that such amendments are in the best interest of the people,+ and set a public hearing and direct that the proposed amendments be published according to the requirements of County Code Section 21.01.006.

ADJOURN TO TUESDAY, AUGUST 3, 2010 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, JULY 25, 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. 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.