



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2

Robert Rivas
District No. 3
Chair

Jerry Muenzer
District No. 4

Jaime De La
Cruz
District No. 5
Vice-Chair

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

REGULAR MEETING MINUTES August 23, 2016 9:00 AM

CALL TO ORDER

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in regular session. Supervisors Jaime De La Cruz, Margie Barrios, Jerry Muenzer were present. Supervisor Anthony Botelho was absent at the beginning of the meeting. Also present were County Administrative Officer Ray Espinosa, County Counsel Matt Granger and Assistant Clerk of the Board Janet Slibsager.

The meeting was called to order at 9:00 a.m. by Chairman Robert Rivas.

a. Pledge of Allegiance

**Pledge of Allegiance to be led by Supervisor Jaime De La Cruz,
District #5.**

The Pledge of Allegiance was led by Supervisor Jaime De La Cruz District #5.

b. Acknowledge of Certificate of Posting

Certificate of Posting.

Supervisor Jerry Muenzer made a motion to acknowledge Certificate of Posting. Supervisor Margie Barrios seconded the motion.

Ayes: De La Cruz, Rivas

Absent: Botelho

Adjourn to Closed Session

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) and (b), Ralph M. Brown Act.)

County Counsel Matt Granger read the closed session Items 1-5 into the record. Chairman Robert Rivas asked if there was any public comment on the closed session items. There being none the Board adjourned into closed session at 9:05 a.m.

County Counsel reported out of closed session at 10:05 a.m. on Items 1, 2 and 5. Items 3 and 4 will be heard at the end of the meeting.

Supervisor Anthony Botelho was present for the remaining of the meeting.

1. CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Georgia Cochran, and Steve Coffee.

Employee Organizations:

Institutions Associations

Law Enforcement Management

Management Employees' Group

SEIU Local 521 (General Unit Employees)

Deputy Sheriff's Association

SEIU United Long Term Care Workers Local 6434

Unrepresented Employees (Confidential, Confidential Management,

Appointed Department Heads)

Authority:

California Government Code Section 54957.6

SBC FILE NUMBER: 235.6

No reportable action.

2. CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant Exposure to litigation pursuant to Section 54956.9: Number of Cases: (1)

Closed session is authorized by Section 54956.9(d)(2), (e)(1).

SBC FILE NUMBER: 235.6

No reportable action.

3. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (d)(2), (e)(3) of Government Code Section 54956.9

Number of cases: 1

Facts and Circumstances Justifying Closed Session: Receipt of claim from S.

Salas.
SBC FILE NUMBER: 235.6

No reportable action.

4. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Subdivisions (a) and (d)(1) of Government Code Section 54956.9
Name of Case: County of San Benito v. Maximo R. Ornelas and Juanita L. Ornelas, et al., Superior Court of California, County of San Benito, Case No. CU-15-00077
SBC FILE NUMBER: 235.6

No reportable action.

5. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Award Homes, Inc. v. County of San Benito, City of Hollister, et. al., Superior Court of California, County of San Benito, Case No. CU-15-00099
SBC FILE NUMBER: 235.6

No reportable action.

Reconvene into Regular Session (at 10:00 a.m. or as soon thereafter)

c. **Presentations and Recognitions**

Supervisor Margie Barrios made a motion to to approve Proclamation. The Proclamation will be mailed as they were not able to be present. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

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.

Those speaking from the public was: Marci Huston, Hollister resident, she spoke in regards to her business Garden Mart located down town and the continuous problem she is having with the homeless in regards to littering, loitering, trespassing and drunk in public, etc.

Supervisor Jerry Muenzer asked if this could be agendized to a future meeting and have the Sheriff present to inform us what our responsibility within the City limits are as a County.

Chairman Robert Rivas said that he would work with the CAO Ray Espinosa to put something on the agenda.

Supervisor Jaime De La Cruz asked if they could invite the City Chief too.

e. Department Head Announcements: Information Only

CAO Ray Espinosa announced that there was an announcement from our Probation Department, Chief Probation Officer Ted Baraan.

Ted Baraan announced that the Probation Department successfully completed its 2015/2016 inspection from the Board of State Community Corrections (BSCC) for Juvenile Hall. This inspection was very smooth. He thanked the Juvenile Hall Superintendent Mr. Joe Frontella and the staff at Juvenile Hall for their work in this. The BSCC was rather pleased with our inspection of Juvenile Hall and I am very proud of the facility and the services that we have.

CAO Ray Espinosa gave commendation to our staff and Dina Bies within our County. We won an award from Tindel Insurance for most improved on our self insurances this last year.

CAO Ray Espinosa also announced that he would like to pull Item #6 & #35 from the consent agenda, to clarify some language. Would also like to continue Item #21 to the next board meeting of September 13th. Item #35, the public hearing is scheduled for 10:00 a.m. or soon thereafter.

f. Board Announcements: Information Only

Supervisor Margie Barrios reported that she and Supervisor Anthony Botelho attended a Facility Ad Hoc Committee meeting and received information on the Southside Hospital issue and that they would be bringing forward to the Board some recommendations in the near future.

Supervisor Barrios thanked Health and Human Services, they had a staff development meeting and I am very honored to say that I received their deputies award. She thanked them for that recognition.

Supervisor De La Cruz reported that he and Supervisor Jerry Muenzer attended the Audit committee meeting. He said that we had a good educational meeting. He also reported that he attended the COG meeting and there was some discussion about bringing back some kind of sales tax in 2018.

Supervisor Anthony Botelho reported that another issue that the Facility Committee is working on with the High School was the Nash Road issue along with the Regional Park, which they plan on bringing back to the Board in the near future. Mr. Botelho also reported that he attended an RCRC meeting in Sacramento. He said that they discussed three propositions that will be on the ballot in November; Proposition 51-Statewide School Bond to repair, upgrade and improve California K-12 public schools and community colleges; Proposition 53-No Blank Check Initiative, would require statewide voter approval for revenue bond projects that meet certain conditions which exceeds 2 billion dollars and would be managed by the State; Proposition 54-California Legislature Transparency Act amendment,

prohibits Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote. He mentioned that RCRC supported Proposition 51 and 54 and opposed 53.

CONSENT AGENDA

Chairman Robert Rivas asked if the Board wished to pull any items from the consent agenda other than Item #6 and #35 which were pulled earlier and item #21 which was removed from the agenda.

Supervisor Jerry Muenzer asked to pull Item #18 as he recused himself.
Supervisor Jaime De La Cruz asked to pull Item #24.

Chairman Rivas asked if the public would like to pull any items from the consent agenda. Seeing none the Chair asked for a motion for all of the remaining items on the consent agenda.

Supervisor Margie Barrios made a motion to approve the remaining items on the consent agenda. Supervisor Jaime De La Cruz seconded the motion. Motion carried 5/0.

6. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Adopt Resolution amending Board of Supervisor Resolution 2004-4 specifying membership on the Treasury Oversight Committee, and appointing Joe Paul Gonzalez, San Benito County Clerk, Auditor & Recorder, Elections, Supervisor Robert Rivas, Board Chairman, San Benito County Board of Supervisors and Krystal Lomanto, San Benito County Superintendent of Schools, to the County Treasury Oversight Committee.
SBC FILE NUMBER: 119
RESOLUTION NO: 2016-71

This item was pulled for discussion by Supervisor Jaime De La Cruz to discuss the structure of the Resolution.

Louie Valdez, Management Analyst/Clerk of the Board provided information in regards to the Resolution for the County Treasury Oversight Committee. Statutorily the Resolution provides for the appointment of the individuals by the Treasurer. He said that the concern is that the positions that are being named as the representatives that will sit on the Board will be changed to show the titles without naming a person to allow for flexibility in the future.

Supervisor Margie Barrios made a motion to move as amended. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

7. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Approve contract with Jovenes de Antano for services to be provided in FY 16/17 under the CBO (Community Based Organizations) program in the amount of \$40,000.

SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

8. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve FY 16/17 contract with Senior Citizens Legal Services in the amount of \$4,000.00 under the CBO (Community Based Organizations) program.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

9. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve FY 16/17 contract with Hollister Youth Alliance in the amount of \$4,000.00 under the CBO (Community Based Organizations) program.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

10. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve the contract with Advocacy Inc. in the amount of \$6,000.00 for FY 16/17 under the CBO (Community Based Organizations) program.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

11. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve contract for FY 16/17 with Community Food Bank of San Benito County in the amount of \$12,500 under the CBO (Community Based Organizations) program.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

12. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve the contract with Emmaus House in the amount of \$18,500 for the FY 16/17 under the CBO (Community Based Organizations) program.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

13. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve contract with CASA (Court Appointed Special Advocates) for FY 16/17 under the CBO (Community Based Organizations) program in the amount of \$1,000.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

14. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve contract with Chamberlains Children Center in the amount of \$1,000 for FY 16/17 under the CBO (Community Based Organizations) program budget.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

15. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve the contract with SBC Arts Council in the amount of \$1,000 for the FY 16/17 under the CBO (Community Based Organizations) program budget.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

16. **COUNTY ADMINISTRATIVE OFFICE - R. ESPINOSA**

Approval of professional services contract with Gladwell Government Services to complete a county-wide Records Retention Schedule, in the amount not to exceed \$20,000.
SBC FILE NUMBER: 119

Supervisor Margie Barrios made a motion to approve per staff recommendation.

Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

17. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Approve contract with Seniors Council in the amount of \$30,000, included in the CBO (Community Based Organizations) program budget for FY 16/17.
SBC FILE NUMBER: 865

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

18. **COUNTY COUNSEL'S OFFICE - M. GRANGER**

Approve legal services agreement with Miller Starr Regalia for legal services performed pertaining to the Bluffs project and related entitlements, in an amount not to exceed \$197,500 and authorize County Counsel to sign a Conflict Waiver Letter, waiving any actual or potential conflict of interest due to Miller Starr Regalia's representation of Mr. Bates and Mr. Stringer in other land use development matters.
SBC FILE NUMBER: 160

This item was pulled by Supervisor Jerry Muenzer, who recused himself due to a conflict of interest.

Assistant County Counsel Barbara Thompson provided information on this item in regards to legal services agreement and the conflict waiver letter regarding Miller Starr Regalia.

Those speaking from the public was: Marty Richman, Hollister resident, who had a question in regards to the conflict waiver process.

Discussion ensued by Board and staff.

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Supervisor Anthony Botelho seconded the motion.

Ayes: Muenzer, Rivas

Nays: De La Cruz

19. **COUNTY COUNSEL'S OFFICE - M. GRANGER**

Adopt Resolution authorizing the Trindel Insurance Fund, to reject, settle, compromise or approve third-party claims filed against the County.
SBC FILE NUMBER: 160
RESOLUTION NO: 2016-72

Supervisor Margie Barrios made a motion to adopt Resolution No. 2016-72 per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

20. **COUNTY COUNSEL'S OFFICE - M. GRANGER**

Approve the first amendment to the legal services agreement with the law firm of Meyers, Nave, Riback, Silver and Wilson, in an amount not to exceed \$215,000.00 for a total contract amount not to exceed \$225,000.00, for legal services related to the Union Road Bridge project; and authorize the Board Chair to sign the first amendment to the agreement.
SBC FILE NUMBER: 160

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

21. **COUNTY COUNSEL'S OFFICE - M GRANGER**

Accept and approve staff's interpretation of the Conditions of Approval and Development Agreement in the San Juan Oaks project to correct a typographical error in the original documents.
SBC FILE NUMBER: 160

This item was pulled from the agenda, to be put on the next meeting of September 13, 2016.

22. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Approve the Revised Workforce Innovation and Opportunity Act (WIOA) Worksite Agreement Template.
SBC FILE NUMBER: 130

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

23. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGWORD**

Approve Contract with Myrna Aguilar-Flores for Mental Health Counseling Services To Health and Human Services Clients for the period of September 1, 2016 through June 30, 2017, in an amount not to exceed \$80,000.
SBC FILE NUMBER: 130

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

24. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Approve Out of Country Travel for up to two County Staff to travel to Mexico for Child Welfare Cases during the Fiscal Year 2016-2017, as ordered by the Court.

SBC FILE NUMBER: 130

This item was pulled by Supervisor Jaime De La Cruz. He had a question in regards to accountability of dollars being spent process.

Health and Human Services Director James Rydingsword provided information in regards to the process that is taken to account for the costs after travel. Vice Chair Jaime De La Cruz made a motion to approve per staff recommendation. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, Botelho, Rivas

25. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Approve Out of State Travel for Two Public Health Staff to Attend the 2016 Infectious Disease Week (IDWeek) Conference in New Orleans, Louisiana for October 26-30, 2016.

SBC FILE NUMBER: 130

Supervisor Margie Barrios made a motion to approve per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

26. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Approve the Continuum of Care (CoC) Grant Agreement in the amount of \$237,518 to provide housing, support services and case management to eligible homeless individuals and families, for the period of April 1, 2016 through March 31, 2017; and authorize signing authority to the HHSA Director or Deputy Director to approve and execute the grant agreement (Contract #CA1072L9T061503), and any amendments and other documents related to the grant with the US Department of Housing and Urban Development for the purposes of this grant.

SBC FILE NUMBER: 939

Supervisor Margie Barrios made a motion to approve per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

27. **PROBATION DEPARTMENT - R. T. BARAAN**

Approve contract between San Benito County Probation Department and King & Associates for the period of July 1, 2016 through June 30, 2017, for the amount of \$43,040.00.

SBC FILE NUMBER: 510

Supervisor Margie Barrios made a motion to approve per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

28. PROBATION DEPARTMENT - R. T. BARAAN

Approve contract between San Benito County Probation Department and Youth Alliance for reentry and aftercare services for our youth for period of July 1, 2016 through June 30, 2017, in the amount of \$70,000.
SBC FILE NUMBER: 510

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

29. PROBATION DEPARTMENT - R. T. BARAAN

Approve Contract between San Benito County Probation Department and Youth Alliance for the Parenting and Family Counseling Project for a period of March 1, 2016 to June 30, 2017. Approve budget augmentation for fiscal year 2015-16 in the amount of \$75,690 and for fiscal year 2016-17 in the amount of \$50,000. (4/5 vote)
SBC FILE NUMBER: 510

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

30. PROBATION DEPARTMENT - R. T. BARAAN

Approve and authorize Chair and Chief Probation Officer (CPO) to sign a three year contract with Corrections Software Solutions, L.P. (CSS) for a total cost of \$60,192.00 commencing July 1, 2016 and ending June 30, 2019.
SBC FILE NUMBER: 510

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

31. PROBATION DEPARTMENT - R. T. BARAAN

Approve Contract between San Benito County Probation Department and Paula Norton for the period of July 1, 2016 through June 30, 2017, in the amount of \$20,000.
SBC FILE NUMBER: 510

Supervisor Margie Barrios made a motion to approve per staff recommendation.
Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

32. RESOURCE MANAGEMENT AGENCY - B. BARNES

Adopt Resolution Accepting Grant of Temporary Construction Easement for the Union Road Bridge from the Agredano family.

SBC FILE NUMBER: 790

RESOLUTION NO: 2016-73

Supervisor Margie Barrios made a motion to adopt Resolution No. 2016-73 per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

33. **SHERIFF'S OFFICE - D. THOMPSON**

Approve augmentation of Sheriff's Operations budget to provide for an additional K-9, training, and equipment using CAMP (Campaign Against Marijuana Planting) funds in the amount of \$19,350.00. (4/5 vote)

SBC FILE NUMBER: 110

Supervisor Margie Barrios made a motion to approve per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

34. **SHERIFF'S OFFICE - D. THOMPSON**

Approve Augmentation to the Sheriff's Operations Schedule of Fixed Assets, Expenditures and Revenue to re-budget AB 109 funds approved in fiscal year 2015-16 in the amount of \$27,332.00.

SBC FILE NUMBER: 110

Supervisor Margie Barrios made a motion to approve per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

35. **SHERIFF'S OFFICE - D. THOMPSON**

Approve Memorandum of Agreement (MOA) with South Bay Regional Training Consortium for use of County facilities (Range and Sheriff's Office) for Arrest Control / Scenario Training.

SBC FILE NUMBER: 110

This item was pulled for clarification.

Assistant County Counsel Barbara Thompson asked to have the Board make this agreement contingent upon everything being moved out of this facility before the agreement starts, should be able to occur by the date they are wanting the agreement to start.

Supervisor Anthony Botelho made a motion to approve per amendment. Supervisor Margie Barrios seconded the motion.

Ayes: De La Cruz, Muenzer, Rivas

PUBLIC HEARING

36. RESOURCE MANAGEMENT AGENCY - B. BARNES

Adopt Resolution Imposing a Property-Related Fee/Special Tax in various County Service Areas, Confirming Fee/Special Tax Report, Fee/Tax Schedule, and Fee/Special Tax, and providing Levy of the FY 2016-17 CSA Fees and Special Tax on the tax roll.

SBC FILE NUMBER: CSA'S

RESOLUTION NO: 2016-74

Resource Management Director Brent Barnes provided information on the public hearing to adopt a Resolution imposing a property-related fee/special tax for the Community Service Areas (CSA's) throughout the County.

Discussion ensued by Board and staff.

Chairman Robert Rivas opened public hearing.

Those speaking from the public was: Marty Richman, Hollister resident, asked if there was an update on the emergency hook up for the water at Stonegate.

Chairman closed public hearing asked for any additional questions from the Board.

Further discussion ensued by Board and staff.

Supervisor Margie Barrios made a motion to adopt Resolution No. 2016-74, per staff recommendation. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

REGULAR AGENDA

37. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Presentation of proposed response by Library Systems and Services Incorporated (LSSI) to the Needs Assessment Request for Proposals (RFP) issued by the County of San Benito, CA on behalf of the City of Hollister, City of San Juan Bautista and County of San Benito Joint Intergovernmental Committee and consideration of available options by the Board of Supervisors.

SBC FILE NUMBER: 80

Louie Valdez, Management Analyst/Clerk of the Board provided information in regards to response for the RFP that San Benito County issued on behalf of the City of Hollister, City of San Juan Bautista and County of San Benito, and per Intergovernmental Committee meeting discussions in regards to a TEL Center for a needs assessment only. He mentioned that there was only one response to the RFP and that was from Systems and Services Incorporated (LSSI).

Bob Windrow, Vice President of LSSI provided background information of the company. He introduced Dana Braccia, Vice President of Library Services and Barbara Howison, Regional Manager. They presented a PowerPoint presentation in regards to needs assessment for a TEL Center for San Benito County Library.

Dana Braccia proceeded with the PowerPoint presentation; Items covered were: Community Consensus; Our Approach; Overlay National Trends; Timeline & Milestones; Deliverables. She said that they look forward to working with the County on this project. She asked if there were any questions.

Chairman Robert Rivas opened it up to the public for comments: Those speaking from the public were: Geoffrey Holland, Friends of the Library; Judi Johnson, Secretary to the Friends of the Library; Mark Weirick, SEIU 521; Rebecca Salinas, Treasurer of Friends of the Library; Marty Richman, Hollister resident.

Mr. Valdez said that the Library is the center of knowledge. He provided information as to what we are trying to accomplish with this needs assessment. He said that yes we need to listen to the constituents of our community. He said that this company is experienced in the State of California in Library operations and was the only one that responded to the RFP.

Supervisor Margie Barrios said that she appreciated the concerns that the community has and that is what we want to hear. They want to get the best for their investment as well. So I think that we do need to proceed with caution. I think this is an excellent company, the report was very comprehensive and I think there is a lot that we can benefit from. We are requesting a needs assessment that is it. Our community, our volunteers are our investment that we have already made.

Supervisor Jaime De La Cruz had a question in regards to dollars incurred as of this date.

Mr. Valdez replied that there has been nothing incurred as of this date.

Supervisor Anthony Botelho thanked Mr. Valdez for bring this report and item forward. He said that he is in support of doing a needs assessment. This is a needed report. We need to develop a revenue stream to properly fund the Library. We have to develop a better working relationship with our partners, I think that it begins with the needs assessment.

Chairman Robert Rivas said that we appreciate hearing from our community. This is something I think we certainly need, it is unfortunate that we only had one response. The assessment is important to service at the Library, we need to improve our facility to serve our residents. We need to make our Library stronger. I believe a needs assessment is necessary to help establish partnerships.

Mr. Valdez said at this time they are asking the Board to award the RFP for the needs assessment to LSSI and that after the needs assessment is completed that they would come back to the Board and give a full report.

Mr. Valdez mentioned that the City of Hollister agreed to pay for half of the cost of the needs assessment.

Supervisor Margie Barrios made a motion to award the contract to LSSI for the needs assessment and noted that the City of Hollister will be responsible for fifty percent of the cost. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Botelho, Muenzer, Rivas

38. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

- 1) Adopt Resolution of the San Benito County Board of Supervisors abolishing the office of County Road Commissioner, establishing the office of County Director of Transportation and transferring all duties of the abolished Road Commissioner's Office to the County Transportation Director's Office in accordance with California Streets and Highways Code Section 2006.1; and
 - 2) First reading and motion to accept introduction, waive further reading of the ordinance, and continue the matter to September 13, 2016 at 10:00 a.m. for adoption of the proposed ordinance adding Article IIA "County Director of Transportation" to Chapter 3.01 of Title 3 of the San Benito County Code.
- SBC FILE NUMBER: 105
RESOLUTION NO: 2016-76

Assistant County Counsel Barbara Thompson provided information in regards to the County Road Commissioner and the different options that pertain to the Commissioner. She said that we can either have an appointed Road Commissioner or the County can transfer the duties to a director of transportation. She said that we have done it both ways in the past.

She said this is brought to the Board today to determine whether or not to abolish the position of the Road Commissioner and establish those duties under the County Director of Transportation. There is a two part motion for the Board; 1) adopting a Resolution, reestablishing the duties of the Road Commissioner which would be held by the County's Director of Transportation which is serving as the Resource Management Agency Director; and 2) Make those same type of changes in the County Code to reference where ever indicated.

She read the title of the ordinance into the record and asked the Board to adopt the Resolution and waive further reading of the ordinance and continue the ordinance to the September 13th meeting for adoption.

Supervisor Anthony Botelho made a motion to adopt Resolution No. 2016-76 per staff recommendation. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, De La Cruz, Rivas

39. COUNTY ADMINISTRATIVE OFFICE- R. ESPINOSA

- Adopt Resolution approving the San Benito County Arts Council to serve San Benito County as a State and local partner of the California Arts Council.
- SBC FILE NUMBER: 160

SBC FILE NUMBER: 2016-77

The Board reconvened at 1:30 p.m. Chairman Robert Rivas announced that they will be going with Item #39 next.

Assistant County Counsel Barbara Thompson provided information in regards to the Arts Council Resolution.

Jennifer Laine, Executive Director of the San Benito County Arts Council explained that the Resolution before them today is to approve their function as a State and Local Partner in the Arts Council. She said this enables us to bring in approximately \$28,000 in art funding to the County. Ms. Laine provided a PowerPoint presentation that covered the following: Our Mission is to: Promote-Encourage-Provide Access-Establish; Celebrating 10 Year in the Arts! 2006-2016, we have raised close to \$1M in arts funding for San Benito County Funding for the Arts, served over 6,000 students per year in Arts Education Program, expanded art programs to specific underserved communities, including special needs students, low-income youth and rural residents, and more recently we have been working with the City of Hollister on public arts in Downtown Hollister; Artists in the Schools Program; Poetry Out Loud Competition; Teacher Workshops: Arts Integration; Community Art Education; Paul's Paint Party; Exhibitions at Art space; Open Studios Art Tour; Creative-Place making; Public Art Walking Tour; The Dreams Project-Juvenile Hall; Veteran Voices of San Benito County; Our New Projects for 2016-2017: Local Advocacy Network for Arts Education-convening stakeholders to assess and plan for arts in education, Arts Express! Grant Program-for local artists and arts organizations, Engaging Data Project-measuring community need and engagement in the arts, Grant-Writing Workshop Series-enhancing professional & organizational development within the arts community.

Ms. Laine thanked the Board for their support.

Supervisor Margie Barrios thanked Ms. Laine for all the work that she does. She said that she has visited the studio it is excellent.

Supervisor Anthony Botelho also thanked her for everything that she is doing with this program in Hollister. He said that the outreach has been fantastic.

Chairman Robert Rivas said that he appreciated the update and is looking forward to the project at the Vets Hall. He said if there is anything that we can do for the Art Council, please come at anytime.

Supervisor Anthony Botelho made a motion to adopt Resolution No. 2016-77, per staff recommendation. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, De La Cruz, Rivas

40. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Received Director's Monthly Progress Report - San Benito County Homeless Services.

SBC FILE NUMBER: 130

Health and Human Services Director James Rydingsword provided a PowerPoint presentation on the Update of Homeless Services in San Benito County. Items that he covered were: Housing First; Homeless Service Update; Whole Person Care; Connecting the Community; San Benito County Whole Person Care; Economic Development; Low Income Housing Development.

Supervisor Margie Barrios thanked Mr. Rydingsword for all that he has done.

This was informational report only.

41. RESOURCE MANAGEMENT AGENCY - B. BARNES

First reading and motion to accept introduction, waive further reading of the ordinance, and continue the matter to September 13, 2016 for adoption of the proposed ordinance making changes to Sections 5.01.259, 5.01.291 and 5.01.320 of the San Benito County Code relating to the time of payment of impact fees.

SBC FILE NUMBER: 790

Assistant County Counsel Barbara Thompson provided information in regards to proposed ordinance and the red line changes to the ordinance for the impact fees. She read the title of the ordinance for the record and asked the Board to accept introduction, waive further reading of the ordinance and continue the matter to September 13, 2016 at 10:00 a.m. for the adoption of the ordinance.

Discussion ensued by Board and staff.

Resource Management Agency Director Brent Barnes provided additional information. He said that he estimated that we have about a Million Dollars in outstanding impact fees, about \$600,000 of that is in single family homes occupancy fees and \$430,000 outstanding permit fees on expired permits. This is money that we did not collect at the time that the permit was issued and now we have no ability to collect the money. He said it becomes a collections issue, it is a very real issue. He said that it would be a lot easier if we could collect the fees up front.

Supervisor Anthony Botelho said that this is the type of changes that I was hoping that would be forth coming. He said that this needs to happen, we need to make these changes. He thanked Mr. Barnes for doing this.

Supervisor Margie Barrios asked if this would also apply to an industry that comes in and wants to build say some kind of Ag Building for processing produce. She said that her concern is that these industries having to pay the fees up front.

Mr. Barnes replied that the deferral of fees applies only to residential projects. If the Board wishes to make changes for Industrial that is something we can look in to.

Chairman Robert Rivas said that this is a great ordinance, it is necessary.

Chairman Rivas opened up for public comment. Those speaking from the public

was Marty Richman, Hollister resident, he said that he supports the ordinance.

Supervisor Anthony Botelho made a motion to approve per staff recommendation.
Supervisor Margie Barrios seconded the motion.

Ayes: De La Cruz, Muenzer, Rivas

42. **RESOURCE MANAGEMENT AGENCY - B. BARNES**

Adopt Resolution Approving a Joint Use Agreement With Hollister School District for Community Recreational and Educational Purposes.

SBC FILE NUMBER: 105.3

RESOLUTION NO: 2016-78

This item was pulled from the agenda per the CAO.

43. **RESOURCE MANAGEMENT AGENCY - B. BARNES**

Approve Memorandum of Understanding (MOU) between City of Hollister and San Benito County ("SBC") establishing the rights and responsibilities of the Parties for the recruitment, selection, employment, job duties, and supervision of the City of Hollister Housing Programs Coordinator; and authorizing reimbursement to the City for the costs relating to employment of a Housing Programs Coordinator.

SBC FILE NUMBER: 790

Resource Management Agency Director Brent Barnes provided information in regards to the MOU with the City for the Housing Program Coordinator.

Supervisor Anthony Botelho said that he was glad that we were going forward with this.

CAO Ray Espinosa thanked the City Manager for his help on this.

Supervisor Anthony Botelho made a motion to approve per staff recommendation.
Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, De La Cruz, Rivas

The Board adjourned back into closed session at 2:56 p.m. to hear the remaining Items #3 and #4.

44. **RESOURCE MANAGEMENT AGENCY - B. BARNES**

Receive report from consultant on results of Pavement Management System analysis.

SBC FILE NUMBER: 105

Resource Management Agency Director Brent Barnes provided information on Pavement Management Systems analysis. He said that today they have the results of that study by the consultant Pavement Engineering, Inc.

Consultant Joe Ririe with Pavement Engineering, Inc. provided a PowerPoint presentation on the County Roads Needs Assessment. He provided background

information on the company. The items covered were: Presentation Goals; Pavement Designs; Pavement Deterioration Cycle; Evaluating Pavement; the PCI; Evaluating Common Pavement Distresses; Common Pavement Distress; Pavement Preservation; Pavement Preservation Timing; Good Payment Management; Pavement Conditions vs. Maintenance/Rehabilitation Costs; Pavement Treatments; Crack Sealing Treatment; Slurry Seals Treatment; Cape Seal Treatment; Dig out and Patching Treatment; Overlay Treatment; Mill and Fill Treatment; Reconstruction; Reconstruction-Pulverization; Reconstruction- Lime Treatment; Assessment Findings; County of San Benito System Data: Network Replacement Costs \$389,002,000; Statewide Needs Assessment; Current PCI Breakdown; Maintained Road System; Understanding Budget Funding Limitations and Impacts; 10 Year PCI Trend; Funded vs. Deferred Cost Comparison; Recommended Strategies for County-Maintained Payments; Recommendations: Perform Crack Sealing; Expand Pavement Preservation Treatments; Implement Trench Cut Ordinance; Develop 5 Year Plan; Preserve Critical Assets; Prioritize Streets by Classification; Leverage Limited Funds with Grants; Consider Additional Funding Sources.

Mr. Ririe asked if there were any questions.

Discussion ensued by Board, Staff and Mr. Ririe.

Chairman Robert Rivas opened it up for public comment.

Those speaking from the public were: Steve Rosati, Hollister resident; Valerie Egland, San Juan Bautista resident.

This was an information only report.

The Board adjourned for Lunch at 12:10 p.m. Will return at 1:30 p.m.

45. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Discussion of potential submission of a resolution amending Resolution 2008-98, regarding the County's position on the alignment of the Proposed Highway 152 Trade Corridor, adopt proposed resolution, or provide direction to staff.

SBC FILE NUMBER: 119

RESOLUTION NO: 2016-75

Assistant County Counsel Barbara Thompson provided information in regards to the Resolution on the alignment of the Proposed Highway 152 Trade Corridor.

Supervisor Anthony Botelho asked to recuse himself due to a conflict of interest owning property within the environmental study.

Supervisor Jerry Muenzer who is part of the Mobility Partnership Committee said that he asked that this be agendized. He said that we are meeting with the mobility partnership and all the different routes are back on the table and that he did not want to be bound by the earlier resolution. He said we need the ability to talk with our partners from VTA.

Supervisor Margie Barrios said that she agreed with Supervisor Muenzer. She said it will give us some flexibility. We need to look at this for the benefit of San Benito County.

Supervisor Jaime De La Cruz said that COG did discuss this and they support the concept of Supervisor Muenzers position to open it up and consider all the routes again.

Chairman Robert Rivas opened it up to the public.

Those speaking from the public were: Pat Loe, Hollister resident, asked the Board to not make a major policy change that will hurt San Benito County, leave Resolution as is.

Stephen Rosati, County resident, asked the Board to keep the existing Resolution in place.

Marty Richman, Hollister resident, said that we have been studying this for many years and by now we should have a score sheet, and that score sheet should tell us the advantages and the disadvantages of these routes. He said that the big question is what is in it for us, not sure anything.

Valerie Egland, San Juan Bautista resident, spoke in regards to widening Highway 25.

Further Discussion with Board and staff.

Supervisor Jerry Muenzer made a motion to adopt Resolution No. 2016-75 amending Resolution No. 2008-98. Supervisor Margie Barrios seconded the motion.

Ayes: De La Cruz, Rivas

Abstain: Botelho

The Board adjourned back into closed session at 2:56 p.m. to hear the remaining Items #3 and #4.

The Board reported out of closed session at 3:30 p.m. County Counsel Matt Granger reported that there was no reportable action on Item #3 and #4.

ADJOURNMENT

Supervisor Jerry Muenzer made a motion to adjourn the meeting at 3:22 p.m. to September 13, 2016 regular meeting. Vice Chair Jaime De La Cruz seconded the motion.