



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La
District No. 1	District No. 2	District No. 3	District No. 4	Cruz
		Chair		District No. 5
				Vice-Chair

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

REGULAR MEETING MINUTES May 10, 2016 9:00 AM

CALL TO ORDER

The Meeting was called to order promptly at 9:00AM.

a. Pledge of Allegiance

Chairman Rivas asked Supervisor De La Cruz to lead the Pledge of Allegiance.

Pledge of the Allegiance to be led by Supervisor De La Cruz.

b. Acknowledge of Certificate of Posting

Supervisor Anthony Botelho made a motion to to approve the acknowledgement of the Certificate of Posting.. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer, Rivas

- **PUBLIC HEARING 9:00 A.M. (THE PUBLIC HEARING WILL BE OPENED AT 9:00 A.M. AND CONTINUED TO 10:00 A.M.)**

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

Hold a Public Hearing and consider formation of the Geologic Hazard Abatement District (GHAD. If owners of more than 50% of the assessed valuation of the property do not object, the Board may form the GHAD by adopting a Resolution forming the San Benito Geologic Hazard Abatement District (GHAD) and appointing the Board of Supervisors to serve as the GHAD Board of Directors.

SBC FILE NUMBER: 790

RESOLUTION NO: 2016-31

Watch Video

The public hearing was re-opened at 10:03AM following County Counsel's report out from Closed Session.

Public Comment included Mr. Scott Fuller and Marvin Jones.

Supervisors Botelho and Barrios inquired of Resource Management Agency Director, Brent Barnes of issues related to Board and District Governance.

Shirley Murphy, San Benito County Deputy County Counsel, addressed procedural issues advising the Board that they recently adopted a resolution providing authorization for property owners to engage in this type of entity.

Supervisor Anthony Botelho made a motion to to approve Resolution 2016-31 as presented in the staff recommendation.. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer, Rivas

CERTIFICATE OF POSTING

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.)

At 10:02AM, the Board reconvened from Closed Session.

Chairman Rivas asked County Counsel Matt Granger to report out on behalf of the Board.

1. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Subdivisions (a) and (d)(1) of Section 54956.9

Name of Case: Rancho Gavilan v. County of San Benito, et. al, California

Superior Court for the County of San Benito, Case No. CU-15-00142.

SBC FILE NUMBER: 235.6

County Counsel reported that the Board took No Reportable Action on this item.

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

Subdivision (a) and (d)(1) of Government Code section 54956.9

Name of Case:

San Benito County v. Citadel Exploration, Inc, et al., Superior Court of California, County of San Benito, Case No. CU-15-00162.

SBC FILE NUMBER: 235.6

County Counsel reported that the Board took No Reportable Action on this item.

3. **CLOSED SESSION-CONFERENCE WITH REAL PROPERTY
NEGOTIATOR:**

Property: APN's 050-110-030 and 050-110-031, Hollister, CA

Agency Negotiators: Alan Yamamoto, Behavioral Health Services Director; Brent Barnes, Resource Management Agency Director; Adam Goldstone, Capital Program Manager; Ray Espinosa, CAO; Joe Paul Gonzalez, Clerk-Recorder-Auditor; Maria Sanchez, Behavioral Health Case Management Services/Administrative Services Specialist II; Matthew W. Granger, County Counsel; Barbara J. Thompson, Assistant County Counsel; Shirley L. Murphy, Deputy County Counsel

Negotiating Parties: Sonny Flores, Executive Dir., Community Services Development Corporation

Under Negotiation: price and terms of payment

Authority: California Government Code section 54956.8
SBC FILE NUMBER: 235.6

County Counsel reported that the Board took No Reportable Action on this item.

**ADDENDUM TO THE
May 10, 2016
BOARD OF SUPERVISORS
REGULAR MEETING AGENDA**

The following item has been added to the May 10, 2016 agenda:

CLOSED SESSION:

• **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION**

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

Number of cases: 1

Facts and Circumstances Justifying Closed Session: Potential of additional litigation regarding Master Tax Agreement currently being litigated in *Award Homes, Inc. v. County of San Benito, et. al*, Case No. CU-15-00099, and *BMC Promise Way, LLC, dba Benchmark Communities v. County of San Benito, et. al.*, Superior Court of California, County of San Benito, Case No. CU-15-00056.

SBC FILE NUMBER: 235.6

County Counsel reported that the Board took No Reportable Action on this item.

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

c. **Presentations and Recognitions**

Watch Video PART 1

Watch Video PART 2

Watch Video PART 3

The first recognition was presented to Kathy Alameda by Supervisor Barrios.

The second Proclamation was presented to Kevin O'Neill, Office of Emergency Service Director, by Supervisor Anthony Botelho.

The third Proclamation was presented by Supervisor Muenzer with Certificates of Recognition presented by Vice Chair Jaime De La Cruz.

At 11:10AM, Gine Johnson from Santa Cruz County Supervisor McPherson's Office provided her presentation on Community Choice Energy via PowerPoint.

The presentation and discussion concluded at 11:40AM.

There was no formal action taken on this item - Receive and File.

Supervisor Margie Barrios made a motion to to approve all three Proclamations as presented on the agenda.. Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, 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.

Watch Video

Mr. Marty Richman spoke about the Gavillan College Presidential recruitment and a news story about the Medical Marijuana industry as reported by the AP and NBC News.

e. **Department Head Announcements: Information Only**

Watch Video

Clerk-Auditor-Recorder announced a candidate forum that would take place on Saturday, May 14, 2016 at 1:00PM in the Board Chambers of the San Benito County Board of Supervisors.

f. **Board Announcements: Information Only**

Watch Video PART 1

Watch Video PART 2

Supervisor Barrios.

Supervisor Muenzer reported on a stage production that he and his wife attended that was produced by Deputy County Counsel Shirley Murphy.

Supervisor Botelho reported on Measure P as well as Ad Hoc Committee Meetings including his attendance at the Fire and Inter-governmental Committee Meetings.

CONSENT AGENDA

Watch Video

Supervisor Jerry Muenzer made a motion to to approve all Consent Agenda Items with the exception of Item 14 (pulled by Supervisor De La Cruz) and Items 20 and 21 (pulled by Supervisor Barrios). Vice Chair Jaime De La Cruz seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer, Rivas

4. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract renewal with Transcend/Christine A. Henriques, Facilitation of Domestic Violence Diversion Groups and MHSA Prevention and Early Intervention Groups for Victims of Domestic Violence for the period of July 1, 2016 through June 30, 2017 for a total sum not to exceed \$25,000.00.
SBC FILE NUMBER:810

5. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract renewal with Door To Hope Substance Abuse Residential Treatment Facility for the period of July 1, 2016 through June 30, 2017, for the amount not to exceed \$50,000.00.
SBC FILE NUMBER: 810

6. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract renewal with Traditions Behavioral Health for Psychiatry Services for the period of July 1, 2016 through June 30, 2017, for an amount not to exceed \$413,920.00.
SBC FILE NUMBER: 810

7. **BEHAVIORAL HEALTH DEPARTMENT - A YAMAMOTO**

Approve contract renewal with Crisis Support Services of Alameda County, for the period of July 1, 2016 through June 30, 2017, in the amount of not to exceed \$45,000.00.
SBC FILE NUMBER: 810

8. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract Renewal with Dr. Wallace B. Mendelson, M.D. Psychiatrist for the period of July 1, 2016 through June 30, 2017, for a total amount not to exceed \$122,000.00.
SBC FILE NUMBER: 810

9. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Hollister Youth Alliance for the Provision of Mental Health Services Act (MHSA), Prevention and Early Intervention Services for the period of July 1, 2016 through June 30, 2017, for a total sum not to exceed \$184,000.00.
SBC FILE NUMBER: 810
10. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with 7th Avenue Skilled Nursing Facility for the period of July 1, 2016 through June 30, 2017, for an amount not to exceed \$89,000.00.
SBC FILE NUMBER: 810
11. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract Renewal with Front Street, Inc. Residential Care Facility for the period of July 1, 2016 through June 30, 2017, in an amount not to exceed \$48,000.00.
SBC FILE NUMBER: 810
12. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with K & R Manor/Salvador Lodge for residential treatment services for the period of July 1, 2016 through June 30, 2017, in the amount not to exceed \$15,000.00.
SBC FILE NUMBER: 810
13. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract with California Locums, PC for Psychiatry Services for the period of July 1, 2016 through June 30, 2017, for an amount not to exceed \$375,500.00.
SBC FILE NUMBER: 810

Watch Video

At 11:00AM, Chairman Rivas left the Board Meeting and Vice Chair De La Cruz took his Chair to preside over the meeting session.

This item was pulled by Vice Chair De La Cruz.

Vice Chair De La Cruz asked Behavioral Health Director Alan Yamamoto about the wisdom of continuing to employ the listed contract employee. Vice Chair De La Cruz asked if it would make more sense to train an employee in-house to take this work over.

Director Yamamoto indicated that a person had been developed in house but that the individual took a position in Southern California.

Vice Chair Jaime De La Cruz made a motion to to approve the Contract as presented on the agenda for accounting services.. Supervisor Anthony Botelho seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer

Absent: Rivas

14. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract renewal with Administrative/Fiscal Consultant G. Ernst for the period of July 1, 2016 through June 30, 2017, for a total amount not to exceed \$95,000.00.

SBC FILE NUMBER: 810

15. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract renewal with IDEA Consulting for the period of July 1, 2016 through June 30, 2017, for a total amount not to exceed \$122,000.00.

SBC FILE NUMBER: 810

16. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve Contract Renewal with the Suicide prevention of the Central Coast for the period of July 1, 2016 through June 30, 2017, for a total amount not to exceed \$17,940.00.

SBC FILE NUMBER: 810

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

Approve budget augmentation related to the General Assistance Division.

SBC FILE NUMBER: 865

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

Adopt Ordinance adding Article XIV to Chapter 5.01 of Title 5 of the San Benito County Code Pertaining to Library Facility Impact Fees.

Environmental Determination: Categorically Exempt

SBC FILE NUMBER: 80

ORDINANCE NO: 2016-945

19. **EMERGENCY MEDICAL SERVICES - K. O'NEILL**

Approve Memorandum of Understanding (MOU) between Emergency Medical Services and the South Bay Regional Public Safety Training Consortium for a (EMT) Academy Course to be effective April 20, 2016, in the amount of \$3,732.00.

SBC FILE NUMBER: 1068

Watch Video

This item was pulled by Supervisor Barrios.

Supervisor Barrios thanked HHSA Director Jim Rydingsword for his work in this area.

The motion to approve this Consent Agenda Item also included Item 21.

The Board broke for lunch at 12:19PM

Supervisor Margie Barrios made a motion to approve the item as presented..
Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer

Absent: Rivas

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

Approve Support Letter for the Child Care Bridge Program for Foster Children from the Board of Supervisors.

SBC FILE NUMBER: 130

Watch Video

This item was pulled by Supervisor Barrios.

Supervisor Barrios thanked HHSA Director Jim Rydingsword for his work in this area.

The motion to approve this Consent Agenda Item also included Item 21. Absent: Rivas

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

Approve support letter for additional funding for Commercially Sexual Exploitation of Children (CSEC) services and resources.

SBC FILE NUMBER: 130

Supervisor Margie Barrios made a motion to to approve per staff recommendation.. Supervisor Jerry Muenzer seconded the motion.

Ayes: Barrios, Botelho, De La Cruz, Muenzer

Absent: Rivas

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

Re-Appointment to the Community Action Board (CAB) Ms. Shari Stevenson as the Representative for the BOS for District# 5 to the CAB for a three-year term effective 4/26/2016 through 4/26/2019.

SBC FILE NUMBER: 130

23. **SHERIFF'S DEPARTMENT - D. THOMPSON**

Augment Schedule of Expenditures and Revenue in the Sheriff's UNET budget recognizing Byrne JAG and Drug Enforcement Agency grant funds in the amount of \$44,180.00. (4/5 vote)

SBC FILE NUMBER: 110

24. **SHERIFF'S DEPARTMENT - D. THOMPSON**

Approve the appropriation increase to the Sheriff's Operations Budget providing for specialized training for the Veteran's Peer Response Program in the amount of \$6,200.00. (4/5 vote)

SBC FILE NUMBER: 110

Watch Video

REGULAR AGENDA

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

San Benito Chamber of Commerce will make a presentation to the Board as to how they have used the funding allocated to them in FY 15/16 for the purpose of Economic Development.

SBC FILE NUMBER: 110

Watch Video

The afternoon session of the Board Meeting resume at approximately 1:30PM.

The record shall reflect that Board Chairman Robert Rivas returned and was present for the afternoon session.

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The first of the CBO Presenters was Pauline, Executive Director, Jovenes de Antano.

The second presenter was Clay Kempt, Executive Director, Area Agency on Aging.

No action taken on this item - Receive and File.

Absent: Rivas

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

Presentations by Community Based Organizations as to the usage of allocations provided by the Board of Supervisors in the FY 15/16.

SBC FILE NUMBER: 865

Watch Video

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

Ayes: Barrios, Botelho, De La Cruz, Muenzer, Rivas

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

Approve County Social Media Policies and direct Clerk of the Board to make the Social Media Policies Part of the County Administrative Manual as appropriate.

SBC FILE NUMBER: 119

Watch Video

The item was presented to the Board by Assistant CAO Barbara Thompson.

Mr. Marty Richman spoke to this issue regarding his interest related to the economics of the item.

Staff was directed by a consensus of the Board to bring the agenda item back with further information from the Code Enforcement Division.

No formal action taken by Board on this item.

Absent: Rivas

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

Discussion in regard to the Abandoned Vehicle Abatement (AVA)

Fee, which narrowly missed being approved during the November 2014

election, and provide direction to staff whether to take further action to potentially place a ballot measure before the voters in the November 2016 election.

SBC FILE NUMBER: 160

Watch Video

Absent: Rivas

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

Receive update on the current Homeless Service in San Benito County.

SBC FILE NUMBER: 130

Watch Video

Discussion of Item 29 began at approximately 11:40AM.

Brent Barnes, Director of the Resource Management Agency, presented the item on behalf of the administration.

Deputy Director Enrique Arreola provided a Homeless Service Center update. HHSA Director Jim Rydingsword reported that the 1161 San Felipe Road Property is now owned by San Benito County. He also reported that meetings with the State of California are pending with regard to CDBG Funds.

Public Comment was offered by Scott Fuller, Todd Duetcher, Marty Richman and Anthony Lico.

The Chair directed the CAO that the meeting of June 14th of the Board of Supervisors be adjourned to the evening of the same meeting to discuss this item beginning at 6:00PM.

The Board took no action on this item as it will be addressed at the June 14th BOS Meeting following the May 11th Planning Commission Meeting.

No action taken by the Board.

Absent: Rivas

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

Update on Staff Proposed General Plan Amendment to Amend the Land Use Element of the General Plan to Create the Southside New Community Study Area.

SBC FILE NUMBER: 790

This item will be moved to the May 24, 2016 BOS Agenda.

No action taken by the Board.

Absent: Rivas

PUBLIC HEARING

31. **(To be heard at 10:00AM or as soon thereafter as the matter may be heard). RESOURCE MANAGEMENT AGENCY - B. BARNES**
Hold Public Hearing: Adopt Ordinance Establishing Water Conversation Requirements within the CSA 31 for the 2016-17 Water Year.

Watch Video

ADJOURNMENT

Motion to adjourn made by Supervisor De La Cruz.

Motion seconded by Supervisor De La Cruz.

Motion approved 4 to 0.

Meeting adjourned at 3:04PM.

Adjourn to May 17, 2016 Special Meeting.