



## SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina  
District No. 1

Anthony Botelho  
District No. 2

Peter Hernandez  
District No. 3

Jim Gillio  
District No. 4  
Vice-Chair

Jaime De La  
Cruz  
District No. 5  
Vice-Chair

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

### REGULAR MEETING MINUTES June 16, 2020 9:00 AM

#### ***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 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 (3) minutes unless otherwise permitted by the Board Chair.***

#### **CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Chairman Jaime De La Cruz. Those present were Supervisors Anthony Botelho, Jim Gillio, Peter Hernandez and Mark Medina, as well as County Counsel Barbara Thompson, County Administrative Officer Ray Espinosa and Clerk of the Board Janet Slibsager.

- a. Pledge of Allegiance

**Pledge of Allegiance led by Supervisor Mark Medina, District #1.**

The Pledge of Allegiance was led by Mark Medina.

- b. NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF SUPERVISOR MEETINGS

Management Analyst Dulce Alonso provided information as to how the public could join the meeting by Zoom.

### **Certificate of Posting.**

MOTION:

*Motion to Acknowledge Certificate of Posting:* Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

**5 - 0**

*For (5):*

*Against (0):*

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the Board of Supervisors are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

**Members of the public are encouraged to participate in Board meetings in the following ways:**

**1. Remote Viewing**

Members of the public who wish to watch the meeting can view a livestream of the meeting online through Community Media Access Partnership (CMAP) YouTube, San Benito County Government  
[https://www.youtube.com/channel/UCLj3iW3\\_dsDzbYqnY1KdCvA](https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA).

**2. Written Comments & Email Public Comment**

- Members of the public may submit comments via email by 5:00 PM. on the Monday prior to the Board meeting to the Clerk of the Board at [JSlibsager@cosb.us](mailto:JSlibsager@cosb.us). Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

**3. Board of Supervisors meeting Zoom Instructions for remote Participants:**

Three ways to attend zoom meetings: **over the phone, on a web browser, or through the Zoom App**. Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting.

**1. Over the phone (Audio only):**

· (669) 900-6833 or (408) 638-0968.

**2. Open the Web-browser:**

· <https://zoom.us/join>

**3. Smart device Application:**

· Apple App store: <https://apps.apple.com/us/app/id991-1600-2762>, Password 343209;

· Android App store: <https://play.google.com/store/apps/details?id=us.zoom.videomeetings>

**Zoom Audio Only (phone)**

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-**

0968.

1. It will ask you to enter the **Meeting ID #991-1600-2762, Password 343209**, followed by the “#” key, which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
2. It will then ask for a **Participant ID**, press the “#” key to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the “\*9” to raise your hand, zoom facilitator will unmute you when your turn arrives.

#### **Zoom On Web-browser or Zoom app on Tablet or Smartphone**

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select “**JOIN A MEETING**”
2. The participant will be prompted to enter **Meeting ID #991-1600-2762, Password 343209** and name to join the meeting. Which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
3. Participant can launch audio through their computer or set it up through the phone.
  1. **Public Comment:** select the “**Participants Tab**” and click “**Raise hand**” icon, the zoom facilitator will unmute you when your turn arrives.

#### **Public Comment Guidelines**

- If participating on zoom Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The San Benito County Board of Supervisors welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.
- No Chat function.

If you have any questions, please contact the Clerk of the Board at (831) 636-4000, Ext. 11 or email [JSlibsager@cosb.us](mailto:JSlibsager@cosb.us)

#### c. **Presentations and Recognitions**

None.

#### 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.

Rosa Fernandez, San Benito Health Foundation, thanked Supervisor Botelho for his participation and efforts at their event on June 13th for our Farm worker Community.

Courtney Evans would like to have an agenda item in regards to standard of conduct for elected officials.

David Patrick spoke in regards to Governments N-29-20 unlawful order and that it is not legal.

Vedana Freitas would like to have Item 16 pulled from the consent agenda. Would like to know when these meeting will be opened to the public to attend and still do zoom for those who are not able to attend.

Hunter Cuneo said that he would like to 2nd what Mr. Patrick said earlier as well as Vedana, move these meetings back to the public in person as it is hard to hear people speak because of the masks.

Zoa Jones spoke about the Boards unwillingness to listen to the public about the mask order. Also opposed to Item #16, extending the terms of Doctor Ghildarducci. We need to end the mask order.

Monica Casada spoke in regards to her opinion on the mask order.

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

CAO Ray Espinosa spoke about the Great Plates program and had Kris Mangano from OES provide an update.

OES Director Kris Mangano provided update on the Great Plates Program. The purpose of the program is to help seniors and other adults at high risk to covid to stay home and stay healthy by having meals delivered to them and provide essential economic stimulus to local businesses that are struggling to stay open during covid. We have successfully enrolled 165 seniors, 6 restaurants are on board and have served just over 5,000 meals locally, which is outstanding. Statewide the program is doing very well, has served over 25,000. The program will end on July 10th.

Supervisor Jim Gillio thanked Kris and the administration team for this, it was a lot of work to get this program up and running.

#### **f. Board Announcements: Information Only**

Supervisor Peter Hernandez reported that he had meeting with COG Board in regards to the study on the trade corridor, exciting news coming out about moving forward on this. There is a focus to deal with the traffic on Hwy 25 and to encourage economic development which is much needed.

Supervisor Anthony Botelho reported that he and Supervisor Hernandez continue to have the Road Map to Recovery Ad Hoc meetings with the two cities. One of the things in the ad hoc meeting that was a concern was enforcement and going forward for activities that are not allowed by the State. We need to hear from the Health Department, code enforcement and the two cities. We need to discuss enforcement at some point in the future.

Supervisor Jim Gillio said that Great Plates is great news. Mentioned that the Health Officer approved yesterday new guidance for personal services. San Benito County has been on the forefront of protecting our community and reopening. Supervisor Hernandez and Botelho have held multiple public meetings with different sectors of business. Supervisor Hernandez and I had a Town Hall meeting that was very well attended. Would like Health and Human Services Agency to clarify the schools and states communication and what is going to happen when it opens, would like

to have a report at the next meeting.

## 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.*

### MOTION:

Motion to approve the consent agenda (Items 1-25) with Supervisor Botelho abstaining from Item #8. #16 will be pulled for discussion, and #17 will be pulled for discussion:

Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Peter Hernandez**

**5 - 0**

For (5):

Against (0):

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

1. **ASSESSOR'S OFFICE - T. SLAVICH**  
Approve maintenance agreement with Megabyte Systems Inc. for the Megabyte Property Tax System at a cost not to exceed \$150,550 with a term from July 1, 2020 through June 30, 2021.  
SBC FILE NUMBER: 7
2. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**  
Request to Sign the FY 2020-21 Participation/MOU Agreement for State Hosp. Bed Use through the Joint Powers Agreement with CalMHSA (California Mental Health Services Authority) for the term July 1, 2020 through June 30, 2021.  
SBC FILE NUMBER: 810
3. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**  
Approve Contract with Seneca Family of Agencies for intensive mental health treatment services for at risk children in foster care for the term of July 1, 2020 through June 30, 2021.  
SBC FILE NUMBER: 810
4. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAOTO**  
Approve contract renewal with Sun Street Centers, Women's SLE for a maximum total of \$72,000 for the term of July 1, 2020 through June 30, 2021.  
SBC FILE NUMBER: 810
5. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**  
Adopt Resolution revising the 2020 Board of Supervisors Meeting Agenda Schedule, pursuant to Ordinance 3.01.001, adding a regular meeting on July 21, 2020.

SBC FILE NUMBER: 119  
RESOLUTION NO: 2020-37

6. **BEHAVIORAL HEALTH DEPARTMENT- A. YAMAMOTO**  
Approve contract renewal with Sun Street Centers, Mens SLE for a maximum total of \$72,000 for the term of July 1, 2020 through June 30, 2021.  
SBC FILE NUMBER: 810
7. **CLERK OF THE BOARD OF SUPERVISORS - J. SLIBSAGER**  
Approve the action minutes of the April 21, 2020 regular meeting.  
SBC FILE NUMBER: 119
8. **COUNTY ADMINISTRATION OFFICE - R ESPINOSA**  
Approve contract with County of Monterey for Veteran's Services for San Benito County for the period of July 1, 2020, to June 30, 2021, with two terms of automatic renewal options in the total amount not to exceed \$330,000 (\$105,000.00 per year with an annual increase of 5,000.00).  
SBC FILE NUMBER: 125
9. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**  
Approve end of year budget adjustments/transfers for multiple items in FY19/20. (4/5 vote required)  
SBC FILE NUMBER: 865
10. **GEOGRAPHIC INFORMATION SYSTEMS- R. ANCHIETA**  
Approve amendment # 1 to contract with Lynx Technologies for GIS development and maintenance services through June 30, 2021, in an amount not to exceed \$25,000.00.  
SBC FILE NUMBER: 7.5
11. **HEALTH AND HUMAN SERVICES AGENCY- T. BELTON**  
Approve the Re Appointment of Ms. Kendra Bobsin to the Workforce Development Board as a Public Sector representative, a mandated board position, for a three year term, effective 5/12/2020 through 5/12/2023.  
SBC FILE NUMBER: 130
12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Approve contract with Anita Alvarez RN PHN for the period of July 1, 2020 through June 30, 2021, in the amount of \$100,000.  
SBC FILE NUMBER: 130
13. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Approve contract with Veronica Guerra, LVN for the period of July 1, 2020 through June 30, 2021, in an amount not to exceed \$90,000.00.  
SBC FILE NUMBER: 130
14. **HEALTH AND HUMAN SERVICES AGENCY- T. BELTON**  
Approve the Re-Appointment of Mr. Dennis Wightman as the Representative for the Private for District# 4 and Mr. Mel Tungate as the District #4 Representative of the Poor to the CAB for a three-year term effective

5/10/2020 through 5/10/2023.  
SBC FILE NUMBER: 130

15. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Approve contract with Gavilan College CalWORKs Program for the period of July 1, 2020 through June 30, 2021, for a total sum not to exceed \$100,000.00.  
SBC FILE NUMBER: 130
  
16. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Approve Contract Amendment #1 with David Ghilarducci, MD FACEP extending the term date to December 31, 2020, for a total sum not to exceed \$72,000.00.  
SBC FILE NUMBER: 130

This item was pulled for discussion by the public Vedana Freitas.

Ms. Freitas spoke about how the county should not renew his contract he is not available to this county and he can't do his job. He is getting money to show up when he feels like it. I would rather not have a public health official or get someone that understands the challenges that we have. Recommending not pursuing the contract with Doctor Ghilarducci.

Discussion ensued by Board and staff.

CAO Ray Espinosa provided information that we are lucky to have him come in when he did. He said that this is an interim contract and we currently have five interview in place right now to hire a full time Health Officer.

County Counsel Barbara Thompson provided additional information. She said that the doctor does not have authority over the State Order, he does not get credit. The mask order is the only thing that he has enforced.

Discussion continued with Board and staff.

#### **Public Comment**

Those speaking from the public were: Robert Bernosky, Bea Gonzalez, Courtney Evans, David Patrick, Heather Hickerson, Elia Salinas, Jackie Morris.

Supervisor Hernandez asked for clarification that Public Health Department cannot exist without a Public Health Officer, have we always had a Public Health Officer.

County Counsel Barbara Thompson replied that there are statutory regulations that we have to have the public officer for and are duties that have to be performed. We could lose some funding if we didn't have the Public Health Officer.

CAO Ray Espinosa responded, yes, we have to have a doctor on staff to address certain things.

Supervisor Hernandez would like to make an amendment to the contract that; 1) we can weigh in to his decision making; 2) we have reporting from him.

Supervisor Gillio said that we have a contract in front of us which is for an interim Health Officer that has been spelled out by legal, I don't think we should be rewriting a contract. If you want the

changes we can agendize at another meeting for legal to review suggested amendments.

Supervisor Botelho said that he seconded the motion with out the amendments suggested by Supervisor Hernandez.

Supervisor Hernandez said that he disagrees.

MOTION:

Motion to approve the contract Amendment #1 to extend the term date to December 31, 2020 for a total sum not to exceed \$72,000: Made by **Supervisor Mark Medina** and seconded by **Supervisor Anthony Botelho**

**4 - 1**

For (4):

Against (1):

Ayes: Botelho, De La Cruz, Gillio, Medina Nays: Hernandez

**17. RESOURCE MANAGEMENT AGENCY- H. MAVROGENES**

Approve Amendment #1 to Contract with EMC/ADE to prepare an Elections Code 9111 report on the Strada Verde Initiative. Consider whether to direct staff to prepare of a report on the impacts of the proposed Strada Verde general plan amendment initiative measure pursuant to Elections Code section 9111; and Amending an existing contract with EMC Planning Group, Inc. and sub consultants Applied Development Economics, Inc. to prepare the report; and approve the expenditure of \$79,837.50 from the application fee deposit for the Strada Verde Development Application.  
SBC FILE NUMBER: 790

This item was pulled by Supervisor Anthony Botelho.

Supervisor Botelho said that he is excited about this project, it is a fantastic opportunity for San Benito County. It will provide a lot of jobs and business opportunities. This will be put on an initiative to the voters. Would like to suggest that we approve this contract with EMC to do the report so that the voters have time to look at it.

RMA Director Harry Mavrogenes provided additional information to the contract and the study that needs to be done in a short period of time. He is asking the Board for their approval.

MOTION:

Motion to approve per staff recommendation:

Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Anthony Botelho**

**4 - 1**

For (4):

Against (1):

Ayes: Botelho, Gillio, Hernandez, Medina Nays: De La Cruz

**18. RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**

Approve contract Amendment #4 with Field Solutions Inc. for an additional \$38,300.00 and to extend the existing contract until June 30, 2022.  
SBC FILE NUMBER: 75.4

19. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**  
Approve contract Amendment #1 with Dishnet Direct Inc. dba DAS Systems for installation of an Emergency Responder Radio System at the County Jail, for an additional \$60,000.00 and to extend the existing contract until June 30, 2021.  
SBC FILE NUMBER: 120.5
20. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**  
Approve contract Amendment #1 with Dishnet Direct Inc. dba DAS Systems for design of the Emergency Responder Radio System at the County Jail, for an additional \$5,000.00 and to extend the contract until June 30, 2021.  
SBC FILE NUMBER: 105
21. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**  
Approve contract Amendment #1 with Medina Systems Contracting, Inc. to extend the existing contract until June 30, 2021.  
SBC FILE NUMBER: 120.5
22. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**  
Approve reimbursement agreement with Vineyard Rock Products for Consultant Services to be performed by Benchmark Resources regarding the Enz Quarry Minor Reclamation Plan Amendment, for a total budget of \$75,820.00, for the term of September 24, 2019 through June 30, 2022.  
SBC FILE NUMBER: 790
23. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**  
Accept bids received for the Homeless Services Center Phase III project; find Ron Paris Construction Co., Inc., as the lowest responsive, responsible bidder; award contract to Ron Paris Construction Co. in the amount of \$824,915; approve contract and authorize the RMA Director to execute it upon receipt of all documents required in the Invitation for Bids; and authorize the RMA Director to issue change orders in the amount not to exceed \$53,745.75, per Public Contract Code section 20142(b), effective June 16, 2020.  
SBC FILE NUMBER: 810
24. **RESOURCE MANGEMENT AGENCY – H. MAVROGENES**  
Adopt the plans and specifications for the Enterprise PWB-2002 Best Rd – HWY 25 to John Smith Rd and PWB-2003 Fairview Rd – Rosa Morada Rd to McCloskey Rd; find the projects are categorically exempt under CEQA Guidelines Sections 15301 and 15302; and authorize the advertisement for bids.  
SBC FILE NUMBER: 105
25. **RESOURCE MANGEMENT AGENCY – H. MAVROGENES**  
Adopt the plans and specifications for the Measure G PWB-2013 Southside Road – 5000 Block; find the project is categorically exempt under CEQA Guidelines Sections 15301 and 15302; and authorize the advertisement for bids.  
SBC FILE NUMBER: 105

## **PUBLIC HEARING**

### **26. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES**

Conduct a Public Hearing to consider the proposed rates and receive any protests received; adopt a Resolution approving solid waste collection rates effective July 1, 2020 through June 30, 2021

SBC FILE NUMBER: 142

RESOLUTION NO: 2020-38

RMA Director Harry Mavrogenes said that Kathleen Gallagher is going to do the presentation and there is a representative from Recology that will be available for questions. He mentioned that last night at the City Council meeting they did not vote to approve this contract, it is also going to the City of San Juan Bautista which they are not approving at this time.

Kathleen Gallagher said at the City Council meeting last night they voted 4/0 to not consider the item until next week after the Board of Supervisors meeting. She provided information on the item before them today for adoption of a resolution approving solid waste collection rates with Recology effective July 1, 2020 through June 30, 2021. There was 4,904 notices that were mailed out and protests received by the Clerk of the Board today was 99, which needs to be 50% for a total of 2,453.

Supervisor Mark Medina spoke about the City Council meeting last night and how there is a lot of confusing facts. The increase is a 4.5 %, roughly \$80,000 for our County. Asked General Manager of Recology that with Covid-19 what is the possibility of tabling this for 6 months.

Phil Couchee from Recology spoke about the overall effect on a monthly basis is about \$14,000 month for the rate increase. We are aware of the difficulty brought on by the covid. We have not stopped any services due to non payment. If the Board chooses not to pass we would reconvene with staff and determine what would be the best resolution.

Supervisor Anthony Botelho said that he is concerned about the impacts to individuals who have been laid off from their jobs. It is not the worst idea to defer for 6 months so that people can get back on their feet.

Supervisor Jim Gillio echoed Supervisor Medina's concerns. Had a question for legal counsel not approving 218 and would it go through automatically. Spoke about possibly doing a credit during this time.

County Counsel Barbara Thompson said that the Board would be accepting the maximum allowable rate, the best thing to do would be have the Board approve the maximum allowable rate and have Recology set it at a lower rate our defer it for a period of time.

Ms. Thompson asked Ms. Gallagher what are the consequences if the Board doesn't approve the rate, what is the financial cost to the County.

Ms. Gallagher replied that the revenue short fall would fall on Recology. Recology might have to reduce services to meet the shortfall.

Ms, Thompson asked if she would recommend continuing it to the 29th and get an agreement with Recology to figure out how it would be dealt with if we don't go forward with prop 218.

Ms. Gallagher said that would probably be a good option to pursue.

Supervisor Peter Hernandez said that he would like to defer this, agrees with Supervisor Medina and Botelho. Don't want to support any rate increase right now, would like to protect the public.

Ms. Thompson said that we could open the public hearing and hear from the public and close it and defer it to a date certain.

Chairman De La Cruz opened the public hearing.

**Public Comment:**

Elia Salinas said that she has been opposed to this rate increase from the beginning. Notices were sent out to property owners the rate payer should have the right to protest this increase, the notices did not go out in Spanish. This is the third increase that you are asking the citizens to do, it is unethical.

Chairman De La Cruz closed the public hearing.

Ms. Thompson said that the item will be continued to June 29th at 9:00 a.m.

MOTION:

Motion to continue the meeting to June 29th at 9:00 a.m.: Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

**5 - 0**

For (5):

Against (0):

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

**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.*

**27. HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**

Receive presentation and update from HHSA/Public Health Services on the respiratory disease coronavirus, also known as COVID-19.

**SBC FILE NUMBER: 130**

Health and Human Services Director Tracey Belton said that Dr. Ghiularducci will give an update so that he can get back to work.

Dr. Ghilarducci spoke about Face Covering order vs. Strong recommendation. The face covering is part of the reason we have been able to avoid a disaster here in terms of overwhelming our healthcare community. There is really no medical evidence that the face coverings lower oxygen or carbon oxide levels. As we try to reopen, the face covering order provides a layer of protection for businesses, employees and for the public to rely on those businesses and people when they come to work. The State is issuing guidance for reopening which covers specific instructions requiring

face coverings to be worn by employees and customers in certain situations, including personal care services, nail salons, tattoo parlors, etc. This is a Statewide order for those industry's and applies to several other industry's as well. So relaxing this order puts businesses in a bad situation. There are instances that face covering is not required, such as in your home in your car, when you are outside and are able to maintain social distancing, when you are in a restaurant eating or drinking or exercising outside. Young children and medical patients who are not able to tolerate a face cover is not required to wear one. Facial coverings are not perfect in preventing the spread, but you are helping to protect yourself. I wear one to protect you and you wear one to protect me. I really don't see the medical reasons for reversing this order. As far as our local numbers and data: we will continue to have a steady increase in the number of cases; we could lose ground and go back to earlier stage, don't want San Benito County to become in that situation that would hurt our economy. There has been a stage 3 expansion for Personal Care Services; Questions.

Supervisor Anthony Botelho said that he appreciates the Doctor taking the time this morning. He said that he would continue supporting his decision on the face mask, I think it is effective. We need to continue social distance and protecting each other from Covid. There has been a spike in cases and I don't want us to go backward.

Supervisor Peter Hernandez said that he has some concerns in what the Doctor said. Would like to have the information and data a head of time. He said that he did a survey with his staff in regards to the mask order and they all said that they have a hard time with the masks it is hard to breathe. He would like to see the impact to CO2 and your body. Asked about liability because of the mask. I agree with the public if they don't want to wear it.

Supervisor Jim Gillio said that he has done a lot of reading on this and does see Supervisor Hernandez's concerns as well. There is evidence on both sides of this, I have ran in to people that have difficulty wearing the mask. He has a question in regards to masks not face coverings.

Dr. Ghilarducci said that there was a shortage of PPE for health care workers. The PPE supply has improved, the homemade coverings are effective.

Supervisor Gillio thanked the Doctor, appreciates that he stepped in to fill the gap after we lost our first Health Officer.

Supervisor Mark Medina would like to talk to Covid-19 industry guidance in regards to day camps, looking at High School Sports and local sports. Are they able to participate in these actions.

Dr. Ghilarducci said that this has been an ongoing issue with Health Officers and the State Department of Public Health we are eagerly awaiting guidance that is directed towards youth sports and athletic programs, there is no official guidance on this yet.

Ms. Belton provided information on distance drills and conditioning for youth. Yes distance drills and conditioning activities are allowed as long as they comply with the gym and fitness guide which is going to be released soon.

Supervisor Medina had a question in regards to the parks for soccer, baseball, etc., when will we be able to open those parks.

Dr. Ghilarducci said that we will go as quickly as the State will allow.

Supervisor Gillio asked the Doctor if he had any update for the hospital.

Doctor Ghildarducci replied that the hospital is doing okay.

Ms. Belton continued her presentation as follows: San Benito County Data: No hospitalizations at this time, 4 new cases, 20 cases; Update on County Variance: The following guidance for variance counties was released and approved for opening for the following Personal Care Services that requires a client's face, electrolysis, and waxing, skin care, cosmetology services, nail salons, body art professionals, tattoo parlors, piercing shops, massage therapy, you will all be able to expand on Friday. The following activities have not been provided guidance: youth camps, playgrounds, team or contact sports, other public gatherings, musical or other performances, or other events must be cancelled or postponed; San Benito County Recommendations: Continue to follow guidance for related industry and/or activity, Self Certify and post the placard at your business; as we move through the process of reopening we will continue to publish guidance for business and activities currently allowed under that stage; the guidance are available at [www.covid19.ca.gov](http://www.covid19.ca.gov).

Epidemiologist Mallory Schmitt provided data on Positivity rate by week which is based on the available data that they have; OptumServe Testing Data (Veterans Memorial Building). There was a glitch in the reporting system and they will be monitoring and assessing the effectiveness and the timing.

Supervisor Medina wanted to see through the Chair if they could take a poll or talk about opening up our Board Chambers for the public to participate in these meetings.

County Counsel Barbara Thompson said that it could be agendaized for the next meeting.

Chairman asked County Counsel what the process was if the Board wanted to open it.

Ms. Thompson replied that if the Board wants it open they can open it and announce it.

Chairman De La Cruz asked the Board who wants to open the Board of Supervisor meetings to the public at the next meeting.

Supervisor Hernandez - yes

Supervisor Medina - yes

Supervisor Gillio, yes but with social distancing and face coverings and will need to make some adjustments in the chambers.

Supervisor Botelho - no

Chairman De La Cruz - no

The consensus of the Board is to open the Board Chambers to the public at the next meeting with safety recommendations and protection to staff and recommendations by Supervisor Jim Gillio.

CAO Ray Espinosa clarified that the next meeting would be June 29th.

County Counsel Barbara Thompson spoke about the local emergency order and how it does not need to be renewed because it is an existing order under the current Executive Order unless they want to put it on a meeting for adoption, it is not required to do so.

**Public Comment:**

Jeanie Wallace, thanked the Board for their protection and supports the mask order. She is concerned about opening to soon and having more cases. Spoke in regards to airborne transmission.

Crystal Holland, spoke about these orders that are affecting our children by not being able to go back to school. The mental health is already suffering from not being able to connect with their peers. I am against the mask order.

Courtney Evans spoke of her rights to attend a meeting, you have divided this community. We are following State guidelines, I will not. I will continue to run my business and will not social distance.

David Patrick said that this emergency order is illegal. What has happened the past 3 months due to our Health Office orders we have had cancelled surgery's, doctor visits, visits to our elderly and loved ones, parent/teacher conferences, weddings, graduations, sporting events, flights, charity events, school, constitutional rights, vacation, jobs, futures. You the elected officials don't know what you have done by allowing the Health Officer's order.

Irma Gonzalez spoke about 87 hospitalizations in Salinas yesterday, our patients go to Salinas you are not seeing them here at Hazel Hawkins Hospital. Opening to the public is putting your staff and employees in danger, agrees with Supervisor De La Cruz, is upset with Supervisor Hernandez.

Hunter Cuneo said that this is not a local health emergency and has never been, this is fraud. We need to end this mask order and we need to get rid of the Health Officer.

Vedana Freitas spoke in regards to the mask order and how the majority of the people do not agree with. This is hurting our businesses economically. Remove the mandatory mask order and allow people to live their lives.

Elia Salinas spoke in regards to Irma Gonzalez's comments. We have two Board members at high risk by putting the public in the meetings.

Kevin Barcellos thanked the Board for continuing the mask order, urge them to follow Dr. Ghilarducci's advise and continue the order.

Tiffany Martin said that your health is your personal responsibility, you should have a choice to wear something. It is not okay for the government to tell us that we have to wear a mask.

Beth Carbone said that our voices are on death ears and nothing is changing. There are many of us against this mask order.

Erin Livingston spoke about opening meetings and the mask order is dividing the community. You have not addressed that children do not get sick from covid-19.

## **28. COUNTY ADMINISTRATION OFFICE - R ESPINOSA**

Receive Informational presentation on CARES Act and anticipated allocation to San Benito County.

SBC FILE NUMBER: 865

CAO Ray Espinosa provided information on allocation of funding from the government to the state and cities which is the CARES, a corona virus relief fund. Staff has been working many hours on this trying to establish some programing for the businesses and the non profits. Thanked Supervisor Botelho and Hernandez who serves on the Ad Hoc committee.

Management Analyst Dulce Alonso thanked both Supervisors and the CAO on helping to put a plan together to best serve our community. Provided a PowerPoint presentation on the Cares Act: Through the Coronavirus Relief Fund there was \$150 billion nationally was allocated; The State of

California was allocated \$15.3 billion with \$9.5 billion paid to the state; San Benito County's share is \$6,428,000 million that we will receive July 1st to spend on any necessary expenditures incurred due to the public health emergency. Cares Act Limitations, cannot be spend on the following: Revenue shortfalls, expenditures that would not otherwise qualify as an eligible expenditure. Coronavirus Relief Fund Act Limitations, the CARES Act requires that the payments from the relief fund only be used to cover expenses that: Incurred during the period March 1, 2020 through December 30, 2020; Not accounted for in the County's budget approved as of March 27, 2020; are necessary expenditures incurred due to the public health emergency with respect to the (COVID-19. Eligible expenses: COVID-19 related medical expenses; public health expenses; payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to COVID-19; related public health measures; related expenses reasonably necessary to the function of government. Timeline: Should receive the funding from the State July 1, 2020, our allocation was part of the Governors revision; September 1, 2020 marks the half-way mark of coronavirus, should have spent half of the funding by then; need to spend the funds by December 30, 2020 or we have to give it back. Proposed Budget for the \$6,428,000 million: \$1.5 million would go to Business Grant Program; \$500,000 for Non-Profit Relief Fund; \$500,000 for Community Programing/non-profit/business second round; \$1.5 million for IT Infrastructure; \$1 million for PPE and Medical Infrastructure; \$1,128 million County necessary expenditures not covered by FEMA; \$300,000 for reserves, CAO and Board of Supervisors Ad Hoc committee members have flexibility as to who that money can be allocated. Business Grant Program (\$1,500,000): To mitigate the impact of COVID-19 on San Benito County businesses and their employees, managed by Workforce Development Board; the program, up to \$2,500-\$15,000; Proposed timeline to roll this program out would be to open July 6th for two weeks; Application review July 21st - August 18th through Workforce Development Board and Advisory A Hoc; First priority would come to businesses that are closed in Stage 3 and 4, second tier would be businesses in Stages 1 and 2 of the Governors Order and the 3rd priority would be to essential businesses. Use of Funds: For expenditures that occur between March 1, 2020 and December 30, 2020 and includes the following categories: Payroll, Operating Expenses, Business Lease or Rent, Business teleworker equipment costs, Inventory Acquisition inventory needed to reopen or maintain open status, Personal Protective Equipment (PPE) purchase; and Facility readiness (social distancing preparedness, business modification, etc.

Deputy Director of Health and Human Services Enrique Arreola provided information on what his role would be in leading the program and what Workforce Development does. They are happy to be part of this program.

Discussion ensued by Board regarding funding resources and who should be eligible.

Ms. Alonso continued with her PowerPoint presentation: Non-Profit Relief Fund: Collaboration with a local non-profit to lead the COVID-19 Non-Profit grant programs, Community Foundation; Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency; Further evaluation of allowable expense under the CARES Act. Community Programing or 2nd round non-profit/business: Grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services; A consumer grant program to prevent eviction and assist in preventing homelessness; Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions; Expenses for quarantining individuals; Costs of providing COVID-19 testing, including serological testing. IT Infrastructure improvements: To improve teleworker capabilities for public employees to enable compliance with COVID-19 public health precautions, Voice over Internet Protocol, Laptops for remote access, Connection/Access, Departmental and core switches. PPE and Medical Infrastructure: Expenses: Expenses for acquisition and distribution of medial and protective supplies, including: sanitizing products and

personal protective equipment. County necessary expenditures (Not covered by FEMA): Payroll for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to COVID-19 public health emergency; Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs; Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions; Other eligible expenses. Staff recommendation is to delegate authority to the CAO to allocate CARES Act fund money so that we do spend it and move quickly with the approval of the Ad Hoc Recovery committee.

Discussion ensued by Board and staff.

Supervisor Jim Gillio recommends having an Ad Hoc Committee consisting of two supervisors to hand out the money (CARES Act Funds) or staff members.

Chairman De La Cruz said that himself and Supervisor Botelho will be on the Ad Hoc Committee review process committee to hand out the money (CARES Act Funds).

Enrique Arreola said that the Community Action Board would be a really good partnership to help on this.

Gary Byrnes of the Community Foundation answered some of the questions that the Board had.

Vicki Fortino spoke about what the United Way has done for the non-profits and COVID-19.

**Public Comment:**

Those speaking from the public were Kollin Kosmicki, Elia Salinas, Wayne Newton.

Mr. Byrnes said that he appreciates the Board, would like direction for the 2nd round funding.

Mr. Fortino provided additional information.

Discussion ensued by Board.

MOTION:

*Motion to approve per staff recommendation and committee consisting of Supervisor De La Cruz and Botelho, Enrique Arreola, United Way and Community Foundation to allocate \$500,000 for none profits that have or have not received funding in the past:*

Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

**5 - 0**

*For (5):*

*Against (0):*

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

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

Receive Informational presentation from Hollister Fire Department on fire season and ways to mitigate risk and receive information from Office of Emergency Services on PG&E.

SBC FILE NUMBER: 60

CAO Ray Espinosa said that our OES Director and the Fire Chief is going to give a brief update.

Kris Mangano, OES Director, announced that P.G.&E. will be hosting a webinar on Community Wildfire Safety on Wednesday, June 24th from 5:30 to 6:30 p.m., it will be a zoom call, website [www.pge.com/wildfiresafety](http://www.pge.com/wildfiresafety).

Chief O'Campo was not able to be on the call was called out to a fire in South County.

P.G.& E. is not available today they maybe available later in June or July.

## **PUBLIC HEARING**

30. **ASSESSOR'S OFFICE - T. SLAVICH**  
**(The public hearing will begin at 1:30 pm or soon thereafter as the matter may be heard by the Board of Supervisors).**  
**Review Land Conservation Act application for a Compatible Use Request (LCA Contract No. 07-04 for construction of a Manager's House) and make a determination approving or denying the request.**  
**SBC FILE NUMBER: 7**

Assessor Tom Slavich provided information on the Compatible Use Application Request (LCA Contract No. 07-04 for construction of a Manager's House). This has gone to the Williamson Act committee and they support it.

Supervisor Jaime De La Cruz asked if they have to go through regular planning process.

Mr. Slavich replied yes they do.

Supervisor Jim Gillio said that he supports this.

MOTION:

Motion to approve per  
recommendation:

Made by **Supervisor Mark Medina** and seconded by  
**Supervisor Anthony Botelho**

**5 - 0**

For (5):

Against (0):

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

## **CLOSED SESSION**

County Counsel Barbara Thompson provided information on Item #31 that there was not a stipulation reached, there was a motion filed exparte for an Order to Show Cause that was set for Friday related to lifting the preliminary injunction. Request that we continue this to the meeting of June 29th so that we have an update as to what happened in court on Friday. The consensus of the Board was to move this item to the June 29th meeting.

Ms. Thompson read Item #32 in to the record.

The Board adjourned in to closed session at 2:19 p.m. The Board adjourned out of closed session at 2:47 p.m.

There was no reportable action.

*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.)*

**31. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Closed session regarding pending litigation Gov. Code sec. 54956.9 (a)  
Preserve Our Rural Communities v. County of San Benito et al San Benito  
County Superior Court Case No. CU-20-0053.  
SBC FILE NUMBER: 235.6

This item was moved to the June 29th meeting.

**32. CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: County Counsel  
Authority: California Government Code 54957  
SBC FILE NUMBER: 235.6

No reportable action.

**ADJOURNMENT**

**Adjourn to the next regular meeting of July 21, 2020.**

MOTION:

Motion to adjourn the meeting at 2:55 p.m.: Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

**5 - 0**

For (5):

Against (0):

*Ayes: Botelho, De La Cruz, Gillio, Hernandez, Medina*

*NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at [www.cosb.us/government/meetings-agendas/](http://www.cosb.us/government/meetings-agendas/). All proposed agenda items with supportive documents are also available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. and 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.*