SAN BENITO COUNTY
BOARD OF SUPERVISORS

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

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

REGULAR MEETING MINUTES
June 12, 2018
9:00 AM

CALL TO ORDER

The meeting was called to order at 9:02 a.m. by Chairman Anthony Botelho. Those present were Supervisors Jaime De La Cruz, Mark Medina, Robert Rivas, and Jerry Muenzer, as well as County Counsel Barbara Thompson, County Administrative Officer Ray Espinosa and Assistant Clerk of the Board Lauren Hull.

a. Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Robert Rivas.

Pledge of Allegiance to be led by Supervisor Robert Rivas, District #3.

The Pledge of Allegiance was led by Supervisor Robert Rivas.

b. Acknowledge Certificate of Posting

Certificate of Posting.

MOTION:

To acknowledge the Certificate of Posting: Made by **Supervisor Robert Rivas** and seconded by **Vice Chair Jerry Muenzer**

5 - 0

For (5): *Against (0):*

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

c. **Presentations and Recognitions**

BOARD OF SUPERVISORS

Receive information on the 2018 Saddle Horse Show and Rodeo to be held June 22-24 at Bolado Park.
SBC FILE NUMBER: 156

Supervisor Muenzer introduced the Queen and past Queen of the Saddle Horse Show and Rodeo. Kelsey French, the 2018 Queen, announced that the downtown parade will be held this Saturday. Carissa King, the 2017 Queen, gave information about the rodeo and announced that it begins on June 22.

HEALTH AND HUMAN SERVICES - J. RYDINGSWORD

Approve Proclamation recognizing the 25th annual Kids At The Park Health and Safety Fair, June 20, 2018, in honor of the late Janet Graham, founder, former county employee, Public Health Nurse and child advocate.
SBC FILE NUMBER: 430

Health and Human Services Director Jim Rydingsword read the Proclamation declaring June as Elder Abuse Awareness Month in San Benito County.

MOTION:

To approve the Proclamation declaring June as Elder Abuse Awareness Month in San Benito County: Made by **Vice Chair Jerry Muenzer** and seconded by **Supervisor Jaime De La Cruz**

5 - 0

For (5): *Against (0):*

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

Health and Human Services Director Jim Rydingsword read the Proclamation declaring June as Elder Abuse Awareness Month in San Benito County.

MOTION:

To approve the Proclamation declaring June as Elder Abuse Awareness Month in San Benito County: Made by **Vice Chair Jerry Muenzer** and seconded by

0 - 0

For (0): Against (0):

HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD

Approve Proclamation Declaring June as Elder Abuse Awareness Month in San Benito County.
SBC FILE NUMBER: 430

Supervisor De La Cruz read the Proclamation recognizing the 25th Annual Kids At The Park Health and Safety Fair, June 20, 2018, in honor of the late Janet Graham, founder, former county employee, Public Health Nurse, and child advocate.

Tina Garza, President of the Safe Boards Coalition of San Benito County thanked the Supervisors.

MOTION:

To approve the Proclamation recognizing the 25th annual Kids At Made by **Vice Chair**

The Park Health and Safety Fair, June 20, 2018, in honor of the late Janet Graham, founder, former county employee, Public Health Nurse, and child advocate.: **Jerry Muenzer** and seconded by **Supervisor Jaime De La Cruz**

5 - 0

For (5): *Against (0):*

Ayes: Botelho, De La Cruz, Medina, 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.

Rocky Evans spoke regarding wanting to expand his cannabis grows. He asked the Board to get something done regarding cannabis regulation before the growing season is over.

Lee Scazighimi spoke regarding South County cannabis activity. He stated that if he is allowed to grow this season, the County would probably be seeing money from it by the end of the year.

Joshua Bretholtz, owner of Stemina, LLC a cannabis cloning company, wanted to second what some of the other speakers spoke about. He urged the Board to quickly pass legislation regarding cannabis that will bring a large economic benefit to the County. He spoke about how he would prefer to operate his business in the County.

Aaron Johnson spoke about examples from Monterey County that make the case for a legal cannabis business. He spoke about how the community has proven their support for legalizing cannabis with multiple Propositions and ballot measures. He also spoke about driving the "black market" for cannabis out of the County by putting a regulatory system in place.

Chris McGrowin, CEO of Grow Big Growers Supply, stated that his company supports commercial cannabis cultivation throughout central California. He wanted to reinforce how important it is to create a framework for safe, legal, and regulated cannabis cultivation. He also spoke about the need to do something as quickly as possible.

Jon Parr, owner of Fishnet Aquaponics, spoke about how he wants to bring sustainable agriculture to the area. He stated that he would like to work with some of the growers that spoke today.

Victor Gomez of Pinnacle Strategy thanked the Supervisors for placing Measure C on the ballot and reiterated how the community has shown their support for the legalization of cannabis. He wants the Board to move forward with an ordinance allowing cannabis cultivation in unincorporated areas of the County. He spoke about how much of District 4 was supportive of Measure C and asked that the Board take into account what the South County ranchers are saying.

Peter Brazil, an attorney for several clients in the county, spoke about a business cannabis ordinance. He spoke about how many of his clients had to cease their business operations last year to comply with the County and that the County needs to move forward with an ordinance quickly. Additionally, he spoke about the temporary licensing scheme from the state that is only available through January 2019 and the need for haste on the part of the County.

Dan Hudson spoke about how he wanted cannabis to be treated as any other agricultural product.

He also spoke about the "fierce competition" in the industry and the need to create an appellation in the County.

Lonna Blodgett, President of Monterey Bay Alternative Medicine, encouraged the Board to put cannabis "on the map" for San Benito County and expedite efforts to get the industry going in the County. She also spoke about the growth potential for businesses in the County.

Mandisa Snodey, Chair of Central Coast Cal Growers, spoke about how San Benito County residents have shown that they support cannabis business in the county. She asked the Board to agendize the topic for the next meeting and direct the RMA Director to produce a draft ordinance. She spoke about the potential to see tax revenue by the end of the year and the importance of protecting small farming operations.

Elia Salinas, a County resident, spoke about how she was against Measure C. She spoke about how she believes the County wasted 8 months since it was presented with an ordinance. She requested that the Board agendize the issue for the next meeting and direct staff to continue to work on an ordinance. She also stated that the Sheriff should go out and enforce the black market that is continuing to operate.

Ed Landau, a Santa Cruz County resident, stated that he was looking for a place to start a cannabis cloning business and would love to come to San Benito County. He stated that he is waiting for the Board to pass an ordinance and if they don't soon he will have to find some place else to grow.

Jeff Kassler of Deluxe Organics emphasized that the issue needs to be put on a future agenda. He also asked the Board to keep the stakeholders in the registration process in mind when they develop an ordinance.

Chairman Botelho closed public comment as there was no one else wishing to speak from the public.

e. Department Head Announcements: Information Only

Greg Bucknell, a contract Civil Engineer for the RMA Department, gave an update on the landslide repair on Southside Road. He reported that the geotechnical engineer has performed soil tests on the site. They intend to truck soil to the Public Works soil pit and begin the work tomorrow. Supervisor Muenzer added that he was out at the site and is happy that the repair is moving forward. Supervisor Botelho stated that he was also at the site and wanted to thank everyone for their patience and cooperation.

Joe Paul Gonzalez, the County Clerk-Auditor-Recorder, gave an update on the tally process for the June 5 primary election. 6,710 ballots were processed on election night. About 5,000 ballots are still being tallied. The process will be faster in the November election due to a new automated signature verification process being implemented.

Enrique Arreola, Deputy Director of HHSA, gave an update on Housing Authority vouchers. Supervisor De La Cruz asked a question about the time families have before vouchers expire. Mr. Arreola provided clarification that extensions are available if needed.

Gail Newell, County Public Health Officer, addressed the portable toilets and hand-washing stations that have been installed in the City of Hollister to combat the recent Hepatitis A outbreak. They will be removed when the outbreak has been controlled.

Nora Conte, County Librarian, announced that the Rocking Reading summer reading online sign-ups are available. The program is open to teens and elementary school children. She reported that on the first day sign-ups were available, 25 families signed up. She also announced a new collaboration with San Francisco State University to provide information about pathways to higher education.

Ray Espinosa, County Administrative Officer, announced that Item #31 was being pulled from the agenda and moved to the July 24th agenda. Item #26 was also pulled and moved to June 26th.

f. Board Announcements: Information Only

Supervisor Medina did not have any announcements.

Supervisor De La Cruz announced that the Council of Government approved a 1% sales tax to address local road conditions, which will be addressed on today's Board of Supervisors agenda.

Supervisor Muenzer announced that the Monterey Bay Community Power Policy Board had a meeting on June 6th where they formed a community advisory council with members from Monterey, San Benito, and Santa Cruz county.

Supervisor Rivas did not have any announcements.

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 Consent Agenda items #1 -30, with the exception of Items #3 and #5, which were pulled for discussion and Item #26, which was moved to the June 26 meeting.:

Made by **Supervisor Jaime De La Cruz** and seconded by **Vice Chair Jerry Muenzer**

5 - 0

For (5): *Against (0):*

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

1. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**
   Approve Contract #18-0091-000-SA between the California Department of Food & Agriculture and the County of San Benito for Petroleum labeling and advertising activities from July 1, 2018 through June 30, 2019. Total contract is $975.00.
   SBC FILE NUMBER: 1.1

2. **ASSESSOR'S OFFICE - T. SLAVICH**
   Approve the maintenance agreement with Megabyte Systems Inc. for the

Megabyte Property Tax System at a cost not to exceed $142,986 with a term from July 1, 2018 - June 30, 2019.
SBC FILE NUMBER: 7

3. **BOARD OF SUPERVISORS**
Approve the Certificate of Recognition for Shelby O'Neil, a resident of San Juan Bautista and a local environmental activist. Ms. O'Neil was selected by the Central Coast Chapter of the American Red Cross for her commitment to environmental activism. The certificate will be presented at the 2018 American Red Cross Central Coast Heroes Breakfast.
SBC FILE NUMBER: 156

This item was pulled for discussion by Supervisor Botelho. Supervisor Botelho presented the Certificate of Recognition to Shelby O'Neil for being recognized by the Central Coast Chapter of the American Red Cross for being an environment hero.

Ms. O'Neil spoke about her non-profit organization, Jr. Ocean Guardians, which works to eliminate plastic from the ocean.

MOTION:

Motion: Made by **Vice Chair Jerry Muenzer** and seconded by **Supervisor Jaime De La Cruz**

5 - 0

For (5): *Against (0):*

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

4. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA** Requesting the board to appoint Joe Paul Gonzalez to serve as interim alternative on the Operations Board on behalf of San Benito County on the Monterey Bay Community Power Authority, Joint Exercise of Power Agreements (JPA).
SBC FILE NUMBER: 425

5. **COUNTY COUNSEL- B. THOMPSON**
_Adopt Resolution Confirming County Administrator's Authority to Enter Emergency Contracts Under Public Contracts Code 22050,Finding that there is a Need to Continue emergency Action; and Finding Repair Work Exempt from CEQA As An Emergency Project. (4/5 vote required) SBC FILE NUMBER 75.5

This item was pulled for discussion by Supervisor Muenzer. The staff report stated that the property owner had contacted Supervisor Muenzer on Thursday, May 24. Supervisor Muenzer corrected this in the record to reflect that the property owner had contacted him on Wednesday, May 23.

He also stated that Southside Road has been problematic and had numerous slides in the past. He said Southside Road should not be used by developers and that unfortunately staff has aligned themselves with the developers and allowed projects to go through. He questioned why the County is approving projects that utilize Southside Road as their main access routes.

Discussion ensued by the Supervisors regarding project approval for Southside Road.

Supervisor Rivas pointed out that this topic was not on the agenda and it needed to be tabled for a future meeting.

Those speaking from the public were Richard Bettencourt who spoke about the slide on Southside Road, which is close to his property. He stated that the does not object to any subdivision being put in that utilizes the road. He disagreed with Supervisor Muenzer's previous point. He stated that he thought The Bluffs Project would actually improve the situation. He reported that due to the closure on Southside Road, people have been driving onto his property in an attempt to get around it.

Elia Salinas also spoke from the public and said she wanted to come to the defense of staff after Supervisor Muenzer stated that they were aligning with the developers.

As no one else wished to speak, Supervisor Botelho closed public comment.

Supervisor Medina commended Supervisor Myenzer for his work on remedying the Southside Road situation.

Supervisor Botelho stated that the road needs to be repaired and guard rails need to be added.

Supervisor De La Cruz asked that they agendize the discussion regarding issues on Southside Road.

6. **COUNTY LIBRARY - N. CONTE**
   The San Benito County Free Library requests Board approval to take the Bookmobile to accompany the Friends of the San Benito County Free Library in the Saddle Horse Show Downtown Parade on Saturday, June 16, 2018.
   SBC FILE NUMBER: 80

7. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
   Approve request for one San Benito County Health & Human Services staff to travel of Out-of-State to attend the National Association of Area Agencies on Aging (n4a) Annual Conference in Chicago, Illinois from 7/28 to 8/1/ 2018.
   SBC FILE NUMBER: 130

8. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**
   Approve contract for the 2017 US Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Homeless Assistance Grant between Community Services Development Corporation and the County of San Benito for the period of April 1, 2018 through March 31, 2019, in the amount of $198,894.00.
   SBC FILE NUMBER: 130

9. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**
   Approve contract with Gavilan College CalWORKSs Program to provide Educational Services to Eligible CalWORKs participants for the period of July 1, 2018 through June 30, 2019, in the amount of $50,000.00.
   SBC FILE NUMBER: 130

10. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**

Approve U.C. Davis Training Contracts for Human Services Staff for fiscal year 2018-2019, for a total amount of $119,000.
SBC FILE NUMBER: 130

11. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Adopt Resolution declaring fixed asset as surplus and no longer required for public use and authorize the disposal of said fixed asset surplus property by donation to Community Homeless Solutions.
SBC FILE NUMBER: 130
RESOLUTION NO: 2018-25

12. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve Contract with Go Kids for Child Care Bridge Program in the Not to Exceed amount of $34,974 for the term of May 1, 2018 to June 30, 2019.
SBC FILE NUMBER: 130

13. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve Contracts with the Westin of Sacramento for Whole Person Care Trainings in the amount of $32,424 for Fiscal Year 2018-2019.
SBC FILE NUMBER: 130

14. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve Contract with Jennifer Frusetta for the Public Health - Oral Health Project for the last three weeks of the 2017-18 fiscal year through the 2018-2019 fiscal year in the amount of $150,800.00.
SBC FILE NUMBER: 130

15. **PROBATION - R. TED BARAAN**
Approve contract with Paula Norton to provide at-risk youth tutoring for the period of July 1, 2018 to June 30, 2019 in the amount of $22,000.00.
SBC FILE NUMBER: 510

16. **PROBATION DEPARTMENT - R. TED BARAAN**
Approve contract with King & Associates for Principle Based Cognitive Behavioral Training services for the period of July 1, 2018 through June 30, 2018 in the amount of $61,920.00.
SBC FILE NUMBER: 510

17. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Adopt a resolution declaring that the County of San Benito will promote the utilization of Disadvantaged Business Enterprises, Minority Business Enterprises, Woman-owned Business Enterprises, Disabled Veteran Business Enterprises and Small/Local Businesses (collectively known as DBE's) in all aspects of contracting relating to construction, materials and services, professional services, land development related activities, leases, and concessions.
SBC FILE NUMBER: 105
RESOLUTION NO: 2018-26

18. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**

Approve contract amendment with Nolte Associates, extending engineering services regarding the Anzar Road Bridge replacement project, from June 30, 2018 to June 30, 2019.
SBC FILE NUMBER: 105

19. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Approve contract amendment with Quincy Engineering, extending engineering services regarding the Limekiln Road Bridge replacement project, from June 30, 2018 to June 30, 2019.
SBC FILE NUMBER: 105

20. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Approve contract amendment with Bengal Engineering, extending engineering services regarding the Hospital Road Bridge replacement project, from June 30, 2018 to June 30, 2019.
SBC FILE NUMBER: 105

21. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Approve contract amendment with Stericycle Environmental Solutions Inc. for hazardous waste management services, extending the contract to June 30, 2021 and providing additional compensation in an amount not to exceed $281,675.00, for a total contract amount not to exceed $556,875.00.
SBC FILE NUMBER:142

22. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Approve contract amendment with Lewis Engineering, extending engineering services regarding the John Smith Landfill, from June 30, 2018 to June 30, 2019.
SBC FILE NUMBER: 75.4

23. **RESOURCE MANAGEMENT AGENCY – J. GUERTIN**
Adopt the plans and specifications for the FEMA – Lovers Lane Road Reconstruction 0.91 Miles N of Shore Road to 1.18 Miles N of Shore Road project (PWB-1808); find the project categorically exempt under CEQA Guidelines Sections 115301 and 15302; and authorize the advertisement for bids.
SBC FILE NUMBER: 105

24. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Approve contract with Caltrans to exchange Federal Regional Surface Transportation Program (RSTP) funds for State Highway Account funds for fiscal year 2017-18 in the amount of $239,849.00.
SBC FILE NUMBER: 105

25. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
1. Approve and authorize the Chair to sign Amendment No. 1 to the agreement with the Metropolitan Planning Group (M-Group) to provide necessary planning services thereby extending the termination date to June

30, 2019 and increasing the maximum compensation by $190,000, for a total amount not to exceed $285,000; and
2. Authorize the RMA Director to extend this contract for up to an additional two-year term, if necessary, and to approve compensation changes up to 10% of the total contract amount ($285,000), or a total amount not to exceed $313,500.

SBC FILE NUMBER: 790

26. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
    1. Approve and authorize the chair to sign Amendment No. 4 to the agreement with Rincon Consultants Inc. to provide continued services under the contract, thereby increasing the maximum compensation by $43,000, for a total contract amount not to exceed $215,592.00; and
    2. Authorize the RMA Director to approve change orders up to 10% of the amended total contract amount ($215,592.00), or a total amount not to exceed $237,151.20.

    SBC FILE NUMBER: 105

27. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
    Approve Reimbursement Agreement with LUIS MEDINA MARTINEZ for full reimbursement of County costs related to a pending application to modify a Final Map #99-66 (Gonzalez subdivision) and transfer deed restrictions.
    SBC FILE NUMBER:790

28. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
    Approve contract with Rincon Consultants, Inc. for Biological and Cultural Resource Compliance for the River Parkway Phase I (Access Road) Project in an amount not to exceed $45,983.00.
    SBC FILE NUMBER: 790

29. **SHERIFF'S OFFICE - D. THOMPSON**
    Approve agreement with Santa Clara County for pathology services for the term of July 1, 2018 - June 30, 2023.
    SBC FILE NUMBER: 110

30. **SHERIFF'S OFFICE - D. THOMPSON**
    Authorize Sheriff to accept "Peacekeeper" armored vehicle, free of charge, through the California Public Safety Procurement Program, and amend Sheriff's Schedule of Fixed Assets to include "Peacekeeper" armored vehicle.
    SBC FILE NUMBER: 110

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.

31. **RESOURCE MANAGEMENT AGENCY - J. GUERTIN**
Landfill Ad Hoc Committee's Recommendation to Reduce In-County Waste Tipping Fee Rates at the John Smith Road Landfill.
SBC FILE NUMBER:
RESOLUTION NO: 2018-29

This item was pulled from the agenda, per the County Administrative Officer, Ray Espinosa, and moved to the July 24 meeting.

32. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Approval of New Franchise Agreement with Recology San Benito County for Collection of Recyclables, Organics, and Solid Waste and Issuance of Proposition 218 Notice for Proposed Maximum Allowable Rates.
SBC FILE NUMBER: 142

CAO Espinosa stated that there had been several meetings regarding the agreement and it had been updated to reflect changes. He then invited Kevin McCarthy up to elaborate on the item. Mr. McCarthy thanked Recology for the negotiation process and provided information on the agreement.

He stated that if the issuance of a 218 Notice and the contract were approved, then there would be a rate protest meeting in October. The Board could then approve the final rates that would go into effect on November 1st.

County Counsel Barbara Thompson made a correction to Item #4 on the staff report, which contained a missing word ("until"). The new record stated "direct staff not to execute the agreement until the other RA members have also approved the agreement".

Mr. McCarthy emphasized that this agreement involves 3 agencies.

Supervisor De La Cruz asked what would happen if the Board made changes to the fees in the future.

Mr. McCarthy provided clarification. Discussion ensued between the Board and staff.

Supervisor Medina wanted to clarify to make sure the agreement had nothing to do with commercial rolloff. Mr. McCarthy confirmed that it did not.

MOTION:

Motion to adopt Resolution #29 and approve the new franchise agreement with Recology San Benito County for the collection of recyclables, organics, and solid waste and the issuance of a Proposition 218 Notice for Proposed Maximum Allowable Rates.:

Made by **Supervisor Jaime De La Cruz** and seconded by **Supervisor Mark Medina**

5 - 0

For (5): *Against (0):*

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

33. **COUNCIL OF GOVERNMENTS - M. GILBERT**

Approve the Council of San Benito County Governments' Transportation Safety and Investment Plan (TSIP) as the Expenditure Plan for a Transportation Sales and Use Tax Ordinance in San Benito County and Designate the Council of San Benito County Governments as the Local Transportation Authority and Transactions and Use Tax District for Regional Sales Tax Measures.

Mary Gilbert, Executive Director of COG, presented the Transportation Safety and Investment Plan as the expenditure plan for a Transportation Sales and Use Tax Ordinance. The Council of Governments sought the Board's approval for the plan.

The plan implements a 1% sales tax to fund road improvements, such as widening Highway 25.

Discussion ensued by the Board members.

Those speaking from the public were Richard Bettencourt, who stated that the City already has a 1% tax. He asked if this would be on top of the prior 1%. The Board of Supervisors provided clarification.

Supervisor Botelho closed public comment.

Discussion ensued between Ms. Gilbert and the Supervisors.

MOTION:

To approve the TSIP Plan as the Expenditure Plan for a Transportation Sales and Use Tax Ordinance in San Benito County and designate the Council of San Benito County Governments as the Local Transportation authority and Transactions and Use Tax District for Regional Sales Tax Measures.:

Made by **Supervisor Jaime De La Cruz** and seconded by **Vice Chair Jerry Muenzer**

5 - 0

For (5): *Against (0):*

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

34. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**
Adopt the Resolution of Intention to continue Assessments for FY 2018/2019, preliminarily approve the Engineer's Report and provide for a Notice of Hearing for the Mosquito Abatement Program as recommended by the Engineers Report.
SBC FILE NUMBER: 1.1
RESOLUTION NO: 2018-27

Karen Overstreet, the Agricultural Commisioner, requested approval to continue the assessment that funds the Mosquito Abatement Program. Staff recommends that the rate remain at $11.22 per single family equivalent. She had a correction to the staff report: the public hearing will need to be scheduled on July 24.

MOTION:

Motion to adopt the resolution of intention to continue Assessments for FY 2018-19, preliminary approve the engineer's report, and provide for a notice of hearing for the Mosquito Abatement Program as recommended by the engineer's report.:

Made by **Vice Chair Jerry Muenzer** and seconded by **Supervisor Robert Rivas**

5 - 0

For (5): *Against (0):*

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

35. **BOARD OF SUPERVISORS**

Adopt resolution supporting the proposal of the Trust for Public Land (TPL) for the acquisition of the 540-acre Nyland Ranch and the subsequent land conveyance to the San Benito Agricultural Land Trust for conservation and open space purposes.
SBC FILE NUMBER: 790
RESOLUTION NO: 2018-28

Supervisor Botelho stated that it is important to him as a Supervisor to protect the cultural and historical areas of San Benito County. This item provides the opportunity to preserve the rural, historical feeling of the community and protect agricultural heritage.

Paul Hain, Chairman of the San Benito Land Trust, thanked Supervisor Botelho for putting this item on the agenda, and provided background information,

Sara Steiner, Trustee for the Land Trust, stated that the Land Trust had been dormant for a few years and they want to get it going again.

Discussion ensued between the Supervisors.

MOTION:

Motion to adopt a resolution supporting the proposal of the Trust for Public Land for the acquisition of the 540-acre Nyland Ranch and the subsequent conveyance to the San Benito Agricultural Land Trust for conservation and open space purposes.:

Made by **Chairman Anthony Botelho** and seconded by **Supervisor Robert Rivas**

5 - 0

For (5): *Against (0):*

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

36. **COUNTY ADMINISTRATION OFFICE - R, ESPINOSA**

The CAO's office will present the current Recommended Budget for FY 18/19. Budget Hearings are set for June 25, 2018 at 9:00 AM.
SBC FILE NUMBER: 865

The County Administrative Officer, Ray Espinosa, announced that the budget hearings were coming up and would be held on June 25, 2018.

A break was taken at 10:52 a.m. The meeting reconvened at 11:02 a.m.

Budget Officer Melinda Casillas announced that the FY 2018-19 recommended budget would be posted online on Friday. She presented the changes that have been made to the budget.

Discussion ensued between staff and the board.

Those speaking from the public were Luis Burguillo, a County resident who wanted the board to know that having a good library is necessary for growing communities. He urged the board to make a new library a reality.

This was a report only.

CLOSED SESSION

County Counsel Barbara Thompson read the Closed Session items into the record.

Supervisor Jerry Muenzer recused himself from Item #40.

The Board of Supervisors reported into Closed Session at 11:54 a.m. They reported out at 12:37 p.m.

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.)

37. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
    Subdivisions (a) and (d)(1) of Section 54956.9
    Name of Case: BMC Promise Way, LLC, dba Benchmark Communities v. County of San Benito, City of Hollister, Superior Court of California, County of San Benito, Case No. CU-15-00056
    SBC FILE NUMBER: 235.6

No reportable action.

38. **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.

39. **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: 2
    Facts and Circumstances Justifying Closed Session: slope instability along Southside Road (near Blossom Lane); protest letter received April 23, 2018 from Hillcrest Meadows, LLC, relating to the Hillcrest Meadows Subdivision.
    SBC FILE NUMBER: 235.6

No reportable action.

40. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: County of San Benito v. Richard Scagliotti, Superior Court of California, County of San Benito, Case No. CU-16-00007.
SBC FILE NUMBER: 235.6

No reportable action.

ADJOURNMENT

Adjourn to the next special meeting of June 25, 2018 at 9:00 a.m.

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/. 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.