



SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina
District No. 1

Anthony Botelho
District No. 2
Chair

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Vice - Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING MINUTES August 21, 2018 9:00 AM

CALL TO ORDER

The meeting was called to order at 9:00 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 Clerk of the Board Janet Slibsager.

a. Pledge of Allegiance

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:

Motion To Acknowledge the
Certificate of Posting:

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

5 - 0

For (5):

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

Against (0):

c. Presentations and Recognitions

BOARD OF SUPERVISORS

Present Certificate of Recognition to Priscilla Leon, Secretary II at the Health and Human Services Agency for over 27 years of dedicated service to the County of San Benito upon her retirement.
SBC FILE NUMBER: 156

Supervisor Jaime De La Cruz presented Certificate to Jim Rydingsword as Priscilla Leon was not present.

Mr. Rydingsword received on her behalf. He said that when he thinks of Priscilla he thinks of subtlety, integrity, excellence and dedication. He said that she was not able to be here today because she is dedicated to doing something else, but thanks the Board for the honor.

BOARD OF SUPERVISORS

Present proclamation to Jacob's Heart Children's Cancer Support Services declaring the month of September 2018 as "Childhood Cancer Awareness Month" in San Benito County.
SBC FILE NUMBER: 430

Supervisor Robert Rivas presented Proclamation to Jacobs Heart Children's Cancer Support Services.

Terra Crowel of Jacob's Heart said that they were truly honored and thanked the Board for the Proclamation. She announced that in Watsonville on September 22nd from 11:00 a.m. to 5:00 p.m. they are having a carnival and all the proceeds will go to Jacob's Heart. She invited everyone to attend.

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.

Chairman Anthony Botelho opened public comment.

Those speaking were: Tami Aviles, Coalition for a New Community Library and Resource Center. She provided a update that the City has created a sub committee so they will continue to work with the City and County. She announced that there next meeting is on Wednesday, September 19th at 5:30 p.m. at the Library and extended the invitation to the Board.

e. Department Head Announcements: Information Only

CAO Ray Espinosa announced that Item #17 was being pulled from consent to make some corrections.

CAO Espinosa invited Shawn Tennenbaum, Superintendent of the High School to give an update on projects.

Mr. Tennenbaum thanked the County for their partnership. Spoke in regards to the gates on Nash Road the bypass road and the traffic around the High School. He said that they would continue to work with the City Council and the County to see this project through. He thanked Adam

Goldstone and John Guertin for their outstanding job for the County. He said that they currently have about 3,000 students on campus; 300 employees; and every day they have over 10,000 crossings between one side of the campus to the other and that the safety measure to close Nash Road is tremendous, he thanked the Board for that.

He also gave the Board of Supervisors a pin which they give out to those that make a difference. The pin says thank you for a difference in the lives our students. He also passed out a folder with their news letter and other information that he wanted to share with them.

f. **Board Announcements: Information Only**

Supervisor Mark Medina asked if RMA Director John Guertin could speak in regards to Lovers Lane.

Mr. Guertin provided update on Lovers Lane contract which will be on the September 11th meeting. Hoping to have work start the end of September with completion the later part of October first part of November.

Chairman Anthony Botelho reported that he attended the RCRC meeting in Sacramento and that a lot of the comment was on the loss of lives in regards to the fires, etc., economic development update and Prop 10 the affordable housing issue, which RCRC took no position on.

He reported that he also attended COG meeting which they spoke about Cal-trans projects, roundabout at Hwy 25/156. He said that COG would like to see measure G pass, it would help facilitate in the widening of Hwy 25.

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 #1-21, with the exception of Item #5 pulled by the public, Item #7 pulled by Supervisor De La Cruz, Item #16 pulled by the public, Item #17 pulled by staff, and Item #19 pulled by Supervisor Medina:

Made by **Supervisor Jaime De La Cruz** and seconded by **Supervisor Robert Rivas**

5 - 0

For (5):

Against (0):

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

1. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**

Approve State contract, 18-0141-000-SA, for Weighmaster Enforcement activities from July 1, 2018 through June 30, 2019, for the amount of \$720.00.
SBC FILE NUMBER: 1.1

2. **BOARD OF SUPERVISORS**

Approve Proclamation declaring the month of September Childhood Cancer Awareness Month to send to Steven Firestein, Director of Kids Cancer Connection, Inc.

SBC FILE NUMBER: 430

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

Approve contract renewal with Dr. Lewis Aptekar, Ph.D., for the period of July 1, 2018 to June 30, 2019, for a total sum not to exceed \$55,000.00.

SBC FILE NUMBER: 810

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

Approve contract renewal with Davis Guest Home, Residential Care Facility for the period of July 1, 2018 through June 30, 2019, in an amount not to exceed \$80,000.00.

SBC FILE NUMBER: 810

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

Approve Contract with Encompass Community Services, (aka. Santa Cruz Counseling Center, Inc.) for Residential Treatment, for the period of July 1, 2018 to June 30, 2019, for a maximum total of \$50,000.00.

SBC FILE NUMBER: 810

This item was pulled by the public.

Chairman Anthony Botelho said that he was going to read a statement that he received from Vicki Fortino, President of United Way, to the Board of Supervisors. She said that the San Benito County United Way voices support for Sun Street Center's alcohol and drug addiction recovery services being conducted in San Benito County. She said that we do not understand why a contract is being voted on by the Board for these services to be provided in Santa Cruz County when we have these services available in San Benito County with Sun Street Center. We ask that the Board reconsider this contract with Santa Cruz County and move forward with Sun Street Center and keep these vital services in our community.

Chairman Botelho opened for public comment.

Those speaking from the public were: Anna Foglia, CEO of Sun Street Center, spoke in regards to their center and their woman's program and how they are in jeopardy of losing the program. She is trying to get a contract with medical to be able to provide medical services to their residents.

Patricia Garza, San Benito County resident, spoke in regards to her past recovery and how having a facility in San Benito County like Sun Streets for woman is nice.

Stephanie Hicks, Board Member for Sun Street Centers, spoke on behalf of the Board of Directors of Sun Street Center as to how they do not want the Board to renew contract with Encompass Services of Santa Cruz and to consider Sun Street Center in Hollister. They are asking the Board for their support to keep contract local.

Catherine Intravia, Program Manager of Sun Street Center, asked why can we not contract with San Benito County instead of Santa Cruz County. The program is very valuable and we should

keep resources locally.

Melissa Edwards, Director of Sun Street Center, spoke in regards to their facility and asked the Board that they reconsider contract and keep resources locally.

Mary Ellen Erickson, recovering addict, spoke in regards to how important it is to have these services in San Benito County and how she supports Sun Street Center.

Steven Reid, spoke for himself but works for Behavioral Health Department, spoke in regards to these services for San Benito County and that these are renewal contracts with Santa Cruz, it is not choosing one over the other.

Delina Watkins, resident of San Benito County, spoke of how she is in support of Sun Street Centers and how important that this program is in this community.

Chairman Botelho closed the public comment.

Behavioral Health Director Alan Yamamoto provided some background information in regards to the two contracts that the Board approved with Sun Street's at the last Board meeting. He said that hearing this today makes it look like we are not being a collaborative partner and that really bothers me. He said that we have been supporting and will continue to support them but under the circumstances right now with Sun Street's they are not a medical supporter and that would put them out of compliance with the State. So this contract that we are presenting today is to put us in compliance by the deadline of September.

Discussion ensued by Board and staff.

Chairman Botelho said that I don't think we are going to resolve this today, but would hope to enhance partnership with Sun Street's for these vital services in our community. He said that I think that we need to continue this discussion and probably have a sub committee to meet with Sun Street's and Behavioral Health to discuss this further.

Mr. Yamamoto said that his recommendation would be to approve the contract today with Encompass so that we can be in compliance.

MOTION:

Motion to defer this to the next Board meeting and create a sub committee of two supervisors. Supervisor Muenzer and myself. to meet with Sun Street's and Alan Yamamoto at Behavioral Health and bring back at the next meeting:

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

4 - 1

For (4):

Against (1):

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

6. BEHAVIORAL HEALTH DEPARTMENT -A. YAMAMOTO

Request for Board of Supervisors Approval of the FY 2018-19 Annual and the 3-Year FY 2017-2018-2019-2020 Mental Health Services Act (MHSA)

Updated Plans.

SBC FILE NUMBER: 810

7. **BOARD OF SUPERVISORS**

Appoint Elias Barocio, Jr. to the First 5 San Benito Commission for the term of May 2, 2018 through May 1, 2021; and reappoint Mary Damm for the term of November 29, 2016 through November 30, 2010 and Dr. Mami Friedman for the term of March 17, 2018 through March 16, 2021.

SBC FILE NUMBER: 1055

Supervisor Jaime De La Cruz pulled this item.

Supervisor De La Cruz said that awhile back the Board of Supervisors made a motion to sever ties with First 5 and today there is a recommendation to appoint two individuals to this committee, which I have no objection to, but my question is where do we sever ties.

CAO Ray Espinosa said that my understanding with County Counsel is that the appointing authority is the Board by statute.

Clerk-Auditor-Recorder, Joe Paul Gonzalez, said that when the County and First 5 changed how things would operate there is language that states they have financial reporting obligations to the County.

MOTION:

Motion to approve the
appointments as presented:

Made by Supervisor Robert Rivas and seconded by
Supervisor Jaime De La Cruz

5 - 0

For (5):

Against (0):

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

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

Approve response to the 2017/2018 Grand Jury report; authorize the Chair to sign the letter in response to the Grand 2017-2018 Grand Jury Report; and direct staff to submit the supplemental response to the Presiding Judge of San Benito County Superior Court.

SBC FILE NUMBER: 605

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

Accept the annual reports from Community Based Organizations (CBOs). Attached are the annual reports for the FY 17/18 funding allocations received by each Community Based Organization (CBO).

SBC FILE NUMBER: 119

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

Approve revised Agreement with the County of Sonoma, on behalf of the Coastal Valleys Emergency Medical Services Agency, to provide administrative and regulatory oversight responsibilities for the Cardiac Arrest Registry for Enhanced Survival (CARES) data collection and as the State CARES data coordinator for the San Benito County EMS Agency; Authorize Kris Mangano, EMS Coordinator, to sign the Contract.

SBC FILE NUMBER: 1068

11. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Adopt Resolution authorizing the execution of an agreement with the California Department of Social Services to provide Adoption Services in Accordance with Government Code 30029.7(A); and authorize the Board Chair to sign the contract with the State of California Department of Social Services for the term of July 1, 2018 to June 30, 2019 in the amount of \$44,978.00.
SBC FILE NUMBER: 130
RESOLUTION NO: 2018-57
12. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve contract with Monica Devries, LMFT for Crisis and Therapy Counsel for Families involved with Child Welfare Services, for the period of July 1, 2018 through June 30, 2019, not to exceed \$20,000.00.
SBC FILE NUMBER: 130
13. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve and Authorize the Chair to Sign a Lease Agreement with Community Services Development Corp for the Office Space Commonly Known as America's Job Center of California for a term of October 1, 2018 to June 30, 2023 at \$7,699.22 per month.
SBC FILE NUMBER: 130
14. **HEALTH AND HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Approve contract with Adina Austin, LMFT for Crisis and Therapy Counsel for Families involved with Child Welfare Services, for the period of July 1, 2018 through June 30, 2019, not to exceed \$20,000.00.
SBC FILE NUMBER: 130
15. **HEALTH & HUMAN SERVICES AGENCY - J. RYDINGSWORD**
Adopt Resolution declaring the existence of a Shelter Crisis in Unincorporated Areas of San Benito County.
SBC FILE NUMBER: 130
RESOLUTION No: 2018-58
16. **HUMAN RESOURCES - S. COFFEE**
Receive report in regards to Employee Insurance Renewal for 2019; and authorize the County Administrative Officer to meet and confer as required by law over health and benefit plan changes and to execute any required contracts or amendments with the County's broker, the EIA, or employee organizations.
SBC FILE NUMBER: 630

This item was pulled by the public.

Suzy Caston, SEIU 521 Representative for the Health Insurance Committee, spoke in regards to the increase in health care services and how it affects the employees. She would like the Board to re examine the health care costs for the employee's of San Benito County.

Laura Naccarato, SEIU Health Care Committee Board, said that she agreed with Ms Caston but we need to find out what is driving this increase with Alliant. She said that there has been no

attempt by the County to educate the employees on the programs available and the different options. She said that increases are not a sustainable year after year. We truly hope the Board will address these issues and take a serious look at these ongoing increases.

Supervisor De La Cruz asked if we educate our employees.

CAO Ray Espinosa replied we do at some level but what they are referring to is workshops, etc. We need to do at a different level in order to more educate the employees.

Mark Gregersen consultant with Sloan, Sakai Attorney's at Law, said that education is extremely important there is a lot that can be done during open enrollment period to help educate employees. He also spoke of some positive things in regards to health care.

Discussion ensued by Board and staff.

MOTION:

Motion to approve per staff recommendation:

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

3 - 2

For (3):

Against (2):

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

17. HUMAN RESOURCES - S. COFFEE

Approve job specifications and corresponding salaries for FTEs (full time equivalent) titles approved in the FY 18/19 budget.

SBC FILE NUMBER: 630

This item was pulled by staff.

Budget Officer Melinda Casillas said that this item had been pulled for a couple of corrections, which she provided a corrected salary update and handout.

MOTION:

Motion to approve with the proposed corrected handout by Budget Officer Melinda Casillas:

Made by **Supervisor Robert Rivas** and seconded by **Supervisor Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

18. RESOURCE MANAGEMENT AGENCY - J. GUERTIN

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 SBC FILE NUMBER: 105

RESOLUTION NO: 2018-59

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

Adopt a resolution authorizing the County Auditor to levy a special tax and establish the 2018-19 tax rate for Santana Ranch CFD.

SBC FILE NUMBER: 790

RESOLUTION NO: 2018-60

Supervisor Mark Medina pulled this item.

Supervisor Medina said that he had a question for Joe Paul Gonzalez in regards to rates.

Joe Paul Gonzalez provided information.

Kyle Tankert, SCI Consultant, spoke in regards to the CPI rate increase.

Interim County Counsel Laura Zagaroli provided additional information.

MOTION:

Motion to Adopt Resolution No. 2018-60
per staff recommendation:

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

4 - 1

For (4):

Against (1):

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

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

Adopt a Resolution accepting the permanent road Easement Deed executed by San Benito High School District, authorizing the Board Chair to execute same, and approving its recordation.

SBC FILE NUMBER: 105

RESOLUTION NO. 2018-61

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

Approve Amendment Number Four to Agreement for Intrastate Transportation of Prisoners effective July 1, 2018.

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.

22. **ASSESSOR'S OFFICE - T. SLAVICH**

Adopt Resolution Authorizing the County Assessor to submit an application

with the California Department of Finance for participation in a three year State Supplementation for County Assessors' Program.
SBC FILE NUMBER: 7
RESOLUTION NO: 2018-62

Assessor Tom Slavich provided information in regards to the program and grant application process for participation for the County Assessors' Program. He said that they were selected in 2014 and received \$450,000.

MOTION:

Motion to adopt Resolution No. 2018-62 Made by **Vice Chair Jerry Muenzer** and seconded by **Supervisor Robert Rivas**
per staff recommendation:

5 - 0

For (5):

Against (0):

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

23. RESOURCE MANAGEMENT AGENCY - J. GUERTIN

Consider a permanent, partial closure of Bonnie View Road, a public road, at the County and City line approximately 0.29 miles north of the intersection with Sunnyslope Road.

SBC FILE NUMBER: 105

RMA Director John Guertin provided information in regards to partial closure of Bonnie View Road for the Boards consideration. He provided some historical contexts on the road and the condition of the road. He said if we do go forward with putting the barricade up it would require a traffic study and some environmental review and some kind of amendment to the general plan.

Discussion ensued by Board and staff.

Chief Bedolla provided information in regards to the State fire code and having an access road. He said that we want to keep the road open for public safety.

Chairman Botelho opened the public comment.

Those speaking from the public were: Jeannine Porteur DiVincenzo, Bonnie View resident, provided a PowerPoint as to why they do not want Bonnie View open to through traffic. Items covered were: Street View-Width; Bonnie View Road and Sunnyslope Road-East Corner; Middle of the Road Damage; West Side-Damaged Road Edge; East Side-Damaged Road Edge; Traffic Jam 11-14-17 New Development Construction; Safety Measures Proposed; Our wish for Bonnie View Road is for it to remain a dead end, as it has been for 67 years; Heavy equipment and road damage June-August 2018; New road damage since County filled potholes in January 2018; Existing barriers between City and County Roads in Hollister. She said besides the issues on Bonnie View Road this does not only involve the development at the end of Bonnie View Road but increased traffic on a lot of the near by roads. She said this is an accident waiting to happen.

Dee Slykas, Bonnie View resident, provided some bullet points and history of Bonnie View Road. She said that they would appreciate a census vote today from the Supervisors. She thanked Mark Medina for his dedication and time on this matter and their neighbors in voicing their opinions and helping to try and keep Bonnie View Road closed.

Chairman Botelho closed the public comment.

Supervisor Mark Medina said that this is a safety issue, so he is asking the Board to look at this and keep Bonnie View Road barricaded at the end, so it is not a through road.

Supervisor Robert Rivas thanked residents for expressing their opinions. Thanked Supervisor Medina for his diligence and representation in this area for his district. He said that he has some concerns about potential closure. He felt that the Chief brought up some good points. He brought up some concerns in the general plan. He said that he did not support the closure, that it was in our best interest to keep it open.

Supervisor Jaime De La Cruz thanked members of the Community for showing up and thanked Mark Medina for bringing this issue to the Board of Supervisors. He said that he concurred with Supervisor Rivas, he too has issues with closing the road. He said based on what the Chief said that he could not support closing this road.

Supervisor Jerry Muenzer thanked the members of the public for coming and showing their support. He had a question for County Counsel if they closed the road would the Supervisors be personally liable for doing that.

Interim County Counsel Laura Zagaroli said that County needs statutory authority to close a road and the only authority there is if there is a health and safety reason. If the County wants to take action and erect a barrier on the County side we would need authority to do that. She said that she would like to look into this further in order to determine if the Supervisors would be liable.

Chairman Anthony Botelho thanked Ms. Porteur for bringing the information forward, very good presentation. Said that he had some concerns, but we have an obligation to address the safety issues. He said he cannot support the barrier staying up based on the information that has been provided. He said that he would bring it back to the Board for direction.

Ms. Porteur said that when the City met they voted to keep the barrier up until the County can make safety improvements.

Supervisor Muenzer asked if the City Council voted to put barrier up why is it not up.

Chief Bedolla provided information.

John Guertin said that he met with City Manager and staff and came to the same conclusion that they did not have the statutory authority to put the barrier back up, that is why it is not up.

Supervisor Mark Medina made a motion to put barrier on Bonnie View Road. There was no second so motion died.

Discussion ensued by Board.

MOTION:

Motion to deny the request for a barrier and ask the inter governmental committee to review the conditions of the road, barrier, etc., and agendize this for a future date to see what the intergovernmental committee suggests:

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

For (3):

Against (2):

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

24. RESOURCE MANAGEMENT AGENCY - J. GUERTIN

Approve contract with Don Chapin Company for the Slope Stabilization on Southside Road at Blossom Lane project, for the period of July 31, 2018 through December 31, 2018, not to exceed the amount of \$397,458.00; approve budget augmentation in the amount of \$397,458.00 from County contingencies; and authorize the RMA Director to approve change orders up to 10% of the contract amount.(4/5 vote)

SBC FILE NUMBER: 105

RMA Director John Guertin provided information in regards to new contract to extend services by John Chapin for the slope stabilization on Southside Road. He said there has been a 4th slide out there and this is to continue work to finish cleanup work to stabilize the hillside. We will be regrouping to see what the next step is, and we will be getting a specialist out there to see what the cause could be.

Discussion ended by Board and staff.

Supervisor Jerry Muenzer said that Sunnyslope Water needs to be here to help come to a conclusion on this. He said that we are running out of time, this needs to be resolved soon. We need to suspend any future projects that are with Sunnyslope until we get this resolved.

Chairman Botelho said that he too agreed with Supervisor Muenzer. Spoke in regards to getting the road open, etc. He said that it is imperative that we get the answers from the experts as to what is causing the slides, because if the Southside Water District is to blame, we need to get it addressed as soon as possible.

Mr. Guertin provided additional information.

Supervisor Mark Medina questioned if we should wait until we get the cause and then finish what we have to do.

Greg Brutnel Engineer for Don Chapin provided information. He said that this contract is to finish up miscellaneous work from slide 3.

Chairman Botelho opened public comment.

Those speaking from the public were: David Johnson, Southside Road business person, spoke in regards to what the cause could be and how it doesn't look like there is any real solid plan. No signage letting people know where to re route.

Lynn Hilden, property owner on Southside Road, spoke in regards to pond 5 of Sunnyslope Waters at Ridgemark and perk pond and how these slides are destroying his property.

Tony LoBue, Southside Road resident, said that we need to do something with that road it is a complete disaster. He spoke about negotiating with Ridgemark to use the access road until the road is fixed.

Karl Skow, Southside Road resident, need to figure out what access to use come winter time.

Mel Tungate, Southside Road resident, spoke in regards to the ponds and worried about the terms of safety.

Chairman Botelho closed the public comment.

Supervisor De La Cruz said that he feels that we should not spend anymore money until we know what is going on. He agrees to no hookups to Sunnyslope until we know what is going on.

Supervisor Rivas appreciates the discussion about hookups, but stated this is not on the agenda and believes we need to approve this item to address previous slide.

Discussion by Board to possibly have a special meeting, don't think they can wait until the next regular meeting.

Mr. Guertin provided additional information if they were to hold off approving this contract today.

Supervisor Muenzer said that he is o.k. with a special meeting but stated that we need to have Sunnyslope Water and Ridgemark present.

Chairman Botelho announced that they would break for lunch and would reconvene at 1:10 p.m.

MOTION:

Motion to approve per staff recommendation and direct staff to try and schedule a special meeting: 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

PUBLIC HEARING

The Board reconvened at 1:14 p.m.

MOTION:

Motion: Made by **Supervisor Mark Medina** and seconded by **Chairman Anthony Botelho**

5 - 0

For (5):

Against (0):

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

25. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

- 1. Public Hearing continued from the August 7, 2018 meeting.**
- 2. Waive reading of an Ordinance Amending Certain Sections of the San Benito County Code, to Adopt the "San Benito County Master Fee Schedule", and to Adopt Increases and Reductions in Certain County Fees.**
- 3. Adopt Ordinance, the "San Benito County Master Fee Schedule Ordinance".**

SBC FILE NUMBER: 425

ORDINANCE NO: 972

Management Analyst Dulco Alonso provided information in regards to the master fee ordinance that had been continued from the August 7th meeting and that today we are here to adopt the fee ordinance.

Chairman Anthony Botelho opened the public hearing.

There was no one wishing to speak.

Chairman Botelho closed the public hearing.

MOTION:

Motion to adopt Ordinance 972 per staff recommendation:

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

5 - 0

For (5):

Against (0):

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

CLOSED SESSION

Interim County Counsel Laura Zaglaroli read the closed session items into the record.

The Board adjourned into closes session at 1:18 p.m. and reconvened at 2:08 p.m.

Interim County Counsel Laura reported that there was no reportable action on all of the items.

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.)

26. CLOSED SESSION PURSUANT TO SECTION 54956.95: LIABILITY CLAIMS

Name of Claimant: Guadalupe Derosa

Agency claimed against: San Benito County (member of Trindel Insurance Fund)

Claim No: TIBN-545375

SBC FILE NUMBER: 235.6

No reportable action.

27. CLOSED SESSION - Conference with Real Property Negotiator

Property: 3239 Southside Road (020-320-031), Hollister, California

Agency Negotiator(s): John Guertin, RMA Director, Adm Goldstone, Capital Program Manager; Ray Espinosa, CAO; James Rydingsword, HHSA Director, Laura E. Zagaroli, Interim County Counsel, Irma F. Valencia, Deputy County Counsel and G. Michael Ziman, Deputy County Counsel

Negotiating Parties: Farm Labor Association (Pat Wirz, President)

Under Negotiation: Price and terms of payment

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

No reportable action.

28. CLOSED SESSION - PUBLIC EMPLOYEE APPOINTMENT

Title: Interim County Counsel

Authority: California Government Code 54957

SBC FILE NUMBER: 235.6

No reportable action.

ADJOURNMENT

Adjourn to the next regular meeting of September 11, 2018.

MOTION:

Motion to adjourn the Board
meeting at 2:10 p.m.:

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

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For (5):

Against (0):

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

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.