



SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina
District No. 1
Chair

Anthony Botelho
District No. 2

Peter Hernandez
District No. 3

Jim Gillio
District No. 4

Jaime De La
Cruz
District No. 5
Vice-Chair

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

REGULAR MEETING MINUTES June 11, 2019 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 Mark Medina. Those present were Supervisors Anthony Botelho, Jim Gillio, Peter Hernandez and Jaime De La Cruz, 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 Jaime De La Cruz,
District #5.**

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

- b. Acknowledge Certificate of Posting

Certificate of Posting.

MOTION:

Motion to Acknowledge the
Certificate of Posting:

Made by **Supervisor Jim Gillio** and seconded by **Vice-
Chair Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

c. Presentations and Recognitions

BOARD OF SUPERVISORS

Receive information on the 2019 Saddle Horse Show and Rodeo to be held June 28th, 29th & 30th at Bolado Park.

SBC FILE NUMBER: 156

Supervisor Jim Gillio introduced Kelsee French the 2018 Miss San Benito Rodeo Queen who will speak about the upcoming Saddle Horse Show to be held on June 28th, 29th and 30th.

Ms. French said that she has had the honor of representing our County at different rodeo events and community events. She announced that the queen contest will be on June 15th at 10:00 a.m. at Bolado Park and is open to the public. She introduced this years contestants: Madeline Clarkson and Bonnie Mansmith.

Bonnie Mansmith spoke about the Saddle Horse Show Parade to be held in downtown Hollister on June 22nd at 11:00 a.m.

Madeline Clarkson spoke about the Saddle Horse Show and Rodeo to be held on June 28th through June 30th. She said on Friday it starts at 7:00 p.m. and Saturday and Sunday at 1:30 p.m. She said it is a lot of fun for the whole family so encouraged everyone to come out for some rodeo fun.

Ms. French thanked the Board for having them and said if anyone wanted any information that they can go to the San Benito County Saddle Horse Show website. She announced that there will be a BBQ on Saturday night after the rodeo with a live auction and that there would be some good food, so come on out and have fun.

HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM

Approve Proclamation Declaring June as Elder Abuse Awareness Month in San Benito County.

SBC FILE NUMBER: 430

Supervisor Jaime De La Cruz presented Proclamation to Maria Corona at Health and Human Services Agency declaring June as Elder Abuse Awareness Month in San Benito County.

Ms. Corona spoke about elder abuse and thanked the Board for the Proclamation.

d. Public Comment

Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2.

Those speaking from the public were: Jerry Tatos, San Juan Bautista resident, spoke about the Salinas Grade road and how it is a disgrace to our community. He spoke about how the pot holes need to be filled, the road needs maintenance and guardrails repaired as soon as possible.

Kyrstal Lomanto, Superintendent of Schools, said that she had several presentations that she would like to make this morning on behalf of the San Benito County Office of Education. She said in April of this year they launched the Footsteps 2 Brilliance Literacy Program and that it has been a huge success. She said that the San Benito County Office of Education was awarded the 2019 Leadership Award for their partnership with our districts and our community for invasion and the use of Footsteps 2 Brilliance. She said that the San Benito County Office of Education was the first office in the United States to be awarded this award for the work that we have done across the county. She said we might be small but we are mighty. She said that she is going out and awarding all of our partners because this would not have happened without the support of our community. She presented the following Leadership Awards for their support in the program from the Footsteps 2 Brilliance for Partner of Excellence: The San Benito County Board of Supervisors; Anthony Botelho as a business owner; San Benito County Free Library; San Benito County Probation Department and the San Benito County Sheriff's Office.

Ms. Lomanto thanked everyone for their support because we could not have done this without a community effort.

Richard Ferreira, CSA #35, said that we are making great progress in regards to the roads. He said that he was here today to address the weed abatement that has been pushed aside for the last couple of years. He said it was supposed to be addressed four weeks ago. He said that a contractor did come in but what they did address was not to standard and wanted to bring it to the Boards attention. He said that he is concerned about the fire danger.

e. Department Head Announcements: Information Only

CAO Ray Espinosa said that he had some good news in regards to pot holes. The Board approved moving forward with addressing pot holes and infusing about a million dollars in to this back in April. He said on June 13th at 2:00 p.m. we will start receiving bids and will move forward with addressing it.

CAO Espinosa announced that Item #37 on consent there is a date issue that needs to be changed from June 24th to July 22nd that P.G. & E. will be doing the maintenance.

CAO Espinosa gave the Board an update in regards to signage on some of the roads in regards to speeding and trucks going down roads that they shouldn't be going down. He said that they have put up some signs on John Smith Road in regards to speeding and will be addressing other roads like Anzar and some other county roads.

CAO Espinosa mentioned that coming up in a future Board meeting will be a presentation from the GIS Department on mapping out the roads along with growth and housing.

CAO Espinosa introduced Lauren Hull our new Management Analyst, she has been promoted from our Assistant Clerk of the Board.

Lauren Hull said thank you for this opportunity and said that she looks forward to working with the Board and the community.

Karen Overstreet, Agricultural Commissioner, gave an update on the cannabis application process. She said that she has received 10 applications. 8 were for cultivation, 1 testing and 1 micro business manufacturing.

County Counsel Barbara Thompson said on Item #30, there was a slight correction in the contract in regards to the addendum.

Interim Health and Human Services Director Tracy Belton announced that our County has received 1.87 million dollar grant from the Homeless Coalition for the Homeless Emergency Aid Program. CAO Espinosa announced that our County received the AMBAG Award for reducing our carbon print.

f. Board Announcements: Information Only

Supervisor Jim Gillio reported that he attended CalCog meeting in Sacramento. He said he also attended some CSA meetings and thanked staff for meeting with him to educate him more on health care in San Benito County.

Supervisor Peter Hernandez announced that he attended a budget meeting and an Intergovernmental meeting which they talked about growth. He reported that he toured the CSUMB with others to get information on coming up with a plan for our community. He also spoke about Dunne Park and the homelessness issues.

Supervisor Jaime De La Cruz reported that he attended the Monterey Community Power meeting, he said that the talk was to try and increase the number of members. He said that he had a couple of meetings with Ray and Steward on the budget for this year. He said that he attended the 50th Anniversary Race Car Event in Hollister. He also attended the Intergovernmental Committee meeting not as a member.

Supervisor De La Cruz gave thanks to Tracy Belton for giving him and Supervisor Hernandez a tour of our Homeless facility.

Supervisor De La Cruz announced that he had a meeting with some of his constituents in his district in regards to Buena Vista Road and the concern with the increase of traffic.

Supervisor Anthony Botelho thanked staff for CSA meeting he attended, he said that he felt it was a good 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 #1-42 with the exception of Item #6, #9, #28 and #39, which were pulled for discussion and Item #37, correcting the date to July 22nd and Item #30 amending the amount of the addendum:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Anthony Botelho**

5 - 0

For (5):

Against (0):

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

1. BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO

Approve contract with Sumo Medical Staffing for Psychiatry Services for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$374,400.00.

SBC FILE NUMBER: 810

2. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve Reappointment of Daniel A. Sanidad to the Behavioral Health Board (BHB) for the Term of June 15, 2019 to June 15, 2022.
SBC FILE NUMBER: 510
3. **CLERK OF THE BOARD OF SUPERVISORS - J. SLIBSAGER**
Approve the action minutes of the May 7, 2019 regular meeting.
SBC FILE NUMBER: 119
4. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt Resolution authorizing the County's participation in the Institute for Local Government's Beacon Program.
SBC FILE NUMBER: 119
RESOLUTION NO: 2019-46
5. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Receive draft resolution amending the Gann Limit for Fiscal Year 2018-2019, and continue to June 25, 2019 for adoption as the proposed resolution needs to be available for public review for 15 days.
SBC FILE NUMBER: 156
6. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt Resolution to allocate State of California Off-Highway Vehicle License Fee to repair Cienega Road.
SBC FILE NUMBER: 119
RESOLUTION NO: 2019-47

This item was pulled by Supervisor Peter Hernandez with a question as to where the fees are going right now.

Budget Officer Stewart Patri stated that they have been going to the Sheriff's Office and that they have redirected some of that money to go to Cienega Road maintenance as the Board directed in a previous meeting.

Supervisor Jaime De La Cruz had a question on the monies.

Mr. Patri provided information.

Supervisor Jim Gillio provided additional information.

MOTION:

Motion to approve per staff recommendation.
Adopt Resolution No. 2019-47:

Made by **Supervisor Jim Gillio** and seconded
by **Supervisor Anthony Botelho**

5 - 0

For (5):

Against (0):

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

7. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Delegate authority to CAO to execute a Contract with Vanir Construction Management, Inc. in the amount not to exceed \$299,872, subject to County Counsel approval, to review and evaluate the Pavement Management System

Update (PMSU), prioritize sites, prepare civil engineering designs, advertise, bid and award contracts, and Construction Management for the County's portion of Measure G funding.

SBC FILE NUMBER:119

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

Delegate authority to CAO to appoint the Resource Management Agency Director and offer employment within the salary range for Resource Management Agency Director with all benefits provided to other Appointed Department Heads.

SBC FILE NUMBER: 119

9. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**

Adopt Resolution of the Board of Supervisors amending current personnel rules relating to salary upon appointment and retirement benefits for certain temporary employees who have been prior CALPERS members.

SBC FILE NUMBER: 160

SBC FILE NUMBER: 2019-48

Administrator Officer Edgar Nolasco provided information that this item had been brought to the Board on April 2nd and discussed and that it is now coming back for the Board to approve per their direction.

This item was pulled by Supervisor Peter Hernandez. He said that he supports this but had a concern that if there was a change in leadership, that maybe it needs to be brought back to the Board to talk about.

Discussion ensued by Board and staff.

CAO Ray Espinosa said that his recommendation would be to do a review every 4 years like the term of the supervisors. Could be discussed at a board retreat.

Discussion ensued by Board and staff.

MOTION:

Motion to approve as presented with the addition that every January we review this item for the next few years. Adopt Resolution No. 2019-48:

Made by **Vice-Chair Jaime De La Cruz** and seconded by

5 - 0

For (5):

Against (0):

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

10. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**

Adopt a resolution establishing County policy relating to the provision of services within the County Service Areas.

SBC FILE NUMBER: CSA'S

RESOLUTION NO: 2019-49

11. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve contract renewal with Seneca Family of Agencies for Resource Family Approval and associated services for the period of July 1, 2019 through June 30, 2020, not to exceed amount of \$90,000.00.
SBC FILE NUMBER: 130

12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve Application for Subsequent Local Area Designation and Local Board Re-certification Program Year 2019-21; authorize the Workforce Development Board (WDB) Chair and the Chair of the Board of Supervisors to sign the application and any amendments and documents pertaining to the application.
SBC FILE NUMBER: 130

13. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve contract renewal with Dr. David Ghilarducci for professional services as Acting County Public Health Officer (HO) for the term July 1, 2019 - June 30 2020 in the event of absence of current Health Officer on vacation, sick leave or other absence at a cost not to exceed \$16,000.00.
SBC FILE NUMBER: 130

14. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Authorize the Health & Human Services Agency (HHS) Director to sign the Standard Agreement Amendment (17-10185 A01) with the California Department of Public Health for public health emergency preparedness activities on behalf of the County of San Benito for the term of July 1, 2017- June 30, 2022.
SBC FILE NUMBER: 130

15. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve contract renewal with Jose Vasquez for grant writing services for the period of July 1, 2019 through June 30, 2020, for a total not to exceed \$40,000.00.
SBC FILE NUMBER: 130

16. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve contract renewal with Peninsula Pediatric Therapy for Occupational and Physical Therapy Services for the period of July 1, 2019 through June 30, 2020, in the amount of \$165,000.00.
SBC FILE NUMBER: 130

17. **HEALTH AND HUMANS SERVICES AGENCY - T. BELTON, INTERIM**

Accept Grant from the Tides Foundation and Approve Budget Adjustment in the Amount of \$75,000 for the Opioid Task Force. (4/5 vote)
SBC FILE NUMBER: 130

18. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Adopt Resolution authorizing the execution of an agreement (19-5001) 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, 2019 to June 30, 2020 in the amount of \$44,978.00.

SBC FILE NUMBER: 130
RESOLUTION NO: 2019-50

19. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve Contract Amendment #1 to the contract with Youth Alliance for CalWORKs Counseling Services in the amount of \$12,600 for a new not to Exceed Amount of \$62,600.00.

SBC FILE NUMBER: 130

20. **HEALTH AND HUMAN SERVICES - T. BELTON, INTERIM**

Approve New Appointment of Tracey Belton to the Workforce Development Board (WDB) as a Public representative, for a three-year term effective May 14, 2019 through May 14, 2022.

SBC FILE NUMBER: 130

21. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Adopt Resolution Accepting The 2019 Community Services Block Grant (CSBG) Discretionary contract #19F-4436 in the amount of \$30,000 And Authorizing The Board Chair to Approve And Execute The Grant Agreement (Contract #19F-4436), Authorize the Department Director or designee to sign any Amendments And Other Documents Related To The Grant, For And On Behalf Of The County Of San Benito; and approve the Budget Adjustment form in the amount of \$30,000.00. (4/5 vote)

SBC FILE NUMBER: 130

RESOLUTION NO: 2019-51

22. **HUMAN RESOURCES - E. NOLASCO**

Adopt Resolution, approving side letter with Service Employees International Union, Local 521 (SEIU) modifying Section 8.4 Bilingual Pay of the SEIU MOU; and authorize the County Administrator or his/her designee to make any technical edits as later identified.

SBC FILE NUMBER: 630

RESOLUTION NO: 2019-52

23. **HUMAN RESOURCES - E. NOLASCO**

Approve revised class specification for Assistant Planner, Engineer II, and Sheriff's Director of Administrative Services. Approve new classification specification and salary range for Epidemiologist and Juvenile Hall Supervisor. Amend the County's class title and pay plan to reflect the new Class Specifications.

SBC FILE NUMBER: 630

24. **HUMAN RESOURCES - E. NOLASCO**

Adopt Resolution amending Personnel Rule 7 "Compensation Plan" to incorporate for Differential Policy for Special Assignments; and delegate authority to the CAO to authorize differential pay not to exceed 10%, and amend the personnel rules.

SBC FILE NUMBER: 630

RESOLUTION NO: 2019-53

25. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Approve contract with Paula Norton to provide at-risk youth tutoring for the period of July 1, 2019 to June 30, 2020, in an amount not to exceed \$22,000.00.
SBC FILE NUMBER: 510
26. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Approve contract between San Benito County Probation Department and Corrections Software Solutions, L.P. (CSS) for Case Management Application Software and support services for the period of July 1, 2019 through June 30, 2022, for a total cost of \$60,192.00.
SBC FILE NUMBER: 510
27. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Approve contract with DIDS LLC, dba StreetTime Technologies, which includes the PassPoint.net support for screening Probation Department's offenders/clients for evidence of substance abuse for the period of January 1, 2019 through June 30, 2020, in an amount not to exceed \$10,800.00.
SBC FILE NUMBER: 510
28. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Authorize the leasing of three vehicles through the County's Enterprise Fleet Management Master Equity Lease Agreement for FY 2018-2019, for an annual amount not to exceed \$20,000.
SBC FILE NUMBER: 510

This item was pulled by Supervisor Jaime De La Cruz and Supervisor Peter Hernandez. Chief Probation Officer Joe Frontella provided information in regards to the lease agreement and their current fleet of cars.

Supervisor Peter Hernandez had a question in regards to the benefits of leasing.

Mr. Frontella provided information.

Supervisor Jaime De La Cruz had a question and concern on mileage on leased vehicles.

Mr. Frontella provided information.

Discussion ensued by Board and Staff.

MOTION:

Motion to approve per staff recommendation:

Made by Supervisor Anthony Botelho and seconded by Supervisor Jim Gillio

5 - 0

For (5):

Against (0):

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

29. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Approve contract with King & Associates for Principle Based Cognitive Behavioral Training services for the period of July 1, 2019 through June 30, 2020 in the amount not to exceed \$61,920.00.
SBC FILE NUMBER: 510
30. **RESOURCE MANAGEMENT AGENCY**

Accept all bids for the County Service Areas CSA #11(Simmons/Barnes Lane), CSA #5 (Hillcrest), CSA #8 (Bonnieview), CSA #35 (Union Heights), CSA #9 (Ridgemark) Road Maintenance Project, PWB-1903; find VSS International, Inc. as the lowest responsive bidder; award contract to VSS International, Inc. in the amount of \$516,200.00; approve contract and authorize the CAO or Deputy CAO to execute the contract upon receipt of all contract documents required in the Invitation for Bids; and authorize the CAO or Deputy CAO to issue change orders in an amount of not to exceed \$38,310.00; Adopt Resolution approving license agreement with Ridgemark Homes Association for CSA #9 pursuant to Streets & Highways Code 969.5, and authorize the Chair to execute.
SBC FILE NUMBER: 105

31. **RESOURCE MANAGEMENT AGENCY**

Accept all bids for the John Smith Road CIR Maintenance at Fairview Road – PWD-1907, find Granite Rock Company as the lowest responsive responsible bidder, award contract to Granite Rock Company in the amount of \$315,646.60, approve contract and authorize the CAO or the Deputy CAO to execute the contract upon receipt of all contract documents required in the invitation for Bids, and authorize the CAO or Deputy CAO to issue change orders in an amount of not to exceed \$28,282.33.
SBC FILE NUMBER: 105

32. **RESOURCE MANAGEMENT AGENCY**

Approve a contract with Denise Duffy & Associates, Inc., for environmental review services for the preparation of the Initial Study for the proposed grading and building project at the western end of Buena Vista Road for the term of May 8, 2019, through December 31, 2019, in the amount not to exceed \$35,560.00.
SBC FILE NUMBER: 790

33. **RESOURCE MANAGEMENT AGENCY**

Approve Reimbursement Agreement by project applicants, San Benito County and Michael Chen, of County costs related to the proposed grading and building project at the western end of Buena Vista Road (County Planning file PLN170011).
SBC FILE NUMBER: 790

34. **RESOURCE MANAGEMENT AGENCY**

Adopt Resolution approving the use of CalRecycle grant funds in an amount not to exceed \$14,500 to purchase internal recycling containers.
SBC FILE NUMBER: 142

35. **RESOURCE MANAGEMENT AGENCY**

Approve Contract Amendment # 2 with In Studio Architecture to add additional compensation in an amount not to exceed \$2,000.00 to the original contract amount (\$80,925.00) for the continuation of services through June 30, 2019 on the Homeless Services Center Phase II project.
SBC FILE NUMBER: 130

36. RESOURCE MANAGEMENT AGENCY

Approve lease of 12'x12' office located at the Resource Management Agency 2301 Technology Parkway Hollister, CA 95023 to the Assembly Rules Committee for Assemblymen Rivas' staff, for the period of June 11, 2019 through January 1, 2021.

SBC FILE NUMBER: 105.3

37. RESOURCE MANAGEMENT AGENCY

Adopt Resolution authorizing temporary closure of Anzar Road for PG&E pipeline inspection and maintenance work.

SBC FILE NUMBER: 105

SBC FILE NUMBER: 2019-54

38. SHERIFF'S OFFICE - D. THOMPSON

Approve agreement between Santa Cruz Regional 9-1-1 and the County of San Benito for communication services for a term of July 1, 2019 through June 30, 2020, with an automatic renewal for three (3) successive one (1) year periods unless otherwise terminated. The final budget for 2019-20 is \$399,448.00, a decrease of \$95,936.00 from FY 2018-19.

SBC FILE NUMBER: 110

39. SHERIFF'S OFFICE - D. THOMPSON

Approve Contract Amendment #1 with Cole Pro Media, LLC. for media consulting services in the amount of \$30,000.00 extending the current expiration date to June 30, 2020 from June 30, 2019 with an automatic renewal for two (2) successive one (1) year terms unless sooner terminated.

SBC FILE NUMBER: 110

This item was pulled by Chairman Mark Medina. He said that constituents have asked if we can have more local things on the post and more frequent.

Kellie Kennedy from the Sheriff's Office said that she would pass that recommendation on.

MOTION:

Motion to approve per staff
recommendation:

Made by Supervisor Jim Gillio and seconded by
Chairman Mark Medina

5 - 0

For (5):

Against (0):

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

40. SHERIFF'S OFFICE - D. THOMPSON

Approve Memorandum of Understanding between San Benito County and the Monterey County Office of Education for sublease of tower and building space commonly known as School Peak commencing July 1, 2019 through June 30, 2020 in the amount of \$47,460.24.

SBC FILE NUMBER: 110

41. SHERIFF'S OFFICE - D. THOMPSON

Accept all proposals for Food and Commissary Services for the San Benito County Jail and Juvenile Hall; award contract to Trinity Services Group and

authorize jail staff to negotiate a contract to bring back before the board for approval.

SBC FILE NUMBER: 110

42. TREASURER/TAX COLLECTOR - M CASILLAS

Approve contract for Business License Tax services to be provided by HdL Software for the period of June 1, 2019 - June 30, 2022.

SBC FILE NUMBER: 685.2

PUBLIC HEARING

43. RESOURCE MANAGEMENT AGENCY

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Hold a Public Hearing to accept public input and testimony on a proposed increase in the maximum allowable charge for solid waste collection rates with Recology San Benito; adopt Resolution adopting the maximum allowable solid waste collection rates, effective July 1, 2019.

SBC FILE NUMBER: 142

RESOLUTION NO: 2019-55

Kathleen Gallagher provided a quick summary of what has happened since April 16th when they came to the Board in regards to the increase in the maximum allowable charge for solid waste collection rates with Recology San Benito. She said that as of today we have received 73 protest letters through the Clerk of the Board. She said how prop 218 works is a protest majority is 50% plus one, which would mean we would need 2,065 protests which we received 73. She said that we are asking for the approval today for the rate adjustments that were noticed in the prop 218 protest letter.

Supervisor Jim Gillio mentioned that if the CPI rate goes down that we need to make sure that we adjust down. He said that we need to pay attention to that.
There was no public comment.

MOTION:

Motion to approve Resolution No. 2019-55, adopting the maximum allowable solid waste collection rates effective July 1, 2019: Made by **Supervisor Anthony Botelho** and seconded by **Chairman Mark Medina**

0 - 0

For (0): Against (0):

44. ASSESSOR'S OFFICE - T. SLAVICH

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Review Land Conservation Act request for Compatible Use Determination (LCA Contract 70-828 for installation of a Telecommunication Facility) and make a determination of approving or denying the request.

SBC FILE NUMBER: 7

Assessor Tom Slavich provided information on LCA request for a Telecommunication Facility. He said that the committee recommended approval of this request.

Mr. Slavich said that there was one more committee suggestion which was to send a letter to the State in regards to the reinstatement of the Williamson Act subvention funds which he provided information on.

Supervisor Anthony Botelho said that he was happy that he has brought this up. He said that he strongly supports sending a letter not only to the State but to our neighboring counties to stay engaged and to the Governors Office and to RCRC and CSAC to reinstate this.

CAO Ray Espinosa added that he has had staff reach out to our representatives to do a follow up meeting in Sacramento and that is one of the items we want to follow up on with them is the Williamson Act.

No public comment.

Motion by Supervisor Botelho and seconded by Chairman Medina to direct staff to compose a letter and have the Chair sign and send to the stated agencies and representatives as discussed. (5/0 vote)

MOTION:

Motion to approve compatible use request based on findings and conditions of approval set forth in the San Benito County Code 19.01.023 (B)(5), (C) & (F) and California Government Code 51238.1:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Anthony Botelho**

5 - 0

For (5):

Against (0):

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

45. HEALTH AND HUMAN SERVICES - T. BELTON, INTERIM

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Hold Public Hearing on the approval of the 2020-2021 Community Services Block Grant (CSBG) Community Action Plan (CAP).

SBC FILE NUMBER: 130

Executive Director Enrique Arreola provided information and a overview of the programs for the Community Action Plan and the 2020-2021 Community Services Block Grant. He said that he has provided a sign in sheet in the back of the room. He provided information on the Winter Shelter Program; Homeless Program and Energy Efficient Program.

No public comment.

Supervisor Jim Gillio thanked Enrique for his report and for what he and the office does.

Supervisor Jaime De La Cruz also thanked him and those that have provided assistance.

MOTION:

Motion to approve per staff recommendation:

Made by **Supervisor Anthony Botelho** and seconded by **Supervisor Jim Gillio**

5 - 0

For (5):

Against (0):

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

46. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Hold Public Hearing regarding new proposed hemp ordinance, County Code Chapter 7.04. Read title of ordinance for the record, waive further reading of the ordinance, and continue to June 25, 2019 for adoption. This ordinance would add Chapter 7.04 to Title 7 of the San Benito County Code related to Hemp regulation, including but not limited to definitions, prohibitions, the establishment of the Hemp Entity Management Program, registration requirements and regulations, fees, zoning for cultivation, required setbacks, odor and pollen drift mitigation, minimum parcel size, other requirements and administration and enforcement provisions. ENVIRONMENTAL EVALUATION: Exempt from CEQA, including, but not limited to, State CEQA Guidelines sections 15061, subd. (b)(3) and 15308. APPLICANT/PROPOSER: San Benito County. PROPERTY: Unincorporated San Benito County. SBC FILE NUMBER: 160

County Counsel Barbara Thompson provided information in regards to the proposed hemp ordinance. She said that it has gone to the Planning Commission and they have made some recommended changes. She read the title of the ordinance for the record, she mentioned in section D in set backs section where it shows 100', the Planning Commission is recommending that there be variances or exceptions to the 100' set back, would not apply to an industrial zone or two parcels that were both engaging in cultivation or written agreement from property owners for reduced set back. She said that the Board has the ability to accept or not. She said that we are asking that the Board open the public hearing and waive further reading of the ordinance and continue to June 25th for the adoption of the ordinance and order the display ad.

Public Comment: Carl Saling, San Benito County resident, question if the Board is planning on implementing any kind of taxes or fees on hemp related products that are cultivated or manufactured in the County. He said that he would not agree with any tax on hemp products.

County Counsel Barbara Thompson said that could probably be an agenda item for the future we are waiting to see how many hemp applications that are received.

Supervisor Peter Hernandez said that it doesn't fall under the right to farm at this point.

MOTION:

Motion to approve per staff recommendation and continue to the June 25th meeting for adoption:

Made by **Supervisor Jim Gillio** and seconded by **Vice-Chair Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

47. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Hold public hearing regarding two new proposed ordinances: Cannabis and Hemp Regulations (County Code Chapter 19.43 and Section 25.07.005): The First ordinance would amend Chapter 19.43 of the San Benito County Code relating to the land use regulations applicable to the manufacture and laboratory testing of Commercial Cannabis and/or Cannabis products. The second ordinance would amend Section 25.07.005 of Title 25 of the San Benito County Code to permit as a conditional use in agricultural districts the

manufacture and laboratory testing of commercial cannabis and/or cannabis products as well as hemp or hemp products. ENVIRONMENTAL EVALUATION: Exempt from CEQA, including, but not limited to, State CEQA Guidelines sections 15061, subd. (b)(3) and 15308; Continue matter relating to adoption of ordinance amending Chapter 19.43 of the San Benito County Code to June 25, 2019.
SBC FILE NUMBER: 160

County Counsel Barbara Thompson provided information on the 2 ordinances. She read the title of the ordinances for the record for Cannabis and Hemp Regulations (County Code Chapter 19.43 and Section 25.07.005): The First Ordinance would amend Chapter 19.43 of the San Benito County Code relating to the land use regulations applicable to the manufacture and laboratory testing of Commercial Cannabis and/or Cannabis products. The Second Ordinance would amend Section 25.07.005 of Title 25 of the San Benito County Code to permit as a conditional use in agricultural districts the manufacture and laboratory testing of commercial cannabis and/or cannabis products as well as hemp or hemp products.

Supervisor Peter Hernandez had some questions on the nuisance statutes.

Ms. Thompson provided information.

Ms. Thompson said that the Planning Commission had no recommended changes to these ordinances.

Taven Kinison Brown, RMA/Planning Department, provided additional information.

No public comment.

Supervisor Anthony Botelho thanked staff for bringing this along.

Supervisor Jim Gillio said that he supports this item.

MOTION:

Motion to waiver further reading of proposed ordinances and find that the adoption of the ordinance is exempt from CEQA, including but not limited to State CEQA guidelines sections 15061, subd. (b)(3) and 15308 and continue the matter relating to adoption of ordinance amending Chapter 25.07 of the San Benito county Code to June 25, 2019:

Made by
Supervisor
Anthony Botelho
and seconded by
Vice-Chair Jaime
De La Cruz

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.*

48. **BOARD OF SUPERVISORS**

Receive homeless programs update from Health and Human Services Agency and the City of Hollister.

SBC FILE NUMBER: 119

Management Analyst Dulce Alonso provided background information on the Board wanting an update on the Homeless issue in San Benito County. She said that Enrique Arreola from Health and Human Services is here to provide an update on the Homeless Programs that we have in the County and the City is here to provide an update as to what they are doing.

Enrique Arreola provided a summary of the Homeless Census statistics in San Benito County and stated they are waiting for the 2019 census report. He provided a PowerPoint presentation on the services that are being provided by the Health and Human Services department in San Benito County for the Homeless as follows: Phase I Home Resource Center; Phase II Whole Person Care Service Center; Phase III Transitional Units; Attendance Report; Total meals provided; Winter Shelter Program; Helping Hands Program; Whole Person Care; Cal Works Housing Support Program; Rapid Rehousing; Housing & Disability Advocacy Program; Hotel Vouchers; Transportation Assistance; Homeless Services Funding Secured; Opportunities; Partnerships and Collaborations; Questions:

Chairman Mark Medina said that he is very proud and humbled in what we are doing and thanked Enrique and his staff for all of their work.

Supervisor Jim Gillio thanked Enrique for their effort on going out and getting these funds if they are available for these programs.

Supervisor Jaime De La Cruz said there is a lot of work here and a lot more to come. Commented on the City of Hollister's contributions and if the City could increase the amount.

Supervisor Peter Hernandez thanked Enrique. He said that he visited the Homeless Center and one of the things that stood out to him was the passion and the drive that these folks have and are so proactive. He said that he appreciates all that they do.

Supervisor Anthony Botelho thanked Enrique and the whole department for all of their hard work.

City Manager Bill Avera spoke about where the City is going. He said that we had a meeting where we got together and talked about various things. Enrique is excited about working with us. Spoke about their next CDBG grant application. Spoke about services during the day. He spoke about some of the questions about Dunne Park and Park Hill in regards to the Homelessness issue. Spoke of Dunne Park improvements and that McCarthy Park will open in July. He said that the City Council recently adopted a new Community Service Officer position who will be working on the weekends and will be able to do some monitoring at some of the parks. Questions:

Chairman Medina asked about the skate park at Vet's Park. He said that there is a request to put lights.

Mr. Avera replied that all of their parks are open dawn to dusk.

Supervisor Botelho asked about the folks that don't want to go to the homeless shelter and how they are a nuisance. We need to try and figure out a location where they can go.

Mr. Avera replied that he has heard those same conversations and we are struggling to find a location.

Supervisor Botelho said that we will always have a problem with Dunne Park, McCarthy Park and Park Hill until we find a location.

Supervisor Hernandez said that he appreciated the City Manager being here. He asked about a fence being put around the Club House. He said that there is illegal activities happening at the Park by some of these folks.

Mr. Avera provided an update on the Club House area. He said that we are looking at fencing just the Club House area and some in direct lighting that we are going to be putting underneath the awning of the Club House. He said that there are cameras in the park.

Supervisor De La Cruz spoke about McCarthy Park and the homeless gathering there. He said that we need more funding for the homeless and we need to work together. He thanked Mr. Avera for being here.

This was information only.

49. BOARD OF SUPERVISORS

Chair to Appoint a Board Member to the Mobility Partnership Committee.
SBC FILE NUMBER: 119

Chairman Mark Medina said that he will appoint himself to the Mobility Partnership Committee.

MOTION:

Motion to appoint Chairman Mark Medina to the Mobility Partnership Committee:

Made by Supervisor Jim Gillio and
seconded by Supervisor Anthony Botelho

5 - 0

For (5):

Against (0):

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

50. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Receive an update from the Resource Management Agency on Public Works Division Federal Aid Highway Bridge Program.
SBC FILE NUMBER: 119

CAO Ray Espinosa provided background information on county bridges. He introduced Nowell Swan with NV5 who provided an update on the County's Highway Bridge Projects.

Mr. Swan provided a schedule and update of the County's Bridge projects. He said that his job is to move and deliver projects. He provided a status of the 8 bridge projects which included the beginning and end dates: 1) Shore Road Bridge; 2) Hospital Road Bridge; 3) Union Road Bridge; 4) Anzar Road Bridge; 5) Limekin Road Bridge; 6) Rosa Morada Road Bridge; 7) Rocks Road Bridge; He said all 7 bridge projects are proceeding and will be monitoring closely. The last bridge project which is Panoche Road Bridge, is still in environmental stage as there were some concerns which they are working on.

Supervisor Anthony Botelho said that he was happy that this was back on track. He said that he would like to get a report every 6 months on progress and timelines.

CAO Ray Espinosa said that we would try to bring back quarterly. He also highlighted that AMBAG is working diligently with Cal Trans in getting a management team to help with this since we are low in staff at RMA.

51. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Receive Presentation of the FY 19/20 CAO Recommended Budget.
SBC FILE NUMBER: 865

CAO Ray Espinosa stated that every year we have had a mock hearing. He said we are going to do it a little differently we are not going to go through the entire budget like we have done in the past. He said our Budget Officer Stewart Patri has worked hard on this and will do a PowerPoint presentation, which the budget will be heard on June 24th.

Mr. Patri provided a highlight review as to where we are at along with some of the timelines: The recommended budget will be posted online by Friday, June 14th; the Budget Hearings will begin at 9:00 a.m. on June 24th and will continue if needed; changes to this years format - will take the changes made by the Board if any and they will be posted on line; by September 24th the final adopted budget will come back for the Board to approve to submit to the Controllers Office; FY 19/20 Key Focus Points: Economic Development, Road and infrastructure needs, staffing and employee retention; General Fund overview; General Fund Budget Performance; Changes in General Fund Expenditures; Key General Fund Charges; General Fund Reserves; all Fund Expenditures - Adopted 18/19, CAO Recommended 19/20; Capital Improvement Fund; Recommended FTE Positions - General Fund; Recommended HHSA Public Health Officer.

Discussion ensued by Board and staff regarding FTE positions and reserves.

Mr. Patri continued with information on Fixed Asset Schedule - Hall of Records project, Public Safety infrastructure projects with the jail, Parks Master Plan update, 5 year CIP project, Strategic Plan; Regular Budget Hearing Agenda: RMA; Roads Fund; Corrections; Capital Improvement Funds; Library. He said that these are ones that we will have an open discussion on at budget hearings.

No public comment.

CAO Espinosa said that this was informational only. Thanked all staff and department heads for all of their work.

CLOSED SESSION

County Counsel Barbara Thompson read the closed session items into the record. She noted that she wanted to add another closed session item to the agenda that was brought to our attention yesterday and cannot wait until the next meeting: Closed Session 54956.9.

Supervisor Jim Gillio recused himself from closed session item #52.

The board adjourned into closed session and working lunch at 12:30 p.m.

The Board reported out of closed session at 2:03 p.m. There was no reportable action on items except for Item #53, which the Board will proceed forward with disability retirement. (5/0 vote)

MOTION:

Motion to add closed session Item Made by **Supervisor Jim Gillio** and seconded by
54956.9: **Chairman Mark Medina**

5 - 0

For (5):

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

Against (0):

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.)

52. CLOSED SESSION PER GOVERNMENT CODE SECTION 54957

Public Employee Discipline/Dismissal/Release

SBC FILE NUMBER: 235.6

No reportable action.

Supervisor Jim Gillio recused himself.

53. 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: Potential of litigation relating to letter received on January 22, 2019 requesting County to enforce zoning contract between the County and Ridgemark Corporation; potential of litigation relating to current landfill agreement.

SBC FILE NUMBER: 235.6

By a 5/0 vote the Board voted in proceeding forward with disability retirement.

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

No. of cases: 2 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, Sixth Appellate District, Court of Appeals, Case No. H046707.

Rose, et. al. v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-17-00151.

SBC FILE NUMBER: 235.6

No reportable action.

55. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Section 54956.8

Property street address: 0 Buena Vista Road (APN 019-230-002) (On Buena Vista Road across the road from where Buena Vista Road makes a 90 degree turn towards the north)

Agency Negotiators: Ray Espinosa, County Administrative Officer; County Counsel Barbara Thompson

Negotiating parties: Graniterock

Under Negotiation: Price and Terms of Payment

Property street address: Panoche Valley Road (acquiring formal grant of easement for existing roadway from Paul Wattis)

Agency Negotiators: Ray Espinosa, County Administrative Officer; County Counsel Barbara Thompson

Negotiating parties: Paul Wattis, Paul Rovella

Under Negotiation: Price and Terms of Payment

No reportable action.

ADJOURNMENT

MOTION:

Motion to adjourn the meeting at 2:05 p.m.:

Made by **Supervisor Jim Gillio** and seconded by **Vice-Chair Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

Adjourn to the next special meeting of June 24, 2019.

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.