



## 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 January 14, 2020 9:00 AM

#### ***Mission Statement***

*The County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty, integrity, and respect for the individual, and will hold the organization of County government to that same standard.*

***The San Benito County Board of Supervisors welcomes you to this meeting and encourages your participation.***

- If you wish to speak on an item contained in the agenda please complete a Speaker Card identifying the item(s) and provide it to the Clerk of the Board prior to consideration of the item.

***Each individual speaker will be limited to a presentation total of (3) minutes unless otherwise permitted by the Board Chair.***

#### **CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Chairman 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 Mark Medina, District #1.**

The Pledge of Allegiance was led by Supervisor Mark Medina.

- b. Acknowledge Certificate of Posting

## **Certificate of Posting.**

MOTION:

Motion to Acknowledge  
Certificate of Posting:

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*

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

#### **BOARD OF SUPERVISORS**

(1) Open nominations and conduct election for Chair of the Board of Supervisors for 2020;

(2) Open nominations and conduct election for the Vice-Chair of the Board of Supervisors for 2020;

SBC FILE NUMBER: 156

Supervisor Anthony Botelho nominated Vice-Chairman Jaime De La Cruz for Chairman.

Chairman De La Cruz asked for nominations for Vice-Chairman

Supervisor Mark Medina nominated Supervisor Jim Gillio for Vice-Chairman.

Supervisor Jim Gillio thanked the Board for their trust as Vice-Chair and thanked the Chair for his first year on the Board for 2019. He said that he felt that we got a lot accomplished with the Chair's leadership and that he looks forward to this year's Chair to keep the momentum going.

Supervisor Anthony Botelho congratulated the new Chair Jaime De La Cruz and Vice-Chair Jim Gillio and thanked Supervisor Medina for his service last year as Chairman. He said that we did get a lot accomplished and is proud of what they did in 2019 and is looking forward to serving in 2020.

Supervisor Peter Hernandez thanked Chairman Medina for his leadership last year and congratulated Supervisor Jim Gillio for his nomination for Vice-Chair. He said that he too looks forward to 2020.

Supervisor Jaime De La Cruz thanked the Board for trusting in him to be Chairman for 2020 and the public for their support. Hopefully, we can accomplish and do great things together. He said that one of the most important things that we need to address is the roads.

Chairman De La Cruz asked for a 5 minute break so that he could present his gift to the rest of the Board members.

Supervisor Mark Medina gave a speech as being the Chair. He said that he feels that he brought this Board together, we were united and respected each other. He said looking at the year in review we were able to start fixing some of the roads. We were able to accomplish the Grand Jury's budget; we as a team worked on the CSA issues. He said that he looks forward to what is in store for 2020 and will continue to be outspoken with the dreams of making San Benito County better.

Chairman Jaime De La Cruz said that he wanted to thank the public for trusting in him. He said that

we have a lot of work to do. He said that roads are very important to our community; Hwy 25 needs to be widened; we need to fix Hwy 156; we need to address the retention of our employees; we need to provide a better and stronger community for San Benito County. He said that he is not going to set any goals for 2020, we are going to work together in 2020 to make the best partnership that we can.

MOTION:

Motion to Elect Jim Gillio as Vice-Chairman for 2020:

Made by **Chairman Mark Medina** and seconded by **Supervisor Peter Hernandez**

**5 - 0**

For (5):

Against (0):

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

Supervisor Anthony Botelho nominated Vice-Chairman Supervisor Jaime De La Cruz to be Chairman.

Chairman De La Cruz asked for nomination for Vice-Chairman.

Supervisor Mark Medina nominated Supervisor Jim Gillio for Vice-Chairman.

MOTION:

Motion to Elect Jaime De La Cruz as Chairman for 2020:

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*

### **BOARD OF SUPERVISORS**

Receive and approve Committee appointments from the newly elected Chair of the Board of Supervisors for 2020.

SBC FILE NUMBER: 156

Chairman Jaime De La Cruz asked for the committee assignments to be passed out by the Clerk of the Board.

Chairman De La Cruz read the committee appointments for 2020 and the Ad Hoc committees for 2020.

MOTION:

Motion to approve the committee list that was read by the Chairman Jaime De La Cruz:

Made by **Supervisor Peter Hernandez** and seconded by **Supervisor Jim Gillio**

**5 - 0**

For (5):

Against (0):

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

### **BOARD OF SUPERVISORS**

Present the outgoing Chair of the Board of Supervisors, Mark Medina, with a plaque of appreciation for his term as Chair of the Board of Supervisors for 2019.

SBC FILE NUMBER: 156

Chairman Jaime De La Cruz presented the outgoing Chairman Mark Medina with a plaque on behalf of the Board of Supervisors for his leadership.

**BOARD OF SUPERVISORS**

Approve Proclamation declaring January 2020 as Positive Parenting Awareness Month and present proclamation to First 5 San Benito.

SBC FILE NUMBER: 430

Supervisor Peter Hernandez presented Proclamation to Lisa Faulkner of First 5 for Positive Parenting Awareness Month.

Ms. Faulkner provided information on event that is happening today. Kids activities at 3:00 p.m. Opening ceremony's and ribbon cutting will be at 5:00 p.m. for the new Family Impact Center and the public is welcome to come. She thanked the Supervisors for the Proclamation.

Captain Eric Taylor spoke as to why the Sheriff's Office partners work with First 5. He commended Ms. Faulkner and First 5 for what they do.

Vickie Fortino Director of United Way spoke about how she is happy to be part of this collaborative.

Margie Barrios member of First 5 thanked the Board for their support.

**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.

Marty Martinez spoke about opening San Justo Reservoir and it being a money issue. He provided a handout and spoke of LWCE funding. He asked why San Benito County hasn't gotten in on this. He asks that we contact Senator Feinsteins Office in regards to funding for San Justo Reservoir before it expires.

Greg Moreno had questions in regards to closed session items #28 and #29. Did anyone threaten the County with litigation in respect of the closed session item #29. If yes who made the threat. If no threat, what are the facts and circumstances justifying item #29. Why are they not listed on the agenda. Will you be reporting them out after you are done addressing item #28. If not when will have an opportunity to comment on them. I look forward to your responses.

Elia Salinas, congratulated the Supervisors. She spoke of Supervisor Hernandez not having knowledge on agenda items. She spoke of social media and cyber bullying.

Valerie Eglund of R.E.A.C.H. thanked the Supervisors for support of R.E.A.C.H. and provided background information on R.E.A.C.H. and their role in San Benito County.

Maria Spandri, Parks & Recreation and Vet's Park Commissioner, thanked Supervisor Peter

Hernandez and Mark Medina for all of their assistance this year in trying to move forward. She spoke of the advancements that they have made with all of the groups at the park. She said that she can see the light ahead of us. Are goal is to make sure that our youth benefit from our parks. She spoke about having empty seats every meeting, it's depressing because I feel that we are not taken seriously. She said that our park needs a lot of work and we have so many people using it we don't want anyone to get hurt. She said any assistance would be appreciated.

Sue Logue, President of Friends of the Library, thanked the Board for their involvement with the Library and all of the issues that they have had.

Dee Slykas, spoke on behalf of her fifteen year old daughter Samantha, as she was at school and unable to attend. She spoke of the event that she is planning on February 9th from noon to 3:00 p.m. located at the Veteran's Building Main Hall called Self-awareness for All-Safety Fair. She is doing her second year of Self Awareness and bullying for all ages, which she provided information.

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

Budget Officer Stewart Patri congratulated the Board and the County on receiving a AA Rating on the Behavioral Health COP's which were issued on December 26th. The COP's will be taken to market tomorrow for pricing it will be a competitive bid process. The CAO's office will be monitoring the sale of the COP's and will bring an update to the Board at the next meeting. He said that the interest rates are still low in the market today that is a very positive for timing of this issuance.

CAO Ray Espinosa also thanked staff and many departments who worked on this.

Behavioral Health Director Alan Yamamoto gave an update on one of their contractor's Sun Streets and the progress that they have been making with them.

County Counsel Barbara Thompson announced that there was an item that had been publicly noticed in the paper for Swank Farms. Notices were sent out that it as going to be taken off calendar because the applicant withdrew their request. She asked if there was anyone here to day for that item that would like to speak if the Chair allows.

There was no one from the public present to speak on that item.

CAO Ray Espinosa announced that Item #25 must be heard after the closed session items.

**f. Board Announcements: Information Only**

Supervisor Jim Gillio said that he is excited and ready to work in 2020 and have a great year.

Supervisor Anthony Botelho wished the public a Happy New Year, hopes that it is a healthy and prosperous year for everyone. Reported that he attended RCRA meeting and one of the discussions were the power safety shutoffs and how it affected the Rural Counties. They took a position on Proposition 13, the public school K-12 and college safety bond act of 2020, which will be voted on in the March Election. RCRC took a no position on this. He said that yes on K in very important to this County. He thanked the Democratic and Republican central committee for their support on this.

Supervisor Peter Hernandez said that he is looking forward to 2020 being an exciting year. He said

that they are working on revising the Hemp ordinance and working on Economic Development in our County.

Chairman Jaime De La Cruz thanked the public for trusting in us as Supervisors and the whole San Benito County family.

## 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 (#1-18) with the exception of Item #1, #2, #4, #6, #15 which were pulled for discussion and Item #13 Supervisor Gillio recused himself from:

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 Aurora Behavioral Health for inpatient, acute psychiatric hospital services for the period of July 1, 2019 through June 30, 2020, for a maximum amount not to exceed \$78,000.00.

SBC FILE NUMBER: 810

This item was pulled by Supervisor Gillio asking why we are approving contracts that go back to July 2019 & 2018, for Item #1 and #2.

Behavioral Health Director Alan Yamamoto provided information on both of the contracts.

Supervisor Gillio said that his only concern is possible litigation or liability issues.

### MOTION:

Motion to approve contract per staff recommendation:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Peter Hernandez**

**5 - 0**

For (5):

Against (0):

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

### 2. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract with the Dept. of Health Care Services (DHCS), Contract

Agreement # 18-95267, for the Term of July 1, 2018 to June 30, 2021; and adopt Resolution accepting the Mental Health Services Performance Contract as provided by the Dept. of Health Care Services (DHCS).  
SBC FILE NUMBER: 810  
RESOLUTION NO: 2020-1

This item was pulled by Supervisor Gillio asking why we are approving contracts that go back to July 2019 & 2018, for Item #1 and #2.

Behavioral Health Director Alan Yamamoto provided information on both of the contracts.

MOTION:

Motion to approve contract per staff recommendation: Made by Supervisor Jim Gillio and seconded by Supervisor Peter Hernandez

**5 - 0**

For (5):

Against (0):

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

**3. BOARD OF SUPERVISORS**

Approve the appointment of Christina Andrade and Deanna Trinidad to the Long Term Care Commission for the period of January 14, 2020 to January 1, 2023.

SBC FILE NUMBER: 156

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

Adopt a procurement card program for County purchases, approve the modifications and updates to the San Benito County Procurement Card Policy, and delegate authority to the County Administrative Officer to make minor changes and updates that don't substantially alter the Policy.

SBC FILE NUMBER: 119

Clerk/Auditor/Recorder/Controller Joe Paul Gonzalez provided information on the role of the Auditor's Office and clarification on the item.

Discussion ensued by Board and staff.

MOTION:

Motion to approve per staff recommendation: 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*

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

Receive the Annual Impact Fee Report for 2018-2019.

SBC FILE NUMBER: 119

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

Grant Authority to the CAO to negotiate and execute a Mutual Confidentiality

and Non-Disclosure Agreement with Big League Dreams USA, LLC ("**BLD**"), a California Limited Liability Corporation, on behalf of the County, subject to County Counsel approval, and grant authority to CAO to execute future Non-Disclosure Agreements on behalf of the County for other projects, subject to County Counsel approval.  
SBC FILE NUMBER: 119

This item was pulled by Supervisor Anthony Botelho and the public.

Supervisor Botelho said that he had a concern in regards to the non-disclosure agreement. He also wondered if the Parks Commission had been involved in this ,as this is why we have the Parks Commissions.

CAO Ray Espinosa gave a brief highlight. He said that the Ad Hoc committee has been meeting the last year. Some of the concerns that the Ad Hoc committee has ran up against is the 2012 plan consisted of property where there are solar panels. We have been looking at the entire project and all options. Spoke about the Company coming to the Board with a presentation. He said that this is not to move forward with the project but to look at options.

Supervisor Botelho asked if we demolished the Parks & Recreation Commission. He said that we spent a lot of money on a parks plan for that area and now we are kind of changing that. He said that there should be a process with community input through the commissions and work with the City on this along with the public.

Supervisor Peter Hernandez asked what is there to present.

CAO Espinosa said that we have no commitment at this time. The Board made an Ad Hoc committee to work on this and bring back to the committees.

Supervisor Mark Medina asked if the Park Commission and R.E.A.C.H. committees had been spoken to about this.

Supervisor De La Cruz said that this is not about entering in to an agreement, it is the beginning process of them sharing with us how they create parks. If we enter in to this agreement we will involve all of the other committees and members to participate.

Supervisor Jim Gillio said that he thinks it is a good idea but was under the impression that the Ad Hoc committee was meeting with all these folks and that this was the direction that they wanted to go. He said that weigh in is critical from all of the groups.

Supervisor Botelho suggested that they go to one of their meetings and get it agendized for discussion.

Chairman De La Cruz said that they will reach out to the other organizations and get them involved.

Discussion ensued by Board and staff.

**Public Comment:**

Robin Pollar with R.E.A.C.H. said that they are not opposed to the Sports Complex in anyway, we are advocating for the trail. She said what ever sports complex is put in that there is access to the river at all times. She said that she attends the Park and Recreation meetings for the City and they too have very few people that show up for their meetings.



Valerie Eglund spoke about the Parks Master Plan that was created by the Parks and Recreation Commission and that it specified a general map of what should be in there. It was specified in that plan that private partnerships could be sought after to create a Sports Complex that could finance the continued health of that park. She said definitely R.E.A.C.H. is for the public private partnerships that would enhance that park and keep it sustainable over the years. She asked if the City of Hollister and the Board of Supervisors partnered in looking at those plans, partnering is very important.

Bea Gonzales, Hollister resident, said by signing a non-disclosure item is going to bind you from sharing information with the public. She understands that the Sports Complex is something that is needed in the community, but the lack of transparency is keeping the community in the dark. She said that she encourages the Board not to sign it.

Elia Salinas said that signing a non-disclosure agreement is exactly what it is, you are not allowed to disclose information. She said that it is imperative that you just not rely on this one company. You need to be inviting everyone to participate and the Parks Commission needs to be involved.

Anita Kane, R.E.A.C.H. thanked the Board for moving along on the Parkway. She said in regards to the Big League Dreams conversation try and stay competitive with others out there.

Chairman De La Cruz said that one of the reasons that this came before the Board today for consideration was to take advantage of how Big League Dreams, Twin Creeks makes it. We just wanted to grab their information, not enter in to any future contract with them. He said that the advice that I am hearing is that we should go back to the drawing board and invite other groups. He said that he has no problem with that. He said that we need to make sure that we do this right. He said that the main thing is that we need to work forward on building a Sports Complex because that is an economic boost for our community.

CAO Espinosa said that we are not solely looking at this we are also putting it out to the company that did our master plan to have them give us a price revising that completely with all the different land as well as other companies. He said that we will reach out to the Parks and Recreation Commission.

Supervisor Hernandez clarified that the trips that were mentioned that they took were on their own time on a Sunday, which was the Ad Hoc of the City and County that was created. We visited several places not just Big League Dreams. He said that he is okay to table this and reach out to the other organizations for their weigh in, but we need to stay on task.

Supervisor Botelho said that he knows everyone has been working hard on this, just think that a non-disclosure agreement is premature. We need to look in to a lot of things.

County Counsel Barbara Thompson said that there is a second part to this, delegating authority to the CAO to execute future non-disclosure agreements on behalf of the County for other projects, subject to County Counsel's approval.

Motion under question by Supervisor Botelho, are we going to table this.

Chairman De La Cruz replied yes.

MOTION:

Motion to ask the Ad Hoc committee to meet with the Parks and Recreation Commission and other stakeholders and bring this back to the Board at another date and time:

Made by **Chairman Mark Medina** and seconded by **Supervisor Jim Gillio**

**5 - 0**

For (5):

Against (0):

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

**7. HEALTH & HUMAN SERVICES AGENCY - T. BELTON**

Approve the Return of Seven (7) Leased Vehicles and Execute Lease Agreements with Enterprise Fleet Management for the Lease of Eight (8) Vehicles

SBC FILE NUMBER: 130

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

Approve contract for IWM management services with CSG for the period of January 15, 2020 through June 30, 2020 for \$116,000; County portion of this cost is \$58,000 since costs are shared with cities of Hollister and San Juan Bautista for IWM Regional Agency costs.

SBC FILE NUMBER:105

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

Approve contract with HGHB Architecture, Planning and Urban Design for the period of January 14, 2020 through December 31, 2021, in the amount of \$68,000.00 for architectural services for the replacement of the existing jail air handling units.

SBC FILE NUMBER: 790

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

Approve change order authorization for RMA Director in the amount of \$270,427.50 or approximately 3.7% of the contract total for the construction of the new Behavioral Health Center pre-engineered buildings.

SBC FILE NUMBER: 790

**11. RESOURCE MANGEMENT AGENCY – H. MAVROGENES**

Approve Plans, Specifications and Bid Solicitation of the New Behavioral Health Center Site Work Package - PWB-1810; and authorize the adverting for bids.

SBC FILE NUMBER: 790

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

Adopt Resolution (1) Ratifying the County Administrator's letting of contracts to remediate local emergency; (2) Confirming the County Administrator's authority to enter into emergency contracts pursuant to public contracts code 22050 of the California public without competitive bidding; (3) Finding that there is a need to continue such emergency action, pursuant to section 22050 of the California public contract code; and (4) Finding that the repair work is statutorily exempt from the California environmental quality act (CEQA) under CEQA guideline section 15269(c) for emergency projects. (4/5 vote required)

SBC FILE NUMBER: 105  
RESOLUTION NO: 2020-2

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

Adopt resolution to accept and consent to record Grant Deed from 9351 Fairview, LLC, UP 1062-12, also commonly known as Chiala Farms, located at 9351 Fairview Road.

SBC FILE NUMBER: 105  
RESOLUTION NO: 2020-3

14. **RESOURCE MANGEMENT AGENCY – H. MAVROGENES**

Accept all bids for the PWB-1910 Cienega Road – Roadway Embankment Reconstruction – ER-32LO (426) & ER-32LO (427), find Precision Grade Inc. as the lowest responsive responsible bidder, award contract to Precision Grade Inc. in the amount of \$125,190.00, approve contract and authorize the RMA Director to execute the contract upon receipt of all contract documents required in the Invitation for Bids, and authorize the RMA Director to issue contract change orders in an amount of not to exceed \$12,519.00 (10 % of Contract Amount).

SBC FILE NUMBER: 105

15. **RESOURCE MANAGEMENT AGENCY- HARRY MAVROGENES**

Authorize the County Administrator to purchase two ¾ ton pick up trucks to replace two vehicles due to insurance loss; approve budget adjustment in the amount of \$72,000.00. (4/5 vote)

SBC FILE NUMBER: 105

This item was pulled by Supervisor Peter Hernandez with a question in regards to insurance coverage.

RMA Director Harry Mavrogenes provided information.

Edgar Nolasco provided additional information.

MOTION:

Motion to approve per staff  
recommendation:

Made by Supervisor Peter Hernandez and seconded by  
Supervisor Jim Gillio

**5 - 0**

For (5):

Against (0):

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

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

Approve a Contract with Vanir Construction Management, Inc. for the Measure G-SB 1-Enterprise Funded QSRIP services, increase compensation in an amount not to exceed of \$2,159,127.00, and the term of the contract from this date of approval to December 31, 2021; Authorize the RMA Director to execute the Contract with Vanir Construction Management, Inc.; Find it to be in

the public interest to sole-source contract for the above-mentioned work under section 5.09.010(A) of the San Benito County Code.  
SBC FILE NUMBER: 105

17. **SAN BENITO COUNTY RESOURCE CONSERVATION DISTRICT**

Approve the appointment of Veronica Stork as Director of the San Benito Resource Conservation District for a term effective January 14, 2020 to November 27, 2020.

SBC FILE NUMBER: 1059

18. **TREASURER/TAX COLLECTOR - M CASILLAS**

Adopt a resolution, delegating authority to the San Benito County Treasurer to invest and reinvest County funds and the funds of other depositors in the County Treasury, or to sell or exchange securities subject to the guidelines set forth in the County's Investment Policy.

SBC FILE NUMBER: 685.2

RESOLUTION NO: 2020-4

**FINANCE CORPORATION**

19. **(The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito County Financing Corporation)**

a. Acknowledge Certificate of Posting.

b. Public Comment. Opportunity to address the Board on items of interest not on the agenda.

**MOTION:**

Motion to acknowledge the  
Certificate of Posting:

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*

20. **CONSENT AGENDA**

Approve the action minutes of the January 15, 2019 Annual meeting and the February 5, 2019 regular meeting.

**MOTION:**

Motion to approve the minutes  
as presented:

Made by **Chairman Mark Medina** and seconded by  
**Supervisor Peter Hernandez**

**4 - 0**

For (4):

Against (0):

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

21. **REGULAR AGENDA**

Appointment of officers for the year 2020:

President  
Vice-President  
Secretary-Treasurer

MOTION:

Motion to appoint Jaime De La Cruz as President.  
Jim Gillio Vice-President, Melinda Casillas  
Secretary-Treasurer:

Made by **Supervisor Anthony Botelho**  
and seconded by **Supervisor Peter**  
**Hernandez**

**4 - 0**

For (4):

Against (0):

Ayes: Botelho, De La Cruz, Hernandez, Medina

The Board will adjourn as the Board of Directors of the San Benito County Financing Corporation and reconvene as the Board of Supervisors.

**PUBLIC HEARING**

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

Hold Public Hearing regarding extension of the 45-day urgency ordinance establishing a temporary moratorium on the cultivation of industrial hemp for up to an additional ten (10) months and fifteen (15) days. Adopt ordinance extending the temporary moratorium on the cultivation of industrial hemp (4/5 vote required.)

SBC FILE NUMBER: 156

ORDINANCE NO: 1000

Assistant County Counsel Joel Ellinwood provided information to the Urgency Ordinance to continue the moratorium on Hemp. He said today we are asking the Board to adopt ordinance extending the temporary moratorium on the cultivation of industrial hemp as it needs to go back to the Planning Commission and depending what they do it will come back to our Board.

Supervisor Anthony Botelho thanked staff and all departments for working so diligently on getting this done. He said that he thinks that they have been very thorough on the changes to the ordinance.

Supervisor Peter Hernandez said that it has been a lot of hard work but I think we have been able to get it done with all of the stakeholders help.

Supervisor Mark Medina commended Supervisor Hernandez and Botelho for working so quickly on this. He said that the Planning Commission is schedule for 6:00 p.m. here on Wednesday, January 15th.

County Counsel Barbara Thompson read the title of the ordinance in to the record.

MOTION:

Motion to Adopt Ordinance 1.000 regarding extending  
the temporary moratorium on the cultivation of  
industrial hemp:

Made by **Supervisor Peter**  
**Hernandez** and seconded by  
**Chairman Mark Medina**

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.*

### **23. COUNTY CLERK-AUDITOR-RECORDER-ELECTIONS - J. P. GONZALEZ**

Receive an informational presentation from the Department of Elections on current trends, legislation impacting the voters and conducting of Elections.

**SBC FILE NUMBER: 285**

County Clerk/Auditor/Recorder/Elections Joe Paul Gonzalez said that they are here today to discuss the new legislative changes and how their Election Department is dealing with those new changes.

Angela Curro, Assistant County Clerk/Recorder/Registrar of Voters, provided a PowerPoint presentation along, Joe Paul Gonzalez and Francisco Diaz on the changes: California State Legislature New California Election Laws for 2019; California State Assembly (30+ new Election Administration-Related Bills); AB 17-Voter Protection Act Vote-by-Mail Ballots; AB 49-CA Voter Protection; AB 59-Voting Access: Polling Places/Vote Center on College Campus; AB 201-Mass Mailings; AB 571-Contribution Limits; AB 679-Voter Qualification: Residence and Domicile; AB 693-Conditional Voter Registration: Ballot Adjudication; AB 730-Campaign Materials: Deceptive Media; AB 849-City and County Redistricting; AB 864-Mass Mailing & Disclosures; AB 909-Statement of Acknowledgement; AB 1707-Electronic Devices in Polling Places; California State Senate (12+ New Election Administration-Related Bills); AB 47-Petitions: Official Top Funder Disclosure; SB 71-Campaign Expenditures; SB 72-Conditional Voter Registration: Provisional Balloting; SB 523-Elections: Vote-by-Mail Ballots; Future Outlook (Policy making and Implementation); Last 4 Year Summary; 135+ Bills that have affected 880+ Election Codes; AB 1461-New California Motor Voter Program; No Party Preference-Voter Registration Trend; New Administrative Changes-Customer Service; Thinking outside the box - The Elections Department will be launching the County Employee Election Worker Program; Elections Personnel; SB 72-Same Day Voter Registration-Voters in Line; Election Security; AB 3075-Office of Elections Cybersecurity; Questions.

Mr. Gonzalez said with the changing of the Primary from June to March, they will have to put in a lot of time to have it come off perfect. Our staff has been working since November with no days off. He said that it is a honor and a pleasure to serve as a Registrar of Voter here along with his devoted staff.

Report only.

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

Accept Fiscal Year 19/20 Quarter One Financial Report.

**SBC FILE NUMBER: 119**

Budget Officer Stewart Patri provided report. Items covered were: Budget Performance-General Tax Revenue through 9/30/19 - Highlights; Revenue Comparison-5 year; General Fund Salary and Benefit Expenditures; General Funder Overtime Expenditure; Other Funds Expenditures; Vacancy Rate; General Fund Contingencies Balance as of 9/30/19; Questions.

Report only.

**25. RESOURCE MANAGEMENT AGENCY - H. Mavrogenes**

Adopt Resolution relating to Finalization of the Acquisition of Real Property located on Buena Vista Road (APN 019-230-002-000) from Graniterock Company and acceptance of deed subject to final CAO approval.

SBC FILE NUMBER: 790

RESOLUTION NO: 2020-5

County Counsel Barbara Thompson provided information on the item.

MOTION:

Motion to Adopt Resolution 2020-5 relating to Finalization of the Acquisition of Real Property located on Buena Vista Road from Graniterock Company and acceptance of deed subject to final CAO approval:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Peter Hernandez**

**5 - 0**

For (5):

Against (0):

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

**CLOSED SESSION**

County Counsel Barbara Thompson read the closed session items in to the record (#26, #27, #28, #29) Item #30 will be heard if the Board decides to hear it on Item #29.

The Board adjourned to lunch at 12:00 noon will return at 1:00 p.m. to closed session.

The Board reported out of closed session.

There was no reportable action on #26, #27, #28. On #29 there was a 4/1 vote to go in to closed session on #30.

County Counsel Barbara Thompson read Item #30 into the record. The Board adjourned in to closed session on item #30.

The Board reported out of closed session on Item #30, there was no reportable action.

*Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) and (b), Ralph M. Brown Act.)*

**26. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY**

**NEGOTIATOR**

Property: (019-230-030, formerly before lot line adjustment 019-230-002), on the South side of Buena Vista Road, west of the City of Hollister, where Buena Road makes 90 degree turn to the North)

California Agency Negotiator(s): Ray Espinosa, CAO; Barbara Thompson, County Counsel; G. Michael Ziman, Deputy County Counsel

Under Negotiation: price and terms of payment

Authority: California Government Code section 54956.8

SBC FILE NUMBER: 235.6

No reportable action.

**27. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

No. of cases: 3 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.

Name of Case: Award Homes, Inc. v. County of San Benito, City of Hollister, et. al., Sixth Appellate District, Court of Appeals Case No. H044894)

Name of Case: Preserve Our Rural Communities v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-19-00174.

Name of Case: 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.

**28. CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Section 54956.8**

Property street address: 1030 Caputo Court, Hollister, CA 95023

Agency Negotiators: Ray Espinosa, County Administrative Officer; Enrique Arreola, Deputy Director HHSA, Tracey Belton, HHSA Director, County Counsel Barbara Thompson

Owner: Abbas Raissi

Under Negotiation: price and terms of payment

SBC FILE NUMBER: 235.6

No reportable action.

**29. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation - No. of cases 1 (Gov. Code sec 54956.9 (d) (3), meeting only to decide whether a closed session is authorized pursuant to (d)(2); County Counsel Barbara Thompson; Assistant County Counsel Joel Ellinwood.

SBC FILE NUMBER: 235.6

No reportable action.

**30. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation - No. of cases 1 (Gov. Code sec 54956.9 (d)



(2), (e)(1), (e)(2); County Counsel Barbara Thompson; Assistant County Counsel Joel Ellinwood.  
SBC FILE NUMBER: 235.6

No reportable action.

## **ADJOURNMENT**

MOTION:

Motion to adjourn the meeting at 2:56 p.m.: Made by **Supervisor Jim Gillio** and seconded by **Supervisor Peter Hernandez**

**5 - 0**

For (5):

Against (0):

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

**Adjourn to the next regular meeting of February 4, 2020.**

*NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at [www.cosb.us/government/meetings-agendas/](http://www.cosb.us/government/meetings-agendas/). All proposed agenda items with supportive documents are also available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday (except holidays). This is the same packet that the Board of Supervisors reviews and discusses at each Board meeting.*

*As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.*

*In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.*