



SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina
District No. 1

Anthony Botelho
District No. 2

Peter Hernandez
District No. 3

Jim Gillio
District No. 4
Vice-Chair

Jaime De La
Cruz
District No. 5
Vice-Chair

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

REGULAR MEETING MINUTES February 4, 2020 9:00 AM

Mission Statement

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

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

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

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

CALL TO ORDER

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

a. Pledge of Allegiance

**Pledge of Allegiance to be led by Supervisor Anthony Botelho,
District #2.**

The Pledge of Allegiance was led by Supervisor Anthony Botelho. Supervisor asked for a moment of silence for two dedicated servants that have passed away since our last meeting; Tony Boch

from San Juan Bautista and former Health and Human Services Director for San Benito County James Rydingsword.

b. **Acknowledge Certificate of Posting**

Certificate of Posting.

MOTION:

Motion to Acknowledge the
Certificate of Posting:

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

5 - 0

For (5):

Against (0):

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

c. **Presentations and Recognitions**

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:

Judi Johnson, on behalf of the San Benito County Retirees, spoke about having an item be placed on the February 18th meeting so that the retirees can attend in regards to a petition.

Cynthia Hansen, Hollister resident, spoke of her concerns about safety on Freitas Road, there are no lines and can't see anything.

Valerie Eglund, San Juan Bautista resident, spoke about the Vet's Park Commission meeting that she attended and how there is little communication and the need to improve on that and how the Board needs to appoint dedicated people to the commissions and use the commissions tools. She spoke about the need to understand the value of our parks and move that forward with our commissions.

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

CAO Ray Espinosa asked that the Board move Item #15 (Public Hearing) to be the first public hearing and staff is asking to completely remove Item #4 and #19 from the agenda.

Health and Human Services Director Tracey Belton spoke in regards to 2 cases that were confirmed over the weekend of the (Covid-19) Coronavirus. She spoke of what they are currently doing to protect the well being of County residents. She reminded everyone to wash your hands regularly, cover your cough or sneeze and stay home if you are sick and go and get the flu shot.

CAO Ray Espinosa introduced our new OES Manager Kris Mangano.

Ms. Mangano said that she looks forward to her new role and overseeing the Office of Emergency Services.

CAO Ray Espinosa introduced Devii Rao our new Director for U.C. Cooperative Extension in San Benito County.

Ms. Rao thanked the Board for the opportunity to speak to them this morning. She provided some background information about cooperative extension and what she will be doing with the ranchers in San Benito County in the livestock program along with the 4-H program and other programs.

Librarian Nora Conte announced that they kicked off their college books for students program this week and we have quite a few students from Gavilan College. They can check out the books for three hours and some for a whole day and bring them back. She also announced on March 15th is their Annual Fundraiser for the Library.

County Counsel Barbara Thompson reported that Item #5 on the consent agenda had some changes to it that came after the posting of the agenda, which she provided the changes.

Dulce Alonso and Edgar Nolasco provided an update on EDC. Spoke about a training they had that was hosted by EDC and they spoke about bringing in businesses and focused on rural counties and our rural hospitality.

Budget Officer Steward Patri provided an update on the Behavioral Health building COP's, the county received a 2.49% interest rate, that was the lowest bid. He said that was great and that it is going to be a savings of about \$50,000 per year. He said that he would be bringing a report at the next meeting to close out this transaction.

f. Board Announcements: Information Only

Supervisor Jim Gillio attended a few of the meetings that Gavilan College had in town. They have selected Damion Felice as their project manager for the San Benito County campus which is at Fairview Road and Highway 25. He thanked the Road Department for all their time and working with him on District 4 road concerns. He spoke about the Esperanza Center downtown and attending meetings with with Kinship and Sun Street. Stopped by Jefferson School last week and it was beautiful out there.

Supervisor Anthony Botelho thanked the Roads Department and Resource Management Agency for moving forward and doing a really good job on the Salinas grade. He said that he wasn't happy with the committee appointments at the last meeting, but it is what it is, particularly with COG. He highlighted a couple of things that are in the works with COG; an RFP for a project management firm to help strategize and use Measure G transportation finances and a project feasibility study. He said that he hopes that the new appointees will report back to the Board on these issues.

Supervisor Peter Hernandez reported that he attended a RCRC meeting and had conversations about broadband and issues with roads. Had a meeting with the new San Juan Bautista City Manager Donald Reynolds and spoke about economic development and working with San Juan Bautista and the EDC. Attended an Ad Hoc Library meeting on the feasibility study project with Supervisor Gillio. Attended a meeting with the High School in regards to parking lot project and lease agreement. Had a Vet's Park Commission meeting last night it was good to see all of the different teams in attendance and wanting to work together. We are going to have a better park for everyone in our community. Thanked Supervisor Botelho for speaking on Measure K at the election forum that the Board of Supervisors are supporting.

CONSENT AGENDA

These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified on the Agenda Item Transmittal.

If any member of the public wishes to comment on a Consent Agenda Item, please fill out a speaker card, present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

MOTION:

Motion to approve the consent agenda (Items 1-11), removed Item #4 from the agenda: Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

5 - 0

For (5):

Against (0):

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

1. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract with James Featherstone, Consultant for the period of February 4, 2020 to June 30, 2020, for a total sum not to exceed \$75,000.00.
SBC FILE NUMBER: 810
2. **BOARD OF SUPERVISORS**
Approve Certificate of Recognition for 2020 San Benito County Chamber of Commerce's 99th Annual Awards Dinner Dance for the following honorees: Chamber of Commerce Man and Woman of the Year; Ambassador of the Year; Large Business of the Year; Entrepreneur Businesses of the Year; Agricultural Business of the Year; Non-Profit Organization of the Year; Service Business of the Year; Green Business Leader. To be presented at the awards dinner on February 22, 2020 at Leal Vineyards.
SBC FILE NUMBER: 156
3. **CLERK OF THE BOARD OF SUPERVISORS - J. SLIBSAGER**
Approve the action minutes of the September 24, 2019 regular meeting, October 8, 2019 regular meeting, October 22, 2019 regular meeting and the November 5, 2019 regular meeting.
SBC FILE NUMBER: 119
4. **COUNTY ADMINISTRATION OFFICE - R ESPINOSA**
Delegate authority to CAO to execute contract with Nielsen Merksamer for a five (5) month period to represent the interest of San Benito County at the State level in the amount not to exceed \$30,000.00.
SBC FILE NUMBER: 119

This item was pulled from the agenda by the CAO Ray Espinosa.

5. **COUNTY ADMINISTRATION OFFICE - R ESPINOSA**
Grant Authority to the CAO to execute a Non-Disclosure Agreement with Trical, Inc., EMC Planning Group, Inc., Pacific Crest Engineering, Inc., and

Trinity Consultants, Inc., on behalf of the County, subject to County Counsel approval.

SBC FILE NUMBER: 119

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

Approve the re-appointment of Ms. Kristi Alarid, as a Private Sector representative to the Workforce Development Board (WDB) for a three-year term effective 12/10/2019 through 12/10/2022.

SBC FILE NUMBER: 130

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

Approve new appointment of Ms. Cynthia Larca, as a Public Sector representative to the Workforce Development Board for the term effective 1/14/20 through 1/14/23; approve the re-appointment of Mr. Richard Bianchi, as a Private Sector representative to the Workforce Development Board for the term effective 1/14/20 through 1/14/23.

SBC FILE NUMBER: 130

8. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**

Authorize the leasing of one vehicle through the County's Enterprise Fleet Management Master Equity Lease Agreement for FY 2019-2020, for the amount of \$38,409.79 with a 10% contingency.

SBC FILE NUMBER: 510

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

Approve a contract with MNS Engineers, Inc., to provide construction contract administration, engineering, inspection, and materials testing services for the construction of the PWB-1911 Hospital Road Bridge - Low Water Crossing Replacement Project – FAP No. BRLKS-NBIL(501) in the amount not to exceed \$1,498,880.02; Authorize the Chair, Board of Supervisors. to execute the Contract with MNS Engineers, Inc.

SBC FILE NUMBER: 105

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

(1) Approve a contract with James Sommerville, Inc., for CSA 46 Quail Hollow on Wild Oak Drive Roadway Settlement and Park Slope Repair and CSA 46 Quail Hollow on Quail Hollow Drive Roadway and Drainage Repair, in the not to exceed amount of \$139,000 and authorize the RMA Director to execute the contract upon receipt of all contract documents required; (2) Adopt Resolution, declaring an on-going emergency and allowing emergency repairs to be completed pursuant to Public Contracts Code section 22050, for CSA 46 roadway settlement and park slope repairs and CSA 46 roadway and drainage repairs, without further competitive bidding, and finding that the repair work is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15268(c) for emergency projects (4/5 Vote required); (3) Adopt Resolution establishing a revolving fund and authorizing appropriation of funds to the revolving fund for the benefit of CSA 46, and establishing terms for repayment, for a five (5) year loan in the amount of \$69,000, with no interest, to help fund the needed repairs(4/5 Vote required);

and (4) Approve budget augmentation and transfer from Traffic Impact Fee Fund in the amount of \$69,000 (4/5 Vote Required).

SBC FILE NUMBER: CSA #46

RESOLUTION NO: 2020-6

RESOLUTION NO: 2020-7

11. **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: 2020-8

PUBLIC HEARING

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

Hold a public hearing to approve 2019 California Building Codes adoption with local amendments; Introduce the ordinance by reading the title and waiving further reading; Receive any public testimony from anyone wishing to address the item; Continue the public hearing until the February 18, 2020 Board meeting for final adoption.

SBC FILE NUMBER: 790

Associate Planner Michael Kelly spoke about the proposed zone change at 151 Ridgemark Drive for an approximately two-acre portion for commercial C-2 zoning and the adoption of an ordinance. Staff recommends that the Board review this information, hold public hearing and hear any proponents of the project, accept the introduction and waive further reading and adopt the ordinance as recommended by the Planning Commission.

Discussion ensued by Board and staff.

Geary Coats, Coats Consulting, thanked staff for the presentation. He said that they had two projects, one in 2010 and they re-designed it and came up with this proposal today. He said that they have met with the association and they want this project and we want this project. He said that they are looking at a projected time schedule, if approved, late summer or fall to start construction.

Chairman Jaime De La Cruz opened the public hearing. There were no one wishing to speak.

Chairman De La Cruz closed the public hearing.

Assistant County Counsel Joel Ellinwood read the title of the ordinance for the record.

MOTION:

Motion to Adopt Ordinance 1.001 per staff recommendation:

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

5 - 0

For (5):

Against (0):

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

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

Conduct a public hearing to consider the Planning Commission recommendation and the adoption of an ordinance to amend the zoning map for an approximately two-acre portion of Assessor's Parcel 020-330-042 located at 151 Ridgemark Drive, 800 feet south of the Airline Highway–Fairview Road–Ridgemark Drive intersection, unincorporated San Benito County, from Single-Family Residential (R1) to Neighborhood Commercial (C-2).

SBC FILE NUMBER: 790

ORDINANCE NO: 1,001

Assistant County Counsel Joel Ellinwood introduced the item and provided information on the 2019 California Building Codes ordinance. He said that this would be a two part process where they would be reading the title, waving further reading, receive public comment and continue the public hearing to February 18th for adoption.

Chairman Jaime De La Cruz opened the public hearing.

Building Official Gary Lepori provided information in regards to the building codes.

Chief Bedolla said that this ordinance is consistent with the state laws and regulations. He said that insurance companies have the final say.

This item is being continued to the February 18, 2020 meeting for adoption.

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

Hold Public Hearing, and Adopt a Resolution making findings, Read title of the ordinance for the record, waive formal reading of the ordinance and adopt ordinance amending the County's sign ordinance as a result of the Supreme Court case Reed v. Town of Gilbert.

SBC FILE NUMBER: 160

RESOLUTION NO: 2020-9

ORDINANCE NO: 1,002

County Counsel Barbara Thompson provided information in regards to the minimal changes to the sign ordinance as a result of the Supreme Court case. She read the title of the ordinance for the record.

Chairman Jaime De La Cruz opened public hearing. There was no one wishing to speak.

Chairman De La Cruz closed the public hearing.

MOTION:

Motion to Adopt Ordinance 1,002 as
presented by County Counsel:

Made by Supervisor Anthony Botelho and
seconded by Supervisor Peter Hernandez

For (5):

Against (0):

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

15. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Receive and review the Planning Commission recommendations and a staff presentation, open the public hearing and receive comments from the public, close the public hearing, discuss the proposed amendments and alternatives, and adopt an ordinance making the proposed amendments to the Hemp Entities provisions of Chapter 7.04 of the San Benito County Code.

SBC FILE NUMBER: 160

ORDINANCE NO: 1,003

Assistant County Counsel Joel Ellinwood commended staff and the Ad Hoc committee for all of their hard work in such a short time frame so that the moratorium could be terminated in time for the upcoming cultivation season. He recognized Agricultural Commissioner Karen Overstreet, Deputy CAO Edgar Nolasco, Captain Eric Taylor from the Sheriff's Department, Dulce Alonso from the CAO's Office and other members of the staff for their contribution.

He provided a PowerPoint presentation on the Hemp Ordinance Amendments which provided the following: Background information; Key features of amendments: Hemp Exclusion Zone recommendations by the Ad Hoc Committee and Stakeholders.

Supervisor Peter Hernandez said that being part of the Ad Hoc committee they have done a lot of work on this as Hemp is new for us. He highlighted the general plan element in regards to the wine and hospitality district.

Supervisor Anthony Botelho thanked staff that worked on this in such a very short time. He said that we are still learning about the Hemp Industry and that there may be some changes that we will have to make going forward, but this sets us with some real firm footing to go forward.

County Counsel Barbara Thompson clarified the motion that would be done today; read the title of the ordinance for the record; accept introduction, waiver further reading and adopt ordinance recommended by the ad hoc committee referenced as the compromised ordinance presented today with the amendments to Tres Pinos if they wish to.

Discussion ensued by Board and staff.

Chairman De La Cruz opened the public hearing.

Those speaking from the public were: Sandy Matthews, Vineyard Manager, spoke about at night and the lights shining in the windows, the sounds of forklifts running 24 hours a day, the odor, the trash on the road the increase of traffic and trespassing taking place on Cienega Road.

Christian Pillsbury, Vineyard owner on Cienega Road, said that he supports Hemp cultivation in San Benito County and wants to be a good neighbor. He said the Hemp organization also needs to be good neighbors. There are 3 months for the cultivation which is also their peak season for tourism which helps them pay for their staff, etc. He asks that we both preserve healthy growth of business and also preserve the bushiness that are already operating in these areas. He said that he supports the amendment because they can't move.

Michael Halperin, Frazier Lake Farm, addressed the criminal activity the last 6 years. He said that they have had a 60% decrease in crime since the growers came on Union Road. He said that it is hard to address the odor that is a no win. He said that they have tried to keep the mud off the road.

Tony DeRose, Manager/property owner on Cienega Road, urges the Board to move forward on this ordinance. Spoke of exclusion zone being implemented.

Wayne Norton said that there has been a lot of good work done on this amendment. Commended the Ad Hoc committee and staff. Spoke about the exclusionary zone around Tres Pinos he suggested that the same thing should happen in Aromas. He would recommend including Aromas and the Aromas Water District for the exclusionary zone.

John Starkweather, resident on McCloskey Road, commended the Board for trying to protect them as homeowners with a one mile buffer. He said that he feels for the wine industry.

Cory Warren, wine maker/owner, said that there is no study that shows there is any negative impact to grapes. He said that the smoke from wildfires have cost the wine industry billions of dollars. He said until there is any long term study's showing the impacts I don't think we can afford to keep these together at this time.

Jack Kirk, North County resident, said that he is behind the ordinance and appreciates the exclusions and thanked the Board and everyone that worked on this.

Cathy Kirk, North County resident, thanked the Board for their hard work and effort on this ordinance and supports it.

Denise Jensen, said she appreciated that the stakeholders were included and the Ad Hoc committee. I believe that they came up with a good conclusion. She said that on behalf of the Comstock Estate residents they would support these changes.

Elia Salinas said that she would like the Board to go forward with this ordinance. She said that we are here because there were some really bad neighbors. She said that she supports this industry and wants everyone to get along so that it can succeed.

Chairman De La Cruz closed the public hearing.

Supervisor Botelho thanked everyone that came out to speak. He said that he thinks that we made some progress with this ordinance and that the hardest part for him was the wine trail. He said that the ordinance addresses where we need to be at and learn as we go forward. He said that the point that was brought up about the Aromas Water District, hasn't heard any issues, but we need to keep an eye on it.

County Counsel Barbara Thompson said that if we could make a staff change to the ordinance, page 419 in Section 2C at the end of the first sentence of that section where it says for the exterior boundary any county service area and the Tres Pinos Water District. The motion would be to except the introduction, waiver further reading, and adopt ordinance recommended by the Ad Hoc committee identified as option b modified with the changes set forth today.

Supervisor Mark Medina spoke about the moratorium and the Ad Hoc committee (Supervisor Hernandez and Botelho) and how they brought back this ordinance in 56 days. He said that this is an ordinance that is going to affect the growers and the residents, we do listen and we do care. He

thanked everyone for their participation and Supervisor Botelho and Hernandez for a well expedited ordinance.

MOTION:

Motion to accept the introduction, waiver further reading, and adopt Ordinance No. 1,003 recommended by the Ad Hoc committee identified as option b modified with the changes set forth today adding the Tres Pinos Water District:

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

5 - 0

For (5):

Against (0):

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

REGULAR AGENDA

For each regular agenda item, the following schedule shall occur:

- a) Staff report.*
- b) Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.*
- c) Consideration by the Board.*

16. COUNTY LIBRARY- N. CONTE

Presentation of San Benito County Free Library Feasibility Study by Andie Morhous, Director of EMC Research, Incorporated, and Laura Crotty, Vice President of CliffordMoss and provide direction to staff.
SBC FILE NUMBER: 80

Librarian Nora Conte introduced Andie Morhous of EMC Research and Laura Crotty of CliffordMoss who would be making a presentation in regards to the Library Feasibility Study.

Laura Crotty, Vice President of CliffordMoss provided a PowerPoint on the following: the project goal: A feasibility due diligence study of a potential measure to address the San Benito County Library Needs; Background: Mission; Background: A Public Service; Background: Needs Assessment; Community Input: Board of Supervisors & County Office Administrator Interviews; Ad Hoc Committee meetings; Community Meeting.

Andie Morhous, Director of EMC Research, provided a PowerPoint presentation on the results of the survey that they did with the following: Methodology: Survey of likely November 2020 voters; conducted December 11-19, 2019; 510 interviews; A split-sample methodology was used to test two potential bond amounts; Survey was offered in both English and Spanish languages; San Benito County Supervisorial Districts: Supervisor District and % of Interviews; Key Findings: Viewed positive by many-particularly by those who are frequent visitors or live nearby; A large number of voters who show little awareness of the current condition and needs of the library; Voters prioritize projects that would support safety improvements, address basic repair, and make updates to accommodate current technology; Support today for a potential bond measure to construct an expanded library falls short of the 65% threshold required to pass; San Benito County: Right Direction/Wrong Track: Half of likely voters are generally feeling pessimistic about the direction of the County; Visiting of the Library: Few voters are visiting the library frequently, with more than half visiting the library rarely or not at all; Library Visits by Subgroups: Women, non-white, and younger

voters are most likely to frequently visit the library; Those with children and who live closer to the library are more likely to be regular visitors; Opinions of San Benito County Library: Many rate the job the library is doing and the overall quality of the library positively, however, about one-third of voters are unable to give a rating at all; Overall Job Rating by Visit Frequency: Those who visit the library more frequently give very positive ratings; San Benito County Library: Physical Condition, opinions about the physical condition of the library are split; Library Condition by Subgroups: Voters who are more familiar with the library, either by living nearby or visiting frequently are more likely to recognize an opportunity for updates; Perceived Need for Additional Funding: More than half of likely voters say they see at least some need for additional funding for the library; Perceived Need by Visit Frequency: Awareness of a need for additional funding is much higher among frequent visitors; Tax Sentiment: Over a half think it is crucial to have a high-quality public library, even if it means raising taxes; Nearly two thirds of San Benito County voters are wary of tax increases, generally, and many also have concerns about how local officials manage tax dollars; The Vote Today: Support today falls below the two-thirds threshold required for passage; there is no difference in support between the amounts tested; Potential Bond Projects: Projects that support safety improvements, general maintenance, and updates to accommodate current technology are important to voters; Other potential projects are also important to voters, but with less intensity; Additional Information: Updating the library to accommodate for the County's growing population, providing a space for children and teens to stay engaged, and providing the community with valuable resources are compelling reasons to support a bond measure; Other messaging are also compelling to voters, but with less intensity; Vote After Additional Information: Additional information does not impact support; Opposition Messaging: Opposition messaging is compelling to many; Vote Progression: Opposition messaging is effective and drops support of a bond measure; Conclusions and Recommendations: All the information here today tells me that a bond measure for the County Library does not appear feasible for the November 2020 ballot. However she does see the opportunity for continued outreach to voters to increase awareness. There may also be an opportunity to explore ways to refine other potential revenue measure efforts; Questions:

Supervisor Jim Gillio said that it was a pleasure to be part of the Ad Hoc committee. Thanked Nora and her team.

Supervisor Peter Hernandez said that he was also on the Ad Hoc committee and that he supports the Library but feels that there needs to be more homework done. Nobody wants more taxes.

Supervisor Anthony Botelho said that he feels that we do a great job with what little resources we have. He said that we need to look for partnerships with the school districts and the City of Hollister to expand our level of services.

Supervisor Mark Medina said that there are different ways to look at this, possibly state level bonds. He thanked everyone out there that supported this to help educate our children.

Supervisor Jaime De La Cruz thanked Nora for doing a good job along with the Friends of the Library. He said that the Supervisors will continue to support the Library.

Public Comment:

Richard Perez Sr., President of LULAC, said that he appreciates the report. We need to support after school programs and invest in the future. We need more steps taken to support it.

Tami Aviles, Coalition for a New Library, thanked the Board. She said that we did see a lot of positive things that came out of the study. The library does need help.

Susan Logue, Coalition for a New Library, thanked all of those that were involved. She said that

we want to keep going and look in to the future.

Jan Gist, Hollister resident, said that she urges the Board of Supervisors to move a head and select a sight, get some plans done because we cannot go to the State, we cannot ask for private help from a benefactor, until we have these basics done so that we can go out an reach for money.

Margie Barrios, Community member, thanked the Board of Supervisors as we have been working on this for quite sometime. She thanked Nora and her staff according to the results they are doing an excellent to good job. She thanked CliffordMoss for their research. She said it is obvious that we do need a new library but need funding. Unfortunately, we have to compete with other much needed dollars for our schools and our roads. She said that we have our work cut out for us to bring more awareness and try to explore other ways to raise funds for a much needed library for the benefits of our children, our families and our seniors.

Anita Kane, President of the San Benito County Historical Society, said that they support the library and believes that outreach is the key to getting this done.

Elia Salinas said that she supports the library. She said that people are tired of getting taxed. We need to seek out economic development and bring in businesses so that we can reach out to those people to help support a new library. We need to push to go forward on this.

Librarian Nora Conte said that she is excited and pleased because we have taken a huge step forward and that is to take an investment in to the future. We need to plan to move forward together. The needs are not going to go away for our library and I will continue to do the best that she can with what she has.

CAO Ray Espinosa informed the Board and the public that the last year or so we have implemented a library impact fee to address the library and as of today we have about \$275,000 of funding for this.

Supervisor Gillio spoke about a property tax sharing agreement with the City of Hollister, 25% for the City and 75% for the County, which has now been changed to 50% by each. We need to advocate with the City of Hollister for more funds for the Library as they have the bulk of the population that uses the Library. This has to be a priority.

Supervisor Botelho said that he agrees with Supervisor Gillio and that this is not dead in the water. I don't think it is wise to go to a bond measure in November, but if we could get a little bit more of a contribution from the City of Hollister and if they could recognize the value of a community library.

Chairman De La Cruz said that the Ad Hoc committee will continue to work with the Library.

Supervisor Hernandez said that he echoed the sentiments of Supervisor Gillio to partner with the City of Hollister in a greater way. He said that he fully supports a Library, this is not dead in the water.

Chairman De La Cruz said that if it is okay with the Board they would draft a letter with the help of Nora and send to the City of Hollister with a copy to go to each Board member.

17. HEALTH AND HUMAN SERVICES AGENCY - T. BELTON

Receive the Homeless/Housing Capital Development Projects Report from

Health & Human Services Agency.
SBC FILE NUMBER: 130

Deputy Director of Health and Human Services Enrique Arreola provided a presentation on the Homeless/Housing Capital Development Project Report which included the following: Housing Programs Overview-update on funding's they have received; Housing Options; Funding for Housing Options; Home Resource Center; Home Resource Center Phase I, II & III; Homeless Emergency Aid Program (HEAP); HEAP Transitional Housing; Whole Person Care Housing Grant; Home First Time Home Buyers Program; Other Housing Related Supportive Services; Diagram of the Migrant Center and the different types of housing; Questions:

Supervisor Jim Gillio thanked Mr. Arreola for the presentation.

Supervisor Anthony Botelho said that they are doing a great job. Had a question on the 9 million, if it was ear marked. Is there a dialog going on for the people who are not helping themselves and are still in the river, 4th Street and San Juan Road, etc.

Mr. Arreola provided information on both questions.

Chairman Jaime De La Cruz said that he was excited and proud that their department has taken the lead on addressing the homelessness and was excited with the numbers because it shows that we do a lot of stuff.

Information only.

18. SHERIFF'S OFFICE - D. THOMPSON

Pursuant to Government Code section 7283.1(d), hold public forum to provide data to the Board of Supervisors and community regarding information provided to U.S. Immigration and Customs Enforcement (ICE). Said data may include the number and demographic characteristics of individuals, the date ICE access was provided, and whether ICE access was provided through a hold, transfer, or notification request or through other means.
SBC FILE NUMBER: 110

Caption Tony Lamonica with the San Benito County Sheriff's Office spoke about SB 54 Values Act-Immigration and Customs Enforcement (Government Code 7283.1(d) and how it affects the Sheriff's Office, Jail and the Community. The values act: Per law the Sheriff's Office is supposed to report to the Board of Supervisors and the community the circumstances under which local law enforcement has provided ICE's access to individuals in the County Jail in the past year. The values act prohibits law enforcement agencies from making or intentionally participating in arrest based on immigration enforcement, even as part of a task force, unless the arrest meets the conditions of Government Code section 7284.6 (b)(1); While the Values Act generally makes the information reported to the DOJ subject to the Public Records Act, a California Law Enforcement Agency is not required to provide the public that, if disclosed, would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation; What does the Sheriff's Office do regarding Immigration Enforcement: Protect Public Safety, Help undocumented victims get u-Visas, provide inmate release dates to the public, provide inmate release dates according to Senate Bill 54; What we do not do: Enforce Federal immigration law, deport anyone (No Authority), have authority over ICE, ask about immigration status, conduct immigration sweeps (No Authority); Data: 2019 San Benito County Jail had a total of 6 ICE detainer holds. The Sheriff's Office did not hold the inmates

longer than their release date. Ice was not present in the San Benito County Jail in 2019. San Benito County Jail did not transfer anyone into immigration custody.

Information only.

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

Read Title, Waive Formal Reading, Accept Introduction and Continue to February 18, 2020, an Ordinance Amending Sections 3.01.092 and 3.01.093 relating to responsibilities of the County Administrative Officer.
SBC FILE NUMBER: 119

This item was removed from the agenda by the CAO Ray Espinosa.

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

Approve formation of a new Board Ad Hoc committee (two members) for a "Wine & Hospitality Committee, or a Board subcommittee establishing the duties of the committee and number and composition of committee members, staffing of the committee, and direct Clerk of the Board to notice the vacancy so that they may be filled at a future Board meeting. (Requested by Supervisor Hernandez)
SBC FILE NUMBER: 160

Supervisor Peter Hernandez provided information as to why he asked for this item be put on the agenda for the Board to support a Wine & Hospitality Ad Hoc committee and maybe moving forward a brown act committee.

Chairman Jaime De La Cruz asked Supervisor Hernandez if he was supporting Option #3, Ad Hoc committee.

Supervisor Hernandez replied yes.

Supervisor Jim Gillio said that he supports this, wants to make sure that we are not overlapping with the Chamber of Commerce's tour committee or the Economic Development Corporation or other groups. Maybe we should start with an Ad Hoc committee and go from there.

Supervisor Anthony Botelho said that he was kind of confused about an Ad Hoc committee because an Ad Hoc committee has a specific task for a specific period of time, this appears to be more of a standing committee. We need to clarify that. He said that he also has concerns about including the Chamber of Commerce, etc. We need to focus above and beyond just the wine industry. Would like to invest in the Economic Development Corporation that we have put money in to instead of forming another committee.

Supervisor Hernandez said that he has reached out to the Chamber of Commerce and they are excited to be a part of this. As far as the EDC goes we are hoping for a Director we would love to have them at the table. He said that the focus of the Ad Hoc committee would be to form a standing committee and yes it would be more than just the wine industry. He said that we want this to be successful.

Public Comment:

Valerie Eglund, San Juan Bautista resident, said that she has been investigating tourism a lot through Parks and Recreation and we need to hook up with the Pinnacles National Park and take advantage of the Pinnacle Gateway partners our Mission San Juan Bautista. We have so many assets that it is

going to require more than an Ad Hoc or a committee. We need to focus on this hugely and plan it well.

Wayne Norton, San Juan Bautista resident, said that he was confused. We have a bunch of different entities that is working on tourism. Looks like we are having a problem in getting everyone to the table, who is driving the ship.

Discussion ensued by the Board and staff.

Chairman De La Cruz appointed an Ad Hoc committee made up of Supervisor Gillio and Hernandez (Economic Development) and they report back to the Board.

CLOSED SESSION

County Counsel Barbara Thompson read the closed session items in to the record.

The Board adjourned in to closed session at 12:38 p.m. The Board reported out of closed session at 12:51 p.m. There was no reportable action.

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

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

No. of cases: 1 Subdivisions (a) and (d)(1) of Section 54956.9

Name of Case: County of Santa Cruz vs. Bureau of Cannabis Control,
Superior Court of California, County of Fresno, Case No. 19CECG01224.

SBC FILE NUMBER: 235.6

No reportable action.

ADJOURNMENT

Adjourn to the next regular meeting of February 18, 2020.

MOTION:

Motion to adjourn the meeting at 12:51 p.m.: Made by **Vice-Chair Jim Gillio** and seconded by **Supervisor Mark Medina**

5 - 0

For (5):

Against (0):

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

NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at www.cosb.us/government/meetings-agendas/. 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.