



## 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-Chairman

Jaime De La  
Cruz  
District No. 5  
Board Chairman

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

### SPECIAL MEETING MINUTES April 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 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

**The Pledge of Allegiance to be led by Supervisor Peter Hernandez, District #3.**

The Pledge of Allegiance was led by Supervisor Peter Hernandez.

- 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 Anthony Botelho**

**5 - 0**

For (5):

Against (0):

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

## **NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF SUPERVISOR MEETINGS**

Management Analyst Dulce Alonso provided information for the public as to how they could join the meeting by zoom and make public comment.

*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.)*

1. Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the Board of Supervisors are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

### **Members of the public are encouraged to participate in Board meetings in the following ways:**

#### **1. Remote Viewing**

Members of the public who wish to watch the meeting can view a livestream of the meeting online through Community Media Access Partnership (CMAP) YouTube, San Benito County Government  
[https://www.youtube.com/channel/UCLj3iW3\\_dsDzbYqnY1KdCvA](https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA).

#### **2. Written Comments & Email Public Comment**

- Members of the public may submit comments via email by 5:00 PM. on the Monday prior to the Board meeting to the Clerk of the Board at [JSlibsager@cosb.us](mailto:JSlibsager@cosb.us). Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

#### **3. Board of Supervisors meeting Zoom Instructions for remote Participants:**

Three ways to attend zoom meetings: **over the phone, on a web browser, or through the Zoom App.** Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting.

##### **1. Over the phone (Audio only):**

· (669) 900-6833 or (408) 638-0968.

##### **2. Open the Web-browser:**

· <https://zoom.us/join>

##### **3. Smart device Application:**

- Apple App store: <https://apps.apple.com/us/app/id744-573-640>
- Android App store: <https://play.google.com/store/apps/details?id=us.zoom.videomeetings>

### **Zoom Audio Only (phone)**

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the **Meeting ID #744-573-640**, followed by the **“#” key**, which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
2. It will then ask for a **Participant ID**, press the **“#” key** to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the **“\*9”** to raise your hand, zoom facilitator will unmute you when your turn arrives.

### **Zoom On Web-browser or Zoom app on Tablet or Smartphone**

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select **“JOIN A MEETING”**
2. The participant will be prompted to enter **Meeting ID #744-573-640** and name to join the meeting. Which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
3. Participant can launch audio through their computer or set it up through the phone.
  1. **Public Comment:** select the **“Participants Tab”** and click **“Raise hand”** icon, the zoom facilitator will unmute you when your turn arrives.

### **Public Comment Guidelines**

- If participating on zoom Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The San Benito County Board of Supervisors welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the Clerk of the Board at (831) 636-4000, Ext. 11 or email [JSlibsager@cosb.us](mailto:JSlibsager@cosb.us)

## **REGULAR AGENDA**

1. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Receive presentation and update from HHSA/Public Health Services on the

respiratory disease coronavirus, also known as COVID-19.  
SBC FILE NUMBER: 130

CAO Ray Espinosa mentioned that along with the presentation from Tracey Belton, Health and Human Services Director, Dr. Bogey and Dr Marty would also be providing information as to how we are doing in our County in regards to Covid-19 and will be available for questions.

HHSA Director Tracey Belton provided an update on the Coronavirus since last Board of Supervisor's meeting. California Data: Positive tests have increased by 8,910 which is a pretty large number. Yesterday the Governor provided a recent update for reopening along with the Governor of Washington and Oregon. This afternoon he is going to host a press conference and will be releasing California's specific plan for reopening the state, she encourages everyone to sit on that call. The State released 42 million dollars for funding to support foster children. She said that Statewide we have noticed a drastic decline in child protective services, referrals for investigation, but if anyone has any concerns regarding our children or elderly population to call their office. The State is working very hard to keep us informed and it is important that we listen to them.

San Benito County Data: Our case count has increased by 8 in a week, 28 recovered and they expect the cases to increase today; Non-Essential business Enforcement: We have 22 businesses to date that have been closed that are non-essential. They are continuing to find businesses that are functioning and are not essential. If you are an essential business and have questions please contact their office if you have any questions. She said that our Health Officer Dr. Marty and Dr. Bogey from Hazel Hawkins Hospital will answer questions and provide some updates.

First question for the doctors was are we seeing a flattening of the curve:

Dr. Marty replied looking at the data our rate is still pretty high compared to other counties, we are higher than Santa Cruz or Monterey, but that is based on our population. He said that he is very encouraged and happy with the progress that we are making which is due to our shelter in place. As far as the direction in the curve we are in the downward slope and that is a good thing. Commends the population with en-hearing for the most part to the orders. He said that we don't want to open too soon, we are moving in a good direction. It will be harder to open things up than it was to close things down, it is not like a light switch. The State is going to be looking in to how to do that. We need to make sure that our hospital is able to handle opening up if we have more cases along with proper supplies. We definitely need to have more testing. At this point we are doing a good job, we need to continue doing this, the order is in place until May 3rd. We will be actively having discussions and coming up with a plan to begin to open the county, but doing it very strategically so that we don't overwhelm our health system and that we keep people as safe as we can.

Dr. Bogey said that Dr. Marty summed it up nicely. Our percentage per our population, having 38 cases sounds great, however, when you factor in we only have so many people we are actually worse than Santa Cruz and Monterey County. He thinks that we are seeing a flattening in the curve but should take with a little bit of caution. When we are looking at the curve we are mostly looking at the infection rate. What we are seeing now is that the number of infections per day are decreasing or flattening and as that curve is rising we are only half way up the curve. If we lift our orders too soon we risk that curve continuing to rise again. We are going to have to lift some of these conditions and how that goes about will be above his pay. He said as for the hospital this is going to be around for awhile, we are going to be dealing with this for a very long time. He said that social distancing has helped.

Ms. Belton asked if there was any specific updates from the hospital.

Dr. Bogey replied that the hospital is prepared and is doing well, have been working with Dr. Marty and his team. They have maintained a green operations status. He said as far as trying to open things up the hospital needs to be involved in case we have a surge and need to be sure that we are able to handle it.

Supervisor Anthony Botelho said that the key is probably advanced testing and getting tests quicker. Asked the doctors about testing.

Dr. Bogey replied that for the hospitals part there are several FDA approved tests now, they have several of the machines in the hospital and they are trying to get their hands on test kits. As things go on they will have access to more rapid testing.

Dr. Marty replied they have depended on the hospital and they have really stepped up and are doing great. As we open up we will definitely need additional testing and are waiting for those machines.

Supervisor Jim Gillio said that when and how we open back up he would like to see us work very closely with our neighbors to the west, Monterey County, our neighbors to the North Santa Clara County and even our neighbors to the east Merced County, because we have 85% of our workforce travels north to Santa Clara County and the other 15% over west to Monterey County and a few to Merced. We have some from Merced that travels to our County to work. He encourages the doctors to coordinate all of this effort together along with the CAO and Health Director. He said that he also appreciates any thoughts on staggering opening.

Dr. Marty replied that they have had their first meeting with some of the neighboring Health Officers talking about how we can open up, it will be done as a regional opening. We will come up with a unified approach on how and when we start opening up. We will make a point to talk to Fresno and Merced to make sure that they are on board with us.

Supervisor Mark Medina said that it is extremely imperative that we involve the City of Hollister, San Juan Bautista, Tres Pinos and all of the surrounding cities within San Benito County to come up with a plan collectively.

Supervisor Peter Hernandez said we need to have an involved conversation in regards to the industry in San Benito and are consistent across the board. We need to engage them in regards to what is going to happen.

Chairman Jaime De La Cruz reported that the Major Ignacio Velazquez and himself visited a couple of businesses yesterday in regards to their PPE system and interacted with a lot of the employees and it seems that they are asking for leadership from both the City and the County. One of the questions was are masks mandatory or not. He said that he feels that masks are critical on trying to phase this out and get back to normal. The businesses are asking for directions from the County, City, Health Department and the doctors. He said that we need to start taking some baby steps now before we open up.

Dr. Bogey replied that there are two different kinds of masks. There is one that is put on for vector control and there is one that he wears N95 to protect himself. The vector control mask, surgical mask, is to protect everyone else, stops from spreading the germs from their mouth and keeps it from spreading out. The N95 mask is not for wearing 24 hours a day. He said a mask is a great start to wear in public

Dr. Marty said that he agreed with Dr. Bogey. They have done a lot of outreach about making masks, wearing masks, where to wear the mask. He said that he has done an interview on T.V.

about the masks. We recommend that you wear one if you are out in public. You do not have to wear one if you are walking by yourself or spouse in the evening and there is nobody around, but if you are interacting with people we recommend a mask. Like Dr. Bogey mentioned, the mask protects other's. He feels that the mask is going to be a part of our lives for quite sometime. As far as the businesses we can reach out to them and see what they are talking about.

Chairman De La Cruz said that he thinks we need to start having a task force committee with members of the public and businesses because they are the ones that are getting hit the hardest. We need to step up to the plate and provide guidance to the public.

Supervisor Gillio mentioned that we do have a standing meeting in place with the City's, County, Health Department and Office of Education and they meet on Friday's. There is press conference today that the Governor is giving which he anticipates that the Governor is going to give them more information in regards to the State order. He said perhaps we can get the Governors recommendation today and our team can process them and when we meet on Friday we can start working on a transition plan.

Supervisor Botelho said that he wants to follow our Health Officials recommendations in regards to the masks and best practices. Health and Safety is the priority.

Supervisor Hernandez said that rules only matter when people follow them. He agreed with the Chair. He said that 80% of the community is in with protecting the health and safety because they want to. He feels that there is a lot of disconnect out there among the businesses.

Dr. Bogey mentioned that sometimes we loose perspective of why we are doing all of this. #1 for the first time for over a hundred years when we had the Spanish flu and certainly #1 in our lives we have seen something that could potentially shut down the health care network of our nation. If you shut that down anyone that would need to come to the hospital would not have access to health care. He said that the goal to all of this was to shelter in place to slow it down so that we don't shut down the health care system and have this mass of surging deaths in a short amount of time. He said if we roll this out correctly this coronavirus is going to be around at a low level and a manageable level for quite some time. Hopefully we can buy enough time to find a vaccine for it or ride it out until it leaves.

OES Manager Kris Mangano gave a update that the EOC is still activated and are at level 2 which is personal activation. They participate in an EOC conference calls every week with section Chiefs and Union leaders and participate in the City of Hollisters EOC calls as well as many CalOES and State EMS calls, so they are staying on top of the communication and waiting for the Governors conference this afternoon. They have received a large order of PPE yesterday and they are expecting two large orders today. She has made a request to the State on Friday for more PPE and they have come through. They have received masks which they will be distributing.

#### **Public Comment:**

Rolan Resendiz had a question for the doctors, are you saying that everyone is eventually going to have to wear masks, and if so, shouldn't we start wearing them earlier than later.

Dr. Bogey replied that we have no power to make an order for that, it would be a choice. He said that he thinks it is a good idea especially if you go in to a grocery store.

Susan Logue said that she wears a mask and gloves and has for a number of weeks now. She said there has been signs on doors of stores that says stop you need to wear a mask.

This was a report only.

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

Receive budget presentation on fiscal year 20/21 from the County of San Benito Budget Officer and discuss COVID-19 Economic Impact.  
SBC FILE NUMBER: 865

CAO Ray Espinosa provided information as to the outline for today's presentation due to the Coronavirus. Wanted to give the Board a highlight of Covid-19 and the impacts related to our budget and discuss a revised timeline in regards to the budget.

Budget Officer Stewart Patri mentioned that the Covid-19 has pushed back our budget timeline by about 3 weeks. He provided a PowerPoint presentation which included the following: Covid-19 Impacts and FY 20/21 Budget: Economic Impacts: Shelter-in-place extended to 5/3/20, has placed a suspension on economic activity; The impact will be felt nationwide as all 50 states have implemented social distancing measures; Unemployment Claims: Unemployment was at an all time low in February with increased unemployment claims throughout March and into April; Great Recession-County Wide: Total Revenue all Gov Funds; Sharpest decline occurred in FY 09/10 of approximately 9%; Great Recession-General Fund: General Fund Total Revenue; Sharpest decline occurred in FY 09/10 of approximately 13%, took seven years for return to per-recession revenues; FY 20/21 Forecasting: It is difficult to protect the impact that the Covid-19 induced recession will have on our local economy; Revenue projections will be revised as needed over the next few months in preparation of the recommended budget; Administration expects that a mid-year adjustment will be required in FY 20/21; General Fund Revenue: Property Tax, Sales Tax, Transient Occupancy Tax, Business Tax, Documentary Transfer Tax; Property Values; Revised Budget Timeline: Administration has been pulled in to response to Covid greatly we have had to relocate some of our resources to help with the tracking of expenditures and other duties we have had to deal with. We are going to be requesting reimbursement from FEMA. He has allowed the departments until April 10th to get their budgets in. Due having to help with the Covid we have not been able to finalize budgets there are traditional things that we need to work on this week. We are going to have to change how we are going to be approaching this new budget year. Initially we were expecting additional growth and add some more positions, we are going to be taking cautious approach to that and look more to our fiscal sustainability as we look at potentially going in to a recession or look at the outcome of this. We would like to push out the budget hearings to August after the July break and we would bring the recommended budget to the Board of Supervisors that is more status quo of the previous year. If approved by the Board of Supervisors on the 16th of June that will be the spending authority until we have the budget hearing in August and approve the final budget in September. If anything changes in our emergency situation we do have the ability to rollover the budget from the preceding year, which would be FY 19/20 as the beginning spending authority until a budget is adopted. We are hoping that we will not have to do this, we are hoping to get the recommendation to the Board in June.

Supervisor Botelho asked if there has been any thought in having the budget hearings in July, would it be better than waiting until August.

Supervisor Gillio said that he is interested in seeing what the State is going to do with our intervention funds. That is why he would be in favor of August.

CAO Ray Espinosa said that he also would like to see what is happening with the Feds and the State, that was the reason for August. If we needed to we could have a special meeting in July as well. At this point we want to see what is happening with Covid also.

Chairman De La Cruz said that he would support staff's recommendation and wait until August. Supervisors Medina and Hernandez agreed.

Mr. Patri said that included his presentation. They would have more information for the Board at a future special meeting.

Supervisor Hernandez shared a quick update in regards to the shelter-in-place and how do we bounce back from this. He would like an agenda item on the next meeting for the revolving fund for our local businesses.

CAO Espinosa provided additional information in regards to potential programs for our local businesses. He said that they could put that on the next meeting.

There was no public comment.

## **CLOSED SESSION**

County Counsel Barbara Thompson read the closed session items in to the record, Item #1 and #2.

Supervisor Jim Gillio recused himself from Item #2.

The Board adjourned in to closed session at 10:28 a.m.

The Board reported out of closed session at 11:56 a.m.

There was no reportable action on Item #1.

Item#2, authorized Summary Abatement of a code enforcement violation at 320 and 340 Ladd Lane which is the Lemos Family Trust, the operator is Kevin Moore.

*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.)*

### **1. CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Michael McDougall, Ray Espinosa, Edgar Nolasco, Stewart Patri, Elvia Barocio and Barbara Thompson.

Employee Organizations:

Institutions Association

Law Enforcement Management

Management Employees' Group

SEIU Local 521 (General Unit Employees)

Deputy Sheriff's Association

Confidential Employees

Confidential Management Employees

Appointed Department Heads

Unrepresented Employees

AUTHORITY: California Government Code Section 54957.6

SBC FILE NUMBER: 235.6



No reportable action.

2. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to subdivision (d)(4) of Government Code

Section 54956.9

Number of Cases: 1

SBC FILE NUMBER: 235.6

The Board authorized Summary Abatement of a code enforcement violation at 320 and 340 Ladd Lane which is the Lemos Family Trust and the operator is Kevin Moore.

MOTION:

Motion to Adjourn the meeting Made by Supervisor Anthony Botelho and seconded by  
at 11:57 a.m.: Chairman Jaime De La Cruz

**5 - 0**

For (5):

Against (0):

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

**ADJOURNMENT:**

*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.*