



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 April 21, 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 9:02 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 Jim Gillio District #4.

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 Peter Hernandez**

5 - 0

For (5):

Against (0):

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

c. NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF SUPERVISOR MEETINGS:

Management Analyst Dulce Alonso provided information as to how the public could join the meeting by zoom and the procedure.

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.

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. 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

d. Presentations and Recognitions

There were no presentations.

e. 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.

There was no one from the public who wished to speak.

f. Department Head Announcements: Information Only

There were no Department Head announcements.

g. Board Announcements: Information Only

Supervisor Jim Gillio provided updates in regards to Covin 19. Announced that there is going to be a Town Hall meeting this Friday for our businesses. He thanked all of our County Team members for all of their efforts during this time.

Supervisor Anthony Botelho mentioned that they have received a letter from Assemblyman Robert Rivas for support and would like to pull Item #4 on the consent agenda to talk about it.

Supervisor Peter Hernandez spoke about his last meeting with a group of the businesses which included the City Mayor Velazquez and Council Member Rolan Resendiz, there were questions in regards to the face masks and what to do. Also mentioned the Town Hall business meeting on Friday.

CONSENT AGENDA

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

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

MOTION:

Motion to approve the Consent Agenda #1-18, with the exception of Item #4 and #12 which were pulled for discussion. Made by **Supervisor Anthony Botelho** and seconded by **Supervisor Mark Medina**

5 - 0

For (5):

Against (0):

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

1. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**
Approve amended State contract, 18-0697-000-SA-1, for hemp registration and regulatory activities, from April 30, 2019 through June 30, 2020, Total contract value is \$43,690.00.
SBC FILE NUMBER: 1.1
2. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**
Approve State contract, 19-0737-022-SF, for Asian Citrus Psyllid (ACP) for trapping activities, from October 1, 2019 through September 30, 2020, the total contract value is \$109,550.00.
SBC FILE NUMBER: 1.1
3. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve re-appointment of Margie Barrios to the Behavioral Health Board for the period of January 24, 2020 to January 24, 2023.
SBC FILE NUMBER: 810

4. **BOARD OF SUPERVISORS**

Approve letter and authorize the Chair of the Board to execute letter on behalf of the board urging local control of Coronavirus Relief Package for San Benito County.
SBC FILE NUMBER: 156

This item was pulled by Supervisor Anthony Botelho. He said that he received a letter from Assemblyman Robert Rivas' office asking if we could send out a letter to folks at the state level in support of agricultural businesses and farm workers that have been hard hit with the Covid-19 virus. He is in support of sending a letter.

Supervisor Jim Gillio said that he is with Supervisor Botelho 100%. That Item #4 came from CSAC and they are in need of support letters from all of the counties for the Corona Virus relief fund as well as the CARE'S act to encourage the state and the federal government to support all of these payroll tax credits and to match. He said maybe we could do a letter along with this one.

Supervisor Botelho said that it would be a good idea to combine these support letters. He thinks that all five of the Board members should be signing these letters in order to send a strong message.

Chairman De La Cruz asked Supervisor Botelho to meet with staff to draft another letter to be reviewed by all of the Supervisors and send it out to the State of California along with the signatures from all of the Supervisors.

MOTION:

Motion to have county staff draft a letter in support of Assemblyman Rivas' efforts to support the agricultural industry and the farm workers and to add the signature line for all supervisors to sign the letter and approved item #4 as presented:

Made by **Supervisor Anthony Botelho** and seconded by **Vice-Chair Jim Gillio**

5 - 0

For (5):

Against (0):

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

5. **CLERK OF THE BOARD OF SUPERVISORS - J. SLIBSAGER**

Approve the action minutes of the February 18, 2020 regular meeting, the March 10, 2020 regular meeting and the March 20, 2020 special meeting.
SBC FILE NUMBER: 119

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

Approve Amendment No. 3 to legal services agreement with Renne Public Law Group in the amount not to exceed \$29,500 for legal representation, for a total contract amount not to exceed \$281,500; and authorize the CAO to execute an Amendment to this agreement in the amount not to exceed an additional 5%, if necessary.
SBC FILE NUMBER: 160

7. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**
Approve Amendment No. 1 to legal services agreement with Colantuono, Highsmith & Whatley, PC in the additional amount of \$240,000 for a total contract amount not to exceed \$250,000 for litigation work related to the Southside Road landslide.
SBC FILE NUMBER: 160

8. **EMERGENCY MEDICAL SERVICES - K. MANGANO**
Approve the extension of the 911 Ambulance contract for 90 days effective July 1, 2020 - October 31, 2020, as a result of the coronavirus pandemic.
SBC FILE NUMBER: 1068

9. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve one time purchase of John Deere Gator equipment for use at the Migrant Center for the amount of \$11,604.44.
SBC FILE NUMBER: 130

10. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Ratify Agreement with Consumer Services and Housing for COVID-19 Emergency Homelessness Funding , in the amount of \$50,740.88.
SBC FILE NUMBER: 130

11. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve the acceptance of COVID-19 Response Funding from California Department of Public Health Emergency Preparedness Office (EPO), Award#: COVID-19-35 for County of San Benito in the amount of \$351,251.00, for the period of March 5, 2020 through March 15, 2021; approve budget adjustment in the amount of \$351,251.00. (4/5 vote)
SBC FILE NUMBER: 130

12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve Agreement with Monterey/San Benito Counties Coalition of Homeless Services Providers for COVID-19 Emergency Homelessness Funding in the amount of \$55,172.73, for the period of March 25, 2020 through June 30, 2021.
SBC FILE NUMBER: 130

This item was pulled by Supervisor Anthony Botelho. Supervisor Botelho said that he would like more detail about the Monterey County Homeless Coalition providers in regards to Covid-19.

Deputy Director of Health and Human Services Enrique Arreola provided information. He gave a summary of the uses of these funds. San Benito County received two allocations, one went directly to our Continuum of Care and our appropriation was \$55,000. Two of the primary things that we are using these funds for are hotel vouchers, rental assistance. We have been getting an enormous amount of calls from the public in regards to housing related. Our plan for the homeless that are tested covid positive when they are discharged from a hospital both Monterey County and Santa Clara County work with us to find motels in their county. For individuals that are out of quarantine the County has acquired three mobile trailers that we will be using for that.

Supervisor Botelho thanked everyone that has been involved in this effort. I believe we are very prepared.

Supervisor Jim Gillio thanked everyone on our county team for this along with Enrique. He thanked the Hollister City Mayor and Council for their partnership also.

MOTION:

Motion to approve as presented: Made by Supervisor Anthony Botelho and seconded by Supervisor Peter Hernandez

5 - 0

For (5):

Against (0):

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

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

Approve the Continuum of Care (CoC) Grant Agreement in the amount of \$257,362 to provide housing, support services and case management to eligible homeless individuals and families, for the period of April 1, 2020 through March 31, 2021; and authorize the HHSA Director or Deputy Director to approve and execute the grant agreement and any amendments thereto, and any other documents related to the grant.

SBC FILE NUMBER: 130

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

Approve reimbursement agreement with Graniterock regarding Benchmark Resources' SMARA Support services regarding the AR Wilson Quarry Overburden Placement Area (OPA) Solar Project.

SBC FILE NUMBER: 790

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

Adopt Resolution for Issuance of a Proposition 218 Notice for Setting Maximum Allowable Solid Waste Collection Rates effective July 1, 2020 per approved Franchise Agreement. Public Hearing set for June 16, 2020.

SBC FILE NUMBER: 142

RESOLUTION NO: 2020-23

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

Approve Federal Apportionment Exchange Program and State Fund Exchange/Match Agreement No. X20-5943(076) FY 2019-2020 with the State of California, acting by and through the Department of Transportation (STATE) to exchange Federal Regional Surface Transportation Program (RSTP)/Regional Surface Transportation Block Grant Program (RSTBGP) funds for non federal State Highway Account funds for Fiscal Year 2019-2020 in the amount of \$239,849.00; Authorize the RMA Director to submit an invoice to the State for payment of these exchange/match funds and; Direct the County Auditor/Controller to establish a separate account within the County Road Fund to deposit and account for these State Exchange/Match funds.

SBC FILE NUMBER: 105

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

Approve Contract Amendment No. 1 with MNS Engineers, Inc., for the PWB-1911 Hospital Road Bridge - Low Water Crossing Replacement Project –

FAP No. BRLKS-NBIL(501) to add additional construction management services and increase compensation in an amount not to exceed \$41,760.00, for a total contract amount not to exceed \$1,540,640.02.

SBC FILE NUMBER: 105

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

Adopt Resolution to accept a quitclaim deed for Panoche Road right-of-way, and approve quitclaim deeds to abandon excess right-of-way.

SBC FILE NUMBER: 105

RESOLUTION NO: 2020-24

PUBLIC HEARING

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

(To be heard at 9:00 AM or as soon thereafter as the matter may be heard).

Hold a Public Hearing to adopt an Ordinance establishing Water Allotments within County Service Area No. 31 (Stonegate) for the 2020-2021 Water Year and taking other related action.

SBC FILE NUMBER: CSA #31

ORDINANCE NO: 1,009

County Counsel Barbara Thompson provided information on CSA #31 regarding the water allotments for blue value water and the ordinance for water usages for CSA #31.

Supervisor Anthony Botelho asked if we have looked in to available water for this CSA if needed if we have a problem with the well.

County Counsel Barbara Thompson replied that she is not aware of that but in the past the Resource Management Agency has received a letter that there is water available. RMA can reach out to see if there would be any water for purchase, but is not aware of any being issued for this year.

Supervisor Botelho said there are two different types of water that is used there, cultural water and domestic water, is it for both.

Ms. Thompson replied for both. He suggests if RMA could look in to it.

Chairman Jaime De La Cruz opened the public hearing. There were no speakers.

Chairman De La Cruz closed the public hearing.

County Counsel Ms. Thompson read the title of the ordinance for the record.

MOTION:

Motion to adopt Ordinance No. 1,009, make CEQA findings set forth in the agenda item transmittal: accept introduction and waive further reading of the ordinance and adopt ordinance amending water allocations for CSA #31 for the 20/21 water year and retroactively approve publication that was published

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

prior to today's hearing and the publication after adoption:

**Anthony
Botelho**

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.*

20. 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

Health and Human Services Director Tracey Belton provided an update as of April 21st to the Covid-19. California Data: The numbers have gone up to 7,985 in California, 1,166 fatalities, 30,333 total cases, the numbers are rising. Since our last board meeting our case count has increased by 6, no positive cases in 3 days, currently have 2 active cases, 44 recovered and 44 confirmed cases. We do have a pending face covering order and shelter in place order: The County and City are working with the Health Officer on a potential Face Covering Order, no decision has been made yet if it will go forward or not. The County and City collaborated with the Chamber and coordinated the Community Mask Initiative. Any businesses and /or individuals can contact Michelle at 831-245-6044 to request a face covering. The County is assessing the current Shelter in Place order and discussing possible options to relax the order. It is very imperative that the Governor's Stay-at-Home order issued on March 19, 2020 has no end date and must be followed. Yesterday the Governor fielded a couple of questions on his call about some of the county's easing their restrictions; he acknowledged his staff had been notified, but he reiterated that no jurisdiction may ease restrictions beyond what he termed the state-level restrictions 'cap", so it is important that we follow that order as well as the county order. On Wednesday the Governor is due to speak on his Six Critical Indicators that the State will consider before modifying the Stay-at-Home order. Mr. Arreora talked earlier about the 3 trailers that we received they are brand new and we received them yesterday through the Governors project roomkey. The trailers will be used for homeless and/or vulnerable individuals who are stepping down from a positive COVID-19 quarantine and/or homeless individuals and they are located at the Migrant Center. We got these through our EOC department and thanked Kris Mangano for her help in getting these. Shelter in Place Non-Essential business Enforcement: To date we have received 182 calls; 29 businesses have been deemed non-essential and have closed their operations; 1 that the business license was revoked and 7 pending investigation. We have a call every Monday to businesses and a lot of real good conversations. Our Health Officer Dr. Marty will highlight some of his background so that the public can know a little bit more about him and will touch on some current events the face covering order and what is next.

Dr. Marty said that he has been working in San Benito as a contracted roll since last summer when the permanent health officer took a job elsewhere. I am a board certified pediatrician but decided

that I wanted to go in to public health. I grew up in Pennsylvania made it to the west and went to UC Berkeley and received my masters in public health. I have worked at a number health departments around the county and then began my career in Santa Clara County in the mid 1980's. I started in the immunization program and then moved to the disease unit of Santa Clara County. In the early 1990's I became the County Health Officer and continued on for the next 20 years until I retired from that job to get a little of relaxation. During my time as Health Officer in Santa Clara I was involved in a number of things one being in my major career area HIV and Aids which we started the first clinic and became a model for the United States. We also worked on a lot of the other disease outbreaks during my time they. I over saw H1N1 outbreak in Santa Clara County and pandemic planning in the early 2,000's and developed an extended plan pandemics which did not happen until what we are seeing now. I served as President of the local Health Officers and Vice-President of the Medical Association for Community Health. I have had quite a bit of experience in public health which was in Santa Clara County. I am very happy to be here and helping out as much as I can in San Benito County. I work very closely with the other jurisdictions and know most of the health officers in the surrounding county's in the State of California. He said that he wants to do all that he can with his experience to try and help the County make the right decisions and keep us as safe as we possibly can knowing that it isn't always easy.

Dr. Marty spoke about our early actions to shelter in place and try to keep people safe and how are cases in San Benito County are low but compared to our population it is a little high. He said that due to the excellent work at Public Health and the staff they have been on top of every single case as soon as they get the information on their test results. Our hospital has done an excellent job on monitoring and taking care of the covid cases.

Supervisor Jim Gillio thanked Dr. Marty for his time today and his time with him yesterday. He said that he thought it would be a good idea for him to introduce himself to the public and give some information on his background. He asked if Dr. Marty could give his thoughts on face coverings and what is next.

Dr. Marty said that we had two of the first cases in the United States and were on top of it. We don't know everything about the virus still but we know it is not the flu. We are learning that it passes by droplets by coughing, sneezing or breathing on someone else. We recommended early on a face covering order. We don't have a vaccine yet but they are working on one which would need to be tested to see if it works and that it is safe. We also recommended that people shelter in place to try and stay away from the virus so that people would not be spreading one to another. People can spread the virus without any symptoms not knowing that they are infected. People who are pre symptomatic can spread the virus without knowing. Because of those reasons we thought how else can we protect people, that is when the discussion of the face coverings came in to place. By having a face covering on it will protect the other person from any droplets, with both people wearing them it puts up an extra barrier of protection for each other. He said that if we want to try and ease our stay at home order as we are moving to open up things there will be more interaction so it makes good sense to require face covers when people are in contact with each other. He said that he would like to see that we institute this order for when people come in contact with other people like they are doing now, like when you go to the store, the pharmacy, and that we require everyone working there to wear a face covering which a lot of the businesses are already doing. You wouldn't have to wear a mask if you are in your office, but if you come in contact with some one you would put your mask on. If you are at home you don't need one, walking your dog, bicycling and there is no one around or in your car. It doesn't prevent distancing or washing your hands. This is a virus that is going to be around for awhile. He said the next steps as we begin to ease things under the leadership of the Governor and everyone working on this is that we try to do all that we can to keep everyone protected. He said that it is his recommendation that we do this, we have to do things slowly.

Supervisor Peter Hernandez said that he appreciates what the doctor has shared, it is a lot of work. He said that there is a lot of questions and concerns in regards to this virus. One of the things that bothers him is the States response that there is no end in place. He spoke about essential or non-essential or is it about public health. Would like clarity of essential or non-essential businesses. Spoke about the economic fall out and how our businesses are going to survive.

Supervisor Mark Medina said that he concurs with the doctor in regards to face shields. Spoke of a lot of gray area in our current order and businesses or industry's that don't have one on one contact with customers. He spoke about bringing Golf Courses back with restrictions, along with parks and the construction industry. Wants to see what we can do in the next order to ensure that we are in compliance with the State and look at it and see what is the right thing to do and what is essential.

Supervisor Anthony Botelho said that he was having a hard time with the order on wearing face masks, why now and not a month ago when cases were rising, etc. Dr. Marty is correct if you are amongst people it is important to wear one. Supports Supervisor Medina in the thought process going forward in May to look at our shelter in place and start to open some activities along with personal safety. He said that the economic part of it is tragic we need to try to move forward.

Supervisor Jim Gillio said that he agrees with Supervisor Medina. He had a conversation with the Health Officer yesterday about parks and golf courses. We have to remember we have a State shelter in place order and our obligation is to not be less restrictive than the State order we are mandated by the State order. There are a lot of questions going around about how am I going to get a mask, what am I going to do. It is not a mask order it is a face covering.

Chairman Jaime De La Cruz said the face covering method is important for our community, we need to implement some procedures in order to start opening up. Don' want to see the curve start moving up we need to be cautious.

Dr. Marty responded to some of the comments. He said that yes influenza does kill a lot of people every year but we have a vaccine for it, so most people are protected. This is a novel virus and everyone is acceptable to it and we don't have a vaccine for it yet. As far as the next steps in opening things up, again, with conjunction with the State and their direction I can see us start doing that in our community with recreational activities, golfing. I don't see a problem with that as long as we maintain social distancing along with the facial coverings. I know we want to try and open the economy and move forward and get people back to work . We can start talking about easing some of the restrictions, we are not going to be like this forever. Spoke about complying with social distancing and washing your hands importance.

Supervisor Hernandez spoke about compliance in trying to protect the public health and safety and that it is dependent upon the understanding and willing engagement of the public. Spoke of issues with different businesses and compliance and being essential. Most people want to do the right thing.

Public Comment:

Ignacio Velazquez thanked Dr. Marty. He said that last week they had the conversation about the face coverings going in to effect this week and he is hoping that is going to happen today or tomorrow. He asked who makes the decision in regards to the face coverings.

Dr. Marty replied we do it jointly and I give my opinion but it officially needs to be approve by the Board of Supervisors.

Mr. Velazquez continued his comments. We need to start seeing the ones and zeros so that we know what kind of pattern. I have spoke in the past weeks about the need to move towards face coverings. I believe the shelter in place had a huge affect with the numbers in California compared to other states and think it is very important to get the data out. It is important to do what is right and move forward with these face coverings and keep people safe. We have a community that is supportive, we don't want to be shut down forever but we don't want to get shut down again because we opened to soon. The data is important to show the public that this is not the flu it is something much more than that. He thanked Marty for the work that he has been doing.

Rob Bernosky thanked everyone for their comment. He said that that the County has a spending problem, we are keeping people from spending money and the fallout from it is going to be tremendous. We know so much more today about the coronavirus than we did a month ago. Wants to encourage everybody involved to think about the economic downfall is over reaction. Businesses will close people will loose their homes and their cars if it goes on to long, the other side of the spending problem is that we have spent huge amount of money trying to medicate the situation. He appreciates that everyone is taking this serious but we need to start moving forward with precautions.

Sheriff Darren Thompson had a few questions for the doctor; in regards to face coverings would a shield suffice as a face covering or would they have to wear a mask the other was in regards to the implementation of any order of face coverings would that come with any relaxing of the current restrictions.

Mark Lema , Retired Deputy Sheriff from Hollister, thanked Dr. Marty and the Board for everything that they have done the past month for our City and County I know it hasn't been easy. He had a question for the Dr. in regards to warmer weather coming up and what it will look like for the virus when it does.

Dr. Marty's response to the warmer weather question was that we don't really know, typically they usually disappear in the summer months this may or may not. If it does disappear there is a potential that it will come back in the fall. We will be watching this very carefully. The question in regards to the order and easing things, would like to get people comfortable with the face coverings and slowly work on easing restrictions. In regards to glass barriers the workers are still interacting.

Supervisor Botelho had a question for the doctor in regards to looking at how we would enforce this, who would make those judgements in a public setting.

Dr. Marty replied that it would be pretty much enforced by the businesses requiring a face covering in order to enter. Would post something on their window stating such.

Supervisor Medina asked why can't we make this an administrative action where it is \$100.00 fine not a misdemeanor.

CAO Ray Espinosa mentioned that this is just a draft we still have some work to be done before it is executed, we will be discussing this further later today.

Supervisor Hernandez said that he supports Dr. Marty's response to the collaborative decision in regards to face coverings. We are elected officials and are here to represent the public we are not here to have the State tell us what to do.

Chairman De La Cruz said that we are here to serve the public and he takes the doctor's words in

consideration and we need to do what he advises. In regards to changing the language from misdemeanor to administrative we don't want to loosen it up to much no one will take it serious.

Discussion ensued by Board in regards to masks and being a misdemeanor or an administrative action.

County Counsel Barbara Thompson provided additional information to the public health order.

Chairman De La Cruz asked when does the face covering go in to effect.

CAO Ray Espinosa replied we have not made a decision as of yet, possibly could be this Friday at 8:00 a.m. we are still working out somethings in regards to masks.

Dr. Marty provided additional information.

Further discussion ensued by Board and Dr. Marty.

Informational only.

21. COUNTY ADMINISTRATION OFFICE - R ESPINOSA

Receive an informational presentation on resources available for local organizations and the community impacted by the Coronavirus (COVID-19) pandemic and the County's Shelter in Place order and receive direction from the board.

SBC FILE NUMBER: 119

CAO Ray Espinosa mentioned that Management Analyst Dulce Alonso would be doing a presentation in regards to what resources are available to our community and organizations during this time.

Ms. Alonso provided a PowerPoint presentation that covered the following: Resources available for local organizations and the community impacted by the Coronavirus (COVI-19): can be reviewed at the following website: <https://SBChelps.us>; Background: March 6 County Administrative Officer proclaimed a local emergency, March 10 Board of Supervisors ratified the Emergency Proclamation issued by the CAO, March 17 the Health Officer enacted a Shelter in Place order through April 7, 2020, March 31 the Health Officer extended the Shelter in Place order through May 3, 2020, the Board adopted Ordinance 1,007 that suspended the authority of any landlord to commence evictions on any residential or commercial property through May 31, 2020; Cares Act. Ms. Alonso said there were other speakers that were going to speak on some programs that are available which are Anna Medina from Access Capital in regards to the Grow San Benito Loan and Cindy Merzon from CalCoastal.

Cindy Merzon Director of CalCoastal Small Business Development Center provided an update and information on what they are providing during the COVID-19 for small businesses. They provide businesses with no fees a one on one business advisory training and resources to start, grow and succeed. Before the stay at home order they offered two workshops on March 11 on how to start a business. She gave a brief update as to what has happened since the March 17th stay at home order: In the last 30 days CalCoastal has served 57 San Benito County businesses with one on one services. She provided information on their website and how someone can access it and get helpful information. Spoke about the revolving loan fund with partnership with Monterey County and webinars that are available on Friday's at 11:30 a.m. for different things for businesses. CalCostal is a non-profit and a small business lender and they have administered Monterey County's small

business loan funds for many years. Shared what they did for Monterey County.

Comments from Supervisor Jim Gillio and Peter Hernandez in regards to the program.

Anna Medina, Development Director with Access Club Capital, said they are a Community Development Financial Institution a non-profit loan fund and are currently administering the Grow San Benito Fund, we currently have approximately \$601,440 available in which we have financed and closed a total of 3 loans in the amount of \$138,000. These are loans from \$5,000 to \$300,000 with interest rates from 6%-8% fixed rate, no pre-pay penalties. Because what is happening now we are looking at each business case by case and trying to understand what their need is because we want to be able to try and help them in this time of crisis. We are offering a 3 month interest only period to help businesses impacted by Covid-19. She provided an overview of the funds and requirements for small businesses and their partnerships.

Supervisor Hernandez had a question on the funds and interest rates.

Ms. Medina provided information.

Marc Fontes, Executive Director of Economic Development Cooperation, spoke of EDC's role in Identify and Distribute Covid-19 Business Resource Information and the new resources they are looking at, one being the Cares Act. They are trying to be the one stop shop to help folks. They are looking forward to working with CalCoastal and Access Club Capital.

Supervisor Hernandez provided additional information.

Deputy Director of HHS A Enrique Arreola spoke about housing services at CSWD: Covid-19 Emergency Homeless Grant; HEAP Aid Program; HEAP Rental Assistance; Emergency Solutions Grant-Rapid Housing Services; One Time Housing Assistance; Home-Tenant Based Rental Assistance Program; Hotel Vouchers; Home-First Time Home Buyers Program; CalWorks Housing Support Program; Utility Assistance-P.G. & E. Low Income Heating Energy Assistance; Helping Hands Program; HOPWA-Housing Opportunity for People with Aids; Other Related Supportive Services; Picture of Housing options; Workforce Services; Questions.

CAO thanked Ms. Alonso and all of the speakers for their time and information.

Discussion ensued by Board and staff.

Supervisor Hernandez supports using the PPE funding for small businesses, he would opt out for his business.

Supervisor Gillio said that when he made the motion for the 1 million dollars it wasn't specifically for PPE it was the impact in general and how we can help our community get through this. I think this is something that the Board should talk about. He supports Supervisor Hernandez and his efforts.

Supervisor Botelho said that we did not earmark for any specific purpose but it is absolutely critical that we keep our businesses viable, the jobs and businesses mean a lot. Have my 100% support.

Supervisor Medina said we definitely need that support it is imperative, agree with my other Supervisors they are the backbone of our County. We need to try and provided them with all of the necessary tools to succeed during this time.

Chairman De La Cruz said that the consensus from the Board is to move forward with some kind of local funding to our businesses. Would there be any oversight or procedures being done.

CAO Ray Espinosa mentioned that they have been in discussions internally, we have been looking and funding and programming as well as administration. Wanted to give the Board an update we do have a balance of about \$350,000 left in our million dollar disaster recovery funds so there is some room to utilize some of those funds and or if down the road there are more funds required we can always go back to the Board requesting more funds. We would definitely have something established and some rules in place. He appreciates the work that has gone in to providing the information in regards to the businesses. Thanked Supervisor Hernandez he has been working with our local non-profits. There would definitely be some work done before hand and measures that would need to be followed.

There was no public comment.

Chairman De La Cruz asked what direction would the Board like to give to CAO Ray Espinosa.

Supervisor Hernandez would like through the direction of our CAO to have a funding mechanism to support our local businesses which would focus on gap funding with a cap set.

Supervisor Gillio said that he supports Supervisor Hernandez but would recommend turning it over to staff and EDC to work on and look at what Monterey County did so that we don't reinvent the wheel to see what they did for accountability and see what it takes to qualify, etc. It is important that it is managed correctly and by whom. Would leave loosely so that staff could come back with a recommendation.

Supervisor Medina would like to proceed forward with Supervisor Hernandez's recommendation.

Supervisor Botelho said that he supports the other Supervisors, we need to have some kind of accountability.

CAO Espinosa said that they got the direction.

Supervisor Hernandez he agrees with Supervisor Gillio that we need to exclude County elected officials so that it doesn't cause a conflict of interest.

22. COUNTY CLERK-AUDITOR-RECORDER-ELECTIONS - J.P. GONZALEZ

Resolution to consider requesting the Governor to declare the November 3, 2020 Presidential Election to be conducted by all-mail ballot.

SBC FILE NUMBER: 285

RESOLUTION NO: 2020-25

Registrar of Voters Joe Paul Gonzalez provided information to declare November 3, 2020 Presidential Election to be conducted by all mail ballot. He said that our request is that the Board pass the attached Resolution requesting the Governor to issue an executive order, like the March 2020, directing the election be conducted by mail. Monterey and Contra Costa County's Board of Supervisors have already adopted the same resolution and board order last week, other counties such as Butte are requesting the same resolution from their Board today. I urge you to adopt the resolution before you requesting the Governor to issue an executive order directing elected officials

to conduct the November 3, 2020 election as an all mail ballot election and extending the deadline for County Election Officials to complete the audit and report of the official canvass and clarification by seven days to December 7th 2020.

Discussion ensued by Board and Staff.

There was no public comment.

MOTION:

Motion to Adopt Resolution No. 2020-25 Made by **Supervisor Anthony Botelho** and
per staff recommendation: seconded by **Supervisor Mark Medina**

5 - 0

For (5):

Against (0):

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

23. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES

Consider whether to direct staff to prepare of a report on the impacts of the proposed general plan amendment initiative measure pursuant to Elections Code section 9111; and authorize the County Administrative Officer or Resource Management Agency Director to enter into a contract for consultant services with EMC Planning Group, Inc. and sub consultants Applied Development Economics, Inc. to prepare the report; and approve budget adjustment in the amount of \$90,637.25. (4/5 vote)

SBC FILE NUMBER:790

Resource Management Agency Director Harry Mavrogenes provided information to the Board for the request for staff to prepare a report on the impacts of the proposed general plan amendment initiative measure pursuant to Elections Code section 9111. He said that we had two proposals submitted for this study and they were reviewed by a team and they are recommending that the EMC Planning Group be selected to do this study.

Supervisor Mark Medina said that he thinks it is important that we look at this and supports it.

Supervisor Peter Hernandez said that he fully supports moving forward with this.

Supervisor Anthony Botelho said that he supports moving forward with this study.

There was no public comment.

Supervisor Botelho asked when we could expect the study to be back.

Mr. Mavrogenes replied they are asking for a 90 day period.

MOTION:

Motion to approve the contract and budget transfer as presented: Made by **Supervisor Anthony Botelho** and
seconded by **Supervisor Mark Medina**

4 - 1

For (4):

Against (1):

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

CLOSED SESSION

County Counsel Barbara Thompson read the closed session items in to the record, Item #24, 25. Item #26 was removed from the agenda.

The Board adjourned in to closed session at 1:04 p.m.

The Board reported out of closed session at 2:26 p.m.

There was no reportable action on Item #24.

Item #25 the Board authorized to name Hilden's as a Defendant. I(4/0 vote with Supervisor Gillio recused himself)

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.)

24. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Threat to Public Services or Facilities

Government Code 54957a.

Tracey Belton, Director of Health and Human Services Agency.

SBC FILE NUMBER: 235.6

No reportable action.

25. 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

Board authorized to name Hilden's as Defendant. (5/0 vote with Supervisor Gillio recusing himself)

26. 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

This item was removed from the agenda per County Counsel.

ADJOURNMENT

Adjourn to the next regular meeting of May 5, 2020.

MOTION:

Motion to adjourn the meeting at 2:27 p.m.: Made by **Supervisor Mark Medina** and seconded by **Supervisor Peter Hernandez**

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.