County of San Benito, CA

Ray Espinosa
County Administrative Officer
481 FourthStreet
County Administration Building
Hollister,California 95023
www.cosb.us

Meeting Agenda- POSTED AND FINAL

August 29, 2017 - 9:00 AM

Board of Supervisors
Jaime De La Cruz
Board Chairman
District No. 5
Anthony Botelho
Vice-Chair
District 2
Mark Medina
District 1
Robert Rivas
District 3
Jerry Muenzer
District 4

SAN BENITO COUNTY
BOARD OF SUPERVISORS

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

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

SPECIAL MEETING AGENDA - POSTED AND FINAL
August 29, 2017
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

a. Pledge of Allegiance

Pledge of Allegiance to be led by Chairman Jaime De La Cruz, District #5.

b. Acknowledge Certificate of Posting

CLOSED SESSION

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 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

2. **CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**
   Significant Exposure to litigation pursuant to Section 54956.9: Number of Cases: (2)
   Closed session is authorized by Section 54956.9(d)(2), (e)(1).
   SBC FILE NUMBER: 235.6

REGULAR AGENDA

1. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
   Receive update related to the Panoche Valley Solar Project, including but not limited to the status of enforcement of the Development Agreement and provide direction on how to proceed in terms of enforcement action and litigation.
   SBC FILE NUMBER: 119

2. **RESOURCE MANAGEMENT AGENCY**
   Approve Professional Services Agreement between the County of San Benito and University of the Pacific, McGeorge School of Law for Hearing Officer Services and Appoint McGeorge School of Law to serve as the Administrative Hearing Officer for extended amortization hearings under Ordinance 949 and to serve as Administrative Hearing Officer on designated matters related to Panoche Valley Solar Project.
   SBC FILE NUMBER: 790

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.

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number:

MEETING DATE: 8/29/2017

DEPARTMENT:

DEPT HEAD/DIRECTOR:

AGENDA ITEM PREPARER:

SBC DEPT FILE NUMBER:

SUBJECT:

Pledge of Allegiance to be led by Chairman Jaime De La Cruz, District #5.

AGENDA SECTION:

Pledge of Allegiance

BACKGROUND/SUMMARY:

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

ADDITIONAL PERSONNEL:

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number: 1.

MEETING DATE: 8/29/2017

DEPARTMENT: COUNTY COUNSEL

DEPT HEAD/DIRECTOR: Matthew W. Granger, County Counsel

AGENDA ITEM PREPARER: Barbara Thompson, Acting Assistant County Counsel

SBC DEPT FILE NUMBER: 235.6

SUBJECT:

CLOSED SESSION-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

AGENDA SECTION:

CLOSED SESSION

BACKGROUND/SUMMARY:

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

Hold closed session.

ADDITIONAL PERSONNEL:

BOARD ACTION RESULTS:

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number: 2.

MEETING DATE: 8/29/2017

DEPARTMENT: COUNTY COUNSEL

DEPT HEAD/DIRECTOR: Matthew Granger

AGENDA ITEM PREPARER: Barbara Thompson

SBC DEPT FILE NUMBER: 235.6

SUBJECT:

CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant Exposure to litigation pursuant to Section 54956.9: Number of Cases: (2)
Closed session is authorized by Section 54956.9(d)(2), (e)(1).
SBC FILE NUMBER: 235.6

AGENDA SECTION:

CLOSED SESSION

BACKGROUND/SUMMARY:

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

Hold Closed Session.

ADDITIONAL PERSONNEL:

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number: 1.

MEETING DATE: 8/29/2017

DEPARTMENT: COUNTY ADMINISTRATION OFFICE

DEPT HEAD/DIRECTOR: R. Espinosa

AGENDA ITEM PREPARER: Chase Graves

SBC DEPT FILE NUMBER: 119

SUBJECT:

COUNTY ADMINISTRATION OFFICE - R. ESPINOSA
Receive update related to the Panoche Valley Solar Project, including but not limited to the status of enforcement of the Development Agreement and provide direction on how to proceed in terms of enforcement action and litigation.
SBC FILE NUMBER: 119

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

Receive update related to the Panoche Valley Solar Project, including but not limited to the status of enforcement of the Development Agreement and provide direction on how to proceed in terms of enforcement action and litigation.

ADDITIONAL PERSONNEL:

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number: 2.

MEETING DATE: 8/29/2017

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

DEPT HEAD/DIRECTOR: L. Perlin

AGENDA ITEM PREPARER: Chase Graves

SBC DEPT FILE NUMBER: 790

SUBJECT:

RESOURCE MANAGEMENT AGENCY
Approve Professional Services Agreement between the County of San Benito and University of the Pacific, McGeorge School of Law for Hearing Officer Services and Appoint McGeorge School of Law to serve as the Administrative Hearing Officer for extended amortization hearings under Ordinance 949 and to serve as Administrative Hearing Officer on designated matters related to Panoche Valley Solar Project.
SBC FILE NUMBER: 790

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

The Board is hereby requested to appoint the University of Pacific McGeorge School of Law as Administrative Hearing Officer for San Benito County. The County is in need of qualified professional services for administrative hearings pertaining, but not limited to, Animal Control, Building, Cannabis Cultivation, Code Enforcement, Land Use, Public Nuisances and Zoning pursuant to Chapters 1.03, 1.04, 1.06, 11.15 and 13.05 of the San Benito County Code.

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

(1) Approve Professional Services Agreement between the County of San Benito and University of the Pacific, McGeorge School of Law for Hearing Officer Services as designated by the San Benito County Board of Supervisors.
(2) Appoint McGeorge School of Law to serve as the Administrative Hearing Officer for extended amortization hearings under Ordinance 949 and to serve as Administrative Hearing Officer on designated matters related to Panoche Valley Solar Project.

ADDITIONAL PERSONNEL:

SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM

Mark Medina	Anthony Botelho	Robert Rivas	Jerry Muenzer	Jaime De La Cruz
District No. 1	District No. 2 Vice - Chair	District No. 3	District No. 4	District No. 5 Chair

Item Number:

MEETING DATE: 8/29/2017

DEPARTMENT:

DEPT HEAD/DIRECTOR:

AGENDA ITEM PREPARER:

SBC DEPT FILE NUMBER:

SUBJECT:

ADJOURNMENT:

AGENDA SECTION:

Next Meeting Date/Time

BACKGROUND/SUMMARY:

BUDGETED:

SBC BUDGET LINE ITEM NUMBER:

CURRENT FY COST:

STAFF RECOMMENDATION:

ADDITIONAL PERSONNEL: