



SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina
District No. 1
Chair

Anthony Botelho
District No. 2

Peter Hernandez
District No. 3

Jim Gillio
District No. 4

Jaime De La
Cruz
District No. 5
Vice-Chair

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

REGULAR MEETING MINUTES

June 11, 2019

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 Supervisor Jaime De La Cruz,
District #5.**

- b. Acknowledge Certificate of Posting

Certificate of Posting.

- c. **Presentations and Recognitions**

BOARD OF SUPERVISORS

Receive information on the 2019 Saddle Horse Show and Rodeo to be held

APPROVED BY THE BOARD OF SUPERVISORS ON 07/23/19

June 28th, 29th & 30th at Bolado Park.
SBC FILE NUMBER: 156

HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM

Approve Proclamation Declaring June as Elder Abuse Awareness Month in San Benito County.

SBC FILE NUMBER: 430

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.

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

f. **Board Announcements: Information Only**

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.

1. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**

Approve contract with Sumo Medical Staffing for Psychiatry Services for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$374,400.00.

SBC FILE NUMBER: 810

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

Approve Reappointment of Daniel A. Sanidad to the Behavioral Health Board (BHB) for the Term of June 15, 2019 to June 15, 2022.

SBC FILE NUMBER: 510

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

Approve the action minutes of the May 7, 2019 regular meeting.

SBC FILE NUMBER: 119

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

Adopt Resolution authorizing the County's participation in the Institute for Local Government's Beacon Program.

SBC FILE NUMBER: 119

RESOLUTION NO: 2019-46

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

APPROVED BY THE BOARD OF SUPERVISORS ON 07/23/19

Receive draft resolution amending the Gann Limit for Fiscal Year 2018-2019, and continue to June 25, 2019 for adoption as the proposed resolution needs to be available for public review for 15 days.

SBC FILE NUMBER: 156

6. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt Resolution to allocate State of California Off-Highway Vehicle License Fee to repair Cienega Road.
SBC FILE NUMBER: 119
RESOLUTION NO: 2019-47
7. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Delegate authority to CAO to execute a Contract with Vanir Construction Management, Inc. in the amount not to exceed \$299,872, subject to County Counsel approval, to review and evaluate the Pavement Management System Update (PMSU), prioritize sites, prepare civil engineering designs, advertise, bid and award contracts, and Construction Management for the County's portion of Measure G funding.
SBC FILE NUMBER:119
8. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Delegate authority to CAO to appoint the Resource Management Agency Director and offer employment within the salary range for Resource Management Agency Director with all benefits provided to other Appointed Department Heads.
SBC FILE NUMBER: 119
9. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**
Adopt Resolution of the Board of Supervisors amending current personnel rules relating to salary upon appointment and retirement benefits for certain temporary employees who have been prior CALPERS members.
SBC FILE NUMBER: 160
SBC FILE NUMBER: 2019-48
10. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**
Adopt a resolution establishing County policy relating to the provision of services within the County Service Areas.
SBC FILE NUMBER: CSA'S
RESOLUTION NO: 2019-49
11. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve contract renewal with Seneca Family of Agencies for Resource Family Approval and associated services for the period of July 1, 2019 through June 30, 2020, not to exceed amount of \$90,000.00.
SBC FILE NUMBER: 130
12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve Application for Subsequent Local Area Designation and Local Board Re-certification Program Year 2019-21; authorize the Workforce Development Board (WDB) Chair and the Chair of the Board of Supervisors to sign the

APPROVED BY THE BOARD OF SUPERVISORS ON 07/23/19

application and any amendments and documents pertaining to the application.
SBC FILE NUMBER: 130

13. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve contract renewal with Dr. David Ghilarducci for professional services as Acting County Public Health Officer (HO) for the term July 1, 2019 - June 30 2020 in the event of absence of current Health Officer on vacation, sick leave or other absence at a cost not to exceed \$16,000.00.
SBC FILE NUMBER: 130
14. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Authorize the Health & Human Services Agency (HHSA) Director to sign the Standard Agreement Amendment (17-10185 A01) with the California Department of Public Health for public health emergency preparedness activities on behalf of the County of San Benito for the term of July 1, 2017- June 30, 2022.
SBC FILE NUMBER: 130
15. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve contract renewal with Jose Vasquez for grant writing services for the period of July 1, 2019 through June 30, 2020, for a total not to exceed \$40,000.00.
SBC FILE NUMBER: 130
16. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve contract renewal with Peninsula Pediatric Therapy for Occupational and Physical Therapy Services for the period of July 1, 2019 through June 30, 2020, in the amount of \$165,000.00.
SBC FILE NUMBER: 130
17. **HEALTH AND HUMANS SERVICES AGENCY - T. BELTON, INTERIM**
Accept Grant from the Tides Foundation and Approve Budget Adjustment in the Amount of \$75,000 for the Opioid Task Force. (4/5 vote)
SBC FILE NUMBER: 130
18. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Adopt Resolution authorizing the execution of an agreement (19-5001) with the California Department of Social Services to provide Adoption Services in Accordance with Government Code 30029.7(A); and authorize the Board Chair to sign the contract with the State of California Department of Social Services for the term of July 1, 2019 to June 30, 2020 in the amount of \$44,978.00.
SBC FILE NUMBER: 130
RESOLUTION NO: 2019-50
19. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve Contract Amendment #1 to the contract with Youth Alliance for CalWORKs Counseling Services in the amount of \$12,600 for a new not to Exceed Amount of \$62,600.00.
SBC FILE NUMBER: 130

20. **HEALTH AND HUMAN SERVICES - T. BELTON, INTERIM**
Approve New Appointment of Tracey Belton to the Workforce Development Board (WDB) as a Public representative, for a three-year term effective May 14, 2019 through May 14, 2022.
SBC FILE NUMBER: 130
21. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Adopt Resolution Accepting The 2019 Community Services Block Grant (CSBG) Discretionary contract #19F-4436 in the amount of \$30,000 And Authorizing The Board Chair to Approve And Execute The Grant Agreement (Contract #19F-4436), Authorize the Department Director or designee to sign any Amendments And Other Documents Related To The Grant, For And On Behalf Of The County Of San Benito; and approve the Budget Adjustment form in the amount of \$30,000.00. (4/5 vote)
SBC FILE NUMBER: 130
RESOLUTION NO: 2019-51
22. **HUMAN RESOURCES - E. NOLASCO**
Adopt Resolution, approving side letter with Service Employees International Union, Local 521 (SEIU) modifying Section 8.4 Bilingual Pay of the SEIU MOU; and authorize the County Administrator or his/her designee to make any technical edits as later identified.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-52
23. **HUMAN RESOURCES - E. NOLASCO**
Approve revised class specification for Assistant Planner, Engineer II, and Sheriff's Director of Administrative Services. Approve new classification specification and salary range for Epidemiologist and Juvenile Hall Supervisor. Amend the County's class title and pay plan to reflect the new Class Specifications.
SBC FILE NUMBER: 630
24. **HUMAN RESOURCES - E. NOLASCO**
Adopt Resolution amending Personnel Rule 7 "Compensation Plan" to incorporate for Differential Policy for Special Assignments; and delegate authority to the CAO to authorize differential pay not to exceed 10%, and amend the personnel rules.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-53
25. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**
Approve contract with Paula Norton to provide at-risk youth tutoring for the period of July 1, 2019 to June 30, 2020, in an amount not to exceed \$22,000.00.
SBC FILE NUMBER: 510
26. **PROBATION DEPARTMENT - J. FRONTELLA, JR**
Approve contract between San Benito County Probation Department and Corrections Software Solutions, L.P. (CSS) for Case Management

Application Software and support services for the period of July 1, 2019 through June 30, 2022, for a total cost of \$60,192.00.
SBC FILE NUMBER: 510

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

Approve contract with DIDS LLC, dba StreetTime Technologies, which includes the PassPoint.net support for screening Probation Department's offenders/clients for evidence of substance abuse for the period of January 1, 2019 through June 30, 2020, in an amount not to exceed \$10,800.00.
SBC FILE NUMBER: 510

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

Authorize the leasing of three vehicles through the County's Enterprise Fleet Management Master Equity Lease Agreement for FY 2018-2019, for an annual amount not to exceed \$20,000.
SBC FILE NUMBER: 510

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

Approve contract with King & Associates for Principle Based Cognitive Behavioral Training services for the period of July 1, 2019 through June 30, 2020 in the amount not to exceed \$61,920.00.
SBC FILE NUMBER: 510

30. **RESOURCE MANAGEMENT AGENCY**

Accept all bids for the County Service Areas CSA #11(Simmons/Barnes Lane), CSA #5 (Hillcrest), CSA #8 (Bonnieview), CSA #35 (Union Heights), CSA #9 (Ridgemark) Road Maintenance Project, PWB-1903; find VSS International, Inc. as the lowest responsive bidder; award contract to VSS International, Inc. in the amount of \$516,200.00; approve contract and authorize the CAO or Deputy CAO to execute the contract upon receipt of all contract documents required in the Invitation for Bids; and authorize the CAO or Deputy CAO to issue change orders in and amount of not to exceed \$38,310.00; Adopt Resolution approving license agreement with Ridgemark Homes Association for CSA #9 pursuant to Streets & Highways Code 969.5, and authorize the Chair to execute.
SBC FILE NUMBER: 105

31. **RESOURCE MANAGEMENT AGENCY**

Accept all bids for the John Smith Road CIR Maintenance at Fairview Road – PWD-1907, find Granite Rock Company as the lowest responsive responsible bidder, award contract to Granite Rock Company in the amount of \$315,646.60, approve contract and authorize the CAO or the Deputy CAO to execute the contract upon receipt of all contract documents required in the invitation for Bids, and authorize the CAO or Deputy CAO to issue change orders in an amount of not to exceed \$28,282.33.
SBC FILE NUMBER: 105

32. **RESOURCE MANAGEMENT AGENCY**

Approve a contract with Denise Duffy & Associates, Inc., for environmental review services for the preparation of the Initial Study for the proposed

grading and building project at the western end of Buena Vista Road for the term of May 8, 2019, through December 31, 2019, in the amount not to exceed \$35,560.00.

SBC FILE NUMBER: 790

33. **RESOURCE MANAGEMENT AGENCY**

Approve Reimbursement Agreement by project applicants, San Benito County and Michael Chen, of County costs related to the proposed grading and building project at the western end of Buena Vista Road (County Planning file PLN170011).

SBC FILE NUMBER: 790

34. **RESOURCE MANAGEMENT AGENCY**

Adopt Resolution approving the use of CalRecycle grant funds in an amount not to exceed \$14,500 to purchase internal recycling containers.

SBC FILE NUMBER: 142

35. **RESOURCE MANAGEMENT AGENCY**

Approve Contract Amendment # 2 with In Studio Architecture to add additional compensation in an amount not to exceed \$2,000.00 to the original contract amount (\$80,925.00) for the continuation of services through June 30, 2019 on the Homeless Services Center Phase II project.

SBC FILE NUMBER: 130

36. **RESOURCE MANAGEMENT AGENCY**

Approve lease of 12'x12' office located at the Resource Management Agency 2301 Technology Parkway Hollister, CA 95023 to the Assembly Rules Committee for Assemblymen Rivas' staff, for the period of June 11, 2019 through January 1, 2021.

SBC FILE NUMBER: 105.3

37. **RESOURCE MANAGEMENT AGENCY**

Adopt Resolution authorizing temporary closure of Anzar Road for PG&E pipeline inspection and maintenance work.

SBC FILE NUMBER: 105

SBC FILE NUMBER: 2019-54

38. **SHERIFF'S OFFICE - D. THOMPSON**

Approve agreement between Santa Cruz Regional 9-1-1 and the County of San Benito for communication services for a term of July 1, 2019 through June 30, 2020, with an automatic renewal for three (3) successive one (1) year periods unless otherwise terminated. The final budget for 2019-20 is \$399,448.00, a decrease of \$95,936.00 from FY 2018-19.

SBC FILE NUMBER: 110

39. **SHERIFF'S OFFICE - D. THOMPSON**

Approve Contract Amendment #1 with Cole Pro Media, LLC. for media consulting services in the amount of \$30,000.00 extending the current expiration date to June 30, 2020 from June 30, 2019 with an automatic renewal for two (2) successive one (1) year terms unless sooner terminated.

SBC FILE NUMBER: 110

40. **SHERIFF'S OFFICE - D. THOMPSON**

Approve Memorandum of Understanding between San Benito County and the Monterey County Office of Education for sublease of tower and building space commonly known as School Peak commencing July 1, 2019 through June 30, 2020 in the amount of \$47,460.24.

SBC FILE NUMBER: 110

41. **SHERIFF'S OFFICE - D. THOMPSON**

Accept all proposals for Food and Commissary Services for the San Benito County Jail and Juvenile Hall; award contract to Trinity Services Group and authorize jail staff to negotiate a contract to bring back before the board for approval.

SBC FILE NUMBER: 110

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

Approve contract for Business License Tax services to be provided by HdL Software for the period of June 1, 2019 - June 30, 2022.

SBC FILE NUMBER: 685.2

PUBLIC HEARING

43. **RESOURCE MANAGEMENT AGENCY**

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Hold a Public Hearing to accept public input and testimony on a proposed increase in the maximum allowable charge for solid waste collection rates with Recology San Benito; adopt Resolution adopting the maximum allowable solid waste collection rates, effective July 1, 2019.

SBC FILE NUMBER: 142

RESOLUTION NO: 2019-55

44. **ASSESSOR'S OFFICE - T. SLAVICH**

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Review Land Conservation Act request for Compatible Use Determination (LCA Contract 70-828 for installation of a Telecommunication Facility) and make a determination of approving or denying the request.

SBC FILE NUMBER: 7

45. **HEALTH AND HUMAN SERVICES - T. BELTON, INTERIM**

(Hold a Public Hearing at 9:00 a.m. or soon thereafter as the matter may be heard by the Board of Supervisors)

Hold Public Hearing on the approval of the 2020-2021 Community Services Block Grant (CSBG) Community Action Plan (CAP).

APPROVED BY THE BOARD OF SUPERVISORS ON 07/23/19

SBC FILE NUMBER: 130

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

Hold Public Hearing regarding new proposed hemp ordinance, County Code Chapter 7.04. Read title of ordinance for the record, waive further reading of the ordinance, and continue to June 25, 2019 for adoption. This ordinance would add Chapter 7.04 to Title 7 of the San Benito County Code related to Hemp regulation, including but not limited to definitions, prohibitions, the establishment of the Hemp Entity Management Program, registration requirements and regulations, fees, zoning for cultivation, required setbacks, odor and pollen drift mitigation, minimum parcel size, other requirements and administration and enforcement provisions. ENVIRONMENTAL EVALUATION: Exempt from CEQA, including, but not limited to, State CEQA Guidelines sections 15061, subd. (b)(3) and 15308. APPLICANT/PROPONENT: San Benito County. PROPERTY: Unincorporated San Benito County. SBC FILE NUMBER: 160

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

Hold public hearing regarding two new proposed ordinances: Cannabis and Hemp Regulations (County Code Chapter 19.43 and Section 25.07.005): The First ordinance would amend Chapter 19.43 of the San Benito County Code relating to the land use regulations applicable to the manufacture and laboratory testing of Commercial Cannabis and/or Cannabis products. The second ordinance would amend Section 25.07.005 of Title 25 of the San Benito County Code to permit as a conditional use in agricultural districts the manufacture and laboratory testing of commercial cannabis and/or cannabis products as well as hemp or hemp products. ENVIRONMENTAL EVALUATION: Exempt from CEQA, including, but not limited to, State CEQA Guidelines sections 15061, subd. (b)(3) and 15308; Continue matter relating to adoption of ordinance amending Chapter 19.43 of the San Benito County Code to June 25, 2019. SBC FILE NUMBER: 160

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.*

48. **BOARD OF SUPERVISORS**

Receive homeless programs update from Health and Human Services Agency and the City of Hollister. SBC FILE NUMBER: 119

49. **BOARD OF SUPERVISORS**

APPROVED BY THE BOARD OF SUPERVISORS ON 07/23/19

Chair to Appoint a Board Member to the Mobility Partnership Committee.
SBC FILE NUMBER: 119

50. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Receive an update from the Resource Management Agency on Public Works Division Federal Aid Highway Bridge Program.
SBC FILE NUMBER: 119
51. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Receive Presentation of the FY 19/20 CAO Recommended Budget.
SBC FILE NUMBER: 865

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.)

52. **CLOSED SESSION PER GOVERNMENT CODE SECTION 54957**
Public Employee Discipline/Dismissal/Release
SBC FILE NUMBER: 235.6
53. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (d)(2), (e)(2) of Government Code Section 54956.9
Number of cases: 2
Facts and Circumstances Justifying Closed Session: Potential of litigation relating to letter received on January 22, 2019 requesting County to enforce zoning contract between the County and Ridgemark Corporation; potential of litigation relating to current landfill agreement.
SBC FILE NUMBER: 235.6
54. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION**
No. of cases: 2 Subdivisions (a) and (d)(1) of Section 54956.9

Name of Case: BMC Promise Way, LLC, dba Benchmark Communities v. County of San Benito, City of Hollister, Sixth Appellate District, Court of Appeals, Case No. H046707.

Rose, et. al. v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-17-00151.
SBC FILE NUMBER: 235.6
55. **CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Section 54956.8**
Property street address: 0 Buena Vista Road (APN 019-230-002) (On Buena

Vista Road across the road from where Buena Vista Road makes a 90 degree turn towards the north)

Agency Negotiators: Ray Espinosa, County Administrative Officer; County Counsel Barbara Thompson

Negotiating parties: Graniterock

Under Negotiation: Price and Terms of Payment

Property street address: Panoche Valley Road (acquiring formal grant of easement for existing roadway from Paul Wattis)

Agency Negotiators: Ray Espinosa, County Administrative Officer; County Counsel Barbara Thompson

Negotiating parties: Paul Wattis, Paul Rovella

Under Negotiation: Price and Terms of Payment

ADJOURNMENT

Adjourn to the next special meeting of June 24, 2019.

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.