



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 25, 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

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

- a. Pledge of Allegiance

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

The Pledge of Allegiance was led by Supervisor Anthony Botelho.

- b. Acknowledge Certificate of Posting

APPROVED BY THE BOARD OF SUPERVISORS ON 09/10/19

Certificate of Posting.

MOTION:

Motion to Acknowledge the Certificate of Posting:

Made by **Supervisor Jim Gillio** and seconded by **Vice-Chair Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

c. Presentations and Recognitions

BOARD OF SUPERVISORS

Present Certificate of Recognition to Jackie Credico, Staff Services Manager with the Health and Human Services Agency, for over 17 years of Service with the County of San Benito upon her retirement, (1/7/2002 - 6/28/19).

SBC FILE NUMBER: 156

Supervisor Anthony Botelho presented Certificate of Recognition to Jacki Credico for over 17 years of service with the County of San Benito upon her retirement.

Ms. Credico thanked the Board.

d. Public Comment

Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2.

Those speaking from the public were: Marty Richman, Hollister resident, spoke about the Commercial Nodes on 101 and that the intentions were to respect the land and the environment, etc., unintrusive service areas. He said that he hopes that we don't lose sight of that.

Tami Aviles, CSA #25 Homeowner, thanked Supervisor Gillio for his work on their CSA monies and the staff also for their research. She said that we look forward to resolving our issues with our CSA.

Tami Aviles, Coalition for a New Community Library and Resource Center, spoke about the budget session yesterday. She said as the Library is under the jurisdiction of the County we look to you the leaders to expand the Library and its services. She said that we recognize and do thank you for your continued support and funding. She said as the coalition we are here to partner with you in support of this important effort. Our work has been to encourage the discussion of the Library and research funding methods to build a new expanded Library. As a follow up from yesterday's budget discussion, I would like to share with you our research for the public opinion survey. We received quotes from two firms and their quotes are in the range of \$26,000 to \$37,000. She said that we need to get the feasibility study done to find out if we should move forward and where we stand. She said that they respectfully request the Board of Supervisor reconsider the Library budget and make an addendum to add the \$35,000 for a feasibility study. She said that the Coalition is willing to work with the Board and pursue looking for other funding from other agencies and grants.

APPROVED BY THE BOARD OF SUPERVISORS ON 09/10/19

Susan Logue, Coalition for a New Library, spoke in regards to the coalition and what they do and people they have met with in regards to the Library. She said that the biggest issue with the Library is space and safety. She said that the \$35,000 would give us the money to see what the community wants. She said that she is asking for the Boards support today to let us move forward with a public pole and then determine what the next steps are.

Valerie Eglund, R.E.A.C.H. Board, spoke in regards to an issue that is coming to the Board in the near future from a BMX group, enthusiasts, that are asking for some experimental space at the Regional Park to keep the children off of the streets.

e. Department Head Announcements: Information Only

CAO Ray Espinosa announced that we have hired a new RMA Director Harry Mavrogenes.

Mr. Mavrogenes said that it was a pleasure to be here. He said that there is a lot of challenges in this County, but there is a lot of opportunities. He said some big picture items that he needs to tackle are our transportation system, highways, opportunities for funding, create jobs and our roads system. He said that he will do the best job he can and thanked them for the opportunity.

f. Board Announcements: Information Only

Supervisor Jaime De La Cruz thanked the organizations, City of Hollister and the County of San Benito who hosted the Kids in the Park at Dunne Park on June 19th.

Supervisor De La Cruz announced that he attended the City of Hollister's Town Hall meeting on tools and ideas as to how to deal with traffic on Central Avenue. On June 23rd he had a Town Hall meeting within his district and discussed facilities such as parks, addressing traffic issues east to west on highway 156 and highway 25 and addressing potholes on Buena Vista Road. He also thanked Ray Espinosa and Steward Patri for educating him on this years budget.

Supervisor Jim Gillio spoke about SB277, is the effort to change the funding under SB1. He said that this is a critical issue for us because if we loose this funding it is going to hurt our roads. He announced that this weekend was the Saddle Horse Show at Bolado Park. He reported that he had a meeting with the BMX Bike folks last week and supports finding a temporary area for them. He announced that tonight in downtown Hollister there is a round about meeting, 156/25 roundabout. He said that this is something that the Council of Governments has been talking about for about two years. He said that they opposed this and have been asking CalTrans for some alternatives. He said if you have concerns about the roundabout tonight is the time to talk to CalTrans this is their project.

Chairman Mark Medina asked if it was possible to put the BMX Bike item on a July or August meeting.

CAO Espinosa replied that yes we could do that.

Supervisor Anthony Botelho said that he looks forward to working with Harry and giving him a tour of some of our roads.

Supervisor Peter Hernandez reported that on June 13th he was part of an Emergency Preparedness meeting with the County Office of Education and that it was a really important meeting. He announced that he will be attending a NACO Conference in Vegas and some CSAC trainings in

Sacramento.

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 #1-40, with the exception of Item #33, #34 and #36, which were pulled for discussion:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Anthony Botelho**

5 - 0

For (5):

Against (0):

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

1. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**
Approve contract with SCI Consulting Group for cannabis support services in the amount not to exceed \$150,000.00, from July 1, 2019 to June 30, 2020.
SBC FILE NUMBER: 1.1
2. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Sun Street Centers, Men's Sober Living Environment (SLE) for the period of July 1, 2019 through June 30, 2020, for an amount not to exceed \$72,000.00.
SBC FILE NUMBER: 810
3. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Sun Street Centers, 'Women's' Sober Living Environment (SLE) for the period of July 1, 2019 through June 30, 2020, for a maximum total of \$72,000.00.
SBC FILE NUMBER: 810
4. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Kings View Corp. for Telepsychiatry Service for the period of July 1, 2019 through June 30, 2020 for a maximum total of \$100,000.00.
SBC FILE NUMBER: 810
5. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Kings View Corp. for MIS (Management Information System) for the period of July 1, 2019 through June 30, 2022, for a total contract amount of \$682,180.00.
SBC FILE NUMBER: 810

6. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with the Youth Alliance (YA) for the Provision of Mental Health Services Act (MHSA), Prevention and Early Intervention Services for the period of July 1, 2019 through June 30, 2020, in the amount of \$242,363.00.
SBC FILE NUMBER: 810
7. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Remi Vista, Inc. for therapeutic behavioral services for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$70,000.00.
SBC FILE NUMBER: 810
8. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Rebekah Children's Services, Inc., for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$40,000.00.
SBC FILE NUMBER: 810
9. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract renewal with Merced Behavioral Center for inpatient, locked sub-acute level skilled nursing services for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$89,000.00.
SBC FILE NUMBER: 810
10. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract with Sun Street Centers, for DMC-ODS (Drug MediCal Organized Delivery System) Women's Perinatal Residential Treatment and Other Supplemental Services for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$251,483.00.
SBC FILE NUMBER: 810
11. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approval of the FY 2019-20 Mental Health Services Act (MHSA) Annual Plan Update and the 3-Year Prevention and Early Intervention Report.
SBC FILE NUMBER: 810
12. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt a resolution amending the Gann Limit for Fiscal Year 2018-2019.
SBC FILE NUMBER: 156
RESOLUTION NO: 2019-59
13. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Approve Budget Adjustments for Fiscal Year End 18/19. Approval of various budget adjustments are needed by the Board of Supervisors related to the closing of FY18/19.
SBC FILE NUMBER: 865
14. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt Resolution subordinating the County's Interest in Tax Revenues to

APPROVED BY THE BOARD OF SUPERVISORS ON 09/10/19

Proposed Bonded Indebtedness of the Successor Agency of the
Redevelopment Agency of the City of Hollister and approve the Successor
Agency's subordination request relating to refunding the 2009 Bonds
SBC FILE NUMBER: 156
RESOLUTION NO: 2019-60

15. **COUNTY CLERK/AUDITOR/RECORDER/ELECTIONS - J. P. GONZALEZ**
Reduction of CalPERS Employer Unfunded Accrued Liability (UAL)
Contribution Expenditure with Annual Lump Sum Prepayment Option.
SBC FILE NUMBER: 608
16. **COUNTY CLERK/AUDITOR/RECORDER/ELECTIONS - J. P. GONZALEZ**
Delegate authority to County Clerk, Auditor & Recorder to appoint the Staff
Analyst and offer employment within the salary range for Department Staff
Analyst with all benefits provided to County MEG employees.
SBC FILE NUMBER: 943.1
17. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**
Approve Amendment No. 2 to legal services agreement with Colantuono,
Highsmith & Whatley, PC, in an additional amount of \$60,000 (for a total
contract of not to exceed \$80,000), to provide legal representation in the
matter of Rose et. al vs. County of San Benito.
SBC FILE NUMBER: 160
18. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve and Authorize the Chair to sign a Grant Agreement with the City of
Sunnyvale for the NOVA SlingShot 2.0 and the Regional Training Funds in the
amount of \$25,421.00; and approve Budget Adjustment in the amount of
\$25,421.00. (4/5 vote)
SBC FILE NUMBER: 130
19. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Adopt resolution approving the Operation and maintenance Contract #19-
OMS-12694 between the State Department of Housing and Community
Development (HCD) and the County of San Benito in the amount of
\$807,772; and authorize the HHSA Interim Director or CSWD Deputy
Director to sign said contract and any subsequent amendments to said
contract that do not require a budget augmentation.
SBC FILE NUMBER: 130
RESOLUTION NO: 2019-61
20. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**
Approve lease agreement between the County of San Benito and Wet and
Dry LLC to provide laundry equipment for the HOME Resource Center for the
period of July 1, 2019 through June 30, 2024.
SBC FILE NUMBER: 150
21. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve Contract with Mary White, Pharm D., Emergency Preparedness and Pharmacist consultant for the period of July 1, 2019 through June 30, 2020, in the amount of \$116,000.00.

SBC FILE NUMBER: 130

22. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve Contract with Jennifer Frusetta for the Public Health - Oral Health Project for the period of July 1, 2109 through June 30, 2020, in the amount of \$138,200.00.

SBC FILE NUMBER: 130

23. **HEALTH & HUMAN SERVICES - T. BELTON, INTERIM**

Approve and authorize the Director of Health & Human Services Agency (Agency) to Sign a Three Year Agreement with the Monterey County Department of Social Services for the use of the CHERISH Receiving Center for 23 hour Youth Placement for the period of July 1, 2019 through June 30, 2022, in an amount not to exceed \$10,000.00.

SBC FILE NUMBER: 130

24. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve and Authorize the Chair to sign a contract with Veronica Guerra, Licensed Vocational Nurse (LVN) for Nursing Services with the Public Health Services Division for the period of July 1, 2019 through June 30, 2020, for a total amount not to exceed \$103,000.00.

SBC FILE NUMBER: 130

25. **HEALTH AND HUMAN SERVICES AGENCY – T.BELTON, INTERIM**

Approve contract with Anita Alvarez, Public Health Nurse (PHN) for Public Health Nurse Services for the period of July 1, 2019 through June 30, 2020, for a total amount not to exceed \$53,000.00.

SBC FILE NUMBER: 130

26. **HEALTH AND HUMAN SERVICES AGENCY – T.BELTON, INTERIM**

Approve contract with Nancy Diehl, Public Health Nurse (PHN) for Public Health Nurse Services for the period of July 1, 2019 through June 30, 2020, for a total amount not to exceed \$28,000.00.

SBC FILE NUMBER: 130

27. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Adopt Resolution appointing Dr. Martin Fenstersheib M.D. as Acting County Public Health Officer; and approve a professional services contract for the period of July 1, 2019 to June 30, 2020 in the amount of \$104,000.00;

SBC FILE NUMBER: 130

RESOLUTION NO: 2019-62

28. **HEALTH & HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve contract with Gavilan College CalWORKs Program to Provide Educational Services to Eligible CalWORKs Participants for the period of July 1, 2019 through June 30, 2020, in the amount of \$50,000.00.

SBC FILE NUMBER: 130

29. **HUMAN RESOURCES - E. NOLASCO**
 Approve Job Specification for Assistant to the Resource Management Agency Director along with the corresponding salary and the related addition of 1.0 FTE to the schedule authorized positions.
 SBC FILE NUMBER: 630
30. **OFFICE OF EMERGENCY SERVICES - K. O'NEILL**
 Authorize signing of Multi-Jurisdictional Local Hazard Mitigation Plan Letters of Commitment and Local Match Fund Commitment Letter for application to the Hazard Mitigation Grant Program and authorize submittal of grant application.
 SBC FILE NUMBER: 1068
31. **PROBATION DEPARTMENT- J.FRONTELLA, JR.**
 Approve Contract with the Gavilan Joint Community College District to provide the "Gavilan College Noncredit Program" in the San Benito County Jail and Community Transition Center for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$10,000.00.
 SBC FILE NUMBER: 510
32. **RESOURCE MANAGEMENT AGENCY - H. MAVROGENES**
 Approve contract with Cleaning Services for janitorial services in an amount not to exceed \$519,8238.00, for the term of June 25, 2019 through June 30, 2022.
 SBC FILE NUMBER: 105.3
33. **RESOURCE MANAGEMENT AGENCY- H. MAVROGENES**
 Approve contract with SWCA Environmental Consultants to perform environmental review services for the preparation of the Initial Study for the proposed use permit and building project at 1520 Sunnyslope Road (County Planning File PLN 180035) for the term of June 25, 2019 through December 31, 2019, in an amount not to exceed \$14,284.00.
 SBC FILE NUMBER: 105

This item was pulled by Michael Fry, Sunnyslope Christian Center, with a question in regards to reimbursement agreement and the additional cost.

County Counsel Michael Ziman provided information on the agreement and what the costs cover.

Mr. Fry thanked Mr. Medina who is our district representative for his leadership an ability to help us with our building project.

MOTION:

Motion to approve Item #33 and #34 together as presented:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

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

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

Approve a Reimbursement Agreement between San Benito County and project applicant, Michael Zangara, for County costs related to the proposed use permit and building project at 1520 Sunnyslope Road (County Planning file PLN180035).

SBC FILE NUMBER: 790

This item was pulled by Michael Fry, Sunnyslope Christian Center, and heard with Item #33 and approved.

MOTION:

Motion Motion to approve Item #33 and #34 together as presented:

Made by **Supervisor Jim Gillio** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

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

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

Approve Amendment #1 to contract with Ecology Action for Green Business Specialist services to Certify Green Businesses within San Benito County; add additional compensation in an amount not to exceed \$37,550.56 and extend the term of expiration from June 30, 2019 to June 30, 2020.

SBC FILE NUMBER: 142

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

Approve Amendment #4 to the contract with Bracewell Engineering to continue water and wastewater services for County Service Areas (CSAs) 22 Cielo Vista, 31 Stonegate, and 50 Dunneville that will: (1) extend the Contract to June 30, 2020; and (2) add additional compensation in an amount not to exceed \$173,096.00 for the extended period.

SBC FILE NUMBER: CSA's

This item was pulled by Chairman Mark Medina. He stated that some constituents are not pleased with services by Bracewell. He is asking to amend their contract on a month to month basis until we can go with an RFP to do something differently.

Harry Mavrogenes, RMA Director, said that we did go through and RFP process and the two respondents did not meet the requirements. He said that we fell back on the firm that was doing the work now and shortened the term to a year in order to give us the opportunity to go out for another RFP. He said that if the Board wishes to shorten the term, we can, but I want to make sure that we have adequate time for the community to have this input.

Chairman Medina said that he would be willing to keep it for one year with the recommendation that we go out for another RFP next year.

CAO Ray Espinosa provided additional information.

MOTION:

Motion To Approve for the year contract:

Made by **Supervisor Jim Gillio** and seconded by **Chairman Mark Medina**

For (5):

Against (0):

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

37. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES

(1) Accept all proposals for the PWP-1903 Public Works Road Maintenance Potholes Repair; (2) find Granite Rock Company as a responsive responsible proposal submitter; (3) award contract to Granite Rock Company in the amount of \$395,000.00 for Work Zones A , B, and C; (4) approve contract and authorize the CAO to execute the contract upon receipt of all contract documents required in the Request For Proposal, (5) and authorize the CAO to issue change orders in an amount of not to exceed \$32,250.00; (6) Adopt resolution pursuant to Public Contracts Code sec. 22050 allowing pothole repairs to be completed without further competitive bidding process.

SBC FILE NUMBER: 105

RESOLUTION NO: 2019-64

38. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES

(1) Approve an Alternative Project – Panoche Road – approximately 28 miles in an estimated not-to-exceed amount of \$350,000 for the PWP-1903 Public Works Road Maintenance Potholes Repair; (2) authorize the CAO to execute the contract upon receipt of a cost estimate as required in the Request For Proposal; (3) and authorize the CAO to issue change orders in an amount of not to exceed \$30,000.00. Authority to execute the contract is pursuant to Resolution of the Board of Supervisors being adopted concurrently with the associated contract for pot-hole repairing with Granite Rock Company.

SBC FILE NUMBER: 105

39. SHERIFF'S OFFICE - D. THOMPSON

Approve Amendment #7 to contract with California Forensic Medical Group for health care services to the county jail and juvenile hall; extend term of contract to June 30, 2020 from June 30, 2019; and increase the monthly payment and per diem rate by the February CPI of 2.8% to \$91,653.24 from \$89,156.85 and \$4.64 from \$4.51 respectively.

SBC FILE NUMBER: 110

40. SHERIFF'S OFFICE - D. THOMPSON

Approve contract with Trinity Services Group for food service for the Jail and Juvenile Hall with a sliding scale, per-meal cost for a three year term, July 1, 2019 - June 30, 2022 with an automatic renewal for two (2) two-year extensions unless terminated sooner by either party.

SBC FILE NUMBER: 110

PUBLIC HEARING

41. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Continue Public Hearing from the June 11, 2019 meeting regarding new proposed hemp ordinance, County Code Chapter 7.04. Adopt ordinance to 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

County Counsel Barbara Thompson provided information that we need to continue this item to a future date after the Summary Ordinance has been published. She said, in the meantime, we will work with the Ad Hoc committee to make some minor changes for Hemp.

MOTION:

Motion to continue this item to a future Board date to be determined by staff: Made by **Supervisor Anthony Botelho** and seconded by **Supervisor Jim Gillio**

5 - 0

For (5):

Against (0):

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

42. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Continue Public Hearing from the June 11, 2019 meeting. Adopt two new proposed ordinances. 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.

SBC FILE NUMBER: 160

ORDINANCE NO: 984

ORDINANCE NO: 985

County Counsel Barbara Thompson provided information in regards to the two ordinances.

Public Comment: James Keener, Owner of San Juan Green, said that he has applied for a cannabis permit and would like to have a Hemp license. We would like to build green houses and put up the green houses to start Hemp production and test seeds now before the cannabis goes through so we can raise money. Once we get the cannabis permit we would stop the hemp.

Agricultural Commissioner Karen Overstreet provided information to his question that he would be able to register now for the Hemp.

MOTION:

Made by

APPROVED BY THE BOARD OF SUPERVISORS ON 09/10/19

Motion to Adopt Ordinance 984, amending 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/Cannabis products; Adopt Ordinance 985, amending 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/cannabis products as well as hemp or hemp products; exempt from CEQA, including but not limited to, State CEQA Guidelines sections 15061, subd. (b)(3) and 15308:

Supervisor
Anthony
Botelho
and
seconded
by
Supervisor
Jim Gillio

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.*

43. BOARD OF SUPERVISORS

Receive update on San Justo Reservoir from various agencies.

SBC FILE NUMBER: 156

Chairman Mark Medina provided background information and said what he would like to accomplish today is to find out who the decision makers are and hold them accountable. He said I would also like to accomplish what are the alternatives and what can we do with that area. He said that we need a timeline and a plan.

Management Analyst Dulce Alonso provided a brief overview and a PowerPoint presentation that covered the following: Timeline of reservoir; Central Valley Project, 1986 Built & owned by Bureau of Reclamation, 2008 exotic zebra mussel detected, 2013 Board of Supervisors Resolution for eradication of the mussel; Owned & Operated: The County does not own San Justo Reservoir it is owned by the USA Bureau of Reclamation and the San Benito County Water District operates the water. The County entered into agreement in 1985 with USA Bureau of Reclamation to do the management of recreational activities; May 27, 2008 picture of the exposure of the mussels which was taken by the San Benito County Water District; Map from the US Geology Survey on January 28, 2018, California specifically San Justo is the only location in California that has this particular type of mussel, on the East Coast there is the ratification and spread of the mussel which has impacted several states. She said that we definitely do not want that in California. She mentioned that if you go on the website you can click on the different states to see where it has been infected with zebra mussels. There has been two issues of mussels reported in California and they are both within our County, one in 2008 and it was at the San Justo Reservoir and the other was in 2019 at the Hollister pump in Ridgemark Golf Course; Where we are today the Bureau of Reclamation has done a Final Feasibility Eradication Plan that has gone through peer review; Eradication Plan Process: Draw-down of the reservoir; Apply potassium solution to San Justo Reservoir; Flush, charge & hold treated water 45 days before resuming operations; monitoring; San Justo Reviver 2019 image; Next Steps for Bureau of Reclamation: Apply for chemical applicators permit; update the cost-benefit analysis; go through an acquisition process, review of proposals and award a

contract; implementation of eradication plan; evaluation of contracted work; monitoring.

Ms. Alonso said that we will be hearing from the Bureau of Reclamation, San Benito County Water District and Congressman Panett'a Office on this issue today.

Duane Stroup the Deputy Area Manager for Bureau of Reclamation South County Office- Fresno County said that we are the owners and managers of the San Justo Reservoir.

He said in 2016 he came before the Board because the Board had questions as to what we were doing with San Justo. He said at that time they stated that they needed to develop a plan for eradication because we did not have a plan at the time. He said since then we just finished the plan and it has been reviewed by experts on zebra mussels. He said that the plan for eradication is to work on getting a permit to put chemicals in the water. The plan would be to draw the reservoir down over a couple of years to be able to put the chemicals in and keep it in for 45 days. He said that the best time to do it would be summer so it would not disrupt agriculture in the area. He said it has been asked why it is not open. He stated that they are the decision makers and are the ones that closed the reservoir to recreation. He said that the reason that they closed it was because the value of water in California. He said agriculture in the central valley is worth billions of dollars a year and the State and Central Valley project is mingled and if the zebra mussels were to get loose and spread from where they are in San Justo could do economic damage to the State of California and it would be significant. He said that we the Bureau of Reclamation judged and warranted it so that we can do an eradication at San Justo. He said now that we have the plan completed we can complete the National Environment Policy Act work that we need to do in going forward. He spoke about the funding for implementing the eradication coming from the federal government. He said that they are going to start preparing the contract documents that are needed for a contract.

Chairman Mark Medina said that one of the questions is what are the alternatives; can it be used for hiking or some other use of recreation.

Mr. Stroup said that we are fortunate that it started their because San Justo does not feed in to any other water systems. He said that the only way that we can figure on how the zebra mussels got into the reservoir is through human activity by fishing, boating and kind of water contact.

Chairman Medina said if we were able to have a group or entity control the San Justo Reservoir and none of the fishing stuff would leave the site would that be o.k.

Mr. Stroup said that he did not have the authority to answer that. He said that the federal government is always willing to talk to local entities and would involve several water users.

Supervisor Jaime De La Cruz said that if you have a vendor on sight and can control the transfer of equipment and stays within the premiter, where do you see deficiency in that .

Mr. Stoup said in human error. He said it is a very significant risk in infestation as they can spread very easily. He said that the best solution other than eradication is to isolate the reservoir.

Supervisor Anthony Botelho thanked him for coming here today. He said that this is a very important facility for us and this Board has been working for quite sometime to encourage some way to get it back open to the public. He said it appears that you are working towards that direction.

He said that he had a question in regards to the significant damage it could cause to other water ways and that it is the same impact that we have had for recreation and having businesses effected

by having San Justo closed. He said taking that in account shouldn't there be a little more emergency to ratify the mussels before they can affect another body of water. What kind of timeline are we talking about.

Mr. Stroup replied we are trying to fit a time which will be late summer to apply the pot ash and let it set through December. He said that we have been trying to find a plan that we thought would work and has success. He said as far as a timeline after they get funding it will take approximately two months to draw down the reservoir to a level where we can treat it. He said it will be after the second year of irrigation and then approximately three years monitoring to see if the zebra mussels have been eradicated.

Supervisor Gillio thanked him for coming and being direct as who is responsible. He had a couple of questions about drawing down possibly all of the way, the life cycle of the mussels and if the mussels can travel upstream to other bodies of water.

Mr. Stroup replied that we have had discussions on this issue; is it better to draw down or is it better to keep it up where we can treat the distribution system. He said that the answer that they came up with was to treat the distribution system. He said that their plan will be given to the contractor and we will see what their suggestion is for a treatment plan. He replied in regards to the question on the life cycle of one of these mussels; he his not sure as he is not an expert on these mussels. He replied to the question in regards to why the mussels don't travel up steam through our piping system that dumps in to San Justo. He said he understands that they do not swim, they rely on the movement of water to move them.

Supervisor Peter Hernandez thanked him for coming to the meeting. He said that he is confused as to what the game plan is. He said that he sounds like there needs to be a long term game plan.

Supervisor De La Cruz asked if funding wasn't an issue what is the timeline we are looking at for opening it to public recreation.

Mr. Stroup replied that if we get funding this year it would be probably about 5 years from now. He said 2 years to draw down the reservoir, 3 years of monitoring.

Chairman Medina said that it is clear that the decision maker is the Bureau of Reclamation. He asked if they have considered any alternatives.

Mr. Stroup replied no they have not considered any alternatives.

Chairman Mark Medina asked who they need to talk to about getting a local vendor and keeping it in house and making it a hiking area other than fishing.

Mr. Stroup said that the County the State of Reclamation and the San Benito County Water District would need to work together on that issue.

Garrett Hurdle Deputy District Engineer for the San Benito County Water District thanked Dulce and Mr. Stroup for coming today. He said that they operate the San Felipe/Hollister Division of the Central Valley Water project and provided information in regards to the water system. He also spoke in regards to the operational agreements with the San Benito County Water District and the USBR and the one that the County has with the USBR.

Supervisor Botelho asked if the San Benito County Water District would be willing to work with the Bureau of Reclamation to move to address these mussels.

Mr. Hurdle replied that the Water District has spent over \$600,000 of district funds to try and eradicate this problem and do things to make sure they are controlled. These mussels can live a long period of time. He stated that they are working with the Bureau of Reclamation. He spoke about drawing down the water and treatment process. He addressed the Cities 2 water treatment plants and how those supply the higher quality water and the relationship to San Justo Reservoir.

Carina Chavez from Panetta's Office spoke about the Town Hall meeting that Congressman Panetta had in the Board Chambers a while back and that the issue of San Justo Reservoir came up. We all know how important this reservoir is to this community and how generations have used that facility. He would like to continue in being a partner to see this moving forward. She read a statement from Congressman Panetta that he wanted her to share with the Board and the public: He has been working hard with the Bureau of Reclamation on the final report to eradicate the zebra mussel infestation in the San Justo Reservoir; he has made it a priority to push this issue forward; know that we have a plan in hand Congressman Panetta is going to work with his colleagues in Congress to deliver the necessary funding and work with the Bureau of Reclamation to eradicate the zebra mussel and get the reservoir open for public use. He thanked the Board for the opportunity to be here.

Supervisor Botelho made a comment that Congressman Panetta has been engaged in this issue since he has been elected and appreciates his support. He said that this is very important to us.

Supervisor De La Cruz thanked Panetta's Office for being here. He asked if his office could possibly assist with information on getting a vendor to manage San Justo Reservoir so it could be used prior to eradication. He asked if Panetta's Office could give a report or feedback every 3 months to see how they are doing with the issue of San Justo Reservoir.

Carina said that she would relay that information to the Congressman and staff and that they would continue to attend the Board meeting and give an update as to how things are moving along.

Supervisor Gillio thanked them for coming and mentioned that he does not want to lose sight of this so would like to be kept informed of what is happening.

Carina announced that they do have mobile office hours every month here in Hollister the second Wednesday of the month from 11:00 a.m. to 1:00 p.m. at the Vet's Memorial Hall

Supervisor Hernandez thanked them for coming. He said that he agrees with Supervisor Gillio and Supervisor De La Cruz's comments and agrees that we need a partnership.

Public Comment:

Mark Boos, Scout Master for Troop 504 in Aromas, spoke about the lack of progress to open this facility since 2005. We need to eradicate it and get it open.

Marty Richman, Hollister resident, said that we are never going to be in San Justo Reservoir. Yes we need to eradicate it but it is going to take 5 to 10 years to do that, it is not easy to get rid of. Need to look for an alternative solution.

John Goff, Hollister resident, spoke of San Justo Reservoir closure and how we need quality recreation for adults and children.

Kollin Kosmicki, San Juan Bautista resident, spoke about how it was appalling that we are looking

at 5 to 7 years to get this done. Spoke about outdoor recreation in San Benito County and how we need to open this reservoir. He commended the County Supervisor's, Congressman Panetta and local residents for supporting the opening of the reservoir.

Cyndi Ackerman, Hollister resident, spoke about the closure of San Justo Reservoir. She said that we need to have this reservoir open for families.

Marty Martinez, Business Owner, spoke about why the reservoir hasn't been drained completely after harvest season. He also spoke about security at San Justo Reservoir.

Aiden Gonzalez, spoke about opening San Justo Reservoir for the youth.

Elia Salinas, spoke about how we all want San Justo open to the public but the most important thing here is that San Justo was made for agriculture. Recreation was never part of the project.

Wayne Norton, Aromas resident, spoke about water going to waste water plants and having more extensive meetings to see what is going on.

Kelly May, San Juan Bautista resident, spoke about how we need to open the reservoir.

Andy Korzan, Salinas resident, spoke about a vendor being out there and getting it open.

Chairman Medina said that we are not happy about what we heard today, but did find out that the decision makers are the Bureau of Reclamation. He said that we got the timeline and the facts.

Supervisor Hernandez said after hearing the information today it is very involved. Spoke about the possibility to figure out if we could make the public partners in the solution.

Supervisor Botelho thanked the public for stepping forward and expressing themselves. He said it is not ours to open it is the Bureau of Reclamation's. He said that we need to keep working on this and continue to work with the Water Districts and State Representatives.

Supervisor Gillio said that he is passionate like everyone else is to open the reservoir. He said that it looks like that we are making progress. He said that we need to see if there are other alternatives out there. He asked to hear from the Biologist to understand a little bit more about the mussels.

Seth Donrovich, Biologist, spoke how the mussels can be transported without even knowing it. He said that eradication is the best bet. He spoke about isolation is a smart way to go.

This was information only presentation.

Chairman Medina announced that they would be hearing Item #47 next.

44. BOARD OF SUPERVISORS

Receive an update on Mobility Partnership projects and provide direction to Mobility Partnership Members.

SBC FILE NUMBER: 156

Executive Director of COG Mary Gilbert provided background information in regards to the Mobility Partnership: Established by Memorandum of Understanding between San Benito COG and Santa Clara VTA; Comprised of elected officials from the counties of Santa Clara and San

Benito County Board of Supervisors; Originally formed a MOU back in 2009 to look at safety and traffic issues along SR 152; Restarted Mobility Partnership meetings in December 2015; Purpose of Mobility Partnership: Provide policy oversight and direction to staff regarding potential mobility improvements between US 101 and Interstate 5 in northern San Benito and southern Santa Clara counties, with focus between US 101 and SR 156; Advocating for the development and funding of these transportation improvements; Mobility Partnership Current Work Plan: Two major items on work plan; Highway 25/101 Interchange and New Trade Corridor; Questions.

Supervisor Anthony Botelho spoke about the Mobility Partnership Committee selected Alternative 2.

Chris Metzger, VTA Project Manager spoke on the US 101/SR 25 Interchange and trade Corridor. He said that they are proposing Interchange 1A of the trade corridor and provided additional information of the project. He spoke about how they recently received SB1 Funds and how they are proceeding forward. He provided information on the existing conditions and the Alternatives 1 and 2 and what they would look like. He said that the mobility partnership chose Alternate 2. He spoke about Alternative Selection Evaluation Criteria: Traffic, safety, environmental and community impacts, schedule, constructability, cost/funding; Design Alternative Evaluation Summary.

Discussion ensued by Board and Mr. Metzger regarding concerns and alternatives.

Mr. Metzger went over new trade corridor, typical sections, alignment features, flood plan zone, alignment evaluation matrix: segment length, total length of roadway (miles), travel time (US 101/SR152 to SR152/SR156, right-of-way and cumulative distance to economic centers. He asked if the Board had any questions.

Supervisor Botelho thanked Mr. Metzger for coming and giving this presentation. He did point out that alignment 4 goes through commercial area and is a little to far south. He said that are a lot of pro's and con's to each alignment. He thinks we should be studying alignments 1, 2 and 3.

Supervisor Hernandez spoke of Alternative 1 being a big problem due to being in the flood plane. He said that alignment 4 seems to be the most economic benefit to our community.

Discussion ensued by Board and Mr. Metzger.

Mr. Metzger said that he would be bringing more information back in the meeting in August.

Public Comment:

Stephen Rosati, Hollister resident, spoke on interchange realignment 152/Santa Theresa extension and alternative 2. He provided a handout to the Board. He asked the Board support alignment 2.

Greg Sweit, Paicines resident, spoke about alternatives and northern and southern traffic. He said that you need to look at the total information.

Chairman Medina said that we are looking for some type of guidance. Looks like we are looking at alignments 2, 3 and 4.

Ms. Gilbert provided additional information in regards to alignment 1 and further study in regards to all of the alignments.

Mr. Metzger said that they would take the information from today back to the Mobility Partnership

Committee for further review and that they would bring back their goals in the future to the Board.

Chairman Medina announced that they would be break for lunch and reconvene at 1:30 p.m.

45. OFFICE OF EMERGENCY SERVICES - K. O'NEILL

Receive presentation on the Public Safety Power Shutoff (PSPS) program.
SBC FILE NUMBER: 1068

Kevin O'Neill Office of Emergency Services Director provided information in regards to Public Safety Power Shutoff (PSPS) program.

Eric Daniels from P.G. & E. provided a presentation which included the following: Community Wildlife Safety Program: Real-time monitoring and intelligence, Wildfire Safety Operations Center, Expanding our network of PG & E weather stations, installation of new high-definition cameras; New and Enhanced Safety Measures: Increase focus on Vegetation Management, Conducting accelerated safety inspections, Disabling automatic re-closing of circuit breakers and reclosers, Public Safety Power Shutoff; System Hardening and Resiliency: Installing stronger and more resilient poles and covered power lines, Replacing equipment to further reduce risk to our system, Piloting new resilience zones; CPUC High Fire-Threat District Map, San Benito County (Tier 2 and Tier 3); PSPS Event Notifications: Extreme weather threats can change quickly. Our goal, dependent on weather, is to provide customer with advance notice prior to turning off power. We will also provide updates until power is restored; Working to Restore Power: We will only restore power when we are certain it is safe to do so. We would inspect the system for damage and restore power to most of our customers within 24 to 48 hours after extreme weather has passed; Working with our Customers to Prepare: Outreach: Go to www.pge.com/mywildfirealerts to get more information about this and to update your contact information. Questions:

Supervisor Jim Gillio thanked Eric for coming down and presenting. He said if we can help get the word out through our social media accounts we would be glad to.

Supervisor Anthony Botelho thanked Eric for all the great information and what he sends through emails.

Supervisor Peter Hernandez stated that it is important to be prepared, especially, as being a business owner.

Mr. O'Neill gave an update as to what they have been doing locally in San Benito County to prepare for this. He said that their major priority during a power shut off is ensuring that our infrastructural and essential services remain functional. He said that means our communication structure, water, wells, making sure that our fire station's and police officer's are able to respond to calls and people can still call 911.

This was a presentation only.

46. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

a) Introduce Inclusionary Housing Ordinance regulations in San Benito County to include, but are limited to the following items: 1) Assigning the in-lieu to \$82,600 per off-site building permit and setting the Inclusionary Unit Cost at \$413,000; 2) Updating the Housing Advisory Committee to seven members; 3) Including the term extremely low income; and 4) Removing Sections

- 21.03.014, 21.03.015, 21.03.16. (Chapter 21.03 of the San Benito County Code);
- b) Introduce the Housing Advisory Committee By-Laws to the Board of Supervisors; and
 - C) Hold a public hearing on July 23, 2019 regarding the proposed Ordinance.
- SBC FILE NUMBER: 119

Management Analyst Dulce Alonso introduced Jamila Saqqa, Housing Programs Coordinator for the City of Hollister and the County.

Ms. Saqqa provided background information in regards to San Benito County's Affordable Housing Ordinance and provided a PowerPoint which included the following: Purpose of Ch. 21.03 - To enhance the public welfare, benefit the property being developed, assure compatibility between future housing development and the housing units affordable to persons of extremely low, very low, low and moderate income and ensure that remaining developable land in the County is utilized in a manner consistent with State and local housing policies and needs; Changes to the Affordable Housing Ordinance - Removed 21.03.014-016, include the term, extremely low income and in use of in-lieu payments, updated sections to the Housing Advisory Committee Members and by-laws to be included, establishing in-lieu payment and per inclusionary unit cost; Housing Advisory Committee: Establish Committee Bylaws, Housing Advisory Committee; To advise the Board of Supervisors on Housing Element and inclusionary housing ordinance; to consist of (7) members, 2 Planning Commissioners, 2 Board Members and 3 Public Members, member from Affordable Housing Development, Builder, and financial or accounting background; Example of a Development with On-Site Inclusionary Construction; Example of a Development with Off-Site Construction; In-Lieu Established (Affordability Gap); In-Lieu Payment per Inclusionary Unit; An Example of a Fractional In-Lieu Payment; Questions or comments:

Lengthy Discussion ensued by board and staff.

Those speaking from the public with comments:

Victor Gomez; Dennis Martin, BIA Bay Area; Elia Salinas; Tami Aviles, Valerie Eglund, San Juan Bautista.

Supervisor De La Cruz thanked Jamila and Dulce for bringing this to the Board. He said that he would like to be appointed to the committee if possible because he is very passionate about this.

Chairman Medina said that he would appoint himself and Supervisor De La Cruz to the Ad Hoc Committee for affordable housing for the Board of Supervisors.

Supervisor Botelho said with this ordinance we are trying try strive for a good life style for all of our residents.

Supervisor Gillio said that we all want to have an effective way to have affordable housing for our community members to be able to buy a house. He asked who do you see sitting on this Board other than the two Board members.

Ms. Saqqa provided information, 2 Board Members, 2 Planning Commission, 3 Public Members - Affordable Housing Development - Builder and financial or accounting background.

Discussion ensued by Board and staff.

Chairman Medina said the staff had direction.

Ms. Alonso spoke on the by laws and the changes that needs to be made. This will be brought back at the July 23rd meeting for adoption.

47. AGRICULTURAL COMMISSIONER - K. OVERSTREET

Adopt the Resolution of Intention to continue Assessments for FY 2019/2020, preliminarily approve the Engineer's Report and provide for a Notice of Hearing for the Mosquito Abatement Program as recommended by the Engineer's Report.

SBC FILE NUMBER: 1.1

RESOLUTION NO: 2019-63

Agricultural Commissioner Karen Overstreet provided information on the Mosquito Abatement Program and Assessment report. She said that based on the report the fee would remain the same as last year. She said that she is here today for the following: 1) Except the Engineers report; 2) Adopt the Resolution of Intent to Levy the Assessment for FY 2019/2020; 3) schedule a hearing for July 23rd for public comment.

Chairman Medina said that they would hear Item #44 next and then take lunch.

MOTION:

Motion to Adopt Resolution 2019-63 per staff recommendation: Made by **Supervisor Anthony Botelho** and seconded by **Supervisor Jim Gillio**

4 - 0

For (4): *Against (0):*

Ayes: Botelho, Gillio, Hernandez, Medina

48. BOARD OF SUPERVISORS

Receive update from Field of Dream Ad Hoc Committee.

SBC FILE NUMBER: 156

CAO Ray Espinosa provided information that an Ad Hoc committee was crated by your Board (Supervisor Hernandez and De La Cruz) for looking in to a Field of Dreams. He said that they are working on moving this forward. He said that they have met with the City of Hollister City Manager and the Superintendent at San Benito High School in addressing the actual lease agreement and Nash Road. He said that one of the requests from San Benito High School is that they would like to see Nash Road closed permanently. He said that they would transfer that property over to us. The City will be bringing it to their City Council meeting on August 5th. He said that there is about 47 acres that the County owns, 23 acres Palmtag and 21 acres Lantis, provided a map.

Supervisor Jaime De La Cruz said that he would like to first start by removing the name of the committee from Field of Dreams to Sports Complex committee. He talked about having a sports complex and the need and about a temporary BMX track, etc. Spoke about Nash Road closure and the meetings they have had with different entities.

Supervisor Jim Gillio said that he supports the closure of Nash Road.

Supervisor Peter Hernandez said that he appreciates the support that they have gotten to move this forward. He said that the Ad Hoc committee has visited three different parks (Twin Creeks in Santa Clara, Field of Dreams in Manteca and Ripon's Sports Complex) and have met with Hollister Heat the Tremors. He said right now we are working on getting the 47 acres from the High School to work towards this complex.

Supervisor De La Cruz we are looking at a private/public relationship.

Chairman Medina said that he would like to see the complex be used for all sports.

Supervisor Botelho said that we already have possession of the 47 acres with the City and the High School and were supposed to review in 5 years the possible closure of Nash Road. He also asked about Hollister's Plan for Westside Boulevard.

County Counsel Barbara Thompson provided additional information that there is an Memorandum of Understanding but are trying to obtain sooner.

Discussion ensued by Board and staff regarding Westside Boulevard.

Public Comment:

Valerie Eglund, San Juan Bautista resident, spoke about R.E.A.C.H. and how this is extremely important for the population and families to use.

Supervisor De La Cruz committee is asking for the Boards blessing to work with the City of Hollister in regards to this.

CLOSED SESSION

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

The Board adjourned in to closed session at 3:46 p.m.

The Board reported out at 3:58 p.m.

No reportable action on closed session items.

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.)

49. **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

No reportable action.

50. **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

SBC FILE NUMBER: 235.6

No reportable action.

51. **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

No reportable action.

ADJOURNMENT

Adjourn to the next regular meeting of July 23, 2019.

MOTION:

Motion to adjourn the meeting at 3:59 p.m.: Made by **Vice-Chair Jaime De La Cruz** and seconded by **Supervisor Anthony Botelho**

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

APPROVED BY THE BOARD OF SUPERVISORS ON 09/10/19

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.