



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

October 22, 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 Jaime De La Cruz,
District #5.**

The Pledge of Allegiance was led by Supervisor Jaime De La Cruz.

- b. Acknowledge Certificate of Posting

Certificate of Posting.

MOTION:

Motion to Acknowledge the
Certificate of Posting:

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

c. Presentations and Recognitions

HEALTH & HUMAN SERVICES AGENCY - T. BELTON

Receive Presentation on Flu Clinic to be conducted October 29, 2019.
SBC FILE NUMBER: 130

Supervisor Jaime De La Cruz presented Certificate of Recognition to Judith Diaz for her 30 years of service with the Assessor's Office upon her retirement.

Ms. Diaz thanked Board of Supervisors for the certificate.

Assessor Tom Slavich said that Judy has been a great person to work with and has been her boss for 15 years. He wished her the very best upon her retirement.

BOARD OF SUPERVISORS

Present Certificate of Recognition to Judith Diaz, Assessment Clerk III, with the Assessor's Office for her 30 years of service with the County of San Benito upon her retirement.
SBC FILE NUMBER: 156

Public Health Services spoke about Influenza and the Flu season that is upon us. Provided information on the consequences of influenza and the importance of prevention as we enter this years flu season. This is the 101st Anniversary of the Worlds flu pandemic that we have seen in our history. Influenza is a respiratory illness it is not a stomach bug and it is very contagious and causes several hospital visits and deaths each year. Symptoms usually include fever, chills, cough, sore throat, runny, stuffy nose, body aches, headache and being very tired. It spreads by coughing, sneezing and talking. The best way to prevent the flu is with a flu vaccination each year. The best way to treat the flu is with rest, stay hydrated and go to the doctor as soon as possible to get anti-viral medications.

Announced that there will be a Countywide Flu Clinic on Tuesday, October 29th from 3:00 p.m. to 8:00 p.m. at the Veteran's Hall and is open to the public.

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.

Robin Lynch, Office Assistance Public Health, spoke about how county employees are grossly underpaid, understaffed and the insurance rates continue to soar. She said that I think what SEIU is

proposing is more than fair and supports them.

Michael Silverman, SEIU, spoke about how health care costs have increased and that it is the responsibly of the employer to provide. He spoke of the comp study that was recently done by the County which will help some employees. He said that you need to allow the union to be a part of the County's study.

Crista Azevedo, Eligibility Specialist with HHS A, spoke of how she can not afford to live here but wants to work here.

Diana Sanchez, Eligibility Specialist at HHS A, re-sighted the County's Mission Statement; the County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty and integrity, and respect for the individual, and will hold the organization of County government to the same standard. She said I state this for a few reasons, first to acknowledge all of the Board of Supervisors for all of their hard work and their time committed to San Benito County and that the Board of Supervisors recognize that we are putting our trust in your standards. Spoke in regards to the high cost of insurance and low pay and heavy work load.

Regina Valentine, Transportation Planner of COG, said that she has had the pleasure of serving on SEIU's bargaining team. Spoke about the increase in health care cost and the comp study. She hopes that you will consider our proposal and we can come to an agreement.

Veronica Lezama, Transportation Planner of COG, spoke about the increase in health care costs. She said that she enjoys the work that she does here in the community. She hopes that the Board will consider the proposal they have been presented and thanked them for their time.

Raymond Garcia, Eligibility Worker for HHS A, said that he enjoys working for the County of San Benito but it has been a struggle because he has had to work 2 or 3 jobs to make ends meet. Spoke about wages being low market value. Please support what the union is proposing.

Daisy Uribe, Eligibility Worker for HHS A, spoke about how she can't afford rent here and the increase in health care coverage. She asked that the Board consider the proposal that the union has presented.

Greg Greer, Counselor with Behavioral Health, spoke about how insurance is to high and how he enjoys what he does. He said that we would like some help and support from the Board.

Megan Crable, Employment Training Counselor for HHS A, spoke about heath insurance being so high and employment in San Benito County. Said that she hopes that the Board can support the San Benito County employees.

e. Department Head Announcements: Information Only

Edgar Nolasco, Deputy CAO, reported that they have launched the Emergency Services Manager position with the recent departure of Kevin and we are working with RMA to see if we can fill some of those vacancies.

Interim OES Director Kris Manano provided a brief update that they do have a table top exercise on November 14th that is conjunction with Public Health which is a state mandated exercise that is held annually. She said that she has been working with the Fire Safe Council and would continue to work with them. They are moving forward with the EOC Office to the Airport. We have some

training courses we are working on and hope to have them scheduled in the next couple of weeks and a CERT class that will take place in January.

Supervisor Jim Gillio said that he had an opportunity last week to take a tour of the San Juan Canyon area, asked if there was an ability to have a CERT for the canyon.

Ms. Mangano said that she is meeting with them this afternoon.

She announced that there is going to be another P.G.& E. outage this week and will be up north, we are not going to be affected.

Management Analyst Lauren Hull announced that the County is now on Social Media, Facebook, Twitter and Instagram. Twitter is at San Benito County as is our Instagram and Facebook is at cosb.admin. She said that we will have news and updates posted if you want to follow our page. She provided a legislative update; October 13th was the last day for the Governor to sign or veto any bills from the 1920 legislative session; SB277, would have changed the way our SB1 funding was allocated for road projects but the Governor vetoed that bill; veto's to the public records act SB518; AB1184 would have required agencies to preserve communication for two years that was also vetoed. She said as far as things that were passed housing was a big topic. The Governor signed over 18 bills related to housing the biggest being SB330 which prohibits local agencies from creating rules that inhibit housing production. She said we will be having a more in depth presentation on housing bills at a later date.

Librarian Nora Conte provided an update on the public engagement and feasibility study that will take place over the next couple of months for a new Library. She said the results will be brought back possibly in December. She announced that they applied for a grant from the Pacific Library Partnership and were awarded \$15,000.00. She acknowledged Aaron Baxter for writing a grant for \$15,000.00 and being proactive. This money will be used to purchase college books in partnership with Gavilan Library and locally.

CAO Ray Espinosa announced the recruitment of the Health and Human Services Director and hired Tracey Belton who was a Deputy Director in Health and Human Services.

Ms. Belton said that she was excited about her new role for the Health and Human Services Agency and looked forward to leading the agency for the benefit of our community and looks forward to working with the Board and staff.

CAO Ray Espinosa announced that he attended a CAO meeting with all of the CAO's in the State and had some very informative discussions. He highlighted one of the discussions; Mark Pisano, Professor at USC, spoke of future expectations of government and fertility rates.

f. Board Announcements: Information Only

Supervisor Peter Hernandez reported that we had a Vet's Commission meeting and we are moving forward with what it will take to renovate the park. Attended a Chamber of Commerce meeting and the focus was on business and tourism. On August 10th attended a Town Hall meeting.

Supervisor Jim Gillio reported that he attended a forum for Benitolink Town, Hall meeting. Read a list of some of the accomplishments that the County Team did this past year: Implemented Open-Gov; purchase streamlining; hiring streamlining, CSA's; roads; started Measure G quick start projects; restored the Grand Jury; Air B n B/TOT; bridge work; EDC partnership. He said that these will all help our community. Had a meeting with Jimmy Panetta talked about economic

development, struggling with infrastructure and finances at the federal government and ways to work together. Attended a COG meeting and spoke about Prop. 277. He said that he would like to agendize in the future a resolution in support of keeping California Safe 2020 act. He said that the City of Hollister adopted one last night.

Supervisor Jaime De La Cruz mentioned that he and Supervisor Mark Medina attended an affordable housing committee meeting. Attended an Audit meeting this morning and our audit is on time. He said that he would like to have an item on the agenda to discuss all of the propositions that have been approved at the State of California and the impact is for our County at the November 19th meeting.

Supervisor Anthony Botelho spoke about the beginning of the meeting, being kind of sobering, having our County employees come in and tell some of their personal stories. He said that we only have so much of a pot to work with and we are trying to make this work for everyone. He said that he believes that economic development, job creation and business creation is the answer for San Benito County. He said that supporting our employees is really important. He said I believe that this Board has worked hard towards that goal. He reported that last Saturday he attended a fund raiser for United Way and it was a great turnout. Attended a COG meeting and we took an opposition on the roundabout of Hwy 25 and Hwy 156 and offered some very good suggestions to the resolution. Also had a report on the Measure G funding and how they plan to implement it. He said that he was made aware of a couple of complaints from Preserve our Rural Community (PORC) group that has been out getting signatures for a referendum. On October 21st a complaint was made to the County Counsel's Office indicating that I violated the brown act and also presented a complaint to the FPPC that I have a conflict of interest. He said that this is all false, I do not own any property in or around the commercial nodes and we are going to be responding with a press release to address these false allegations within the next day or two. He said that County Counsel will also issue a formal response to this. He said that I want the public to be aware of what is going on and am completely transparent in what is going on in my district.

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 Consent Agenda #1-17, with the exception of Item #15 which was pulled for discussion:

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

5 - 0

For (5):

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

Against (0):

1. **BOARD OF SUPERVISORS**

Approve Proclamation proclaiming the month of October 2019 as "the

Nineteenth Annual Bi-national Health Week in San Benito County. To be presented at a later date.
SBC FILE NUMBER: 430

2. **CHILD SUPPORT SERVICES- J. MURRAY**

Approve Amendment (Addendum G) to the Commercial Lease for the Department of Child Support Services extending lease from June 30, 2019 to June 30, 2024, in the amount of \$8,000.00 per month for the five years of the amended lease.

SBC FILE NUMBER: 22

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

Approve the action minutes of the July 23, 2019 regular meeting and the August 6, 2019 regular meeting.

SBC FILE NUMBER: 119

4. **COUNCIL OF GOVERNMENTS - M. GILBERT**

Adopt Resolution approving the Council of Governments' amended Conflict of Interest Code, designating the Measure G Transportation Safety and Investment Plan Oversight Committee as an advisory body whose members are required to file statements of economic interest.

SBC FILE NUMBER: 1035

RESOLUTION NO: 2019-105

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

Authorize staff to re-purpose programmed funding for the Cienega Road Realignment project to the Cienega Road Maintenance division for general maintenance of Cienega Road; approve transfer of the balance of Cienega Road Realignment funds to Cienega Road Maintenance division and authorize the County Administrative Officer to transfer additional interest earned in the Cienega Road Realignment account in FY19/20.

SBC FILE NUMBER: 105

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

Approve Amendment No. 5 to contract with Gregory M. LaForge, extending the public defender contract for an additional year, from October 31, 2019 to October 31, 2020, in the amount of \$405,000 annually.

SBC FILE NUMBER: 149

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

Approve Amendment No. 5 to contract with Harry J. Damkar, extending the alternate public defender contract for an additional year, from October 31, 2019 to October 31, 2020, in the amount of \$158,000 annually.

SBC FILE NUMBER: 149

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

Approve Amendment No. 3 to contract with Arthur Cantu, extending the alternate public defender contract for an additional year, from October 31, 2019 to October 31, 2020, in the amount of 80,000 annually.

SBC FILE NUMBER: 149

9. **HEALTH & HUMAN SERVICES AGENCY - T. BELTON**
Approve contract with Youth Alliance for Homeless Emergency Assistance Program (HEAP) Youth Services for the period of September 1, 2019 through October 31, 2021, for a total amount not to exceed \$280,663.00.
SBC FILE NUMBER: 130

10. **HEALTH & HUMAN SERVICES AGENCY - T. BELTON**
Approve contract with Community Solutions for Services Related to Commercially, Sexually Exploited Children (CSEC) and Independent Living Plan (ILP) Programs for the period of October 1, 2019 through June 30, 2020, in the amount not to exceed \$194,276.00.
SBC FILE NUMBER: 130

11. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve the re-appointments of Ms. Karen Para, Mr. Richard Perez, Sr and Mr. Jose Rodriguez to represent the Private Sector, a mandated board position, for a three year term, effective 10/8/2019 through 10/8/2022.
SBC FILE NUMBER: 130

12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve the appointment of Ms. Judi Johnson as the Representative for the District# 4 representative to the Community Action Board for a three-year term effective 10/22/19 through 10/22/2022.
SBC FILE NUMBER: 130

13. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Approve the re-appointment of Ms. Ellen Laitinen as the District #1 Representative of the private sector to the Community Action Board to be effective October 22, 2019 to October 22, 2021.
SBC FILE NUMBER: 130

14. **RESOURCE MANAGEMENT AGENCY - H. MAVROGENES**
Approve amendment #3 to the contract with Field Solutions Inc. for maintenance of the extraction well pumps at John Smith Landfill. The contract amendment will add additional compensation in the amount of \$10,504.00 for a total contract amount of \$92,204.00.
SBC FILE NUMBER: 105

15. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**
Approve a contract Amendment #1 with Felice Consulting Services in an amount not to exceed \$160,000.00 to provide Capital Program Management services between November 1, 2019 and June 30, 2020.
SBC FILE NUMBER: 105

This item was pulled by Supervisor Jaime De La Cruz. Asked if this person would be filling a full time capacity.

RMA Director Harry Mavrogenes replied he is working part-time for us until we are able to fill the position.

Chairman Mark Medina said that this is a not to exceed correct.

Mr. Mavrogenes replied correct.

Edgar Nolasco said that we did recruit twice for this and did not get qualified people. We will be trying again to see if we can get someone.

Supervisor De La Cruz said maybe we need to look at the job description.

MOTION:

Motion to approve contract per staff recommendation:

Made by **Vice-Chair Jaime De La Cruz** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

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

16. RESOURCE MANAGEMENT AGENCY – H. MAVROGENES

Adopt Resolution ratifying the County Administrator's Letting of contracts to remediate local emergency and confirming the County Administrator's authority to enter into emergency contracts pursuant to public contracts code 22050 without competitive bidding, finding that there is a need to continue such emergency action, finding that the repair work is statutorily exempt from the California Environmental Quality Act (CEQA). (4/5 vote required)

SBC FILE NUMBER:105

RESOLUTION NO: 2019-106

17. SHERIFF'S OFFICE - D. THOMPSON

Approve Participation Agreement between the California State Sheriffs' Association and County to participate in the statewide Victim Information Notification Everyday (VINE) program to provide free of charge victim notification services; and authorize the Sheriff to sign the agreement.

SBC FILE NUMBER: 110

PUBLIC HEARING

18. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Hold a Public Hearing Regarding Acquisition of Real Property located on Buena Vista Road (APN 019-230-002-000) from Graniterock Company in the amount of \$450,000 (minus a charitable contribution of \$65,000 for a net price of \$385,000) and approve the Real Property Purchase and Sale Agreement. Said price is subject to an increase of \$11,500 should Graniterock demolish the existing building on the Property prior to the close of escrow; approve budget adjustment/transfer in the amount of \$396,500.00 (4/5 vote)

SBC FILE NUMBER: 790

County Counsel Barbara Thompson provided information regarding acquisition of real property located on Buena Vista Road from Graniterock Company in the amount of \$450,000 minus a charitable contribution a net price of \$385,000. The purchase price will increase to \$396,500 when the house that is sitting on the property is demolished and completes escrow, if they are able to

move it to another property there would not be an increase in the purchase price. After this agreement is signed the County will open escrow with a \$5,000 dollar deposit, the plan closing date is December 9th. She said that this will come back in November or December to approve or remove contingencies. The property is a long term investment and could be used for affordable housing, park or mitigation land for housing. She said it is contingent upon the Board of Supervisor's approval and she is available for any questions.

Chairman Medina opened the public hearing. There being no public comment Chairman closed the public hearing.

Supervisor Peter Hernandez asked if there was a game plan for this property.

Ms. Thompson replied there is no funding or any plan at this time for that property. It would be a purchase by the County and held until some kind of grant funding is done and decide what the Board would like to do with it.

Supervisor Jaime De La Cruz asked if we approve this today it basically guarantees we are going to build something. He said I have some issues with that and is not willing to support as it is right now.

Supervisor Anthony Botelho said that he is very much in favor of this. It would be a piece of property that we are getting a bargain on. He said I am looking at it as a business deal that gives us flexibility to do something in the future.

Supervisor Jim Gillio said that this is just a purchase of property, we are not developing anything. He said that we need to think of the future and how we can bring additional revenue here. He said what Santa Clara County is doing with their vacant land is building employee housing, he said that we need to look at things differently. He said that he encourages the Board to think outside of the box.

Supervisor Hernandez said that he agrees with Supervisor Gillio, we do need to think outside of the box. It is a piece of property that could have value but until we support it with an intention or plan it could easily be a bad thing.

Chairman Mark Medina said I look at it as purchasing an asset and we use it as leverage for the future. If we were not to go ahead with this and the opportunity came ten years from now the price of the land is going to be higher.

Lengthy discussion ensued by Board on setting a time limit for exploring what to do with the property possibly 3 years.

Supervisor Botelho said then why don't we set 3 years and have a review process.

MOTION:

Motion to support acquisition of real property located on Buena Vista Road from Graniterock Company in the amount of \$450,000 with an amendment to hold the review process annually up to the third year along with the other recommendations presented by staff:

Made by **Supervisor Peter Hernandez** and seconded by **Vice-Chair Jaime De La Cruz**

For (4):

Against (1):

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

19. BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO

Accept informational presentation for the County Behavioral Health Center providing a summary of the fiscal considerations, including the financing plan to support the construction of a new and larger Behavioral Health Department facility and construction overview.

SBC FILE NUMBER: 810

Behavioral Health Director Alan Yamamoto said that we are here today to give a PowerPoint presentation for the new County Behavioral Health Center financing plan. He introduced and thanked the people that helped put this together; Jerry Avalos from Vanir Construction Management; Dulco Alonso from County Administration, Stewart Patri from County Administration; Gabriel Orozco our Accountant from Behavioral Health.

Mr. Orozco went over financing and the project overview; overview of the COP's (Admin.); Total project cost; Location; Land acquisition 2017.

Mr. Patri went over the COP's-Capital Financing; Jail Facilities 2019; County staff has been working with KNN Financing to finance this project; Financing Resolution; SBC Finance Corporation; Potential collateral; we are looking at using the old portion of the jail off of Flynn Road, fair market value of that property is equal to 10.5 million that we would need to finance. This would be released after the actual completion of the construction of the Behavioral Health building; working on financial data; the next step would be to meet with crediting entities which would be around December 2nd; Sale week of January 13th and hopefully closing by January 27th.

Mr. Orozco spoke on spending sources; estimated total cost of the building is roughly \$14 million dollars; view of what the building would look like; MSHA is the primary funding source; projections on the average yearly costs and monthly costs to finance.

Mr. Avalos went over construction schedule overview; modular building package; site bid package; starting work in mid February; completion in early 2021.

Mr. Orozco asked if there were any questions.

This was a presentation only.

20. COUNCIL OF GOVERNMENTS - M. GILBERT

Receive presentation and comment on Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark and Draft Initial Study for a Proposed Negative Declaration.

SBC FILE NUMBER: 1035

Veronica Lezama, Transportation Planner of COG, provided a PowerPoint presentation on the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark. Items covered were: Frazier Lake Airpark-ALUC; Presentation Outline; Frazier Lake Airpark location; Frazier Lake Airpark limitations; Compatibility Plan.

Walter Windus, Aviation Consultant, spoke on factors that prompted update; Four Compatibility Policies; Noise Safety-Airspace-overflight; Aircraft Noise Contours-Existing; Airport Safety Zones-Proposed; Airport Influence Area-Existing; Airport Influence Area-proposed; questions.

Supervisor Jim Gillio asked how many flights a day do we average out of this airport. He said anything that we do out there can potentially affect the area.

Mr. Windus replied approximately 10,000 a year. This land use plan by statute has no impact on existing development.

Supervisor Jaime De La Cruz asked about future development.

Mr. Windus said yes absolutely that is the purpose of the plan. It would not impact residential property.

Ms. Lezama spoke on public outreach; letters that were sent to property owners in the area; press release; 2019 Schedule; Implementations; additional questions.

Supervisor Gillio asked about SB2 Funds, can we use these to get our general plan updated.

Ms. Lezama replied there is about \$50,000 that is available for something like that.

Presentation only.

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

Adopt the plans and specifications for the PWB-1911 Hospital Road Bridge – Low Water Crossing Replacement Project – FAP No. BRLKS NBIL (501); and Authorize the advertisement Invitation For Bids to construct the project upon the contract award for consultant services to provide construction contract administration, engineering, inspection, and materials testing on the project.

FILE NUMBER: 105

RMA Director Harry Mavrogenes provided information for the Hospital Road Bridge project. He said he would like to move ahead with this project.

Supervisor Jim Gillio said that he appreciated getting this done.

MOTION:

*Motion to approve per staff
recomendation:*

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

For (5):

Against (0):

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

22. RESOURCE MANAGEMENT AGENCY – H. MAVROGENES

Authorize the reallocation and use of the Enterprise Fund to improve road segments on Fairview Road, Shore Road, and McCloskey Road; authorize the RMA Director to move forward with approval of the plans and specifications and Invitation for Bids process; subject to the RMA Director obtaining the Board's approval for plans and specs and complying with public bidding processes as may be required by law returning to the Board with proposed contracts for approval; authorize the RMA Director to approve a scope of work for projects in the amount not to exceed \$1.5 million from the Enterprise Fund; and approve in concept a budget adjustment from the Enterprise fund and direct RMA staff to return with a Budget Adjustment Form and financing plan at a future Board meeting.

SBC FILE NUMBER: 105

RMA Director Harry Mavrogenes said that this is a followup from the last meeting, provided information in the reallocation and use of Enterprise Fund monies and Measure G. He said that he is recommending that the Board approve today so that they can move forward.

Supervisor Jim Gillio asked if he wanted to go over the map.

Mr. Mavrogenes said that there are sections of McCloskey Road near Hillside that have some very bad sections and to compliment some other work we are doing on Fairview Road and Shore Road. He said that is our goal to get as done out of this money.

Mr. Gillio said that Rosa Morada, McCloskey and Santa Ana Road are important section to get done.

Supervisor Anthony Botelho said what concerns him a bit is McCloskey road as far as the width of the road with trucks on that.

Mr. Mavrogenes replied it is tight, we have looked at that.

Chairman Mark Medina stated when you turn right on Fairview from McCloskey maybe having a turn lane to get on to Fairview.

Mr. Gillio said there is a lot going on to look at, but what we are doing today is approving the expenditure and are relying on our team to come back to us in the future.

CAO Ray Espinosa highlighted that the Board had requested that this item come back today. He thanked Harry for getting this on the agenda along with staff. He said that it is a good plan and will come back with more later.

MOTION:

Motion to approve per staff

recommendation for the transfer of funds:

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

CLOSED SESSION

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

The Board reconvened in to closed session at 11:55 a.m. and reported out at 12:52 p.m.

There was no reportable action.

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.)

23. CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS

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

Employee Organizations:

SEIU Local 521 (General Unit Employees)

AUTHORITY: California Government Code Section 54957.6

SBC FILE NUMBER: 235.6

No reportable action.

24. 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:1

Potential of additional litigation regarding Master Tax Agreement currently being litigated in *Award Homes and BMC Promise Way*.

SBC FILE NUMBER: 235.6

No reportable action.

ADJOURNMENT

Adjourn to the next regular meeting of November 5, 2019.

MOTION:

Motion to adjourn the meeting at 12:53 p.m.: Made by **Vice-Chair Jaime De La Cruz** and seconded by **Supervisor Jim Gillio**

5 - 0

For (5):

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

Against (0):

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.