



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 December 10, 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 Office Ray Espinosa and Clerk of the Board Janet Slibsager.

- a. Pledge of Allegiance

Pledge of Allegiance to be led by Supervisor Peter Hernandez, District #3.

The Pledge of Allegiance was led by Supervisor Peter Hernandez.

Supervisor Jaime De La Cruz asked the Board to honor and have a moment of silence for a childhood friend of his that past away George Ocampo.

Approved by the Board of Supervisors on 3/10/20

Supervisor Anthony Botelho also acknowledged the passing of a former county retired employee that had worked at the Agricultural Commissioners office Jean Gillespie. He asked for thoughts and prayers go out to her family and a moment of silence.

b. Acknowledge Certificate of Posting

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

CLOSED SESSION

Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) and (b), Ralph M. Brown Act.)

This items was removed from the agenda per the request of County Counsel Barbara Thompson.

1. **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

This item was pulled from the agency per County Counsel Barbara Thompson.

c. **Presentations and Recognitions**

BOARD OF SUPERVISORS

Present Certificate of Recognition to James T. Sanchez, Assistant Assessor for his 39 plus years of service with the County of San Benito upon his retirement.

SBC FILE NUMBER: 156

Supervisor Jaime De La Cruz presented a Certificate of Recognition to James Sanchez upon his retirement from the County of San Benito.

Assessor Tom Slavich spoke about how Jim has been a great employee and how he is going to be missed and wishes him the very best.

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.

Jeannie Echenique spoke in regards to the public hearing item that had been pulled from the agenda regarding the C-1 application of the Betabel property. She spoke of how it should be on the agenda once it has been posted but was pulled on Friday at the eleventh hour because the applicant had asked for a continuance of his application.

e. Department Head Announcements: Information Only

Joe Paul Gonzalez, Clerk/Auditor/Controller/Elections, said that they are going to talk about the laws for the March Election. He said that the number of laws that changed this year is enormous and the complexity of those laws have made the job at Elections a lot more difficult. He asked Francisco Diaz to go over some of those laws for the March Election.

Mr. Diaz spoke about two press releases that the Elections Department will be releasing. First one is notice of measures and the extended offices. Arguments for or against measure may be submitted no later than today, Tuesday, December 10th by 5:00 p.m. and rebuttals shall be submitted no later than Tuesday, December 17th by 5:00 p.m. The second press release is to inform the voters that the department will be mailing out two notices to every registered voter in the County of San Benito. The first notice will be to verify your political party and the second will be to those with a no party preference or decline to state a political party. He provided information as to why they are mailing them out and how they affect the Primary Election. He said that if anyone has any questions about their voter registration they can give them a call at 831-636-4016 or go to their website at www.sbcvote.us.

Mr. Gonzalez said that they would continue to go over these issues at future meetings.

Jim Bucknell, Assistant Chief Probation Officer, said that there are two items on the consent agenda for the Probation Department that have amendments to them. Item #21 the posted amount of the grant read \$7,200.00 and should read \$7,020.00. Item #22 there was items that were uploaded after the agenda was originally posted which he went over and mentioned that copies were put in the back of the room for those.

County Counsel Barbara Thompson announced that on Item #7 there were several departments listed on the document but that they were only adopting the retention schedule for the RMA Department today and that there will be an Exhibit A on that document. On Item #24 paragraph 4 on the Resolution, change order #2 should be added and paragraph 5 change the date from December 24, 2017 to January 14, 2020.

Librarian Nora Conte reported that they had their Annual Holiday Program at the Library and they had over 200 families that attended. She thanked all the partners and collaborators that helped put this program together to make it happen.

Enrique Arreola, Deputy Director of Health and Human Services, said that he had exciting news that Health and Human Services Agency was recently awarded a 1.61 million dollar grant for the

Whole Person Care Program funding.

CAO Ray Espinosa congratulated Administration, the Board as well as staff on the recent work that was done to reduce our carbon footprint. He said that on December 5th our County was recognized at CSAC for a Beacon Award which we reached 30% reduction in energy savings, he said that this is a huge deal for the County.

Deputy CAO Edgar Nolasco said that he wanted to recognize Management Analyst Dulce Alonso as she recently completed the CSAC Institute County Executive Program, it is an 18 month process and the benefits for furthering her education.

Ms. Alonso thanked the Board for their support.

Supervisor Jim Gillio announced that there is going to be a workshop on Wednesday evening from 7:00 p.m. to 9:00 p.m. at the Vet's Memorial Building, it is a transportation study for the County Express to have more transit between Hollister and Gilroy.

f. Board Announcements: Information Only

Supervisor Jim Gillio thanked the Chair, his Colleagues and the team for a great 2019. He said that I think that we got a lot done which he mentioned.

Supervisor Jaime De La Cruz thanked the Chair for a great job.

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 #2-27, with the exception of Item #8, #9 and #20 which were pulled for discussion, the corrections to Item #21 and #22 which were recommended by staff and the no vote on Item #23 by Supervisor De La Cruz:

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

2. AGRICULTURAL COMMISSIONER - K. OVERSTREET

Approve State contract, 19-0268-009-SF, for Light Brown Apple Moth regulatory activities, from July 1, 2019 through June 30, 2020. Total contract value is \$20,485.20.

SBC FILE NUMBER: 1.1

3. **ASSESSOR'S OFFICE - T. SLAVICH**
Approve Budget Adjustment FY 19/20 for Assessor's Office for Purchase of Computer Equipment Upgrades (4/5 Vote)
SBC FILE NUMBER: 7
4. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Adopt Resolution approving the Amended Intergovernmental Agreement No. 18-95155-AO1, with the State Department of Health Care Services, Substance Use Disorders Programs for the period of June 28, 2019 to June 30, 2021; Authorize the County's Behavioral Health Director to sign Amended Agreement and Associated other documents and certifications with the State Department of Health Care Services.
SBC FILE NUMBER: 810
RESOLUTION NO: 2019-117
5. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Adopt Resolution approving the multi-year intergovernmental amended agreement No. 17-94152-A02, with the State Department of Health Care Services, Substance Use Disorders Programs for FY-2017-18-19-20; and approve Contract Agreement Amendment No. 17-94152- A02 and Certifications with the State Department of Health Care Services, Substance Use Disorders Programs for FY-2017-18-19-20 and authorize Board Chair to sign.
SBC FILE NUMBER: 810
RESOLUTION NO: 2019-118
6. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**
Approve contract with San Jose Behavioral Health for inpatient, acute psychiatric hospital services for the period of July 1, 2019 through June 30, 2020, for a maximum amount not to exceed \$378,000.
SBC FILE NUMBER: 810
7. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Adopt resolution approving the record retention schedule for the following departments: Auditor, County Clerk-Recorder-Elections, County Counsel, District Attorney, OES-EMS, County Administrative Office (including Safety, Risk Management/Workers Compensation, Human Resources, and Information Technology, and Resource Management Agency (including Planning & Building, Integrated Waste, Parks & Recreation, and Public Works), Probation, Treasurer Tax Collector/Public Administrator and Coroner (4/5 vote)
SBC FILE NUMBER: 119
RESOLUTION NO: 2019-119
8. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Approve appropriations of Economic Development Funds for FY 19/20 in the total amount of \$50,000.
SBC FILE NUMBER: 865

This item was pulled by Supervisor Anthony Botelho with some concerns to how some of the

funds are going to be utilized for the marketing of tourism in our County.

Victor Gomez, Chamber Representative, provided some context to Supervisor Botelho's points. He said that in 2014 the City of Hollister dedicated \$50,000 for tourism purposes, in 2018 we implemented that plan for five years. In the MOU with the City we were required to form a tourism committee out of those funds. In 2018 there was a bit of hesitance from the City of Hollister on all funding's for non profits, we were one of them. He said within the last year Alliance was formed led by the Community Foundation which involved the San Juan committee the Downtown Association and the Chamber of Commerce. This organization was called the tourism lines and was formed to see how we could promote tourism in San Benito County. He said earlier this year the City of Hollister stepped up and said we want to reengage the Chamber of Commerce to explore events, tourism related expenses and so on. The tourism committee is now revived and are ready to move forward and provided information as to how they plan on using the resources.

Supervisor Botelho said that he is very hesitant in voting to distribute funds today himself. Would like to investigate this new committee that the Chamber is pursuing to see whether or not there is acceptance with the other partners.

Mr. Gomez replied that there are two options to move forward; we take the existing infrastructure that the Chamber of Commerce has created the last five years or there are some members of the committee that have expressed interest of forming a new non profit in the community. He said why recreate the wheel and start a whole new non profit organization that is going to need a lawyer, bylaws, etc. if we can use what we currently have to implement this funding.

Chairman Mark Medina said that these monies have their own budget, there own account and are not co mingled with the Chamber.

Mr. Gomez replied that is correct everything will be traced and accounted for.

Supervisor Jim Gillio said he really likes what Mr. Gomez is saying and would support the staff recommendation today. He said that we all need to work together on this.

Supervisor Jaime De La Cruz said that we made a commitment that we were going to support economic development.

Supervisor Peter Hernandez spoke about economic development and why he supports it.

MOTION:

Motion to approve per staff
recommendation:

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

9. COUNTY COUNSEL'S OFFICE - B. THOMPSON

Discuss and approve letter relating concerns with supportive housing in San Benito County, and authorize the Chair to sign.

SBC FILE NUMBER: 160

Supervisor Anthony Botelho pulled this item with a question, do these facilities need a use permit.

He said that he is all for the letter going out but thinks that it needs to be firmed up with some regulations.

RMA replied that no they do not need a use permit.

County Counsel Barbara Thompson provided additional information to these facilities and the letter.

MOTION:

Motion to approve per staff recommendation:

Made by Supervisor Anthony Botelho and seconded by Chairman Mark Medina

5 - 0

For (5):

Against (0):

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

10. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**
Receive the Annual Impact Fee Report for 2018-2019.
SBC FILE NUMBER: 119
11. **DISTRICT ATTORNEY'S OFFICE - C. HOOPER**
Acceptance of grant funds from California Office of Emergency Services in the amount of \$308,008 for the CalOES Victim Witness Assistance Program Grant for FY 19/20, with funds to be used for providing victims of crime with mandatory and optional services.
SBC FILE NUMBER: 165
12. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**
Adopt a Resolution for the acceptance of the California Opioid Safety Coalition Grant from the California Department of Public Health for \$230,000 over three years and approve budget amendment in the amount of \$60,000.00 to the Public Health Services 2019-20 budget. (4/5 vote)
SBC FILE NUMBER: 130
RESOLUTION NO: 2019-120
13. **HEALTH & HUMAN SERVICES AGENCY: T. BELTON**
Adopt Resolution accepting the 2020 Community Services Block Grant (CSBG) and approving Standard Agreement #20F-3034 in the amount of \$267,930.00, and authorizing the Director or Deputy Director to execute agreement.
SBC FILE NUMBER:130
RESOLUTION NO: 2019-121
14. **HEALTH & HUMAN SERVICES AGENCY- T. BELTON**
Adopt Resolution accepting the 2020 Low Income Home Energy Assistance Program (LIHEAP) grant in the amount of \$246,868 and Approve Standard Agreement No. 20B-2029 with the State of California Department of Community Services and Development for the term of October 1, 2019

through June 30, 2021.
SBC FILE NUMBER: 130
RESOLUTION NO: 2019-122

15. **HEALTH & HUMAN SERVICES AGENCY - T. BELTON**
Approve Grant Agreement with the City of Sunnyvale for the NOVA Prison to Employment Implementation Grant Funds in the amount of \$84,829.00 for the term of January 1, 2020 through March 31, 2022.
SBC FILE NUMBER: 130

16. **HUMAN RESOURCES - E. NOLASCO**
Adopt a resolution approving the wages, hours benefits and other terms and conditions of employment for the County's elected department heads. Authorize the County's Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action. Authorize the County Administrator and/or his/her designee to make any technical edits as later identified.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-123

17. **HUMAN RESOURCES- E. NOLASCO**
Adopt a resolution approving the new collective bargaining agreement's between the County of San Benito and SEIU Local 521, Law Enforcement Management, Management Employee Group, Deputy Sheriff's Association, and Institutions Association.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-124

18. **HUMAN RESOURCES - E. NOLASCO**
Adopt a resolution approving the wages, hours benefits and other terms and conditions of employment for the County's specified Unrepresented employees (Confidential, Confidential Management and Unrepresented); Authorize the County's Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action; Authorize the County Administrator and/or his/her designee to make any technical edits as later identified.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-125

19. **HUMAN RESOURCES -E. NOLASCO**
Adopt a resolution approving the wages, hours benefits and other terms and conditions of employment for the County's appointed department heads; Authorize the County's Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action; Authorize the County Administrator and/or his/her designee to make any technical edits as later identified.
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-126

20. **HUMAN RESOURCES - E. NOLASCO**

Receive the 2019 San Benito County Holiday Closure schedule for all Departments; adopt a Resolution of the San Benito County Board of Supervisors authorizing the hours of operation during December 2019/January 2020 for holiday closure period; Exhibit "A" provides the 2019 Holiday closure schedule for all the County departments
SBC FILE NUMBER: 630
RESOLUTION NO: 2019-127

This item was pulled by Chairman Mark Medina, said that he was concerned with most of the offices being closed from December 23rd to December 27th and why.

Edgar Nolasco said that all of the department heads were consulted and that his has been our past practice. He said that this was brought up during our negotiation process and all of the labor groups are aware of this happening. All groups got 16 hours as part of this holiday closure and provided information in regards to PTO. He mentioned in this attachment the Elections Office will not be closed during the Holiday Closure they will only be closed December 25th and January 1st. He would make the amendment to the Resolution

Supervisor Jaime De La Cruz stated that this is what they have done in the past.

MOTION:

Motion to approve per staff recommendation:

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

21. PROBATION DEPARTMENT - J. FRONTELLA, JR.

Approve Agreement No. BSCC 0080-18-MH with the Board of State and Community Corrections (BSCC) regarding the Edward Byrne Memorial Justice Assistance Grant (JAG) Program's Mental Health Training Grant in the amount of \$7,200.00, and authorize the Chief Probation Officer to accept the grant funds and execute the grant agreement, certification clauses and other documents related to receipt of the grant, for and on behalf of the County.
SBC FILE NUMBER: 510

22. PROBATION DEPARTMENT - J. FRONTELLA, JR.

Approve and adopt the Community Corrections Partnership AB109 budget for fiscal year 2019-2020.
SBC FILE NUMBER: 510

23. RESOURCE MANAGEMENT AGENCY- H. MARVOGENES

Approve Final Map for PLN 17-0009, Tract No. 333, commonly known as Chao Wu Subdivision located at South Ridgemark Drive in Ridgemark Estates.
SBC FILE NUMBER: 790

MOTION:

Motion to
approve:

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

4 - 1

For (4):

Against (1):

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

24. RESOURCE MANAGEMENT AGENCY – H. MAVROGENES

Authorize the RMA Director to approve Contract Change Order No. 2 in the amount of \$300,000.00 to Granite Rock Company's PWP-1903 Public Works Road Maintenance Potholes Repair Contract to complete Potholes Repair Services and to include roadway and roadway drainage repair services due to emergency situations from landslides, slide outs, roadway ditches obstructions; Adopt Resolution (1) Ratifying the County Administrator's letting of contracts to remediate local emergency; (2) confirming the County Administrator's authority to enter into emergency contracts pursuant to public contracts code 22050 without competitive bidding; (3) Finding that there is a need to continue such emergency action, pursuant to section 22050 of the California public contract code; and (4) finding that the repair work is statutorily exempt from the California environmental quality act (CEQA) under CEQA guideline section 15269(c) for emergency projects. (4/5 vote required)

SBC FILE NUMBER: 105

RESOLUTION NO: 2019-128

25. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES

Approval of Final Map for TSM 12-85, Tract No. 308, commonly known as Santana Ranch, Unit 12, located at East of Fairview Road.

SBC FILE NUMBER: 790

26. RESOURCE MANAGEMENT AGENCY- H. MAVROGENES

Adopt Resolution authorizing temporary closure of Carey Way at North End of CSA 42 Lemmon Acres Boundary.

SBC FILE NUMBER: CSA #42

RESOLUTION NO: 2019-129

27. SHERIFF'S OFFICE - D. THOMPSON

Approve Budget Adjustment/Transfer of salary/benefit appropriations in the amount of \$80,227.00 to Sheriff's UNET budget from Sheriff's Operations budget for .5 FTE deputy and .15 FTE captain assigned to the task force funded by the Edward Byrne Memorial Justice Assistance Grant (JAG).

SBC FILE NUMBER:110

The Board adjourned as the Board of Supervisor and reconvened as the Board of Directors of the Financing Corporation.

FINANCE CORPORATION

28. (The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito County Financing

Approved by the Board of Supervisors on 3/10/20

Corporation)

a. Acknowledge Certificate of Posting.

29. REGULAR AGENDA

Adopt Resolution, which authorizes the issuance of lease revenue Certificates of Participation (“2020 COPs”) in the maximum amount of \$11,500,000 to finance the new Behavioral Health Center, approves as to form the lease agreements and other financing documents, and delegates authority to certain Officers to execute and deliver them on behalf of the Corporation.

SBC FILE NUMBER: 156.5

RESOLUTION NO: FC-2019-2

CAO Ray Espinosa provided information in regards to this resolution for the lease revenue Certificates of Participation to finance the new Behavioral Health Center. He thanked the team for a great job. He said that there has been a lot of preparation that has gone in to this along with months of work. He said that we did another great job presenting our case in Sacramento for our credit rating last Thursday.

Budget Officer Stewart Patri provided additional information. He also thanked the following who played a role in getting documents together for the COP bond issuance: Treasurers Office, Auditors Office, Assessor, RMA, Administration and Behavioral Health.

Municipal Finance Advisor from KNN Bobby Cheung provided a PowerPoint presentation on the role that they play at KNN as Financial Advisor for the County of San Benito; Background and Overview of the project; Plan of Finance; Background and overview of leased asset; Anticipated 2020 COP Structure Payments; Revenue Sources for 2020 COP payments; Key credit highlights; Long-term interest rates; next steps; Competitive Sale of 2019 COP's (Jail Facility Project); questions.

Supervisor Jim Gillio asked for clarification on our 10 year option plan it doesn't mean that you have to refinance in 10 years if you have a good interest rate, we can if we want if it is lower.

Mr. Cheung replied that was correct.

MOTION:

Motion to Adopt Resolution FC-2019-2 approving the finance plan in the amount of \$11,500,000 to finance the new Behavioral Health Center, approve the forms, the lease agreements and other financing documents and delegate authority to certain officers to execute and deliver on behalf of the Corporation:

Made by **Supervisor Anthony Botelho** and seconded by **Vice-Chair Jaime De La Cruz**

5 - 0

For (5):

Against (0):

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

The Board will adjourn as the Board of Directors of the San Benito County Financing Corporation and reconvene as the Board of Supervisors.

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.*

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

Adopt Resolution, which authorizes the issuance of lease revenue Certificates of Participation ("2020 COPs") in the maximum amount of \$11,500,000 to finance the new Behavioral Health Center, approves as to form the lease agreements and other financing documents, and delegates authority to certain Officers to execute and deliver them on behalf of the County.

SBC FILE NUMBER: 156

RESOLUTION NO: 2019-130

Budget Officer Stewart Patri provided information to the documents for approval and the Resolution.

MOTION:

Motion to Adopt Resolution 2019-130
per staff recommendation:

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

31. **COUNTY COUNSEL - B. THOMPSON**

Adopt Resolution Authorizing Members of the San Benito County Board of Supervisors to file Written Arguments in Favor of Ballot Measure Presented to the Electorate related to the referendum filed regarding Ordinance 991;
Discussion and Approval of Argument

SBC FILE NUMBER: 119

RESOLUTION NO: 2019-131

County Counsel Barbara Thompson provided information to the Resolution and went over red lined version. She said that there are two parts to this equation the resolution and who is actually going to submit this argument on behalf of the Board. She said that it can be signed by all five Board Members, the Chair or a certain person on behalf of the Board.

Supervisor Anthony Botelho said that he feels strongly that we should have an argument in favor of Measure K and certainly the Chair or the Board should sign it. It needs to state what it is about and the importance of it.

Supervisor Jim Gillio said that we all personally voted for the C-3 ordinance and we all unanimously agreed to put it on the ballot. I think the message should come from all of us. He said that I don't think we should adopt this language as there are some typos. He said I think we should designate someone to finalize the language.

Supervisor Peter Hernandez said that he shares the sentiment of Supervisor Gillio, we need to clarify to the public it was unanimous and we stand by it.

Supervisor Jaime De La Cruz said that he does not want to sign it unless it is the wish of the Board.

Public Comment:

Valerie Eglund, Planning Commissioner, asked the Board to take a look at the Mission Vision Voice, there is a great explanation as to what has gone on at 101 Highway around the Rocks in the old days. She said in the Measure K argument we need the voters to recognize that 991 supports tourism, recreation, and the supportive businesses on the 101 corridor that are essential for our economic development according to the general plan.

Elia Salinas said that she applauds the Supervisors for wanting to have their names behind this, all though, I want to challenge Supervisor De La Cruz. You are either on board or not. She said that this is for the entire community, this is economic development and has been going on for a long time. We need to show the community that we stand together with the truth.

MOTION:

Motion that all Supervisors sign the Argument in favor of Measure K and approve it. Adopt Resolution No. 2019-131 authorizing Board to file written Arguments in favor of Ballot with changed language to be worked on by Supervisor Botelho and Hernandez:

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

32. COUNTY COUNSELS OFFICE - B. THOMPSON

Discussion and update from the Ad Hoc Committee regarding current hemp ordinance; and provide direction to staff. If desired, adopt an urgency ordinance establishing a temporary moratorium on the cultivation of industrial hemp (4/5 vote required.)

SBC FILE NUMBER: 156

County Counsel Barbara Thompson provided information in regards to the 45 day urgency Hemp moratorium ordinance. She said that there was going to be presentations from the Agricultural Commissioner and the Sheriff's Office.

Agricultural Commissioner Karen Overstreet provided a PowerPoint presentation that covered the following: History of how we got here; Overview of Federal & State Regulations: 2013 CA Industrial Hemp Farming Act (SB 566), Agricultural Act of 2014 (2014 Farm Bill), 2016 the Adult Use of Marijuana Act (Prop 64), 2018 Senate Bill 1409, Agriculture Improvement Act (2018 Farm Bill); 2019 Legislative & Regulatory Updates: CA Senate Bill 153, USDA Regulations, County Ordinance; Senate Bill 153; USDA Interim Final Rule; San Benito County Ordinance became effective October 24, 2019; First Season Statistics; Community Feedback: Odor, Traffic/Criminal Activity/Theft, Noise, Lights and mud on the road; What we have learned and possible recommendations: 100 ft. setback is not enough to mitigate odor, sites adjacent to public roads encouraged criminal activity such as theft, define when odor mitigation has not been met, uniform signage; provided a map of the county and the sites where there are hemp locations.

Discussion ensued by Board and Ms. Overstreet in regards to criminal activity, safety, garbage and the moratorium being time bound.

Captain Eric Taylor provided a PowerPoint presentation on Hemp-Related Calls for Service (January 1, 2019-Present): 6900 Block of San Felipe Road (October 1, 2019 to present) we had 39 calls for service, 9 criminal cases, 11 arrests and 2 pursuits, all from the Bay Area; 7200 Block San Felipe (September 24, 2019-present) we had 3 calls for service, 2 criminal cases theft/trespass and 1 arrest; 1100 Block Comstock Road (January 1, 2019 - October 19, 2019) we had 2 calls for service, medical call, assist call; (October 1, 2019 - present) we had 6 calls for service, suspicious calls/theft re : Hemp Grow, multiple email complaints asking for intervention; 9900 Block Cienega Road (January 1, 2019 - April 5, 2019) 1 call for service, area check; (September 22, 2019 - present) we had 5 calls for service, area checks/fire alarm, multiple email complaints from neighbors asking for intervention; 10000 Block Cienega Road (January 1, 2019 - November 6, 2019, we had 2 calls for service, assist/civil calls; (November 6, 2019 - present) we have 5 calls for service, suspicious person/theft/truck stolen, multiple email complaints from neighbors asking for intervention; 1000 Block Riverside/Union Road (January 1, 2019 - May 12, 2019) we had 1 call for service, trespass; (August 16, 2019 - Present) 9 calls for service, 2 criminal cases, 1 theft, 1 ADW, 1 arrest. He said that was all of the figures he had for the grows.

Questions for Captain Taylor from the Supervisors on where do these people come from; what are other counties doing in regards to background checks for this industry; reason for theft.

Captain Taylor provided information. He said that the Hemp industry has affected their office.

Supervisor Jaime De La Cruz said that he appreciated the information but does not think that he could support a moratorium today. He said that I know that we do have problems out there and odor is on top of the list. He said that we need the applicants of Hemp to be part of the decision and conversation going forward.

Chairman Mark Medina said that we need to recognize that we have a problem and an issue and we need to change the current ordinance. We need to work with the stakeholders and make a change.

Supervisor Peter Hernandez said that this is a leverage to get everyone to the table and try to get the ordinance right. He said I think that the moratorium is the right way to go at this time.

Supervisor Anthony Botelho said that we need to address the set backs and the number of calls and criminal activity. He said that we need to work with the industry to see what will work before next growing season.

Public Comment:

Ron Parry, Private Citizen, living across from Hemp field off Comstock Road. Spoke about the smell and how they support a moratorium for at least a year. Spoke about the water supply and how it could be affecting their water, safety and welfare. Would like the Hemp fields removed from across the street from their home.

Denise Jansen, spoke about how they no longer feel safe in their neighborhood. This Hemp field has impacted our neighborhood by the smell, criminal activity and lack of security. This is affecting the value of our homes.

Frank Russell, Comstock Road resident, said that he would like the Boards assistance in halting this Hemp grow. He said that the smell is overwhelming and this has impacted our neighborhood

and the values of our homes. They work all night long with lights. He said that he urges the Board to consider these scenarios, he knows that this was not expected.

Kim Breton, Spring Grove Road resident, said that they smell the hemp from where they live and they are over a mile away. She said that the smell does not go away, it needs to be stopped.

Christian Pillsbury, Owner of Eden Rift Vineyards on Cienega Road, he said for them it has been a profound change. He said that they have never had a complaint about smell, road trash, crime none of these had existed before. He said that they have had to chase prowlers off of their property at 3:00 a.m. in the morning from trying to steal things. He said that they live about a half a mile from the Hemp business and 3 out of 5 days we have that smell in our tasting room. He said at 3:00 a.m. he is awakened by the bright lights flashing in his house. He said that he feels that businesses need to be responsible to their neighbors.

Tony DeRose, Tasking Room Manager on Cienega Road, said that he is directly across the road from the Hemp grow. He said that the trash along Cienega Road has gotten worse since that business has gone in. They have encountered a lot of trespassing and attempted break-ins at their property. He said that this is impacting their business and neighbors.

Kevin Moore, Cienega Road Hemp operation owner, he spoke about how this is a farm bill to help farmers and farms get out of drastic situations. He said that he is in favor of a revision to the ordinance and he does not think a moratorium is the answer. He said that he supports our community and would like to have the Board sit down with some of the stakeholders and come to a solution.

Michael Botelho, Warehouse Operations Manager on Cienega Road, he said that we want to be good members of the community. He said that they would like to be involved in the development of the ordinance.

Catherine Kirk, Comstock Road resident, spoke about the smell and safety issues and how this has affected their residence and lifestyle.

Jeanne Anderson, Genflora, LLC./Mad Farm Hemp processing in San Benito County, said that this is a new industry but is making great strides. She said that there is always going to be a learning curve when you introduce a new industry in a new community. She said that it looks like the ordinance needs revisions so let's work together to modify and improve it. She said that those of us in the industry welcome the opportunity to work with the Board to produce revisions that educate the community, protect the community while still allowing us to produce. She said that we believe the current ordinance should stay in effect while the Board works with us to improve it. Placing a moratorium on the current operations will not only stop the advancement that is currently being made in research, but will also deprive hundreds of workers of employment for 45 days or more.

Russell Dotson, Mad Farm Owner in Paicines, he said that the moratorium is not the right thing to do, but what is the right thing to do is pick winners and losers. There is no doubt that you need to find the proper locations to grow these products. It is a very viable crop for the community and is expensive to grow. He said that the moratorium needs to be short lived to be able to allow us to do business next year.

Jack Kirk, North County resident, spoke about the smell and maybe doing the moratorium and figure where you are going to allow grows. He said that the Board needs to protect our homes and our community.

Steve Becerra, resident of Hollister, spoke about how the Board should look for businesses that bring good sustainable jobs to our community which could include Hemp. He said that the smell is really bad off of Comstock Road. He said that being a Real Estate broker that it does affect them. He said that Hemp is a good product and there is a lot that they can do with it but maybe pull back a little bit and do the right thing for our community.

Elia Salinas, she said that there are bad actors in this industry and they are not being good neighbors. She spoke about how signs need to be put out stating that it is Hemp not Cannabis.

Neil Kelly, Hemp grower on Comstock Road, said that he feels that they are over emphasizing the Hemp. He said that he has lived their for 30 years. He said that he rents the property to a grower and how they keeps a guard their and has kept the roads clean. He said that he thinks it is producing a lot of revenue for the county, himself and the grower.

Closed public comment period.

Supervisor Botelho said that we have some issues and we need to work on this ordinance. The Board needs to resolve them as best as we can. He said as part of the ad hoc committee we thought that we need a moratorium with the intentions to update our ordinance in regards to odor issues and appropriate areas as to where hemp should be grown as well as the law enforcement issues that we have had. He said that he was committed on getting this down as quickly as possible for the sake of the people who have concerns.

Supervisor Gillio shared some of the comments that he has heard from folks in his district, Sheriff and Agricultural Commissioner. He said that he does support a moratorium, but we need to get it done quickly. He would not support a moratorium going on beyond the 45 days. He said that he encourages our team to reach out to other county's that our successful with Hemp, like Kings County.

Supervisor Hernandez said as part of the ad hoc committee we have many things to consider one being sensitive use of sites being one.

Supervisor De La Cruz thanked the committee for bringing this presentation to the Board. He said that he would like the stakeholders at the table and have input. He said that he is concerned about the urgency ordinance for the moratorium.

Chairman Medina said that he wanted to conclude by saying in 2019 we have a Board that listens to both parties. We will do our due diligence to see what is best for everyone. He said that he is looking at a moratorium that will be short lived and will allow us to recognize the good players the bad players, bring in the stakeholders and have them sit at our table and help us draft the ordinance.

County Counsel Barbara Thompson went over the timeline and that it needs to go to the Planning Commission for approval and then back to the Board. She said that we could aim for it to come back to the February 18th meeting.

Discussion ensued by Board and staff.

County Counsel read the title of the ordinance for the record and staff recommendation.

MOTION:

Motion to adopt Ordinance 999 per staff

Made by **Supervisor Anthony Botelho**

recommendation with the change of the date to January 14th in the ordinance:

and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

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

33. COUNTY ADMINISTRATION OFFICE - R ESPINOSA

Receive Informational presentation from Gabilan Chapter Kinship Center on a gap analysis of youth mental health services in San Benito County.
SBC FILE NUMBER: 865

CAO Ray Espinosa invited Kristine Breen and Kathy Tiffany with Gabilan Chapter Kinship Center who will do a presentation on a gap analysis of youth mental health services in San Benito County. He thanked them for reaching out to staff and the Board and for their leadership in the community to better or advance services within our community for youth.

Kristine Breen said that they have been in existence in the County for over 65 years, and they started out as a fundraiser auxiliary for the Children's Home Society. They are comprised of a group of approximately 35 woman and our mission is to support adoption and foster services in San Benito County. She said currently what they do with their fund raising dollars is to support several organizations, the Seneca Family of Agencies which runs an office downtown and offers foster family training and foster families who already have received children, called wrap around services. We also support CASA of San Benito, Chamberlains, United Way and Stuff the Bus program. We are very pleased that San Benito County recognizes the importance of Mental Health services for children. We are excited about the new building project and we appreciate the County's dedicated staff at Behavioral Health and Health and Human Services who have have devoted a lot of time and attention in implementing the continuum care reform that the State passes a few years ago. We also appreciate the Boards and Administrations leadership in terms of recognizing public private collaboration. She said that we as a fund raising organization have decided to allocate some of our funds this year from the wine tasting to conduct a gap analysis for Mental Health Services for children in the County. Along with the analysis we will receive recommendations for collaborations and for funding mechanisms. She said that she is here today to express her thanks and request your continued support through this endeavor. It is our hope by Spring that we can come back to your Board and have a product to share and provide us a road map going forward community wide to meet the needs of our children in our community.

Supervisor Jaime De La Cruz asked her what she needs from us.

Ms. Breen replied is to work with Behavioral Health and Human Services in addition to working with the non profits as far as current and anticipated needs.

Supervisor Peter Hernandez thanked Ms. Breen for her presentation. Asked her to maybe come back after the gap analysis is done to let us know what the gaps are.

Mr. Breen replied that is what her intention would be, hopefully in the Spring to share the results.

Supervisor Jim Gillio thanked Ms. Breen for this. He said I think we need to work cooperatively with the stakeholders, non profits, Behavioral Health and Health and Human Services. He said that he is volunteering to sit on some sort of Mental Health Advisory Committee to help work on this.

Supervisor Anthony Botelho said that he is very supportive of the gap analysis, it may help us provide better services to our community.

34. COUNTY ADMINISTRATIVE OFFICE- R. ESPINOSA

Approve Master Tax Agreement with the City of Hollister.

SBC FILE NUMBER: 119

County Counsel Barbara Thompson provided information in regards to the Master Tax Agreement with the City of Hollister and some of the modifications. She said that the City of Hollister has agreed to the provisions of the agreement but it still needs to go to the City Council for approval. She mentioned that the Ad Hoc committees had worked on this.

Discussion by Board and staff.

Supervisor Jim Gillio thanked the Ad Hoc committee for working on this.

Supervisor Peter Hernandez said that he can't support this.

MOTION:

Motion to approve Master Tax Agreement with the City of Hollister: Made by **Supervisor Anthony Botelho** and seconded by **Supervisor Jim Gillio**

3 - 2

For (3):

Against (2):

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

35. RESOURCE MANAGEMENT AGENCY - H. MAVROGENES

Receive presentation and update on the Resource Management Agency's activities.

SBC FILE NUMBER: 790

RMA Director Harry Mavrogenes provided a PowerPoint presentation on the Resource Management Agency's activities as follows: Planning for Sustainable Growth; F Street in Tres Pinos; Southside Road; Union Road; Cienega Road; Maintenance of Local Roads; Program (HBP); 32 County Service Areas; CSA's, 32 of them; Housing; Santana Ranch; Integrated Waste Management; Community Engagement; Developing Relations; Operational Development and Excellence; Staffing; Technology; Website Road Projects; Healthy and Safe Communities; Questions.

Supervisor Jim Gillio thanked Harry and his team for the report, said that they had been doing an amazing job.

Supervisor Anthony Botelho thanked Harry for his accomplishments and the report.

Supervisor Jaime De La Cruz said don't forget about Buena Vista Road and Wright Road.

Mr. Mavrogenes said they will be on the next report.

Presentation only.

36. COUNTY ADMINISTRATION OFFICE - R. ESPINOSA

Accept financial report on end of year FY18/19.
SBC FILE NUMBER: 119

Budget Officer Stewart Patri provided a PowerPoint presentation on the financial report on the FY 18/19 year end that covered the following: Highlighted Financial Report for 18/19, he said that the Auditor's Office has submitted a first draft to the outside Auditor. Figures are subject to change; Some of the highlights: AA Credit Rating that we received on the COP's for the Jail Expansion project; Jail Expansion will hopefully be completed and opening in 2020; Completed the Solar Energy Panel project; Phase II of the Homeless Facilities Building; Multiple new taxing measures that we will be bringing some updates to the Board during the Budget Hearing process; Budget Performance Expenditures through June 30, 2019; General Fund Revenues/Expenditures fund balances; Other one time unexpected expenditures; Total Balance is a healthy balance; General Tax Revenues over a three year trend; General Fund Salary and Benefits Expenditures; General Fund Overtime Expenditures; Other funds salary and benefits expenditure; Vacancy Rate-June 30, 2019; General Fund Contingencies as of June 30, 2019; Questions.

Discussion ensued by Board and staff.

Supervisor Jim Gillio thanked him for the presentation.

Presentation only.

PUBLIC HEARING

**37. ASSESSOR'S OFFICE - T. SLAVICH
(The public hearing will begin at 1:30 pm or soon thereafter as the matter may be heard by the Board of Supervisors).**

Review Land Conservation Act requests for Compatible Use Determinations (LCA Contract No. 01-03 for construction of a 5,000 sq. ft Kitchen & Dining Hall and installation of a 500 sq. ft. Farm Stand - Doodlebug Ranches LLC. DBA: Paicines Ranch, LCA Contract No. 73-019 for a Soil Mixing/Blending and Recycled Base Rock Facility - Manning); Divisions (LCA Contract No. 80-16 & 80-23 - Baumgartner, LCA Contract No. 68-121 - Tobias, LCA Contract No. 71-76 - Taylor); and Cancellation (LCA Contract No.73-38 - Gonzalez), and make determinations approving or denying each request.
SBC FILE NUMBER: 7

Assessor Tom Slavich provided information on each of the following:

Compatible Use Request 1) A - Doodlebug Ranches, LLC. The Advisory Committee recommends approval.

Supervisor Jim Gillio said that he attended the committee meeting and it was a unanimous vote. He said that he appreciates the work that they have done and he supports this.

Motion: Supervisor Jim Gillio moved to accept the staff recommendation and approve application per staff recommendation. Seconded by Supervisor Botelho. (5/0 vote)

Approved by the Board of Supervisors on 3/10/20

Compatible Use Request 1) B - Doodlebug Ranches, LLC. The Advisory Committee recommends approval.

Motion: Supervisor Jim Gillio moved to accept this application and approve per staff recommendation. Seconded by Supervisor Botelho. (5/0 vote)

Compatible Use Request 1) C - Manning. The Advisory Committee recommends approval.

Public Comment: John DeCarli, Mission Ranches, spoke about the distance from their facility and how it would affect them.

Celia Mendoza, Mission Ranches, concerned about the potential compost operation and provided the reasons.

Ann Hall, Representative for the Applicant, addressed the concerns of the speakers in regards to composting. She said that this is not a composting operation. This is a operation that takes a variety of materials, one being compost, that has been composted at a separate compost facility and mixes it to form bio soil medium which is used at construction sites which is a mix of sand and compost and used. It is made from a separate composting site and brought in. This is going on a property that has Williamson Act permission to run a cattle operation, which they are currently running now.

Supervisor Anthony Botelho had a question for Ms. Hall about bringing the product in.

Ms. Hall said that is correct it is not being done on the property.

Supervisor Jim Gillio said that he was at the LCA hearing and does not recall that this was brought up.

Ms. Hall provided additional information. She said that we are willing to show paperwork that they are policing this.

Discussion ensued by Board and Ms. Hall.

Daryl Boyd from RMA Planner said that when the use permit application is filed a standard part of our process is to make referrals to other departments and agencies and one of those would be the Assessor's Office. He said what would happen in this particular case, Tom can send a comment back to the Planning Department reminding us of this particular issue and then Planning staff can implement the appropriate conditions to the draft permit which would go to the Planning Commission and then from the Planning Commission there is the appeal process and then it goes to the Board.

Supervisor Gillio has some questions in regards to conditions of the use permit and more than 300 feet.

County Counsel Barbara Thompson said that yes the Board can direct more than 300 feet. She said that if the Board is interested perhaps this could be continued and conditioned upon approval.

Mr. Slavich said that everything that the Board does today we have to bring back to the Board for approval by Resolution. He said that we could put some of this language in the Resolution if the Board wishes.

Chairman Medina said that he would be comfortable with this language in a resolution.

Motion: Supervisor Jim Gillio moved to approve per staff recommendation and to add language addressing the concerns regarding set backs, compact composting, composting in to the resolution as well as establishing a 1,500 foot notification for the conditional use process. Seconded by Supervisor Botelho. (5/0 vote)

Division Request 2) A - Baumgartner. The Advisory Committee recommends approval.

Motion: Supervisor Jim Gillio moved to approve per staff recommendation. Seconded by Supervisor Peter Hernandez. (5/0 vote)

Division Request 2) B - Tobias. The Advisory Committee recommends approval.

Motion: Supervisor Jim Gillio moved to approve per staff recommendation. Seconded by Supervisor Jaime De La Cruz. (5/0 vote)

Division Request 2) C - Taylor. The Advisory Committee recommends approval.

Motion: Supervisor Jim Gillio moved to approve per staff recommendation. Seconded by Supervisor Jaime De La Cruz. (5/0 vote)

Cancellation 3) A - Gonzalez.

Assessor Tom Slavich provided information that the applicant is asking to cancel the application and the Williamson Act. He said that it needs to meet certain criteria which he provided information. He said that the LAFCO Director Bill Nicholson provided a memo for the record which he reviewed. The purpose of the letter is to acknowledge that Mr. Gonzalez received this information from the Assessor's Office that the City's protest had been filed correctly.

Supervisor Anthony Botelho asked that the bottom line is that he has to pay the 12 1/2 percent.

Mr. Slavich replied yes there is no way around that. He said that this had been going on for a couple of years between him and the City.

Supervisor Jaime De La Cruz stated that he was confused.

Mr. Slavich provided background information as to what had taken place with this preserve.

Motion: Supervisor Anthony Botelho moved to direct staff to return at a future meeting with the findings that this Cancellation meets the criteria of California Government Code 51282 and the Agricultural Preserve Advisory Committee recommends the Board of Supervisors grant Tentative Approval for this Cancellation request, based on the findings and conditions of approval set forth in California Government Code 51238.2 pending Landowner payment of the 12.5 % Cancellation Fee to the County Treasurer. (5/0 vote)

38. **RESOURCE MANAGEMENT AGENCY - H. MAVORGENES**
(The Hearing will begin at 1:30 p.m or soon thereafter as the matter may be heard)
Hold Public Hearing. Adopt a resolution to approve a 2035 General

Plan Text Amendment to the Public/Quasi-Public Land Use designation that will allow alternate uses and adopt an ordinance to rezone the 4.88-acre property located at 3110 Southside Road (APN 020-320-032) to Single-family Residential (R1) for a 100% affordable housing project.
SBC FILE NUMBER: 790
RESOLUTION NO: 2019-132
ORDINANCE NO: 998

Daryl Boyd Planner at RMA Department said that they are recommending approval of of the General Plan amendment and zoning of the property located at 213 Enterprise Road adjacent to 3110 Southside Road for 100% affordable housing project.

Chairman Mark Medina opened public hearing.

There was no one from the public wishing to speak.

Chairman Medina closed the public hearing.

Supervisor Jim Gillio said that this is good project.

County Counsel Barbara Thompson read the ordinance in to the record.

MOTION:

Motion to Adopt Resolution No. 2019-132 to approve a 2035 General Plan Text Amendment to the Public/Quasi-Public Land Use designation that will allow alternate uses; Adopt Ordinance No. 998 to rezone the 4.88 acre property located at 3110 Southside Road to single-family residential per staff recommendation:

Made by
Supervisor Jim Gillio and
seconded by
Chairman Mark Medina

4 - 0

For (4):

Against (0):

Ayes: Botelho, Gillio, Hernandez, Medina

CLOSED SESSION

County Counsel Barbara Thompson read the closed session Item #39 & #40 in to the record.

The Board adjourned in to closed session at 12:32 p.m. The Board reported out of closed session at 1:07 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.)

39. 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

SBC FILE NUMBER: 235.6

No reportable action.

40. **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 related due to issues raised by Disability Rights Coalition related to 5150 holds.

SBC FILE NUMBER: 235.6

No reportable action.

ADJOURNMENT

MOTION:

Motion to adjourn the meeting at 2:30 p.m.:

Made by **Chairman Mark Medina** and seconded by **Supervisor Anthony Botelho**

5 - 0

For (5):

Against (0):

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

Adjourn to the next regular meeting of January 14, 2020.

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.