



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Chair

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Vice-Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING SEPTEMBER 10, 2013 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Botelho, De La Cruz, Rivas, Muenzer and Barrios were present. Also present were Interim County Administrative Ray Espinosa, County Counsel Matt Granger and Clerk of the Board Denise Thome. Chairman Botelho presided.

9:00 a.m. CALL TO ORDER:

- a) Supervisor Rivas led the Pledge of Allegiance.
- b) *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Muenzer, acknowledged Certificate of Posting.*
- c) **Public Comment:**
Those speaking under public comment were field representative Brandi Garcia from Assemblymember Alejo's office, Hollister resident Marvin Jones, home health care worker Felicitas Corona, home care provider Belen Martinez, California Highway Patrol Captain Stallman and Hollister resident Marty Richman.
- d) **Department Head Announcements:**
Public Works Administrator Steve Wittry reported that the Stonegate water project appeared to be coming to an end. He added that the Health Department approved the temporary well permit yesterday and the full permit would be issued by the end of the month.
Health and Human Services Agency Deputy Director Enrique Arreola gave an update on open enrollment and the Affordable Care Act and health care reform. He explained the program and what's being done to prepare. He stated that they needed clear policy from the State and explained further problems. He added that once it gets going they will have workload issues. He indicated that Anthem Blue Cross was chosen to be the plan in San Benito County and added that San Benito County would have passive enrollments.
Further discussion ensued between the board and staff.
Interim County Administrative Officer Espinosa stated that he was pulling item #6 as the resolution had changed.

e) **Board Announcements:**

Supervisor Barrios reported that she, Supervisor Muenzer and CAO Espinosa had attended the Pinnacles National Park visitation symposium by Sam Farr, in which he presented ways to promote ourselves. She indicated that she attended the Pajaro River Watershed Flood Authority meeting and Congressman Farr was there and presented regional projects done to prevent flooding. She added that the levees still needed to be done but there was no money. She reported on the CSAC Board of Directors meeting in Sacramento.

Chairman Botelho spoke in regards to the Pajaro Watershed report noting that the levees had been maintained and the streambeds maintained as well. He noted that they used to clean the channel but now they can't get in via public or private access.

Supervisor Barrios stated that they had done some of that maintenance but they could only get in certain times of the year and needed clearance from Fish and Game.

Supervisor Muenzer reported on the symposium at the St. Francis Retreat with Sam Farr. He explained that they talked about working together to promote the Pinnacles. He added that the Caltrans sign north of Sunset on Highway 25 now said Pinnacle National Park 32 miles. He further reported that he attended a town hall meeting at Jefferson School that San Benito County Water District hosted and talked about water issues.

Supervisor De La Cruz reported that he attended the Intergovernmental Committee meeting and the City Council made it clear that the City of Hollister would not support a sales tax for 2014. He indicated that the cities have a tax that will sunset in 2016 and they want to let that sunset and then consider the tax. He concluded that 2014 may not happen and it may be 2016. He commented that Airline Highway used to be called Pinnacles Highway. He noted that Sunday, September 15th was Mexico's Independence Day and there would be a parade at 11:00 a.m.

CONSENT AGENDA:

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Barrios, **approved** Consent Agenda items with the exception of Items 4, 6, and 12 which were pulled for discussion. (Unanimous)*

ASSESSOR'S OFFICE – T. Slavich:

- 1) **Adopted Resolutions Numbers 2013-60, 2013-61 and 2013-62 establishing** Agricultural Preserve and **authorized** Chairman to sign Land Conservation Act contracts. *File #7.1*

BOARD OF SUPERVISORS:

- 2) **Approved** proclamation declaring September 2013 as "Childhood Cancer Awareness Month" in San Benito County to be presented at a later date. *File #430*

CLERK OF THE BOARD – D. Thome:

- 3) **Approved** the action minutes of the December 18, 2012, January 8, 2013 and the July 9, 2013 regular meetings.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 4) **Approve agreement with Schipper Design for marketing services related to parks and recreation in San Benito County, for the period of September 10, 2103 through June 30, 2014, in the amount of \$17,730.**

Supervisor De La Cruz asked why that company was selected.

Management Analyst Janelle Cox stated they looked at qualifications and theirs were similar to what we're doing. She noted that they had done branding, logos and marketing.

Chairman Botelho commented that they had used the same company with AMBAG and COG and the Condor Bike Ride and they had done an outstanding job. He added that they were familiar with local attributes and was a local business.

Supervisor De La Cruz stated that he would like to see 3 bidders and amounts in the report.

Ms. Cox reported that she had three submittals with one from Morgan Hill and one from Salinas. She stated that she would include them in the report in the future.

This item was pulled for discussion. *File #93*

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 5) **Adopted Resolution No. 2013-63 authorizing** the consolidation and provision of services by the Department of Elections for the Hartnell Community College District on November 5, 2013 General District Election. *File #285*

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 6) **Approve and adopt the Fiscal Year 2013-14 Adopted Budget Resolution.**

This item was pulled for discussion.

Clerk-Auditor-Recorder Joe Paul Gonzalez explained that there was a correction to the resolution with a \$32,000 difference in contingencies. He apologized for the error.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Muenzer **approved and adopted amended Resolution No. 2013-64 approving the Fiscal Year 2013-14 Adopted Budget. (Unanimous) File #865***

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 7) **Adopted Resolution No. 2013-65 establishing** the Proposition 4 Appropriation Limit for the Fiscal Year July 1, 2013 through June 30, 2014 at \$29,605,153. *File #608*

COUNTY CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 8) ***Appointed*** County of San Benito Trindel Insurance Fund Board Member and Alternate. *File #608*

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 9) ***Approved*** contract with Shared Vision Consultants, Inc. for the County Self Assessment and System Improvement Plan services for the period of September 10, 2013 through August 31, 2014, in the amount of \$22,250; and ***authorized*** the Interim Director of H&HSA to sign. *File #130*

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 10) **Approved** the Medi-Cal Privacy and Security Agreement with the State Department of Health Care Services (DHCS); and **authorized** the Interim Director of H&HSA to sign. *File #130*

INTEGRATED WASTE MANGEMENT – M. Rose:

- 11) **Approved** Budget Augmentation of \$34,000 from Landfill contingency; and **approved** the purchase of the Hazmat Unit as identified in the Safety Storage quote dated July 25, 2013, in the amount of \$34,000. *File #142*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) **Approve Amendment No. 1 with Bracewell Engineering, Inc. to provide water treatment and wastewater services to three County Service Areas, including CSA #31-Stonegate, expanding the original scope in an amount of \$18,228, for a total contract value of \$164,148.**

This item was pulled for discussion.

Chairman Botelho indicated that Bracewell was already under contract for other things. He asked for an estimated number of hours per year and noted that well maintenance was not a lot of work.

Public Works Administrator Steve Wittry referred to page 187 of the agenda where it breaks out the tasks. He stated that there would be another amendment in six months.

Supervisor Muenzer suggested a not to exceed basis.

Mr. Wittry explained that a not to exceed was based on an hourly contract.

Chairman Botelho asked when the contract expired.

Mr. Wittry replied June 2015.

Chairman Botelho felt it was important to go out to competitive bid at the expiration of the contract.

Mr. Wittry stated that they had gone out to competitive bid in June of 2010.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **approved** Amendment No. 1 with Bracewell Engineering, Inc. to provide water treatment and wastewater services to three County Service Areas, including CSA #31-Stonegate, **expanding** the original scope in an amount of \$18,228, for a total contract value of \$164,148. (Unanimous) File #CSA*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) **Approved** the plans and specifications for the Cienega Road Realignment Project. *File #105*

SHERIFF'S OFFICE – D. Thompson:

- 14) **Approved** 911 Communications Vault Lease with the State of California Department of General Services for the period of July 1, 2013 through June 30, 2018. *File #110*

PUBLIC HEARINGS – 9:00 a.m. (Or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – B. Turner:

- 15) **Hold a Public Hearing on the proposed resolution; adopt a Resolution initiating proceedings for the formation of County Service Area No. 55 (Creekside 5); direct the Public Works Department to prepare and file the required Engineer's Report; and direct staff to negotiate a deposit and reimbursement agreement with Stonecreek to cover formation and start-up costs for the proposed CSA.**

Interim Planning Director Byron Turner gave a staff report detailing the history.

Chairman Botelho opened the public hearing.

There were no speakers.

The Chairman closed the public hearing.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **adopted Resolution No. 2013-66 initiating** proceedings for the formation of County Service Area No. 55 (Creekside 5); **directed** the Public Works Department to prepare and file the required Engineer's Report; and **directed** staff to negotiate a deposit and reimbursement agreement with Stonecreek to cover formation and start-up costs for the proposed CSA. (Unanimous) File #790*

TREASURER-TAX COLLECTOR – M. L. Andrade:

- 16) **Hold a Public Hearing to consider adoption of a resolution to establish fees for transaction services provided; adopt Resolution imposing fees to be charged for debit/credit/electronic check transaction services; and approve and authorize the Treasurer-Tax Collector-Public Administrator to sign agreement with Elavon to provide Credit/Debit/ATM transaction services for the County, as well as to approve and execute future amendments to contracts for payment transaction services, with approval of County Counsel.**

Assistant County Counsel Barbara Thompson gave a staff report.

Discussion ensued between Board members and staff.

Chairman Botelho opened the public hearing.

Marty Richman spoke under public comment.

There being no further public comment, the Chairman closed the public hearing.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios, **adopted Resolution No. 2013-67 imposing** fees to be charged for debit/credit/electronic check transaction services; and **approved and authorized** the Treasurer-Tax Collector-Public Administrator to sign agreement with Elavon to provide Credit/Debit/ATM transaction services for the County, as well as to approve and execute future amendments to contracts for payment transaction services, with approval of County Counsel. (Unanimous) File #685.2*

REGULAR AGENDA:

SAN BENITO COUNTY ARTS COUNCIL – J. Laine:

- 17) **Adopt Resolution approving the San Benito County Arts Council to serve San Benito County as a state and local partner of the California Arts Council.**

Jennifer Laine of the San Benito County Arts Council gave a PowerPoint presentation.

Supervisor Barrios stated that their greatest achievement was at the schools and it was a wonderful thing.

Supervisor Muenzer echoed the statement and expressed appreciation for the efforts of the Council reaching out to schools, especially rural schools.

Chairman Botelho expressed deep appreciation.

Speaking under public comment was San Benito County Arts Council Director Kent Child who stated that there was no art without an audience.

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor De La Cruz, **adopted Resolution No. 2013-68 approving the San Benito County Arts Council to serve San Benito County as a state and local partner of the California Arts Council. (Unanimous) File #119***

AGRICULTURAL COMMISSIONER – R. Ross:

- 18) **Accept the 2012 Crop Report and authorize the release of this report to the public via the department web-site.**

Agricultural Commissioner Ron Ross gave the 2012 Crop Report.

There was no public comment.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Rivas, **accepted** the 2012 Crop Report and **authorized** the release of the report to the public via the department web-site. (Unanimous) File #1.1*

ASSESSOR'S OFFICE – T. Slavich:

- 19) **Accept the Assessor's 2013-2014 Annual Report.**

Assessor Tom Slavich gave the Assessor's 2013-2014 Annual Report. He noted that after five years of negative growth, it was the county's first year of increase since 2007 and there was a 6.3% increase from last year. He stated that there was 6.1 billion total assessed value for 2013 and last year there was a decrease of 1.7%.

Discussion ensued between Board members and staff.

The Chairman opened public comment.

Marty Richman spoke under public comment.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Muenzer, **accepted** the Assessor's 2013-2014 Annual Report. (Unanimous) File #7*

BOARD OF SUPERVISORS:

- 20) **Appoint "New Community Study Areas" Ad Hoc Subcommittee to create narratives for the General Plan Update to be brought back to the Board at a date certain.**

Chairman Botelho gave the background. He indicated that three out of the four study areas were in his district. He stated that it was an entitlement to have these study areas. He added that as a landowner he wished he was in a circle. He felt that it subjected the county to undue risk to be challenged with the General Plan. He stated that one area had no water and asked how they could justify it. He suggested that they create a committee of supervisors with staff to create the narratives to keep the process moving along.

Chairman Botelho appointed Supervisors Barrios and Rivas to an ad hoc committee to create narratives for the New Community Study Areas and bring back what the focus of the areas are to the full board.

Supervisor Barrios stated, with all due respect, that she was honored but at a meeting earlier this month they did give clear direction to staff of where the board wanted to go. She felt it would actually add to the cost and time. She further felt that it was not necessary and would be more bureaucracy given there was already clear direction.

Supervisor De La Cruz felt that Supervisor Rivas hit it on the dot with his message and ideas and they should make it as simple as general as possible. He supported Supervisor Rivas in going that direction.

Supervisor Rivas appreciated the idea of the ad hoc committee adding that any narratives would come back to the board for transparency. He wondered if it would add additional cost with an ad hoc committee and additional time.

Interim Planning Director stated that the direction of the board was clear and he would work with the new consultant to draft narratives and bring back to the board. He stated that he couldn't speak to the cost.

Chairman Botelho explained that his reason was because it had gotten completely out of control and it was all supposed to be done by 2012. His intention was to be date certain. He suggested that they create narratives and get past that stage. He did not agree with the whole thing of minimizing cost.

Supervisor Muenzer felt it was a good idea. He stated that they had asked staff to create and the board really hadn't told them what they wanted to see. He added that if they did this while hiring a consultant they could get it moved that much quicker. He indicated that they could say how they want the new community study areas defined.

Supervisor Barrios stated that the narrative wording was already there and they should pick it out and put into policy.

Supervisor Rivas indicated that they specifically said the content of the narratives would be description of the condition of the area, acreage, historical background, information why a study area, information related to city county coordination, and what role will the county and city play together. He said they could refer to the video of the previous meeting.

Chairman Botelho didn't see a very good description of the study areas and that they may change position if there was more detailed information.

Supervisor Rivas stated that if they didn't have it now, staff may have the information.

Supervisor De La Cruz felt they should hold off and let staff come back.

Chairman Botelho stated that he wanted it come back and move forward. He asked come back when.

Interim Planning Director Byron Turner stated that the RFP would run through September and he would have an update in October on the hiring of the consultant.

Chairman Botelho asked how would the consultant direct the narrative and that it would be not driven by the consultant but by staff. He stated that was why he wanted to assist staff.

Chairman Botelho stated that there was no support for an ad hoc committee.

Mr. Turner stated that he would bring it back.

Chairman Botelho called for public comment.

Marvin Jones stated that if they did outside services areas an environmentalist would sue the county. He did not want the taxpayers to pay and if they have these services areas an environmentalist would sue at the county's expense.

There were no further speakers

Chairman Botelho stated that those were his sentiments. He added that he was not anti-growth but was pro smart growth. He felt they were going in the wrong direction on this and he knew that he was right.

File #156

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

21) Discuss Farm Labor Association and Homeless Coalition contracts and provide direction to staff.

Supervisor Rivas stated that he was a member of the Homeless Coalition and that he would step aside as it would be best that he not participate. He left the meeting.

Interim CAO Ray Espinosa gave a staff report.

Supervisor De La Cruz expressed that he did not know the magnitude of the relationship and that they did not have a resolution right now. He stated that within the last few hours some cooperation had been occurring. He indicated that it was in the best interest of the county to work it out. He gave the history. Supervisor De La Cruz felt they should listen to the public and then allow he and Supervisor Muenzer one more time to work it out.

Supervisor Muenzer noted that the labor camp had been around since the 1950's and spoke of the partnership and how they had worked together well in the past. He indicated that the problems were in the last few years and with recent talks he felt they had moved closer. He expressed appreciation to both agencies and their willingness to meet with them.

Chairman Botelho thanked the two agencies for maintaining a dialogue and the sub-committee for their efforts. He indicated that we have a serious agricultural labor problem here and statewide – a crisis. He felt we were lucky to have an ag camp here to provide ag labor.

Chairman Botelho opened public comment.

Those speaking under public comment were San Benito Homeless Shelter volunteer Sandra Rodriguez, San Benito Homeless Shelter volunteer Diane Richardson, Dori Bannister of Hillside Christian Fellowship, Ken Hoggard, Charisse Tyson owner of Johnny's Bar and Grill, President of the Farm Labor Association Richard Bianchi, Marvin Jones, Kevin Manning of A New Choice, Paul Hain of the Farm Labor Association and Doug Emerson Chairman of the Homeless Coalition.

There being no further speakers, the Chairman closed public comment.

Supervisor Barrios believed they were getting closer and felt the board shouldn't be working out the details and issues and that they should be working it out. She expressed support for both agencies. She further supported housing for the homeless.

Chairman Botelho was pleased that the two agencies were working together. He added that the biggest supporter of the homeless is the Farm Labor Association.

Interim CAO Espinosa stated that we had not requested through the State for the Homeless to use the facility and they had now requested and were waiting to hear back from the State at which point they would bring it back to the board.

Supervisor Muenzer expressed that it was important to the church groups to prepare the meals and serve it. He indicated that if that was not part of the equation they would lose volunteers in assisting the homeless.

Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios moved to go forward with a five year contract with the Farm Labor Association, allowing the sub-committee to work out the details and bring it back to the board. (the motion passed 4-1 with Supervisor Rivas abstaining)

Supervisor De La Cruz directed staff to bring the contract back at the next meeting.

Chairman Botelho directed staff to prepare the contract.

Supervisor De La Cruz stated that if no compromise was reached they should still contract with the Farm Labor Association. *File #119*

Supervisor Rivas was present at this time.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

22) **Authorize the Interim CAO to pay \$7,425 to a County-Wide wayfinding sign project for Phase 1.**

Interim CAO Ray Espinosa gave a staff report.

Brenda Weatherly of the Hollister Downtown Association explained that once they had the system designed then they can go out and look for funding. She stated that it was a group effort, a collaboration with the private sector paying the majority. She added that once it's designed it's easier to sell.

Supervisor Barrios stated that she loved the idea and asked if they would be using the branding they got way back.

Ms. Weatherly replied that was the plan.

Mr. Espinosa stated that the funding source would be out of housing and economic development budget which had \$10,000.

There was no public comment.

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor De La Cruz **authorized** the Interim CAO to pay \$7,425 to a County-Wide way finding sign project for Phase 1. (Unanimous) File #119*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

23) **Receive quarterly status report from Hollister City Fire on services since transition.**

Fire Chief Michael O'Connor gave the status report. He stated that they averaged ten calls a day and most were in and around the City of Hollister.

At 11:51 a.m. Chairman Botelho left the meeting and Vice-Chairman Muenzer took over the meeting.

Chief O'Connor reported that the average response time was 6 to 7 minutes. He added that station 4 was almost finished. He noted that currently they had 42 reserves.

Supervisor De La Cruz asked about a couple of applications that were submitted but the applicants didn't hear back.

Chief O'Connor explained that HR was a little overloaded and weren't able to perform. He stated that they had taken it back and had called some of the applicants back if they felt they were overlooked.

Supervisor Barrios stated that she had no complaints and thanked Chief O'Connor for being accessible.

Supervisor Muenzer stated that there was still concern in South County. There was no public comment. *File #20*

Supervisor De La Cruz left the meeting at 12:02 p.m.
The board adjourned for a break at 12:03 p.m. and reconvened into regular session at 12:05 p.m.

PUBLIC WORKS DEPARTMENT – S. Wittry:

24) **Discussion regarding the collection of encroachment permit and improvement plan check/inspection fees from “partner” agencies; and provide direction to staff.**

Public Works Administrator Steve Wittry gave a staff report. He explained that the amount of the fee for the project is approximately \$48,000 and county costs will be incurred.

Supervisor Barrios stated that they could not incur costs not compensated for to come out of the general fund. She indicated that they could use road funds but that would be less funds to repair county roads.

Mr. Wittry asked direction from the Board on how this policy should be directed. He noted that it would happen again and he wanted direction on how the board wanted to handle the energy fee on this one.

Discussion ensued.

General Manager of Sunnyslope Water Don Ridenhour spoke under public comment.

Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas directed staff to negotiate in kind improvements based on equitability and bring back to the board. Further directed staff to issue encroachment permit with understanding that it can be worked out in order to move forward. (The motion passed 4-0-1 with Supervisor De La Cruz absent) File #105.3

PUBLIC WORKS DEPARTMENT – S. Wittry:

25) **Receive update on the progress of CEQA process for the River Parkway Master Plan project.**

Public Works Administrator Steve Wittry stated that the scuttlebutt in the community was that the River Parkway was a done deal. He stated that was not true and that the CEQA process was moving forward. He hoped to have the final EIR to the board of supervisors for approval June 2014. He added that it looked like a full blown EIR for this project. Mr. Wittry reported that the project was still moving forward and they would evaluate the Solar Farm property as if available.

There was no public comment.

The board adjourned at 12:28 for lunch and reconvened into regular session at 1:48 p.m. Supervisor Botelho was absent for the afternoon session.

The board adjourned into closed session at 1:51 p.m. and reconvened into regular session at 3:53

CLOSED SESSION:

- 26) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:**
Property: -Palmtag Ranch (APN 020-170-017), off of Cienega Road, Hollister, California
-San Benito High School (APNs 020-170—043, 059-020-001 & 059-020-003), off of Nash Rd., Hollister, California
-Chick/TAG Paintball (APN 020-280-050), San Benito Street, Hollister, California
Agency Negotiator(s): Steve Wittry, Public Works Administrator; Adam Goldstone, Capital Projects Manager; Ray Espinosa, Interim CAO; Matthew Granger, County Counsel, Barbara Thompson, Assistant County Counsel and Shirley Murphy, Deputy County Counsel
Negotiating Parties: Ron Ross, on behalf of Palmtag Ranch property owners; Michael Robustelli, on behalf of the San Benito High School District; and Roland Chick, on his own and on behalf of TAG Paintball
Under Negotiation; price and terms of payment
Authority: California Government Code Section 54956.8
No reportable action. File #235.6
- 27) **Conference with Legal Counsel-Existing Litigation**
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Purple Cross Rx, et. al v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-12-0060
No reportable action. File #235.6
- 28) **Pursuant to Government Code Section 54956.9 (a) and (d)(1), the San Benito County Board of Supervisors will meet in closed session with Sheriff Darren Thompson, JPA Trindel Insurance Fund, Interim CAO Ray Espinosa and Auditor Joe Paul Gonzalez regarding facts circumstances related to the Workers' Compensation Appeals Board case #ADJ 8488118 and worker's compensation claim filed by Jack Smiley against the County of San Benito on March 12, 2012.**
Authority: California Government code
County Counsel Matt Granger reported that the board had approved the compromise and release in the amount of \$48,000. (The motion passed 4-0-1 with Supervisor Botelho absent) File #235.6
- 29) **Pursuant to Government Code Section 54956.9 (a) and (d)(2), the San Benito County Board of Supervisors will meet in closed session with Public Works Administrator Steve Wittry, Interim CAO Ray Espinosa, Auditor Joe Paul Gonzalez and JPA Trindel Insurance Fund regarding facts and circumstances related to the workers' compensation claim filed by Kenneth Nattell against the County of San Benito on October 26, 2010.**
County Counsel Matt Granger reported that the board approved a settlement in the amount of \$12,333.13 for Kenneth Nattell. (The motion passed 4-0-1 with Supervisor Botelho absent) File #235.6
- 30) **County Employee Appointment**
Title: Director – Health & Human Services Agency
Authority: California Government Code 54957

No reportable action. File #235.6

- 31) **County Employee Appointment**
Title: County Administrative Officer
Authority: California Government Code 54957
No reportable action. File #235.6

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES:	SUPERVISORS:	Botelho, De La Cruz, Rivas, Muenzer, Barrios
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

There being no further business the Board adjourned at 3:57 p.m. to September 24, 2013 at 9:00 a.m.

ANTHONY BOTELHO, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Denise R. Thome, Clerk of the Board