



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Vice-Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING JUNE 17, 2014 ACTION MINUTES

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

9:00 a.m. CALL TO ORDER:

- a) Supervisor Barrios led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Introduction of Bailee Nelson, Miss San Benito Rodeo 2014, who is representing the San Benito County Saddle Horse Association in the 2014 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 27-29 at Bolado Park.

Chairman Muenzer introduced Anne Tobias 2013 Miss San Benito Rodeo Queen and Bailee Nelson 2014 Miss San Benito Rodeo Queen. Ms. Tobias and Ms. Nelson announced the upcoming events for the 2014 Saddle Horse Show and Parade. *File #156*

- d) **Public Comment:** Marty Richman, Hollister resident, wished all the residents of San Benito County a Happy Independence Day and asked the public to stay away from the illegal fireworks and use the safe and sane fireworks or go down to the Maze school and watch the fireworks that are provided by the City.
- e) **Department Head Announcements:** Information only.
Interim Planning Director Byron Turner gave an update on the General Plan.
Supervisor Botelho said that he would like to discuss the traffic model as an agenda item for the General Plan.
Chairman Muenzer asked Mr. Turner if we are still on schedule.
Mr. Turner replied yes we are.

HSA Director James Rydingsword announced that the AMR contract was pulled because AMR had some issues; they are requesting a 90 day extension to the contract. Mr. Rydingsword said that on July 8th the AMR contract would be coming to the Board for the extension.

Executive Director of Council of Governments (COG) Lisa Rheinheimer announced that the Hwy 25 bypass project has been transferred to Caltrans, so they now have ownership of the bypass.

Ms. Rheinheimer also announced that she has notified the Council of Governments and the Board of Directors of her resignation effective August 10th. She said that she has accepted a terrific job opportunity in Monterey, which is conveniently closer to family. She said that it has been a great pleasure to work with the Board, COG and their staff the past seven and a half years and with this community. She said that she was very proud of the work that she has done the past seven and a half years, we have accomplished a great deal: the Highway 25 bypass; safety project; has worked with Director/Supervisor De La Cruz on a number of transit projects. She wished the community the best of luck in accomplishing its goals over the next many, many years.

Supervisor Barrios said that it was a sad day for San Benito County to hear this news. She said that Ms. Rheinheimer has been such an asset to our County; it is going to be tough to see her go. She has accomplished so much. She thanked Lisa for all that she has done.

Supervisor De La Cruz thanked Lisa from the West Side of Hollister for all the safety projects that she has completed and all her efforts.

Supervisor Rivas said that it is a tremendous loss for our County, that we are losing someone that brings a lot of professionalism to the job. He said that it is unfortunate that we are losing someone of great stability in our organization and thanked Lisa for a great job.

CAO Ray Espinosa thanked Lisa for all the work that she has done for us.

CAO Ray Espinosa announced that at the July 8th Board of Supervisors meeting they are planning on having a discussion in regards to Hwy 25 and Ridgemark.

f) **Board Announcements:** Information only.

Supervisor Rivas announced that AMBAG adopted a resolution certifying the final environmental impact report for 2035 Metropolitan Transportation Plan Sustainable Communities Strategy. Supervisor Rivas said that they had received a couple of letters; one from Supervisor De La Cruz and the other from Mayor Velasquez; he thinks the content of the letter needs to be agendized for a future meeting. In the letters they request a future Amendment to the MTP related to two issues; remedying the Highway 25 widening project and requiring that the growth forecast approved by the Supervisors be recognized. He said that he feels that the content of these letters needs to be discussed by the Board of Supervisors as they affect our general plan.

Supervisor De La Cruz stated that he did send the letter to AMBAG as a member of the community that was addressed by Supervisor Rivas. He also feels that it needs to be addressed at the County level.

Supervisor Barrios wished a Happy Father's Day to all the dads in the community. She also congratulated the City of Hollister for another successful Air Show. She thanked Public Works staff and Director Arman Nazemi for

addressing some of the issues that she had in her district and working on them as diligently as they did.

Supervisor Botelho reported that he volunteered at the Sober Grad Night for the High School. He said that it was a fantastic experience and encouraged anyone, whether you have a young adult graduating or not, to try and participate in that program. It was well attended; it was a fun night and stated that he looks forward to doing it again in the future.

Supervisor Botelho reported that he attended the RCRC meeting in Nevada City, Tuolumne County. He said they took a tour of the County, it is a terrific place. He said they also talked about some of the items in the State Budget: He said that they were successful in the million dollar allocation for our trial courts security; the Williamson Act and the Fairs were not funded; State Responsibility Areas (SRA fees), one time grant for 10 million dollars for fire prevention programs; rainy day fund.

Supervisor Botelho mentioned that it is very important to document our costs for fire prevention so that we can be successful in getting some reimbursement.

Supervisor Botelho expressed his sadness and anger that we are losing a really good Department Head, Lisa Rheinheimer. She has done an outstanding job with all the projects that she has worked on. He said that this did not have to happen right now; he said that he feels that the COG Board has been somewhat dysfunctional this past year due to the current Chairman of COG and because of it they have forced a great employee to find another job elsewhere.

Chairman Muenzer said that he wanted to go on the record: that AMBAG has been accused of shoving numbers and projects down the throats of San Benito County and that is absolutely not the case. He said that AMBAG has been there to work with us 100%.

CONSENT AGENDA:

*Upon motion made by Supervisor Barrios and seconded by Supervisor Rivas, **approved** Consent Agenda Items 1-17, with the exception of Item #13, which was pulled for discussion. (Unanimous)*

AGRICULTURAL COMMISSIONER – R. Ross:

- 1) **Approved** contract with the Department of Food & Agriculture to provide Weighmaster enforcement services for the period of July 1, 2014 through June 30, 2015, in the amount of \$1,200.00. *File #1.1*

AGRICULTURAL COMMISSIONER – R. Ross:

- 2) **Approved** contract with the Department of Food & Agriculture for Light Brown Apple Moth Services for the period of September 30, 2013 through October 31, 2014, for a total of \$3,174.10. *File #1.1*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 3) **Approved** contract renewal with Door to Hope Substance Abuse Residential Treatment Facility for the period of July 1, 2014 through June 30, 2015, for a maximum total of \$50,000. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) **Approved** contract renewal with Hillside Christian Fellowship, Sober Living Environment, for the period of July 1, 2014 through June 30, 2015, for a maximum total of \$72,000.00. *File #810*

CLERK OF THE BOARD – D. Thome:

- 5) **Approved** the action minutes of the regular meetings of February 18, 2014 and April 15, 2014.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 6) **Approved** sole source purchase of the new web application for GIS including the agreement to the software licensing terms and conditions in the amount of \$20,072.50. *File #7.5*

EMERGENCY SERVICES – K. O'Neill:

- 7) **Adopted Governing Body Resolution 2014-55**, that authorizes the county positions named to execute for and on behalf of the County of San Benito for making application, filing and obtaining state and federal assistance and funding under the State Homeland Security Grant and Emergency Management Performance Grant Programs. *File 75.5*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) **Adopted Resolution No. 2014-55**, authorizing the submittal of an application to the Calif. State Department and Community Development for funding under the HOME Investment Partnership Program; and authorize the Director of Health & Human Services Agency to execute a standard agreement, any amendments and any related documents necessary to the HOME Investment Partnership Program. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 9) **Approved** Memorandum of Understanding between HHSA and the Public Authority for conducting In Home Supportive Services (IHSS) for administering public assistance programs pursuant to Welfare and Institutions Code Section 12250 (hereinafter In Home Supportive Services or "IHSS") for the period of July 1, 2014 through June 30, 2016, in the amount of \$46,460 per year. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 10) **Approved** the Medi-Cal Managed Care Services Agreement with Blue Cross of California Partnership Plan (doing business as Anthem Blue Cross) effective July 1, 2014 until terminated. *File #130*

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 11) **Approved** Amendment #1 to contract with Philip Services Corporation (PSC) for Household Hazardous Waste and Small Quantity Generator (Business) Hazardous Waste, extending the expiration date of June 30, 2014 to June 30, 2015, in an amount not to exceed \$225,000.00. *File #142*

PLANNING DEPARTMENT – B. Turner:

- 12) **Approved** Amendment to contract with Rincon Consultants, Inc., for the San Juan Oaks project, in an amount not to exceed \$25,600, for a total of \$291,322;

and **authorized** the Interim Planning Director to approve minor contract amendments, authorizing additional work within the 10% contract contingency amount not to exceed \$29,132. **File #790**

PROBATION DEPARTMENT – R. Baraan:

- 13) **Grant a one-time exception to the Section of Personnel Rule 4.1.3 regarding family members having the same supervisor to allow the Probation Department to hire the top candidate from the recent Juvenile Institution Officer III interviews, and maintain employment of valuable Deputy Probation Officer Staff.**

Item pulled for discussion by Supervisor De La Cruz.

Discussion ensued by Board and Staff in regards to doing away with the rule instead of doing a one-time exception.

Those speaking from the public were: Marty Richman, Hollister resident; Marvin Jones, Hollister resident.

BOARD ACTION: *Upon motion made by Supervisor Botelho and seconded by Supervisor Rivas, **approved** as per staff recommendation. (4-1 vote, De La Cruz voted no) **File #510***

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 14) **Approved** contract Amendment #1 with San Benito Engineering and Surveying, Inc. for John Smith Road Realignment project, extending the expiration date from June 30, 2014 to June 30, 2016. **File #105**

SHERIFF'S OFFICE – D. Thompson:

- 15) **Approved** Budget Amendment to Sheriff's UNET Expenditure and Revenue Schedules providing for the 2013-14 Anti-Drug Abuse (ADA Enforcement Team Program Grant Award in the amount of \$51,310. (4/5 vote) **File #110**

SHERIFF'S OFFICE – D. Thompson:

- 16) **Approved** Budget Amendment to Sheriff's Grant Expenditure and Revenue Schedules providing for Unanticipated Grant Revenue and Associated Expenditures in amount of \$46,000. (4/5 vote) **File #110**

SHERIFF'S OFFICE – D. Thompson:

- 17) **Approved** change to Sheriff's Schedule of Fixed Assets, Expenditure, and Revenue Schedules adding replacement vehicle 2014 Chevrolet Tahoe; increase expenditures (fixed assets-vehicles) by the insurance reimbursement of \$45,711; and increase revenue in the amount of \$45,711 recognizing the insurance payment. (4/5 vote) **File #110**

SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:

The Board adjourned as the Board of Supervisors and reconvened as the IHSS Public Authority re:

HEALTH & HUMAN SERVICES AGENCY - J. Rydingsword:

- 18) **Approve Memorandum of Understanding between HHSA and the Public Authority, for conducting In Home Supportive Services (IHSS) for administering public assistance programs pursuant to Welfare and**

Institutions Code Section 12250 (hereinafter In Home Supportive Services or "IHSS") for the period of July 1, 2014 through June 30, 2016, in the amount of \$46,460 per year.

Health & Human Services Director James Rydingsword provided information in regards to the MOU between HHSA and the Public Authority.

BOARD ACTION: *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, approved MOU between HHSA and the IHSS Public Authority for the term of July 1, 2014 to June 30, 2016; authorized Director and the Chair to sign said MOU. (Unanimous) File #130.1*

HUMAN RESOURCES – G. Cochran:

- 19) **Adopt Resolution approving the side agreement amending the Memorandum of Understanding (MOU) between the Public Authority and SEIU ULTCW Local 6434 regarding treatment of Public Authority Contribution towards Medical Coverage. (Res. No. 2014-56)**

Human Resources Director Georgia Cochran provided information in regards to the MOU and the side letter agreement between Public Authority and SEIU Local 6434 regards to the contribution towards medical coverage.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz, adopted Resolution No. 2014-56, approving the side agreement amending the MOU between the Public Authority and SEIU ULTCW Local 6434. (Unanimous) File #130.01*

The Board adjourned as the IHSS Public Authority and reconvened as the San Benito County Board of Supervisors re:

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

AGRICULTURAL COMMISSIONER – R. Ross:

- 20) **Hold a public hearing to hear objections, protests or requested changes or corrections to the written report regarding the Mosquito and Disease Control Assessment rate to be imposed; adopt Resolution accepting the annual report for the Mosquito and Disease Control Assessment and levying the rate of \$10.90 per unit Mosquito and Disease Control Assessment for FY 2014/2015 based on the Engineer's report. (Res. No. 2014-57)**

Agricultural Commissioner Ron Ross provided information in regards to the Mosquito Assessment based on the Engineers report. He said at this time a public hearing is required to hear public comment regarding the assessment to be imposed. He said that staff recommendation is to adopt the findings and engineers report prepared by SCI Consultants and approve the resolution setting the rate the same as last year at \$10.90 per unit.

Chairman Muenzer opened the public hearing.

There being no speakers, the public hearing was closed.

Supervisor Barrios asked if the report was available to the public on the website.

Mr. Ross replied, yes it is available on the county's website under the Board of Supervisors agenda. He said that copies were also placed in the back of the room.

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor Rivas, **adopted Resolution No. 2014-57**, accepting the annual report for the Mosquito and Disease Control Assessment and levying the rate of \$10.90 per unit for the FY 2014/2015 based on the Engineer's report. (Unanimous) File #1.1

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

ASSESSOR'S OFFICE – T. Slavich:

- 21) **Public Hearing on Land Conservation Act application request for Division: Sans – (10 Assessor Parcel Numbers in Book 24, Pages 12 & 13 and Book 29, Pages 8 & 10 Consisting of 4,660 acres under LCA Contract #10-007).**

Assessor Tom Slavich provided information in regards to the request of Sans to divide the preserve of 4,660 acres into 2 preserves of 4,495 acres and 165 acres which is under the Williamson Act. He said that Mr. Sans meets all the requirements per the Land Conservation Act. He said the Agricultural Preserve Advisory Committee recommends the Boards approval in regards to this division request.

Chairman Muenzer opened the public hearing.

Those speaking from the public were: Marty Richman, Hollister resident.

Chairman Muenzer closed the public hearing.

BOARD ACTION: Upon motion made by Supervisor Rivas and seconded by Supervisor Barrios, **approved** per staff recommendation. (Unanimous) File #7.1

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

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 22) **Hold a public hearing to receive public comment on the proposed application for the 2014 Community Development Block Grant Drought NOFA in the amount of \$500,000; adopt Resolution, authorizing the submittal of an application to the CA State Department and Community Development for funding under the 2014 Community Development Block Grant Drought NOFA; and authorize the Director of Health & Human Services to execute agreement and any amendments or related documents necessary to participate in the CDBG program; and authorize the County Administrator to execute the Assurances pertaining to the grant. (Res. No. 2014-58)**

Health & Human Services Director James Rydingsword provided information in regards to the 2014 CDBG Drought Grant application. He said that this program would assist low income families meeting the federal income levels for San Benito County with tenant based rental assistance for a period of twelve months.

Mr. Rydingsword said that he would like to move forward with a positive action today, if possible, as the application is due to the State on Friday, June 20, 2014. He said that there was a signup sheet in the back of the room if anyone would like to sign in for us as a matter of record.

Discussion ensued by Board and staff.

Chairman Muenzer opened the public hearing.

Those speaking from the public were: Doug Emerson, Homeless Coalition, thanked the Board for considering this application. He said that we have a problem in this community and it needs to be addressed.

Jamie Schipsi, Hollister resident that is currently in the Homeless Coalition program. She said that she speaks on behalf of the homeless because she has been homeless way too many times. We need to come up with a better solution, it is not working in this community.

Chairman Muenzer closed the public hearing.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz, **adopted Resolution No. 2014-58**, authorizing the submittal of an application to the CA State Department and Community Development for funding under the 2014 Community Development Block Grant Drought NOFA; **authorized** the Director of Health & Human Services Agency to execute a standard agreement, any amendments; **authorized** the County Administrator to execute the Assurances pertaining to the grant. (Unanimous)
File #130*

Board adjourned at 10:20 a.m. for a break, reconvened at 10:30 a.m.

REGULAR AGENDA:

INTEGRATED WASTE MANAGEMENT – M. Rose:

23) Receive presentation on the review of new Landfill Operating Agreement Terms and Conditions at John Smith Road Landfill.

Director of Integrated Waste Mandy Rose provided background information and an update on the new Landfill operating agreement terms, conditions and the status at the John Smith Road Landfill with Waste Connections, Inc.

Ms. Rose introduced Reuben Scuff the new landfill site manager. She mentioned that he would be available for questions.

Discussion ensued by Board and staff.

Those speaking from the public were: Barbara Taddeo, Hollister resident; Marty Richman, Hollister resident; Noel Provost, Hollister resident.

Supervisor Botelho asked that Ms. Rose address the speakers concerns.

Ms. Rose provided information on some of the comments that the public had in regards to what kind of waste is coming in; capacity for additional tonnage and the current landfill years of life. Ms. Rose mentioned that she would be willing to sit down with any individual and go over the documents if they have any questions.

Discussion continued with Board and staff.

Mr. Scuff thanked all the speakers for their comments. He said that they can't address the problems unless they know about them. He said that he welcomes all comments or requests and he would try to do his best to make sure the community is taken care of. He mentioned that the public can stop by the landfill office to see him, if he is not in, his cards are available on the counter to give him a call. He said that he appreciates the opportunity to serve in this community.

Discussion ensued by Board and staff in regards to acceptable waste; out-of-county waste acceptance protocol; hazardous waste indemnification and charges.

Chairman Muenzer thanked Ms. Rose for her presentation. *File #75.4*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

24) Receive Fireworks Safety: Fourth of July and fire update in San Benito County from Fire Chief Mike O’Conner.

Fire Chief Mike O’Conner provided information in regards to a flyer he passed out regarding the Hollister Fire Department and services they are providing the citizens of San Juan Bautista and San Benito County with the consolidation.

Mr. O’Conner also reported on all the calls that they have had and responded to since they have consolidated which were broke down by call type, districts by fire stations. He said their busiest days are Friday, Saturday and next day Thursday, lightest day is Sunday.

Mr. O’Conner went over Fireworks Safety Tips and General Information handout. He said he had provided copies in the back of the room and that they are posted at all the forestations and at City Hall. He said that he and the Hollister Police Department are working on getting the word out about illegal fireworks and safe and sane fireworks in the County and the City. He said that they will be out enforcing the ordinances and the laws of the State of California in regards to fireworks and explosives. If they are illegal they will be cited, the citation varies from \$250.00 up to \$1,000 and confiscating any illegal fireworks they find. We are not going to tolerate illegal fireworks; we are working with the City of Hollister and the Sheriff’s Office to enforce this law.

Supervisor Barrios thanked Chief O’Conner for his presentation. She encourages our community to make a phone call to report anything that is illegal.

Supervisor Rivas said that we have gone to great lengths to crack down on illegal fireworks but each year it seems to get worse. He said that we need to take a stand on banding all fireworks or we need to amend our ordinance to increase fees for illegal fireworks.

Mr. O’Conner replied that even if we ban fireworks they are still going to be there, and the non-profit organizations that sell the fireworks would lose out. He said that it is definitely the Board’s decision on banning fireworks. He said it is not the Safe and Sane fireworks starting the fires, it is the illegal fireworks.

Supervisor Botelho mentioned that he agreed with Supervisor Rivas. He said people spend a lot of money on illegal fireworks.

Chairman Muenzer thanked Mr. O’Conner for his presentation. *File #60*

Chairman Muenzer announced that they would be moving to agenda Item 26 and then agenda Item 25.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

26) Adopt Resolution supporting a partnership with R.E.A.C.H. San Benito Foundation to create and sustain healthy alternatives for San Benito County residents. (Res. No. 2014-59)

Management Analyst Sara Fontanos provided information in regards to the partnership resolution with R.E.A.C.H. San Benito Foundation and the

County of San Benito. Ms. Fontanos mentioned that there were some changes to the resolution and provided those changes.

Janelle Cox and Don Pidd, officers of the R.E.A.C.H. San Benito Foundation provided information in regards to their foundation. Ms. Cox said that they were here today to celebrate the partnership between R.E.A.C.H. San Benito Foundation and San Benito County. The R.E.A.C.H. board has approved the Resolution set forth by Ms. Fontanos with the changes.

Ms. Cox mentioned that R.E.A.C.H. stands for (Recreation, Exercise and Community Health) and is a non-profit organization established by a group of residents in the community that is dedicated to facilitate a healthy community, to create sustainable and accessible public and private parks and recreation services and facilities throughout San Benito County.

Ms. Cox said that they invite the public to visit their website at www.reachsanbenito.org, to find out more about them, contact information, and the list of community events, fundraising activities and how a person can donate to the foundation.

Mr. Pidd provided information on the upcoming events and fundraisers: As part of the Park and Recreation Month we are putting on a Park Celebration at the San Benito County Historical Park, which will introduce the community to R.E.A.C.H. as well as the opportunities of recreation in San Benito County. It will be an all day event on Saturday, July 26, 2014 from 10:00 a.m. to 4:00 p.m. (3rd Annual Park Celebration and Early Day Gas Engine & Tractor Show), a day of old fashioned fun and games.

Mr. Pidd announced that that evening July 26, 2014 from 5:00 p.m. to 10:00 p.m., would be their 1st fundraiser: A Dinner Dance to benefit both R.E.A.C.H. San Benito Foundation and the San Benito County Historical Society; "Raise the Roof II", which would be held in the "new" old dance hall at the Historical Park.

Supervisor Botelho said that he was really impressed and that it is a great start for the foundation. He said that he thinks that this is a benefit for everyone in our County.

Supervisor Barrios said that this is an excellent idea and wished them good luck. She said that she would definitely support it personally.

Supervisor De La Cruz said that he was proud of the group and congratulated them.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, **adopted Resolution No. 2014-59**, supporting a partnership with R.E.A.C.H. San Benito Foundation to create and sustain healthy alternatives for San Benito County residents with the changes to the Resolution. (Unanimous) File #119*

(The Board broke for lunch at 11:52 a.m. and reconvened at 1:30 p.m.)

COUNTY COUNSEL – M. Granger:

- 25) **Approve Amendment to current Public Defender Indigent Defense Services Contract and Contract for First Level Conflict Indigent Services with Gregory Laforge and Harry Damkar to extend contract term from July 1, 2014 to October 31, 2014.**

County Counsel Matt Granger provided information in regards to the above contracts that are expiring effective June 30, 2014 for the Public Defender

and the Indigent Defense Services Contract. He said staff is recommending that the Board extend contracts for four months with a new expiration date of October 31, 2014, with the same terms and conditions as they currently contain.

He said that this would give them time to gather information and review information and then meet with the ad hoc subcommittee to come up with a suggested path forward. He said that they believe that this extension would give them sufficient time to address where we want to go with the contracts.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, **approved** as staff recommendation. (Unanimous) File #160*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 27) Review Clear Creek Management Area proposed letter of No Confidence and provide staff direction on any edits and recipients; approve letter and authorize Chair to sign.**

CAO Ray Espinosa provided information in regards to the letter of no confidence in regards to BLM and the Clear Creek Management Area.

Management Analyst Sara Fontanos provided information in regards to the letter that staff prepared for the Board's approval.

Supervisor Barrios said that the letter expressed everything that she was trying to say and more. She said that whoever had any part in writing this letter did an excellent job in expressing what they did, what happened to San Benito County in result to what they did and what could happen in the future. She commended everyone for a great job on the letter.

Supervisor Botelho said that he liked letter, everyone did a good job.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho; **approved** letter and **authorized** the Chair to sign and send to recipients requested by Board. (Unanimous) File #755*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 28) Discuss Transient Occupancy Tax (TOT): next steps; determine a general or special tax; determine amount to increase the TOT tax rate; and direct staff to complete the necessary steps to ensure placement on the November ballot.**

Management Analyst Sara Fontanos provided information in regards to the Transient Occupant Tax (TOT) in San Benito County. She said that she was here today to see what the Board would like to do: whether or not you want to increase the tax, and if so, by what percent; and if the increase would be a special or general tax. She said once she has received that information she can go back and work with the Auditor and County Counsel on the next steps to ensure placement on the November ballot.

Discussion ensued by Board and staff in regards to increasing percentage from 8%, general or special tax and creating an advisory committee.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, **determined** this tax to be a general tax at 12%. (4-1 vote, Rivas voted no) File #119 (This item will come back on the July 8th meeting)*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 29) **Discuss July 22, 2015 Board meeting agenda and possibly remove the meeting from the calendar.**

CAO Ray Espinosa provided information that he had applied for two scholarships from the California Statewide Communities Development Authority (CSCDA) through CSAC and was accepted to receive a scholarship to the Senior Executive Institute (SEI) at the Weldon Cooper Center at the University of Virginia. He said by attending these classes it would fall on our Board meeting of July 22, 2014. He said that he would like to discuss with the Board the possibility of removing the meeting from the calendar for that day.

Supervisor Barrios said that she would opt to cancel the July 22, 2014 board meeting.

Supervisor Botelho said that he had no problem with cancelling.

BOARD ACTION: *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, **approved** the cancellation of the July 22, 2014 Board of Supervisors meeting. (Unanimous) File #110*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 30) **Approve title change for Class Specification from Program Assistant to Program Manager.**

Health & Human Services Director James Rydingsword provided information in regards to request for class title change. He said if approved today this would be incorporated into the County's list of titles and schedule, this is primarily a technical change.

BOARD ACTION: *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, **approved** class specification title change from Program Assistant to Program Manager. (Unanimous) File #130*

Board adjourned into closed session at 2:12 p.m. and reconvened in to open session at 2:42 p.m.

CLOSED SESSION:

- 31) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:**
Property: 3110 Southside Road (APN 020-320-029), Hollister, California
Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel
Negotiating Parties: Caroline C. Anyeneh
Under Negotiation: price and terms of payment
Authority: California Government Code Section 54956.8
No reportable action. File #235.6
- 32) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR:**
Property: San Benito High School (APNs 020-170-043, 059-020-001 & 059-020-003), off of Nash Road, Hollister, CA 95023
Lantis-Ward (APNs 020-170-045 & 020-280-052), at 2100 Cienega Road., Hollister, California

Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Sara Fontanos, Management Analyst; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel

Negotiating Parties: Dave Lantis, on behalf of the Lantis-Ward property owners; John Perales, on behalf of the San Benito High School District

Under Negotiation: price and terms of payment

Authority: California Government Code Section 54956.8

No reportable action. File #235.6

33) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

Property: 5381 Fairview Road (APN 017-130-004), Hollister, California

Agency Negotiator(s): Arman Nazemi, Assistant Public Works Director; Adam Goldstone, Capital Projects Manager; Ray Espinosa, CAO; Matthew W. Granger, County Counsel, and Barbara Thompson, Assistant County Counsel.

Negotiating Parties: Larry Drury, on behalf of Go Kids

Under Negotiation: price and terms of payment

Authority: California Government Code Section 54956.8

No reportable action. File #235.6

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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: Muenzer, De La Cruz, Rivas, Botelho, Barrios

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to June 17, 2014 at 2:52 p.m., continued budget hearings.

JERRY MUENZER, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:

Janet Slibsager, Asst. Clerk of the Board