



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3
Vice-Chair

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5

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

REGULAR MEETING JUNE 2, 2015 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in Regular Session. Supervisor Barrios (Board Chair), Rivas, De La Cruz, and Muenzer were present. Also present was County Administrative Officer Ray Espinosa, County Counsel Matthew W. Granger and Clerk of the Board Louie Valdez. Chairwoman Margie Barrios presided.

9:00 a.m. CALL TO ORDER:

Board Meeting called to order by Chairwoman Barrios at 9:00AM.

- a) Pledge of Allegiance to be led by Supervisor De La Cruz.
- b) Acknowledge Certificate of Posting.
 - Motion to acknowledge Certificate of Posting made by Supervisor Rivas.
 - Motion Seconded by Supervisor Muenzer.
 - ✓ **Motion Approved 5 to 0.**

Voting Yes:

Muenzer
Rivas
Botelho
Barrios
De La Cruz

Voting No:

None

c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Approval of Proclamation honoring the Rotary Club of Hollister for their 90th Anniversary and Approval of Proclamation honoring June as National Alzheimer's and Brain Awareness Month in San Benito County.

- **Motion to Approve Proclamations and Recognitions by Chairwoman Barrios.**
- **Motion Seconded by Supervisor Botelho.**
- ✓ **Motion Approved 5 to 0.**
- ❖ **SBC File # 430.**

Voting Yes:

Muenzer
Rivas
Botelho
Barrios
De La Cruz

Voting No:

None

The first presentation was made by Supervisor Botelho to the Rotary Club of Hollister celebrating 90 years of service in the community.

BOARD OF SUPERVISORS:

The second presentation was made by Supervisor Muenzer proclaiming June as National Alzheimer and Brain Awareness Month to Mitch Matthews, Director of Network Development for Good Life Home Care.

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.

- Mr. Marvin Jones made reference to Agenda Item # 21 and he passed out a map to the Board of Supervisors making reference to the level of biodiversity in the State of California from five years ago up to the present day.
- Mr. Marty Richman spoke to the issue regarding the Nash Road issue on behalf of the high school. He indicated that he was opposed to closing the road. He indicated he was in favor of a three-way program that he had proposed.
- Mr. Mitch Matthews, Director of Network Development, from Good Life Home Care spoke to the overlapping issues of Alzheimer's disease in California.
- Mr. Clay Kemp spoke regarding the Seniors Council as their Executive Director. He provided an informational handout for the Board and his organization's efforts to conduct a needs assessment regarding senior issues.
- Mr. Reed Sanders, San Benito County Resident, on behalf of CA State Senator Anthony Canelo, 12th District. He indicated he could be reached via his office telephone at (831)-769-8040. His office address in Salinas, CA is 369 Main St. Suite 208.

The Chair solicited additional public comments. No additional comments were presented.

Chairwoman Barrios then acknowledged CAO Espinosa.

d) **Department Head Announcements:** Information only.

CAO Espinosa announced Item No. 9 on the consent agenda has an editing change with regard to the dates listed. This item was presented by the Health and Human Services Department. The item was not pulled, only a slight change to the date. The date in the packet reads July 1, 2015 but the correct date should be listed as June 19, 2015.

Management Analyst Sara Fontanos announced her attendance at the Joint Hollister City Council/San Benito School District Joint Meeting last week and she provided a regional park update. She indicated that the County is working on the Administrative Draft of the EIR and there is a transportation section pending. There was also a lot of talk about who is going first in this effort. She reminded the Board that the approval of the resolutions constituted the formal effort representing cooperative agreements regarding this project. Ms. Fontanos was unsure how this message became lost. Ms. Fontanos indicated she would continue to work with staff from all jurisdictions to continue moving the project forward.

Chairwoman Barrios acknowledged Supervisor Rivas.

Supervisor Rivas commented that he had received numerous comments about this issue and expressed his concern. He indicated that he felt there was a tremendous disconnect between the County of San Benito and the City of Hollister.

Supervisor Rivas indicated he was aware of the Town Hall and understood it was a bash session of the Board of Supervisors. He indicated he had been at several meetings where a resolution had been reached regarding this problem. Supervisor Rivas indicated that for him this was a public safety issue and needed to be addressed. Mr. Rivas proposed that this item be placed on the next BOS Agenda inviting the City Manager of Hollister, CA to discuss this issue with the Board.

Chairwoman Barrios agreed with Supervisor Rivas. She indicated that it was her understanding that there was a mutual understanding regarding a solution regarding this matter after leaving a meeting between all concerned agencies including the schools, the City of Hollister, CA and the County.

Supervisor Barrios then acknowledged Supervisor Botelho.

Supervisor Botelho indicated that Supervisor Rivas was correct in his recounting of the events. He further indicated that it was his understanding that there was a mutually agreed upon solution and timeline regarding Nash Road and the design for the closure system. He also agreed that the Hollister City Manager should be agendaized to discuss this issue with the Board of Supervisors and that his primary concern is the safety of the students on that campus.

Chairwoman Barrios agreed with Supervisor Botelho. She thanked Management Analyst Fontanos for her efforts in working to resolve this issue.

Ms. Fontanos indicated she had attended all the meetings discussed and that the EIR was due to be issued sometime during the summer of 2015.

Chairwoman Barrios then acknowledged Supervisor De La Cruz.

Supervisor De La Cruz indicated that he thought this matter was a done deal and asked Ms. Fontanos for a matrix showing what work had been completed to date. He also indicated what agreements, if any, had been put in writing as he would like for the Board to review that information.

Supervisor Barrios acknowledged Supervisor Muenzer.

Supervisor Muenzer indicated he wanted to discuss a previous matter.

Mr. Muenzer indicated that with regard to Consent Agenda Item Number 9 he still did not see any changes in the dates listed in the Agenda Item Transmittal Supporting Materials and he asked for clarification on the matter. Supervisor Muenzer pointed out that on the handout cites a release date of June 5th, a submission deadline of June 19th and a Board of Supervisor's Action Date of July 7th.

HHS Director Rydingsword indicated the submission deadline of June 19th is the correct submission date (on page 2 of the packet). July 7th was the anticipated date that the Board would take formal action on the listed item (also on page 2).

CAO Espinosa pointed out that the Board is not scheduled to meet again until July 21st and not on July 7th.

The HHS Director offered to take the item back and clean it up and then bring it back to the Board. The Chair offered to take up the item with corrections noted.

At the suggestion of Supervisor Muenzer and Chairwoman Barrios, the item was pulled and will be brought back at a future board meeting.

Chairwoman Barrios then acknowledged CAO Espinosa.

CAO Espinosa announced the Joint Meeting between San Benito County and the Cities of Hollister and San Juan Batista at 5:00PM on June 3rd to discuss the Sales Tax Initiative.

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

Chairwoman Barrios acknowledged Supervisor De La Cruz.

Supervisor De La Cruz advised that if, in fact, there was a meeting to be held on July 7th he would be unable to attend. He acknowledged that there have been differences between the City and County and he feels that those differences can still be worked out. Mr. De La Cruz

further indicated that he was fully supportive of City of Hollister Mayor Ignacio Velazquez's efforts to house homeless residents in "tiny homes".

Chairwoman Barrios then acknowledged Supervisor Botelho.

Supervisor Botelho indicated concerns that he was contracted by a business constituent from In his district regarding homeless issues regarding concerns about the secondary effects of the encampments. Supervisor Botelho indicated that the rules need to be addressed for the individuals living in that area as the encampment location is largely within Hollister city limits.

Chairwoman Barrios then acknowledged Supervisor Muenzer.

Supervisor Muenzer wanted to verify that the Homeless Center is to be agendized for the July 21st Board of Supervisors Meeting.

Chairwoman Barrios and CAO Espinosa confirmed that the item is so far on track to appear on the July 21st Agenda.

Chairwoman Barrios acknowledged Supervisor Rivas.

Supervisor Rivas indicated he was not an advocate for Hollister Mayor Velazquez's Tiny Home Project at this time which he considers to be a distraction. He indicated that this solution may work in a large city such as Sacramento but not for San Benito County and indicated that it was his preference to continue to work towards a center for homeless persons.

Furthermore, Supervisor Rivas indicated the vision in the community has been a center or shelter for homeless individuals who require resources such as behavioral health and health and human services attention. She further noted that the debris had been in place for an extended period of time.

Chairwoman Barrios then acknowledged Supervisor De La Cruz.

Supervisor De La Cruz indicated that he was in agreement with the creation of a center for homeless individuals and that all proposed solutions, including Tiny Homes, should be supported.

Chairwoman Barrios indicated that the Tiny Homes Solution was a part of the overall comprehensive effort to address the issue. Supervisor Barrios indicated that she visited the homeless camp with Mayor Velazquez and indicated that the debris in the Area was a huge issue along with the unrestricted access provided by the access road to that location.

Chairwoman Barrios also announced she had attended a meeting with US Representative Sam Farr regarding the Panoche Valley Solar Project along with Supervisor Muenzer.

Chairwoman Barrios thanked Arman from the Public Works Department for attending a neighborhood meeting with her constituents regarding traffic Issues.

Chairwoman Barrios further indicated that she attended the CSAC Legislative update by phone regarding Governor Brown's May revision. The State unemployment rate has

dropped to 6.3 percent with revenue up \$6.7 Billion and a rainy day fund has been established.

Also, the State of California pre-2004 Mandates are being paid to the counties. Funds are available for AB 109 and CCP meetings have discussed this funding source. CSAC felt that all gubernatorial updates were positive except that they were concerned about which pre-2004 mandates would be paid first.

Chairwoman Barrios indicated that the California Economy is ahead of projected Revenues and those monies for Prop 98 (Education) are a priority. She also indicated she sits on the Foster Youth Council and spoke about Full Wrap Around Services.

CONSENT AGENDA:

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 1) Approve contract with the Department of Pesticide Regulation for the collection and submission of historical compliance and enforcement data for the period of April 1, 2015 through June 30, 2015, at a cost not to exceed \$6,050.88. **File # 1.1**

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Approve contract renewal with Encompass Community Services (aka: Santa Cruz Counseling Center, Inc.) for the period of July 1, 2015 through June 30, 2016, for a maximum total of \$50,000. **File # 810.**

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 3) Approve contract renewal with Remi Vista, Inc. for therapeutic behavioral services for the period of July 1, 2015 through June 30, 2016, for a maximum amount of \$70,000. **File # 810**

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract renewal with Merced Behavioral Health Center for skilled nursing services for the period of July 1, 2015 through June 30, 2016, for a maximum annual amount of \$89,000. **File # 810.**

BOARD OF SUPERVISORS:

- 5) Approve proclamation honoring Sharon M. Johnston for twenty-five years with the Native Daughters of the Golden West, to be presented by Supervisor Botelho at a later date. **File # 430.**

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

- 6) Approve the 2015/16 Help America Vote Act (HAVA) Grant contract for the period of April 15, 2015 through June 30, 2016, in the amount of \$20,000. **File # 160.**

COUNTY COUNSEL'S OFFICE – M. Granger:

- 7) Approve Legal Services Agreement with Cota Cole LLP., for work in the defense of BMC Promise Way, LLC. Db: Benchmark Communities v. County of San Benito, et.al. San Benito Superior Court, Case No. CU-15-00056. **File # 130.**

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) Approve and authorize the submission of a grant application for Immunization Local Assistance Grant Funds by the San Benito County Public Health Department in the amount of \$72,500 for the period off July 1, 2015 through June 30, 2017; and authorize the HHSA Director to approve and execute the grant agreement and any amendments and other documents related to the grant. **File # 130.**

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 9) Approve the Request for Proposal (RFP) for a qualified administrative subcontractor to satisfy the HOME Program Income affordable housing project; and authorize authority to the HHSA Director to accept bids and to work with the State HCD office to select a qualified bidder and proceed with executing the consultant agreement, including any amendments.

(THIS ITEM WAS PULLED FOR CORRECTIONS ON DATES LISTED IN THE STAFF REPORT BY SUPERVISOR MUENZER PRIOR TO APPROVAL OF CONSENT AGENDA).

- **Supervisor Muenzer made a motion to continue this Agenda Item 9 until the June 16th, 2015 meeting.**
- **Motion Seconded by Supervisor De La Cruz.**
- **Motion to continue item to June 16, 2015 BOS Meeting approved 5 to 0.**
- **SBC File #130.**

Voting Yes:

Muenzer
Rivas
Botelho
Barrios
De La Cruz

Voting No:

None

HUMAN RESOURCES – G. Cochran:

- 10) Approve the contract extension between the County of San Benito and Jack L. Wender Insurance Services for the period of July 1, 2015 to October 31, 2015, in the amount of \$4,033. **File # 630.**

PLANNING DEPARTMENT – B. Turner:

- 11) Approve Amendment No. 2 to extend the contract for consultant's services with Benchmark Resources, Inc. for an extended term of July 1, 2015 through June 30, 2018, in an amount not to exceed \$42,000 per year.

(THIS AGENDA ITEM PULLED AT THE REQUEST OF SUPERVISOR MUENZER PRIOR TO APPROVAL OF CONSENT AGENDA).

Supervisor Muenzer indicated that he had received a concern from a constituent about the cost of having a staff geologist on site.

Byron Turner, Interim Planning & Zoning Director, indicated that a contract geologist was required to satisfy the technical requirements for the annual inspections.

Chairwoman Barrios acknowledged Supervisor Botelho.
Supervisor Botelho asked if there are other firms available to conduct this work as he noticed that this particular vendor has been doing this type of work for the County for quite some time.

Mr. Turner has indicated the County has not had any issues with this particular vendor as the County has worked with this individual for three years.

Supervisor Barrios asked if there were any other public comments. None were provided.

Chairwoman Barrios then entertained a motion for this agenda item.

- **Motion by Supervisor Muenzer to approve the item per staff recommendation.**
- **Motion Seconded by Supervisor Rivas.**
- ✓ **Motion approved 5 to 0.**

SBC File #790.

<u>Voting Yes:</u>	<u>Voting No:</u>
Muenzer	None
Rivas	
Botelho	
Barrios	
De La Cruz	

PROBATION DEPARTMENT – R. T. Baraan:

- 12) Authorize the Chief Probation Officer to hire a Juvenile Hall Superintendent at Step “F” of Range L9 effective in July 2015 at annual salary of \$84,828.00. **File 120.5**

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 13) Approve contract amendment #3 with Quincy Engineering, Inc. for engineering and environmental services related to the Panoche Road Bridge project, extending the term from June 30, 2015 to June 30, 2017. _

(THIS AGENDA ITEM PULLED AT THE REQUEST OF SUPERVISORS BOTELHO PRIOR TO APPROVAL OF CONSENT AGENDA).

- **Supervisor Botelho made a Motion to Approve Consent Agenda Item 13.**
- **Motion Seconded by Supervisor Muenzer.**

➤ **Motion Approved 5 to 0.**

➤ **SBC File # 105.**

(See next page for detailed voting record).

Voting Yes:

Muenzer

Rivas

Botelho

Barrios

De La Cruz

Voting No:

None

PUBLIC WORKS DEPARTMENT – J. Horwedel:

14) Approve contract amendment #1 with Ghirardelli Associates, for Construction Management and Inspection Services for the Hospital Road Bridge project, extending the term from June 30, 2015 to June 30, 2017. **File # 105.**

PUBLIC WORKS DEPARTMENT – J. Horwedel:

15) Approve the Transaction Confirmation #2 agreement with Tiger Inc., for natural gas agreement for lower rates. **File 105.3.**

PUBLIC WORKS DEPARTMENT – J. Horwedel:

16) Adopt Resolution for the installation of a stop sign on Hospital Road westbound at its intersection with the new realignment Cienega Road. (Res. No. 2015-43) **File # 105.**

PUBLIC WORKS DEPARTMENT – J. Horwedel:

17) Approve the Final Map for TSM 85-12, Tract No. 308, Unit 1 (57 lots), commonly known as Santana Ranch; accept all offers of dedications as shown on the Final map on behalf of public for public use, extending maintenance of these easements which will be covered by other means; authorize Chair to sign the final map to allow recordation of the map. **File # 110.**

PUBLIC WORKS DEPARTMENT – J. Horwedel:

18) Approve the Final Map for TSM 13-89, Tract No. 308, Unit 6 (18 lots), commonly known as Santana Ranch; accept all offers of dedications as shown on the Final map on behalf of public for public use, excluding maintenance of these easements which will be covered by other means; authorize Chair to sign the final map to allow recordation of the map. **File 110.**

SHERIFF'S OFFICE – D. Thompson:

19) Approve the maintenance agreement with Safran, Morpho Trust for the maintenance of five (5) fingerprint identification systems for the period of April 1, 2015 through September 30, 2015 in the total amount of \$12,236; and authorize the Sheriff to sign the agreement.

SHERIFF'S OFFICE – D. Thompson:

- 20) Approve the Memorandum of Agreement between the County of San Benito and the City of Hollister agreeing that the \$12,688, JAG award be distributed to the City of Hollister.

Chairwoman Barrios solicited a motion to approve the Consent Agenda Items ***not*** including those items that were pulled as indicated in the Consent Agenda Summary Page above to include Items 9, 11 and 13.

- **Motion to approve Consent Agenda Items not including Agenda Items 9, 11 and 13 made by Supervisor Botelho.**
- **Motion Seconded by Supervisor Muenzer.**
- **Motion Approved 5 to 0.**
- **SBC File # 110.**

Voting Yes:

Muenzer
Rivas
Botelho
Barrios
De La Cruz

Voting No:

None

REGULAR AGENDA:

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 21) Accept Preliminary Engineer's Report for the Mosquito Abatement Program; adopt Resolution of intent to levy assessment for FY 2015/2016; and schedule a Public Hearing for July 21, 2015. (Res. No. 2015-44)

Agricultural Commissioner Karen Overstreet made a presentation to the Board and recommended that the Board accept the preliminary engineer's annual report for the Mosquito Abatement Program from SCI Consulting, adopt the Resolution of Intent to Levy the Assessment and to schedule a public hearing for July 21st, 2015 to hear public comments on this matter.

Chairwoman Barrios then asked for questions and/or comments from the public.

Mr. Marvin Jones indicated he had comments and had submitted a speaker card.

Mr. Jones indicated that his heretofore mentioned criticism offered at the beginning of the meeting during public comments was hereby withdrawn and apologized for wasting the Board's time.

Chairwoman Barrios then asked for additional questions and/or comments from the public. None were offered.

- **Supervisor Botelho made a motion to approve Resolution 2015-44 and scheduling a Public Hearing for the July 21st, 2015 Meeting.**
- **Motion was Seconded by De La Cruz**
- **Motion Approved 5 to 0.**
- **SBC File # 1.1**

➤

<u>Voting Yes:</u>	<u>Voting No:</u>
Muenzer	None
Rivas	
Botelho	
Barrios	
De La Cruz	

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

22) Mock Trial Run of the FY Recommended Budget; discussion of each department's proposed budget to be presented at the Budget Hearings on June 15, 2015.

Moved to the end of the agenda per the Agenda Supplement dated Friday, May 29th, 2015 as issued by the Clerk of the Board of Supervisors. Chairwoman Barrios noted that Agenda Item 22 would be heard after Agenda item 27 which would be the last item of the day.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

23) Adopt Resolution adopting an exemption from the requirements of implementing a mandatory organic waste recycling program in San Benito County.

- **Motion to Approve Resolution 2015-45 adopting an exemption from a requirement of implementing a mandatory organic waste recycling program in San Benito County and authorizing the Chair to sign.**
- **Motion Seconded by Supervisor Botelho.**
- **Motion approved 5 to 0.**
- **SBC File # 119.**

<u>Voting Yes:</u>	<u>Voting No:</u>
Muenzer	None
Rivas	
Botelho	
Barrios	
De La Cruz	

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

24) Adopt Certification of OPEB Funding Policy utilizing Strategy 3 Asset Allocation strategy rate of 6.12 percent; and direct the Chair to sign the attached CERBT Funding Certification.

CAO Espinosa introduced the item and asked to be heard after the presentation.

Joe Paul Gonzalez, Clerk/Auditor/Recorder, provided the Board with a PowerPoint Presentation as a result of an April discussion with the Board concerning funding strategies that the Board should follow regarding certification of the County's funding policy related to the OPEB Trust Fund payments of CalPers obligations (CERBT).

Mr. Gonzalez announced that the focus of his presentation will be Section 1 of the OPEB Funding Policy which has been the de facto board policy. He also noted that timing strategies Had been relied upon in the past to pay 100 percent of the costs.

The principle motivation behind bringing the issue to the attention to the Board during today's meeting is to obtain the governing body's formal approval which recently came to his attention as he was not included in his staff's CERBT email chain.

It should be noted that each OPEB Funding Policy Valuation is valid for two years (July 1, 2013) which is in effect for 2014-15 and 2015-16. In this case, the discount rate of 7.28 Percent (Strategy 1) is the least conservative approach.

Mr. Gonzalez advised that CERBT requires all public agencies with funds on deposit with CalPers to approve an OPEB Funding Policy. The Policy is made up of four parts including Asset Allocation, Annual Required Contribution (ARC) Funding, ARC Contribution Method and Years of ARC Coverage.

Supervisor Muenzer asked if the County had met the goals set forth in 2013 (Strategy 1) (7.28 percent). Auditor Gonzalez indicated that Strategy 1 was the County's de-facto strategy and he advised Supervisor Muenzer that he would comment on that issue forthwith.

After extensive information provided about the County's historical financial position with regard to the CalPers Deposits, contributions, rates of return on investments and the funding strategy followed by the County in past years, Mr. Gonzalez provided the following recommended motion:

“To certify the OPEB Funding Policy with Asset Allocation Strategy 1 (7.28 percent) for the valuation dated July 1, 2013 for Fiscal Years 2014-15 and 2015-16 and direct the OPEB funding policy for the valuation policy date dated July 1, 2015 selecting Asset Allocation Strategy 1, 2 or 3 for FY 2016-17 and 2017-18 and to direct the chair to sign the certification”.

Chairwoman Barrios acknowledged CAO Espinosa.

CAO Espinosa recommended that the Board approve Strategy 1 (7.28 percent).

Supervisor Barrios agreed with CAO Espinosa about the utilization of Strategy 1.

Chairwoman Barrios acknowledged Supervisor Botelho.

Supervisor Botelho indicated he was in agreement with CAO Espinosa and Supervisor Barrios about meeting immediate needs rather than worrying about the Rate of Return on Investments.

Mr. Gonzalez indicated that by adopting Strategy 3, the concessions obtained during labor negotiations will be paid for by the adoption of the more conservative approach.

Mr. Gonzalez acknowledged that the CAO's expressed needs regarding the increase in Service Levels is an important factor for the Board of Supervisors to consider.

Chairwoman Barrios recognized Supervisor Rivas.

Supervisor Rivas voiced his support of Strategy 3 (6.12 percent) and indicated he was in complete agreement with Clerk-Auditor-Recorder Gonzalez.

Chairwoman Barrios recognized Supervisor Muenzer.

Supervisor Muenzer indicated that it was his understanding that most California Public Agencies, including counties, are electing to utilize Strategy 1 (7.28 percent).

With comments from the Board having concluded, Chairwoman Barrios entertained comments from the public.

- Mr. Marty Richman, resident of Hollister, spoke regarding the two strategies presented to the Board. He indicated that the County had just emerged from a great recession and advised that the most conservative approach was the most prudent.

Chairwoman Barrios entertained additional questions and/or comments. None were provided.

The Chair brought back the discussion to the Board of Supervisors for additional comments and/or questions.

Chairwoman Barrios entertained motions for Part 1 of the presentation.

- **Motion by Supervisor Botelho made to certify the discount rate of 7.28 percent for the 2015-16 Fiscal Year Budget (Strategy 1).**
- **Motion Seconded by Supervisor De La Cruz.**
- **Motion Approved 5 to 0 on Part 1, to certify OPEB Discount Rate 7.28 percent for the 2015-16 FY Budget (Strategy 1).**
- **SBC File # 608.**

Voting Yes:

Muenzer
Rivas
Botelho

Voting No:

None

Barrios
De La Cruz

Chairwoman Barrios then entertained motions for Part 2 of the presentation, specifically, on the funding for next two years via Strategy 2 which is closer.

Chairwoman Barrios acknowledged Supervisor Botelho.

Supervisor Botelho commended Mr. Joe Paul Gonzalez for a very thorough presentation. He indicated he is inclined Strategy 2 which is a compromise between Strategies 1 and 2.

Chairwoman Barrios indicated that the Board really did not know what those numbers are and felt the Board may be taking a risk with general fund monies not having firm numbers. She also felt that General Fund issues needed to be addressed.

Supervisor De La Cruz indicated that he felt the Board was being conservative by adopting Strategy 2 but felt that going to the 6 percent level was too conservative.

Supervisor Rivas supports Strategy 3 and will not split the baby.

- **Supervisor Botelho then made a motion to approve Strategy 2 for the 2016-17 Fiscal Year Budget.**
- **Chairwoman Barrios Seconded the motion.**
- **Motion Approved 4 to 1 to approve OPEB Discount Rate 6.73 percent for the FY 2016-17 Budget (Strategy 2).**

Voting Yes:

Muenzer
Botelho
Barrios
De La Cruz

Voting No:

Rivas

- **SBC File # 608.**

HUMAN RESOURCES – G. Cochran:

25) Authorize Human Resources to implement Assembly Bill 1522 (sick leave law) using the “Up-Front”/Advance Method.

CAO Espinosa advised that Georgia Cochran, Interim Director of Human Resources, would provide the Board with a presentation.

Chairwoman Barrios solicited questions and/or comments from members of the public.

- Marty Richman, citizen of Hollister, asked if a calculation could be conducted to determine the fiscal impact.

Chairwoman Barrios entertained additional questions and/or comments from the Board.

Chairwoman Barrios acknowledged Supervisor De La Cruz.

Supervisor De La Cruz indicated that the impact might be somewhere in the area of \$25,000.00 to 30,000.00.

Chairwoman Barrios acknowledged Supervisor De La Cruz.

Supervisor De La Cruz indicated that he was dealing with this issue with his own personal employer and described the effect of the legislation.

Georgia Cochran, Interim Human Resources Director, provided additional information to the Board regarding implementation of the Sick Leave Law.

Chairwoman Barrios acknowledged Supervisor Botelho.

Supervisor Botelho was looking for agricultural exempt section of the law and was dismayed that he could not find it. He further indicated that it was a typical example of paying people not to work.

- **Supervisor Rivas made motion to approve staff recommendation to implement AB 1522 Sick leave Law using the upfront and advance method starting July 1, 2015.**
- **Motion Seconded by Supervisor De La Cruz.**
- **Motion approved 5 to 0.**
- **SBC File # 630.**

Voting Yes:

Muenzer
Rivas
Botelho
Barrios
De La Cruz

Voting No:

None

Chairwoman Barrios asked for County Counsel, Matthew Granger, to introduce the Closed Session Item.

Mr. Granger announced the Closed Session Item as listed on the Regular Meeting Agenda.

Chairwoman Barrios asked for questions and/or comments from the public.

None were provided

Supervisor Barrios then indicated the Board would adjourn to closed session and report out after lunch. The session will resume at 1:30 p.m.

- **The Board retired to closed session at 11:31 a.m.**

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) & (b), Ralph M. Brown Act.)

- 26) Closed Session-Conference with Labor Negotiators
Agency designated representatives: Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, and Georgia Cochran
Employee Organizations: Institutions Associations
Law Enforcement Management
Management Employees' Group
SEIU Local 521 (General Unit Employees)
Deputy Sheriff's Association
SEIU United Long Term Care Workers Local 6434

- **Chairwoman Barrios reconvened the meeting after returning from Closed Session and Lunch break at 1:30PM.**
- **The Chair noted for the record that Supervisor Rivas would not be in attendance for the afternoon session as he had a prior commitment.**

Chairwoman Barrios asked County Counsel to report out results of Closed Session.

- **County Counsel Matthew Granger announced that there was no reportable action out of Closed Session.**
- **SBC File # 235.6.**

PUBLIC HEARING – 1:30 p.m. (Or as soon thereafter as the matter may be heard)

ASSESSOR'S OFFICE – T. Slavich:

- 27) Public Hearing on Review Land Conservation Act Requests for Division and Compatible Use: **Brookhollow Ranch (Partners: Pete & Karen Schroder)** – There are 3 LCA Contracts for Brookhollow Ranch. LCA Contract 70-23 has nearly 1773 acres consisting of 8 Assessor Parcels in Book 18, Pages 1 & 3; LCA Contract 70-24 has 927 acres consisting of 7 Assessor Parcels in Book 18, Pages 3, 5, 8 & 9; and LCA Contract 70-25 has 100 acres consisting of Assessor Parcel 018-010-009. This request is to divide up the existing 3 LCA Preserves of (1773 acres, 927 acres & 100 acres) which totals 2800+ acres into 5 Preserves of approximately 69 acres, 1183 acres, 229 acres, 307 acres & 1015 acres. See attached application, map and San Benito County Code §18.01.021 (B) (2), & (D) (1) & §19.01.023 (c) & (F) and California Government Code Section 51238.1 (Compatible Uses).

Applicant requests the following Compatible Uses:

1. Relocate existing temporary dwelling from APN 018-030-008 to 018-010-003.
2. Relocate a permanent 2700 sq. ft. dwelling from APN 018-030-002 to 018-010-003.

3. Add one additional temporary dwelling unit on APN 018-030-002 to replace the 2700 sq. ft. permanent dwelling which is being relocated.
4. Use existing 2419 sq. ft. home on APN 018-010-003 as a dwelling for a part-time ranch employee.

Chairwoman Barrios called on CAO Espinosa to introduce Item 27.

CAO Espinosa called on Assessor T. Slavich to introduce the Public Hearing.

Supervisor Barrios called the public hearing to order.

Chairwoman Barrios opened public hearing.

No public comments were received.

Chairwoman Barrios closed the public hearing.

- **Supervisor Botelho made the motion to approve the request per the staff recommendation.**
- **Motion Seconded by Supervisor Muenzer.**
- **Motion Approved 4 to 0.**
- **SBC File # 7.**

Voting Yes:

Muenzer
Botelho
Barrios
De La Cruz

Voting No/Not Voting:

Rivas (Absent from afternoon session)

With regard to the compatible use request, Mr. Slavitch advised Chairwoman Barrios for permission to introduce the item.

Chairwoman Barrios granted Mr. Slavitch's request to proceed.

Mr. Slavitch introduced the item and the staff recommendation.

Chairwoman Barrios opened public hearing.

No comments from the public were received.

Chairwoman Barrios closed the Public Hearing.

- **Supervisor Muenzer made motion to approve this item per the staff recommendation.**
- **Motion Seconded by Supervisor Botelho.**

➤ **Motion Approved 4 to 0.**

➤ **SBC File # 7.**

Voting Yes:

Muenzer
Botelho
Barrios
De La Cruz

Voting No/Not Voting:

Rivas (Absent from afternoon session).

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

22) Mock Trial Run of the FY Recommended Budget; discussion of each department's proposed budget to be presented at the Budget Hearings on June 15, 2015.

As noted above, this item was moved to be heard after Agenda Item 27 as provided in the Supplemental Agenda posted on Friday, May 29, 2015.

CAO Espinosa introduced the agenda item.

CAO Espinosa asked Melinda Casillas, Management Analyst II, to proceed with budget presentation.

Ms. Casillas referred to the draft Public Hearing Agenda for FY Budget 2015-16 handed out previously to the Board and went through each department.

Various departments provided preliminary budget information and engaged in wide variety of discussions related to County Programs and Services.

Chairwoman Barrios then entertained comments from the public.

- Ms. Ann Ross spoke about the Grand Jury and the funding reduction that she indicated was about 30 percent from the previous year.
- Mr. Marty Richman spoke about the need to provide additional monies to the library.

Chairwoman Barrios entertained a motion to adjourn the meeting.

➤ **Motion to adjourn made by Supervisor De La Cruz.**

➤ **Motion Seconded by Supervisor Botelho.**

➤ **Motion approved 4 to 0.**

➤ **SBC File # 865.**

Voting Yes:

Muenzer
Rivas

Voting No:

None

Botelho
Barrios
De La Cruz

**There being no further business, the board meeting was adjourned at
3:41PM on 06/02/2015.**

MARGIE BARRIOS, CHAIR
San Benito County Board of Supervisors

ATTEST:
Louie Valdez
Clerk of the Board of Supervisors