



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 MINUTES JUNE 16, 2015

Mission Statement

The County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty, integrity, and respect for the individual, and will hold the organization of County government to that same standard.

The San Benito County Board of Supervisors welcomes you to this meeting and encourages your participation.

- If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide it to the Clerk of the Board prior to the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair.*
- If you wish to speak on an item contained in the agenda please complete a Speaker Card identifying the item(s) and provide it to the Clerk of the Board prior to consideration of the item.*

Each individual speaker will be limited to a presentation total of three (3) minutes.

9:00 a.m. CALL TO ORDER:

The Board Meeting was promptly called to order by Chairwoman Barrios at 9:00a.m. The record shall reflect that Supervisor Robert Rivas advised the Chair he would be arriving to attend the latter part of the Board meeting session.

- a) Pledge of Allegiance to be led by Supervisor Botelho.

Chairwoman Barrios asked Supervisor Botelho to lead the meeting in the Pledge of Allegiance and also asked that the audience observe a moment of silence in honor of Mr. Jo Wahdon, former San Benito County Librarian, who passed away recently.

- b) Acknowledge Certificate of Posting.

The Chair entertained a motion to acknowledge the Certificate of Posting.

- Supervisor Jerry Muenzer made a motion to acknowledge the Certificate of Posting.
- The motion was seconded by Supervisor Robert Rivas.

➤ **The motion was approved 5 to 0.**

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

c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Introduction of Miss San Benito Rodeo 2015, who is representing the San Benito County Saddle Horse Association in the 2015 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 26-28 at Bolado Park.

Two representatives from the Miss San Benito Rodeo 2015 Addressed the Board and invited them to attend rodeo events and activities. Supervisor Botelho encouraged the community to attend.

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.

The Chair entertained public comment and asked the Clerk of the Board if any speaker cards had been submitted.

Mr. Marty Richman expressed his appreciation of staff and the Board for their work regarding the 2015-16 FY Budget and made additional suggestions to the listing of information related to step increases.

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

The Chair acknowledged CAO Espinosa who called on Candice Hooper, San Benito County District Attorney, and informed the Board that her office location was recently cleaned by janitorial services obtained with funds that had been recently approved by the Board. She offered her thanks to the Board for their support.

CAO Espinosa then called on Nora Conte, San Benito County Library, who thanked the Board for observing a moment of silence for Jo Adan.

Ms. Conte updated the Board about Scenic and the Self-Check Stations. She also distributed the Summer Reading Flyer and announced the library is working with eight partners in connection with the Summer Reading Program.

Ms. Conte also announced that the library will be promoting the Read around the Bases program.

The CAO asked that Consent Agenda Item 18 be pulled for discussion so as to provide corrections to the item.

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

The Chair recognized Supervisor De La Cruz. He advised he had no announcements.

The Chair recognized Supervisor Botelho. He announced that he and Supervisor Rivas attended a Governance Committee Meeting that included the City of Hollister, the San Benito County Water District and the Sunnyslope Water District regarding the expansion of the desalination plant expansion to provide a wider area of service including the Ridgemark Area.

The Chair announced that Supervisor Muenzer had nothing to report as the record shall reflect that he stepped out of the room momentarily.

The Chair also announced that Supervisor Rivas would be arriving to attend the meeting during the latter part of the morning Board session. She further advised that if Mr. Rivas did not arrive by the time announcements portion of the meeting had concluded she would make an announcement on his behalf.

Chairwoman Barrios again thanked staff for their work on the Budget Hearings. Chairwoman Barrios also reported on her attendance at the Intergovernmental Committee with discussion focusing on the tobacco shops downtown and concern of their proliferation close to schools as well as the San Benito River and the growing amount of refuse particularly around the bridge on San Juan Road. She indicated that a plan to address the issue is forthcoming from the City of Hollister.

The Chair then announced that Supervisor Rivas asked the Chair to announce that Roy Sims won the National Championship of Sumo Wrestling in Kansas City, MO and that Mr. Rivas would like to recognize him during the next Board Meeting on July 21, 2015. The record shall reflect that Mr. Sims is the nephew of Chairwoman Barrios.

CONSENT AGENDA:

These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified on the Agenda Item Transmittal.

If any member of the public wishes to comment on a Consent Agenda Item, please fill out a speaker card, present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

The Chair asked if any member of the public would like to pull any item from the Consent Agenda. No requests to do so were made by any member of the public.

The Chair asked if any member of the Board would like to pull any item. No requests to do so were made by any member of the Board.

The Chair acknowledged CAO Espinosa's request to pull Consent Agenda Item 18 for discussion.

There being no further discussion, the Chair entertained a motion to approve the Consent Agenda as presented with the exception of Consent Agenda Item 18.

- Supervisor Anthony Botelho made a motion to approve the Consent Agenda as amended to exclude Item 18.
- Supervisor Jerry Muenzer seconded the motion.
- **Motion was Approved 4 to 0.**

<u>Voting Yes</u>	<u>Voting No/Not Present</u>
Barrios	
Botelho	
De La Cruz	
Muenzer	
	Rivas (Not Present)

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 1) Approve contract with the California Department of Food & Agriculture for the Organic Foods Act, for the period of July 1, 2015 through June 30, 2016, for a total contract of \$8,940.00.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 2) Approve Amendment #1 to contract with the California Department of Food & Agriculture for Asian citrus psyllid trapping activities from October 1, 2014 through September 30, 2015, for total of \$83,203.00.

AGRICULTURAL COMMISSIONER – K. Overstreet:

- 3) Approve contract with the California Department of Food & Agriculture for providing Weighmaster services for the period of July 1, 2015 through June 30, 2016, for a total of \$720.00.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract with California Locums, Planning Commission for psychiatry services for the period of July 1, 2015 through June 30, 2016, for a maximum annual total of \$374,400.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Adopt Resolution accepting the Realignment Mental Health Services, MHSA Performance contract as provided by the Dept. of Health Care Services (DHCS); and authorize the County Behavioral Health Director to sign contract agreement for the period of July 1, 2015 through June 30, 2016. (Res. No. 2015-46)

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approval of the County Behavioral Health department's FY 2014-15 MHSA Plan Update to allow the MHSA regulation allowed MHSA components funds transfers of a total \$379,139 to be reassigned to the Capital Facilities/Tech. MHSA component; authorize the County Behavioral Health Director to sign.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 7) Approve an amendment to the current agreement with Interwest Consulting Group to extend the term to provide staffing services for the Public Works Director position/Resource Management Agency through January 15, 2016.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 8) Approve Amendment #1 with Golder Associates Consulting Services for General Regulatory Compliance Services at the John Smith Landfill, extending the term of the original contract through June 30, 2016 and including an additional \$12,500 for Fiscal Year 2015-2016.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 9) Approve Amendment #1 with Golder Associates Consulting Services for Groundwater Monitoring for the John Smith Road Landfill Class 1 Site, extending the term of the original contract through June 30, 2016 and including an additional budget not to exceed \$20,000 for Fiscal Year 2015-2016.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 10) Adopt revised Resolution No. 2015-45A, to affirm an exemption from the requirements of mandatory commercial organics recycling on behalf of the San Benito County Integrated Waste Management Regional Agency. (Res. No. 2015-45A)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 11) Approve four (4) Public Health trainings and up to 34 hours of consultation/coaching for Public Health in the amount of \$21,500 for the period of July 1, 2015 through June 30, 2016.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 12) Approve contract with Melissa Molina-Casas for counseling services for the period of July 1, 2015 through June 30, 2016, in the amount not to exceed \$15,000.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) Approve the request from County staff for release of a Request for Proposals (RFP) from qualified administrative subcontractors to satisfy the affordable housing construction requirements of the federal HOME Program Income Program, and authorize delegation of 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 or related documents for and on behalf of the County of San Benito.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 14) Approval of the local Workforce Investment Area Application for Initial Local area Designation and Initial Local Board Certification for Program Years 2015-2016 under the Workforce Innovation Opportunity Act (WIOA) and authorize the Workforce Investment Board Chair and the Chair of the Board of Supervisors to sign the application and any amendments and documents pertaining to the application.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 15) Approve contract with EGG Pediatric Therapy Services for the period of July 1, 2015 through June 30, 2016, for an amount not to exceed \$79,800.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 16) Approve and adopt the Workforce Innovation and Opportunity Act (WIOA) agreement templates and authorize the Director of HHSA and/or the Deputy Director of CSWD to enter into said contracts on the County's behalf on the approved agreement templates and any amendments to such agreements.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 17) Approve and Adopt the CalWORKs Expanded Subsidized Employment (ESE) Agreement Template and authorize the Director of HHSA and/or the Deputy Director of CSWD to enter into said contracts on the County's behalf on the approved agreement templates and any amendments to such agreements.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 18) Approve contract between San Benito County and the Homeless Coalition of San Benito County for the 2014 US Department of Housing and Urban Development (HUD) Continuum of Care (COC) for the period of June 1, 2015 through July 31, 2015, for an amount not to exceed \$29,720; authorize the HHSA Director to sign any amendments and documents pertaining to this contract for the purpose of the grant.

The record shall reflect that this item was pulled from the Consent Agenda for discussion at the request of CAO Espinosa for corrections.

After approval of the Consent Agenda, the Board took up discussion regarding this agenda item.

The Chair acknowledged CAO Espinosa who asked James Rydingsword, Director of the Health and Human Services Department, to present the item to the Board.

Mr. Rydingsword indicated that in consultation with County Counsel, changes were made to page 4 of 4 on the first attachment to the agenda under the Section entitled Goals and Timeline. The first item has been changed to say Qualification of Participants Eligible for the Helping Hands Program to be provided by San Benito County.

Mr. Rydingsword explained that this is a two-month extension of the Helping Hands contract with responsibilities between the County and the Homeless

Coalition being equally shared at Community Services and Workforce Development Division. The Homeless Coalition has agreed to carry all lease management activities for the next two months. The County has agreed to carry eligibility screening and case management services.

At the conclusion of the requested extension, an extension reflecting the balance of the fiscal year will be brought back to the Board with the Homeless Coalition or another provider.

There were no comments from the public or from members of the Board.

There being no further discussion, the Chair entertained a motion to approve Consent Agenda Item 18 with the changes recommended by staff.

- Supervisor Anthony Botelho made a motion to approve the Consent Agenda as amended to exclude Item 18.
- Supervisor Jerry Muenzer seconded the motion.
- **Motion was Approved 4 to 0.**

Voting Yes _____ Voting No/Not Present

Barrios

Botelho

De La Cruz

Muenzer

Rivas (Not Present)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 19) Adopt Resolution accepting the Workforce Investment Act (WIA) Title 1 Master Sub-grant, Youth Program Allocation for Program Year 2015-2016 in the amount of \$192,731 approving the sub-grant agreement and authorizing the Director of HHS to sign the sub-grant agreement, amendments to the sub-grant agreement, and other documents related to receipt of the sub-grant. (Res. No. 2015-47)

HUMAN RESOURCES – G. Cochran:

- 20) Authorize the appointment of Louie Valdez as the Clerk of the Board of Supervisors, at Step C, retroactively effective May 18, 2015.

PLANNING DEPARTMENT – B. Turner:

- 21) Approve Amendment No. 4 to contract with Aspen Environmental Group, in an additional amount of \$6,800, for a total contract amount not to exceed \$305,900, for preparation of SEIR; authorize the Interim Planning Director to approve minor contract amendments, increasing 10% contingency amount by \$680, for a revised total not to exceed \$30,590.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 22) Receive and acknowledge the lowered rate of \$4.56/MMBtus; and ratify Chair's approval of Tiger Inc. Natural Gas Agreement Transaction Confirmation #2 reflecting the adjusted rate of \$4.56/MMBtus.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 23) Accept all responsive bids for the Sheriff Department Emergency Generator project; award and approve the contract with ERBCO Construction Services as the lowest responsive, responsible bidder, in the amount of \$109,474.38; authorize the Interim Public Works Director to execute the contract upon receipt of all documents required in the Invitation for Bids; and issue change orders, in an amount not to exceed a five percent (5%) contingency of \$5,474.00.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 24) Approve waiver of County Policy and Procedures Handbook Rule 1.H.3 prohibiting CalPers benefits for temporary employees and authorize the current Building and Grounds Maintenance Worker I temporary employee within Building and Grounds to exceed 1,000 hours for the fiscal year 14-15.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 25) Approve agreement with CSG Inc. to provide staffing services for the Integrated Waste Management functions through June 30, 2016 in an amount not to exceed \$125,000.

SHERIFF'S OFFICE – D. Thompson:

- 26) Approve Amendment #3 extending the contract with California Forensic Medical Group to June 30, 2016 from June 30, 2015, and approve the San Francisco-Oakland Region Medical CPI increase of 2.54% pursuant to Section 3.02 of the original agreement; and approve the per diem price for population adjustment to \$4.13 from \$4.03 pursuant to Section 3.03 of the original contract.

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

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 27) Hold a public hearing to receive public comments on the 2016-2017 Community Action Plan; adopt Resolution approving the 2016-2017 Community Service Block Grant, Community Action Plan and authorizing the Director of HHSA to execute grant agreements, amendments and other documents.
(Res. No. 2015-48).

The Chair recognized CAO Espinosa who introduced the item to the Board.

Mr. Espinosa called on James Rydingsword, Director of Health and Human Services, to present the item to the Board.

Mr. Rydingsword asked the Board to take leave while he prepared the electronic files for presentation to which the Board Chair agreed. The Board moved on to consider Agenda Item 28.

The record shall reflect that Supervisor Rivas arrived at the Board of Supervisors Meeting immediately preceding the introduction of Agenda Item 28.

After the approval of Agenda Item 28, the Board returned to consider action on Agenda Item 27.

HHSA Director James Rydingsword presented the item to the Board by providing a brief background explanation of the item.

Chairwoman Barrios opened the public hearing and she entertained public comment. None was offered by any member of the public.

The Chair then brought the item back to the Board for a decision.

- Supervisor Robert Rivas made a motion to adopt Resolution 2015-48, approving the 2016-2017 Community Service Block Grant, Community Action Plan and authorizing the Director of HHSA to execute grant agreements, amendments and other documents.
- Chairwoman Margie Barrios seconded the motion.
- **Motion was Approved 5 to 0.**

<u>Voting Yes</u>	<u>Voting No</u>
Barrios	
Botelho	
De La Cruz	
Muenzer	
Rivas	

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 28) Hold a public hearing and adopt Resolution Initiating Proceedings for the formation of a new CSA, or in the alternative, annexation into existing CSA No. 9 (Ridgemark); direct the Public Works Department to prepare and file the required Engineer's Report. (Res. No. 2015-49).

CAO Espinosa introduced the item to the Board and called on Joe Horwedel, Interim Public Works Director, to present the item to the Board for action.

After a brief introduction, Mr. Horwedel suggested that the Board Chair open the public hearing.

The Chair then proceeded to open the public hearing and announced that public comment would be received by the Board.

No comments were offered by any member of the public.

Chairwoman Barrios then closed the Public Hearing.

Mr. Horwedel outlined administrative steps going forward and requested approval of the attached Resolution.

- Supervisor Jerry Muenzer made a motion to adopt Resolution 2015-49, approving annexation into existing County Service Area (CSA) No. 9 (Ridgemark) and directing the Public Works Department to prepare and file the required Engineer's Report .
- Supervisor Anthony Botelho seconded the motion.
- **Motion was Approved 5 to 0.**

<u>Voting Yes</u>	<u>Voting No</u>
Barrios	
Botelho	
De La Cruz	
Muenzer	
Rivas	

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 29) Hold a public hearing and adopt Resolution regarding revisions to Rate Schedule at John Smith road Landfill; adopt Resolution revising the rate schedule at John Smith Road Landfill, to take effect July 1, 2015; and approve the payment of \$250,000 to Waste Solutions Group, LLC, for the FY 2014-2015 COLA and Change of Law Costs. (Res. No. 2015-50)

The record shall reflect that immediately following approval of Agenda Item 27, the Board moved to take up consideration of Agenda Item 29.

CAO Espinosa called on Sara Fontanos, Management Analyst, to present the item to the Board.

Analyst Fontanos provided a brief introduction to the Board.

Chairwoman Barrios was advised by County Counsel Matt Granger that she should open the public hearing and announce that the hearing would be continued until July 21st during which time the public notice of the rate change would be published twice within a ten day period as required by the statute.

The Chair announced the same and opened the public hearing to accept public comment regarding the rate change.

No comments were offered by any member of the public.

There being no comments, the Chair announced that the hearing would be continued until the July 21, 2015 Board Meeting.

The Board took no formal action on this item.

REGULAR AGENDA:

For each regular agenda item, the following schedule shall occur:

- a) Staff report.
- b) Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.
- c) Consideration by the Board.

FIRST 5 SAN BENITO – L. Faulkner:

- 30) Approve Separation Agreement and Memorandum of Understanding between San Benito County and First 5 San Benito, required as part of the process for First 5 San Benito to become an independent public entity; and approve Memorandum of Understanding between the San Benito County Health and Human Services Agency and First 5 San Benito relating to the provision of services of parent health educator, and authorize the Director of HHSA to sign.

Lisa Faulkner from First 5 San Benito presented the item to the Board and explained the nature of the relationship between the First 5 Organization and the County.

Chairwoman Barrios indicated she was supportive of the agreement and she commended Lisa Faulkner for all her hard work.

The Chair enter

- Chairwoman Margie Barrios made a motion to Approve Separation Agreement and Memorandum of Understanding between San Benito County and First 5 San Benito, required as part of the process for First 5 San Benito to become an independent public entity.

- Supervisor Robert Rivas seconded the motion.

- **Motion was Approved 5 to 0.**

<u>Voting Yes</u>	<u>Voting No</u>
Barrios	
Botelho	
De La Cruz	
Muenzer	
Rivas	

- Chairwoman Barrios then made a second motion to approve Memorandum of Understanding between the San Benito County Health and Human Services Agency and First 5 San Benito relating to the provision of services of parent health educator, and authorize the Director of HHSA to sign.

- Supervisor Robert Rivas seconded the motion.

- **Motion was Approved 5 to 0.**

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 31) Review the deal points and structure of the Agreement provided to the City of Hollister on January 20, 2015 in regards to the Regional Park River Parkway Project and the Temporary Closure of Nash Road; make any necessary revisions to the agreement and/or provide staff direction on next steps.

CAO Espinosa asked Sara Fontanos to present the item to the Board on behalf of the Administration.

Ms. Fontanos provided a brief background and history regarding the evolution of this item over the course of the last 18 months.

The Chair then asked the Clerk of the Board if there were any speaker cards and entertained public comment.

The Superintendent of the San Benito High School District Perales addressed the Board. He advised that while there was no agreement signed, the parties felt good about the progress of the issue.

The Principle of San Benito High School also addressed the Board.

Mr. Marty Richman from the City of Hollister spoke to safety concerns and strategies regarding the way forward for the City and County on this issue.

There was no action taken on this item.

PUBLIC WORKS DEPARTMENT – J. Horwedel:

- 32) Discussion of Homeless Activities by the County.

CAO Espinosa asked James Rydingsword, Director of Health and Human Services as well as Joe Horwedel, Interim Public Works Director, to present an update to the Board regarding this issue.

There was no formal action taken by the Board on this item.

The CAO has been instructed to provide a monthly update on the Homeless Services Center.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 33) Authorize the CAO to execute a contract with a third-party consultant to conduct pre-ballot polling of unincorporated residents and return to present the results of the polling to the Board and the public in regards to Unincorporated Transaction and Use Tax Measure.

CAO Espinosa asked Sara Fontanos, Management Analyst, to present the item to the Board on behalf of the CAO's Office.

Ms. Fontanos presented options to the Board with regard to critical election dates moving forward in early 2016 for the Board to consider.

Public Comment was received from Mr. Marty Richman, Resident of the City of Hollister, CA.

There was no formal action taken by the Board on this item.

However, with the consensus of the Board, the Chair directed the CAO to bring back the item at the July 21, 2015 Board Meeting with options for a sales tax percentage, a proposed timeline and costs for an educational effort by the County with regard to the Sales Tax Measure eventually selected by the Board.

PLANNING DEPARTMENT – B. Turner:

34) Receive progress report on the General Plan Update.

The Chair asked CAO Espinosa to present the item to the Board on behalf of the Administration.

CAO Espinosa provided a brief background informing the Board that since 1990, the County had spent approximately \$1,620,000.00 including \$50,000.00 in costs associated with the County Counsel's Office.

Mr. Espinosa then asked Byron Turner from the County Planning Department to provide the General Plan Update to the Board.

Mr. Turner reported that the County Planning Commission would consider action on the General Plan at the July 1, 2015 Meeting and that he anticipates that the Board will be presented the General Plan for approval at the July 21, 2015 Board of Supervisors Meeting.

Supervisor Jerry Muenzer asked about the consultant working on the General Plan using the San Benito Model which he was concerned had not been vetted. Supervisor Muenzer asked how this occurred.

Mr. Turner explained that AMBAG was consulted about the use of the San Benito County Model and that its use was approved only if the assumptions in the AMBAG model were utilized during the localized study.

Supervisor Muenzer also asked about a communication to Caltrans from the County that indicated the County was not supportive of the widening of US 101. Mr. Turner indicated that he had consulted with Caltrans and that a clarification had been made indicating that the County was supportive but that San Benito County was not collecting funds to contribute towards that potential project and that the County did not need to support the widening of the US 101 to accommodate County Growth or as a mitigation factor.

Supervisor Rivas indicated he would like to get more information about what the San Benito County model consists of in general and how it was developed.

Supervisor Botelho indicated that he was very eager to have this plan passed and that he had emphasized to Mr. Turner on more than one occasion the urgency with which this project needed to be completed so as to take advantage of economic development opportunities.

There being no further comments from the Board, the Chair entertained public comment asking the Clerk of the Board if there were any speaker cards submitted.

The Clerk announced by Joe Giacoloni, Developer, who implored the Board to adopt the General Plan no later than the July 21, 2015 Board Meeting.

Mr. Marty Richman, Resident of the City of Hollister, CA, urged the Board to put Highway 25 on the constraint list as soon as possible.

The Chair indicated that the item was agendaized as an informational item only and that it will come back to Board at the July 21, 2015 Board Meeting.

There was no formal action taken by the Board on this item.

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.)

- 35) Conference with Legal Counsel-Existing Litigation.
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Pekin (Monteon) v. Scagliotti, et.al, filed in the California Superior Court for the County of San Benito, Case No. CU-03-00150.

Having completed the balance of the Regular and Consent Agendas, Chairwoman Barrios moved on to the Closed Session section of the meeting and called on County Counsel Matt Granger to read the Closed Session item into the record.

Mr. Granger read the following item into the record:

Conference with Legal Counsel-Existing Litigation.
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Pekin (Monteon) v. Scagliotti, et.al, filed in the California Superior Court for the County of San Benito, Case No. CU-03-00150.

The Chair entertained Public Comment prior to recessing into Closed Session.

Mr. Marty Richman, Resident of the City of Hollister, CA, advised the Board that he cannot believe that this item is still on the Board's agenda.

There being no further comment, the Board recessed into Closed Session.

The Chair reconvened the public portion of the meeting from Closed Session and she asked County Counsel Matt Granger to report out on the Closed Session on behalf of the Board.

Mr. Granger indicated that the Board took no reportable action during the Closed Session.

The Chair entertained a motion to adjourn the meeting.

- Supervisor Jaime De La Cruz made a motion to adjourn the meeting.
- Motion was seconded by Supervisor Jerry Muenzer.
- **The Motion was Approved 5 to 0.**

<u>Voting Yes</u>	<u>Voting No</u>
Barrios	
Botelho	
De La Cruz	
Muenzer	
Rivas	

ADJOURN TO TUESDAY, JULY 21, 2015 AT 9:00 A.M.

NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at www.cosb.us/government/meetings-agendas/. All proposed agenda items with supportive documents are also available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays). This is the same packet that the Board of Supervisors reviews and discusses at each Board meeting.

As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.

In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.