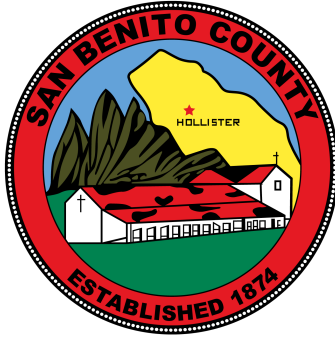


# County of San Benito, CA

Ray Espinosa  
County Administrative Officer  
481 Fourth Street  
County Administration Building  
Hollister, California 95023  
www.cosb.us



**Meeting Agenda- POSTED AND FINAL - The attendance at the Meeting is Closed to the Public per the Governor's Executive Order N-29-20. The public may join meeting by Zoom: <https://zoom.us/join> per instructions stated below:**

**February 9, 2021 - 9:00 AM**

Board of Supervisors

Mark Medina

Chair

District No. 1

Kollin Kosmicki

District No. 2

Peter Hernandez

District No. 3

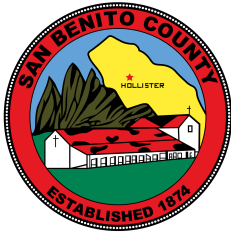
Bob Tiffany

District No. 4

Bea Gonzales

Vice-Chair

District No. 5



## SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina  
District No. 1  
Chair

Kollin Kosmicki  
District No. 2

Peter  
Hernandez  
District No. 3

Bob Tiffany  
District No. 4

Bea Gonzales  
District No. 5  
Vice-Chair

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

**REGULAR MEETING AGENDA - POSTED AND FINAL - The attendance at the Meeting is Closed to the Public per the Governor's Executive Order N-29-20. The public may join meeting by Zoom: <https://zoom.us/join> per instructions stated below:**

**February 9, 2021  
9:00 AM**

### ***Mission Statement***

*To adopt policies that reflect the goals and priorities of the community, design a network of services that prioritizes public safety, equality, and economic vibrancy while balancing commitments to the region's rich history and prosperous future.*

***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 (3) minutes.***

### **CALL TO ORDER**

- a. Pledge of Allegiance

**The Pledge of Allegiance to be led by Supervisor Bea Gonzales,  
District #5.**

- b. Acknowledge Certificate of Posting

**Certificate of Posting**

- c. NOTICE OF TEMPORARY PROCEDURES FOR BOARD OF SUPERVISOR MEETING

**Pursuant to California Governor Gavin Newsom's** Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the Board of Supervisors are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

**This meeting can be accessed in the following methods:**

1. **Through Zoom (<https://zoom.us/join>) per the instruction stated below, and other methods as described further below; and**

**Webinar ID: 955 4764 6015**

**Webinar Password: 731876**

2. **Remote live stream on CMAP you tube channel and the County's Social Media Page. (If available for the meeting).**

**Participating by Zoom:**

Three ways to attend Zoom meetings: **on a web browser, through the Zoom App, or over the phone.** Each webinar will have a webinar ID and password, which is a unique number associated with an instant or scheduled meeting (found at the top of this text). The chat feature is disabled for all participants. Additionally, the video function is not available to the public.

**A. Zoom on Web-browser:**

- a. If joining through web-browser, launch the address <https://zoom.us/join> or open the direct link listed below:

<https://zoom.us>

**B. Or launch the Zoom app on your Tablet or Smartphone:**

- b. Select **"JOIN A MEETING"**

c. The participant will be prompted to enter **Webinar ID and Password listed above** and name to join the meeting. The meeting agenda can be found at <https://www.cosb.us/>

d. The participant can launch audio through their computer or set it up through the phone.

e. **Public Comment:** Select the **"Participants Tab"** and click **"Raise hand"** icon, and the Zoom facilitator will unmute you when your turn arrives.

**C. Zoom Audio Only (phone):**

- a. If you are **calling in as audio-only**, please dial **US: +1 669 900 6833 or +1 408 638 0968**

b. It will ask you to enter the **Webinar ID listed**

**above**, followed by the “#” **key** (pound key), then enter **Webinar Password listed above** at the top page of the agenda. The meeting agenda can be found at <https://www.cosb.us/>

c. It will then ask for a **Participant ID**, press the “#” **key** (pound key) to continue.

d. Once you enter the Zoom meeting, you will automatically be placed on mute.

e. **Public Comment:** If you are using a phone, please press “\*9” (star-nine) to raise your hand, and the Zoom facilitator will unmute you when your turn arrives.

**Remote Viewing:**

Members of the public who wish to watch the meeting can view a livestream of the meeting online through either the:

**A. San Benito County Facebook Page:**  
<https://www.facebook.com/sbccalifornia>

**B. Community Media Access Partnership (CMAP) YouTube Page:**  
[https://www.youtube.com/channel/UCLj3iW3\\_dsDzbYqnY1KdCvA](https://www.youtube.com/channel/UCLj3iW3_dsDzbYqnY1KdCvA).

**Written Comments & Email Public Comment**

Members of the public may submit comments via email by 5:00 PM on the Monday prior to the Board of Supervisor's meeting to the Clerk of the Board at [jfrechette@cosb.us](mailto:jfrechette@cosb.us).

**Public Comment Guidelines**

**A .** The San Benito County Board of Supervisor's welcomes your comments.

**B .** If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, please state your first name, last name, and county you reside in for the record.

**C .** Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.

**D .** Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the Clerk of the Board Jennifer Frechette, at (831) 636-4000, Ext. 13 or email [JFrechette@cosb.us](mailto:JFrechette@cosb.us)

d. **Presentations and Recognitions**

e. **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.

f. **Department Head Announcements: Information Only**

g. **Board Announcements: Information Only**

## 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.*

1. **ASSESSOR'S OFFICE - T. SLAVICH**  
Approve the Funding of a Previously Unfunded Assessment Clerk Position in the Assessor's Office and Modify the Personnel Schedule to Reflect this Change.  
SBC FILE NUMBER: 7
2. **BEHAVIORAL HEALTH-A. YAMAMOTO**  
Adopt Resolution accepting and approving Amendment No. 18-95267-A01, for Department of Health Care Services (DHCS) and County Performance Contract for Substance Abuse prevention and Treatment Block Grant (SABG), for the years of 2018, 2019, 2020, and 2021.  
SBC FILE NUMBER: 810  
RESOLUTION 2021-6
3. **BEHAVIORAL HEALTH-A. YAMAMOTO**  
Approve Appointment of a Mental Health Nurse II, R.N, at Step F, at the county's position classifications assigned Range.  
SBC FILE NUMBER: 810
4. **BEHAVIORAL HEALTH- A. YAMAMOTO**  
Approve Renewal of Appointment of Pat Loe to the Behavioral Health Board (BHB) for the Term of February 9, 2021 through October 7, 2023.  
SBC FILE NUMBER: 810
5. **BOARD OF SUPERVISOR'S**  
Approve appointment of Supervisor Bea Gonzales to Children's and Families/First Five County Commission.  
SBC FILE NUMBER: 156
6. **BOARD OF SUPERVISOR'S**  
Approve appointment of Supervisor Bea Gonzales as delegate and Supervisor Bob Tiffany as alternate to California State Association of Counties (C.S.A.C.)  
SBC FILE NUMBER: 156
7. **BOARD OF SUPERVISOR'S**  
Approve appointment of Supervisor Bea Gonzales to Mobility Committee.  
SBC FILE NUMBER 156
8. **BOARD OF SUPERVISOR'S**  
Create ad-hoc committee and appoint Supervisor Mark Medina and Supervisor Kollin Kosmicki for County Facilities.  
SBC FILE NUMBER 156
9. **BOARD OF SUPERVISOR'S**  
Create ad-hoc committee and appoint Supervisor Bob Tiffany and Supervisor

Kollin Kosmicki for Vaccine.  
SBC FILE NUMBER 156

10. **BOARD OF SUPERVISOR'S**  
Create ad-hoc committee and appoint Supervisor Mark Medina and Supervisor Kollin Kosmicki for Tax Share Agreement.  
SBC FILE NUMBER 156
11. **BOARD OF SUPERVISOR'S**  
Create ad-hoc committee and appoint Supervisor Bea Gonzales and Supervisor Peter Hernandez for Public Defender.  
SBC FILE NUMBER 156
12. **BOARD OF SUPERVISOR'S**  
Approve appointment of Supervisor Kollin Kosmicki as alternate for Council of Government (COG).  
SBC FILE NUMBER 156
13. **BOARD OF SUPERVISOR'S**  
Appoint Supervisor Kollin Kosmicki as delegate and Supervisor Mark Medina as alternate for the Integrated Waste Management Regional Agency Local Task Force.  
SBC FILE NUMBER: 156
14. **CLERK OF THE BOARD OF SUPERVISORS - J.FRECHETTE**  
Approve the action minutes of the January 9, 2021 special meeting, January 12, 2021 regular meeting, and January 15, 2021 special meeting.  
SBC FILE NUMBER: 119
15. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**  
Approve Resolution acknowledging Hollister Fire Department to perform the inspection of certain occupancies required annually according to section 13146.2 and 13146.3 of the California health and safety code.  
SBC FILE NUMBER: 119  
RESOLUTION NO: 2021-7
16. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**  
Approve Amendment No. 3 to legal services contract with Hooper, Lundy & Bookman, LLP for legal services in an additional amount of \$30,000.00 for a total contract amount not to exceed \$180,000.  
SBC FILE NUMBER: 160
17. **EMERGENCY MEDICAL SERVICES- K. MANGANO**  
Approve agreement with the State of California Dept. of Parks and Recreation for the Hollister Hills State Vehicular Recreational area to fund Emergency Medical Services (EMS) and mitigate impacts of Hollister Hills calls for services on the EMS system for the term February 1, 2021 through July 31, 2023, for a total amount of \$149,625.00. Monthly fee to be prorated in the event of a County implemented closure.  
SBC FILE NUMBER: 75.5
18. **EMERGENCY MEDICAL SERVICES- K. MANGANO**  
Approve Appointments and Re-Appointments to the Emergency Medical Care Committee (EMCC).  
SBC FILE NUMBER: 75.5
19. **HEALTH AND HUMAN SERVICES AGENCY- T. BELTON**

Approve the new appointment of Yolanda Delgado as the Representative for the Board of Supervisor Sector for District #2, and Jessica Wohlander as the Representative of the Private Sector for District #2 to the Community Action Board (CAB) for a three-year term effective January 14, 2021 through January 14, 2024.

SBC FILE NUMBER: 130

20. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**

Approve Agreement with San Benito County Office of Education (SBCOE) for the period of January 1, 2021 through June 30, 2022, in the amount of \$278,635.00.

SBC FILE NUMBER: 130

21. **OFFICE OF EMERGENCY SERVICES - K. MANGANO**

Adopt resolution ratifying the County Administrative Officer's Proclamation of a Local Emergency.

SBC FILE NUMBER: 75.5

RESOLUTION NO: 2021-10

22. **RESOURCE MANAGEMENT AGENCY - B. YOUNG**

Approve contract Amendment #4 with SCI Consulting Group for the annexation of three development projects to CFD 2018-01 and for the continuation of professional special tax consulting and annual CFD levy administration services, in the amount not to exceed \$18,500.00, for a total contract amount of \$113,900.00.

SBC FILE NUMBER: 790

23. **RESOURCE MANAGEMENT AGENCY- B. YOUNG**

Adopt Resolution adopting the Initial Study and Mitigated Negative Declaration (IS/MND) prepared in compliance with the California Environmental Quality Act (CEQA), and adopting CEQA Findings and the Mitigation Monitoring and Reporting Program (MMRP) for the Anzar Road at San Juan Creek Bridge Replacement Project (Bridge No. 43C-0039).

SBC FILE NUMBER: 105

RESOLUTION NO: 2021- 8

24. **RESOURCE MANAGEMENT AGENCY - B. YOUNG**

Approve CSG Consultants contract amendment #1 to increase the amount by \$68,040.00 (County portion \$22,453.00) to the existing CSG Consultants agreement through June 30, 2021 for IWM technical support and County IWM staff training (contingent on approval from all members of the JPA).

SBC FILE NUMBER: 142

25. **RESOURCE MANAGEMENT AGENCY – B. YOUNG**

Approve EMC Planning Group EIR Contract Amendment No. 2. for Ridgemark Master Plan PLN170008 to add a subcontract with Hexagon to provide a VMT traffic analysis.

SBC FILE NUMBER: 790

26. **RESOURCE MANAGEMENT AGENCY - B. YOUNG**

Approve authorization to sign and submit a Direct Transfer Permit application with Calrecycle. Staff will seek actual authorization to implement the Direct Transfer option at a future Board Meeting contingent upon State review and Waste Connections agreement to several conditions.

27. SBC FILE NUMBER: 754  
**RESOURCE MANAGEMENT AGENCY – B. YOUNG**  
Approve reclassification of \$350,000.00 budget with Road Maintenance department from Services and Supplies Other Consultants to Salary and Benefits Regular.  
SBC FILE NUMBER: 105
28. **SHERIFF'S DEPARTMENT- D. THOMPSON**  
Approve reclassification of 1.0 FTE Correctional Officer to 1.0 FTE Correctional Sergeant and direct staff to amend the Schedule of Approved Position Allocations to reflect this change.  
SBC FILE NUMBER: 110

## **PUBLIC HEARING**

29. **RESOURCE MANAGEMENT AGENCY – B. YOUNG**  
Adopt Resolution of Necessity, Finding Public Interest And Necessity Require Acquisition Of Property For The Union Road Bridge Replacement Project Right-of-Way From The Heirs Of Ladd And Authorizing And Directing The County's Attorneys To Prepare, Commence, And File Proceedings In Eminent Domain For The Purpose Of Acquiring The Subject Property In Its Entirety (4/5 Vote).  
SBC FILE NUMBER: 105  
RESOLUTION NO: 2021-9

## **REGULAR AGENDA**

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

- a) Staff report.*
  - b) Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.*
  - c) Consideration by the Board.*
30. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Receive presentation and update from HHS/PA/PHS on the respiratory disease coronavirus, also known as COVID-19; receive update on round two of the small business grant, discuss vaccine distribution, discuss any additional measures desired by the Board to be scheduled at future Board meeting related to COVID-19, discuss COVID enforcement and update on Great Plates program.  
SBC FILE NUMBER: 130

31. **RESOURCE MANAGEMENT AGENCY- B. YOUNG**  
Informational Presentation on the County's Habitat Conservation Plan Preliminary Study Area Ordinance 541, 2035 General Plan Policy NCR-A: Habitat Conservation Plan, and County's intent to apply for federal grant funds from the Fiscal Year 2021 Cooperative Endangered Species Conservation Fund Grant Program (Section 6 of the Endangered Species Act) Non-traditional Habitat Conservation Planning Assistance Program.  
SBC FILE NUMBER: 790

## **CLOSED SESSION**



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

32. **CLOSED SESSION - Conference with Legal Counsel-Existing Litigation.** Subdivisions (a) and (d)(1) of Section 54956.9 No. of cases: 6  
Name of Cases: 1) Anh Nguyen v. Paul Burns, et. al. (including the County of San Benito), Superior Court of California, County of San Francisco, Case No. CGC-17-562114; (2) Thomas Jefferson Cares v. County of San Benito et. al. , US District Court, Northern District of California, Case Number, CV 18 7651 YGR; (3) Barragan v. County of San Benito, California Superior Court for the County of San Benito, Case No. CU-20-00121; (4) Barragan v. County of San Benito, California Superior Court for the County of San Benito, Case No. CU-20-00165; (5) Gabriel Escobedo v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-17-00067, Sixth District Court of Appeal, Case No. H047882  
; (6) Cedar Point Nursery, et al. v. Victoria Hassid, et al. Supreme Court of the United States, Case No. 20-10, Brief of Local Governments as Amici Curiae in Support of Respondents.  
SBC FILE NUMBER: 235.6
33. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation - No. of cases 1 (Gov. Code sec 54956.9 (d) (3), meeting only to decide whether a closed session is authorized pursuant to (d)(2); County Counsel Barbara Thompson; Assistant County Counsel Joel Ellinwood.  
SBC FILE NUMBER: 235.6
34. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation - No. of cases 1 (Gov. Code sec 54956.9 (d) (4); County Counsel Barbara Thompson; Assistant County Counsel Joel Ellinwood.  
SBC FILE NUMBER: 235.6
35. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Significant exposure to litigation (Gov. Code sec. 54956.9 (d)(2), (e)(2)  
  
Number of cases:1 Potential of additional litigation related to issues raised by Disability Rights Coalition concerning 5150 holds.  
SBC FILE NUMBER: 235.6

## **ADJOURNMENT**

**Adjourn to the next regular meeting of February 23, 2021.**

*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/](http://www.cosb.us/government/meetings-agendas/). All proposed agenda items with supportive documents are also available for viewing at the San Benito County*

*Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday (except holidays). This is the same packet that the Board of Supervisors reviews and discusses at each Board meeting.*

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

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