

# County of San Benito, CA

Ray Espinosa  
County Administrative Officer  
481 Fourth Street  
County Administration Building  
Hollister, California 95023  
[www.cosb.us](http://www.cosb.us)



## Meeting Agenda-

July 23, 2019 - 9:00 AM

### Board of Supervisors

Mark Medina  
Board Chairman  
District No. 1  
Anthony Botelho  
District No. 2  
Peter Hernandez  
District No. 3  
Jim Gillio  
District No. 4  
Jaime De La Cruz  
Vice-Chairman  
District No. 5



# SAN BENITO COUNTY BOARD OF SUPERVISORS

Mark Medina  
District No. 1  
Chair

Anthony Botelho  
District No. 2

Peter  
Hernandez  
District No. 3

Jim Gillio  
District No. 4

Jaime De La Cruz  
District No. 5  
Vice-Chair

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

## REGULAR MEETING AGENDA - July 23, 2019 9:00 AM

### *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 (3) minutes.***

### CALL TO ORDER

- a. Pledge of Allegiance

**Pledge of Allegiance to be led by Supervisor Jim Gillio, District #4.**

- b. Acknowledge Certificate of Posting

#### **Certificate of Posting.**

- c. Presentations and Recognitions
- 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.

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

f. **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. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**  
Approve State contract, 18-0619-015-SF, for European Grapevine Moth detection survey activities, from January 1, 2019 through December 31, 2019. Total contract value is \$53,280.00.  
SBC FILE NUMBER: 1.1
2. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**  
Approve State contract, 18-0697-000-SA, for hemp registration and regulatory activities, from April 30, 2019 through June 30, 2020, for a total contract value of \$2,000.00.  
SBC FILE NUMBER: 1.1
3. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**  
Reschedule Public Hearing - Mosquito and Disease Control Assessment for August 6, 2019.  
SBC FILE NUMBER: 1.1
4. **BEHAVIORAL HEALTH DEPARTMENT - A. YAMAMOTO**  
Adopt Resolution, amending the "No Place Like Home" (NPLH) Resolution No. 2019-44 authorizing the application for and acceptance of NPLH program funds.  
SBC FILE NUMBER: 810  
RESOLUTION NO: 2019-?
5. **BOARD OF SUPERVISORS**  
Approve Proclamation honoring the 60th anniversary of the Aromas Water District, to be presented at their Board meeting on July 23, 2019.  
SBC FILE NUMBER: 430
6. **CLERK OF THE BOARD OF SUPERVISORS - J. SLIBSAGER**  
Approve the action minutes of the June 11, 2019 regular meeting.  
SBC FILE NUMBER: 119
7. **COUNTY CLERK/AUDITOR/RECORDER/ELECTIONS - J. P. GONZALEZ**  
County Auditor-Controller recommends that the Board of Supervisors direct notification to CalPERS that half of the CERBT balance is to be transferred to PARS no later than July 31, 2019.  
SBC FILE NUMBER: 608
8. **COUNTY CLERK/AUDITOR/RECORDER/ELECTIONS - J. P. GONZALEZ**

Direct the Auditor to transmit \$900,000.00 to the PARS OPEB trust for the FY2018-19. This amount is comprised of the FY 2018-19 excess amount expended for “pay-go” retiree healthcare costs of \$400,000.00 along with \$500,000.00 budgeted OPEB trust contribution.

SBC FILE NUMBER: 608

9. **HEALTH & HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve grant agreement with the City of San Jose for the Housing Opportunities for Persons with AIDS (HOPWA) for a three year period of July 1, 2019 through June 30, 2022, in the amount of \$150,000 for Fiscal Years 2019/20, 2020/21 and 2021-2022 (\$50,000 each year).

SBC FILE NUMBER: 130

10. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve contract with Youth Alliance in the amount of \$65,000.00 for the provision of Counseling Services for CalWORKs clients, for the period of July 1, 2019 through June 30, 2020.

SBC FILE NUMBER: 130

11. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve and Authorize the HHSA Director to sign a Practicum Agreement with Northern Arizona University (NAU) for the placement of student nurses and Bachelor's Degree interns at the Health and Human Services Agency, Public Health Services Division.

SBC FILE NUMBER: 130

12. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve contract with Coastal Kids Home Care for Physical Therapy Services for the period of July 1, 2019 through June 30, 2020, in the amount of \$54,720.00.

SBC FILE NUMBER: 130

13. **HEALTH AND HUMAN SERVICES AGENCY – T. BELTON, INTERIM**

Approve contract with ECenter Research Inc (ECenter) for the California Small County Collaborative Whole Person Care (CSCCWPC) Software, not to exceed amount of \$70,500.00 for the term of July 1, 2019 to December 21, 2020.

SBC FILE NUMBER: 130

14. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve the San Benito County Community Action Board (CAB) Bylaws.

SBC FILE NUMBER: 130

15. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Adoption Resolution, Amending Resolution No. 2018-44 for the HOME Investment Partnerships Program ("HOME") First Time Home Buyers (FTHB) Program.

SBC FILE NUMBER: 130

RESOLUTION NO: 2019-?

16. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve the new appointments of Ms. Shelley Gaincola and Ms. Michelle Leonard to the Workforce Development Board (WDB) for a three-year term effective 7/9/19-7/9/22.

SBC FILE NUMBER: 130

17. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON, INTERIM**

Approve the re appointments to the Community Action Board for a three-year

term effective 7/11/2019 through 7/11/2022:

- Ms. Nelda Escamilla as the District #5 Representative of the Poor.
- Ms. Shari Stevenson-District #3 Representative of the Private Sector
- Ms. Tonia Sunseri-District #5 Representative of the BOS, and Mr. James Whitehead-District 4 Representative of the Poor.

SBC FILE NUMBER: 130

18. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**

Approve contract with Youth Alliance for the Parenting and Family Counseling Project for the period of July 1, 2019 through June 30, 2020, in an amount not to exceed \$50,000.00.

SBC FILE NUMBER: 510

19. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**

Approve contract with Youth Alliance for servicing at-risk youth and their families for period July 1, 2019 through June 30, 2020, in an amount not to exceed \$70,000.00.

SBC FILE NUMBER: 510

20. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**

Approve the allocation of the Community Corrections Partnership (CCP) AB109 reserve funding for Proposal No. #2 for 1.0 FTE Re-Entry Case Manager and Proposal #3 for 1.0 PT-Temporary Peer Mentor, as voted and agreed upon by the San Benito Community Corrections Partnership Executive Committee (CCP-EX), adopt the job description and salary range for a Re-Entry Case Manager and increase the schedule of authorized positions by adding a 1.0 FTE, and approve a budget adjustment/transfer in the amount of \$90,500.00 to fund both positions (4/5 vote).

SBC FILE NUMBER: 510

21. **PROBATION DEPARTMENT - J. FRONTELLA, JR.**

Approve Memorandum of Understanding between County of San Benito Probation Department and San Benito County Office of Education for the purpose of providing a Deputy Probation Officer (DPO) at Pinnacles Community School, San Andreas Continuation High School or Santa Ana Opportunity School until June 30, 2020, with an automatic renewal clause for successive one (1) year terms.

SBC FILE NUMBER: 510

22. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**

Accept all bids for the Lovers Lane Road & Drainage Repairs 0.91 Miles N of Shore Drive PWD-1909, find Monterey Peninsula Engineering as the lowest responsive responsible bidder, award contract to Monterey Peninsula Engineering in the amount of \$97,615.00, approve contract and authorize the RMA Director to execute the contract upon receipt of all contract documents required in the Invitation for Bids, and authorize the RMA Director to issue change orders in an amount of not to exceed \$9,761.50 (10 % of Contract Amount).

SBC FILE NUMBER: 105

23. **RESOURCE MANAGEMENT AGENCY - H. MAVROGENES**

Authorize the RMA Director to approve amendment #1 to the contract with EMC Planning Group who is conducting the environmental review for the

Highway 101 Commercial Nodes Project. The contract amendment will add additional compensation in an amount not to exceed \$64,429.05 for additional services that have become necessary in order to complete the review.  
SBC FILE NUMBER: 105

24. **SHERIFF'S OFFICE - D. THOMPSON**

Approve contract with Keefe Commissary Network, LLC., for inmate commissary services pursuant to Penal Code Section 4025 for a three year term of August 1, 2019 through June 30, 2022, with an automatic renewal for two (2), two-year extensions unless terminated by either party.  
SBC FILE NUMBER: 110

25. **SHERIFF'S OFFICE - D. THOMPSON**

Approve Amendment #3 to Jail Inmate Telephone Service Agreement with Global Tel\*Link adding technology and extending the contract end date to July 25, 2023 from July 23, 2021, with two (2) additional one (1) year terms.  
SBC FILE NUMBER: 110

26. **SHERIFF'S OFFICE - D. THOMPSON**

Approve contract with Zustan K-9 Services for K-9 training and development commencing July 1, 2019 through June 30, 2020, at \$250.00 per month per K-9 Team, with an automatic renewal for two (2) one-year terms unless terminated by either party; and authorize the Sheriff to sign said contract.  
SBC FILE NUMBER: 110

**PUBLIC HEARING**

27. **COUNTY COUNSEL'S OFFICE - B. THOMPSON**

Review and Approve Proposed Development Agreement by taking the following actions:

- 1) Read title of the ordinance for the record (to be conducted by staff)
- 2) Hold public hearing, Review the staff report, receive a presentation from staff, take testimony from the applicant and public and then act on the matter:  
**PLN190020 The San Benito Hemp Campus (Development Agreement)**  
**OWNER/APPLICANT:** Chambers/Pacific Bay Capital Group. **LOCATION:** 7777 Frazier Lake Road and 7800 Lake Road, Hollister, CA 95023, more commonly known as Assessor's Parcel Numbers 013-050-028-000.
- 3) Adopt Resolution and Ordinance, approving the development agreement.

SBC FILE NUMBER: 160  
RESOLUTION NO: 2019-?  
ORDINANCE NO:

28. **EMERGENCY MEDICAL SERVICES - K. O'NEILL**

PUBLIC HEARING – (1) Consider the continuation of a benefit assessment in FY 2019-20 that funds County Service Area #36 for Emergency Medical Services and Advanced Life Support (paramedic services) for the County of San Benito; and (2) Consider and adopt proposed Resolution accepting the annual report for CSA #36 Emergency Medical Services and Advanced Life Support and adopting the benefit assessment charge of \$20.00 per legal parcel; and (3) authorize the chair to sign three copies.

SBC FILE NUMBER: CSA #36  
RESOLUTION NO: 2019-?

29. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**

Hold a Public Hearing at 9:00 a.m., or soon thereafter as the matter may be heard by the Board of Supervisors, and adopt a resolution establishing the Highway 156 Underground Utility District for the area 100 yards on either side of State Highway 156 between Union Rd. and Breen Rd.

SBC FILE NUMBER: 105

RESOLUTION NO: 2019-?

**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. **BOARD OF SUPERVISORS**

Accept Introduction of an Ordinance Amending Article 1 of Chapter 3.01 of Title 3 of the San Benito County Code for Grand Jurors Compensation; and waive further reading of the ordinance and continue the matter to August 6, 2019 for adoption.

SBC FILE NUMBER: 430

31. **BOARD OF SUPERVISORS**

Consider adoption of a Resolution in support of the community's need for a new and expanded County Free Library and Resource Center; and approval of a budget adjustment in the amount of \$35,000 to fund the first phase of a study regarding the feasibility of construction of a new library (4/5 vote).

SBC FILE NUMBER: 156

RESOLUTION NO: 2019-?

32. **RESOURCE MANAGEMENT AGENCY – H. MAVROGENES**

Receive presentation on road program progress and adopt the plans and specifications for the SB-1 Cold In-Place Recycling Overlay- Seal Coat Projects At Various Locations FY 2018-2019 PWB-1904, CIR –Overlay on Fairview Road from Fallon Road to Rosa Morada Road, CIR-Overlay on Union Road from Southside Road to Highway 25, CIR-CAPE Seal on Southside Road from San Benito River to near intersection of Highway 25, Seal Coat on F Street; find the projects are categorically exempt under CEQA Guidelines Section 15301 and 15302; and authorize the advertisement for bids.

SBC FILE NUMBER:105

33. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Informational presentation on the role of GIS services and resources available to the public.

SBC FILE NUMBER: 7.5

34. **COUNTY ADMINISTRATION OFFICE - R. ESPINOSA**

Receive presentation on the progress of new county website.

SBC FILE NUMBER: 119

## **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.)*

35. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (d)(2), (e)(2) of Government Code Section 54956.9  
Number of cases: 1  
Facts and Circumstances Justifying Closed Session: Potential of litigation relating to current landfill agreement.  
SBC FILE NUMBER: 235.6
36. **CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS Section 54956.8**  
Property street address: 1970 Anzar Road (APN 11-200-33)  
Agency Negotiators: Ray Espinosa, County Administrative Officer; County Counsel Barbara Thompson  
Negotiating parties: J. Lingo  
Under Negotiation: Price and Terms of Payment  
SBC FILE NUMBER: 235.6
37. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
No. of cases: 1 Subdivisions (a) and (d)(1) of Section 54956.9  
Name of Case: BMC Promise Way, LLC, dba Benchmark Communities v. County of San Benito, City of Hollister, Sixth Appellate District, Court of Appeals, Case No. H046707.  
SBC FILE NUMBER: 235.6
38. **CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant Exposure to litigation pursuant to Section 54956.9: Number of Cases: (1)  
Closed session is authorized by Section 54956.9(d)(2), (e)(1).  
SBC FILE NUMBER: 235.6
39. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL :**  
Conference with Legal Counsel - Anticipated Litigation  
Initiation of litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9  
Number of Cases: 1  
SBC FILE NUMBER: 235.6
40. **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to subdivision (d)(2), (e)(2) of Government Code Section 54956.9  
Number of cases: 1  
Facts and Circumstances Justifying Closed Session: Potential of additional litigation regarding Master Tax Agreement currently being litigated in *Award*



*Homes, Inc. v. County of San Benito, et. al*, Case No. CU-15-00099, and *BMC Promise Way, LLC, dba Benchmark Communities v. County of San Benito, et. al.*, Superior Court of California, County of San Benito, Case No. CU-15-00056.

SBC FILE NUMBER: 235.6

41. **CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL-  
ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (d)(2), (e)(2) of Government Code Section 54956.9

Number of cases: 1

Facts and Circumstances Justifying closed session relating to Santana Ranch Development Agreement affordable housing provisions.

SBC FILE NUMBER: 235.6

## **ADJOURNMENT**

### **Adjourn to the next regular meeting of August 6, 2019.**

*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.*