



# SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios  
District No. 1

Anthony Botelho  
District No. 2  
Chair

Pat Loe  
District No. 3

Reb Monaco  
District No. 4  
Vice-Chair

Jaime De La Cruz  
District No. 5

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

## REGULAR MEETING JANUARY 12, 2010 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Monaco, Loe, Barrios, De La Cruz and Botelho were present. Also present was County Administrative Officer Susan Thompson, County Counsel Matthew Granger and Clerk of the Board Linda Churchill. Chairman Anthony Botelho presided.

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

### INTERNAL SERVICES:

- 25) **Hold a public hearing and adopt a new ordinance amending Chapter 7.05 of Title 7 of the San Benito County Code by adding a new Article II “State Video Service Franchises” to that Chapter. (Continued from 12/15/09 meeting)**

Management Analyst Margie Riopel provided background information stating this was a follow-up to the December 15, 2009 meeting. Ms. Riopel explained that this was prepared for the implementation of the provisions of the Digital Infrastructure and Video Competition Act of 2006 (DIVCA) which was codified in the California Public Utilities Code.

Chairman Botelho opened the public hearing. There was no one from the public who wished to speak on the matter. Chairman Botelho closed the public hearing.

**BOARD ACTION:** Upon motion made by Supervisor Monaco and seconded by Supervisor Barrios, adopted **Ordinance No. 849**, State Video Service Franchises, amending Chapter 7.05 of Title 7 of the San Benito County Code. (Unanimous) File 119.2

- 26) **Hold a public hearing with respect to the proposed participation by the County of San Benito (“the “County”) in the CaliforniaFIRST Program of the California Statewide Communities Development Authority; adopt Resolution to join the CaliforniaFirst Program; adopt Applicant’s authorizing Resolution.**

Management Analyst Margie Riopel provided background information stating that at the Board meeting on December 1, 2009 a presentation was given regarding the CaliforniaFIRST Program and staff was directed to prepare the necessary documents to participate in this program. Ms. Riopel noted that this

was strictly a voluntary program and provided an explanation of the benefits to the County.

Chairman Botelho opened the public hearing.

Joe Thompson, local resident, expressed his concern about the program.

Chairman Botelho closed the public hearing.

Board members provided input.

**BOARD ACTION:** *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, adopted **Resolutions No. 2010-4 and 2010-5** authorizing the County of San Benito to join the CaliforniaFIRST Program and authorizing application for funds. (Unanimous) File #119.2*

The Board adjourned at 9:20 a.m. and reconvened at 9:30 a.m.

**9:30 a.m. CALL TO ORDER:**

- a) Supervisor Loe led the Pledge of Allegiance.

There was a moment of silence in memory of Juan Caudillo San Benito County Employee.

- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

**BOARD RE-ORGANIZATION:**

- 1) **a) Open nominations and conduct election for Chair of the Board of Supervisors.**

*Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, nominated and elected Supervisor Reb Monaco as Chair of the Board of Supervisors for 2010. (Unanimous)*

Chairman Monaco presided over the remainder of the meeting.

- b) Open nominations and conduct election for Vice-Chair of the Board of Supervisors.**

*Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz nominated and elected Supervisor Pat Loe as Vice Chair of the Board of Supervisors for 2010. (Unanimous)*

- 2) Receive Committee appointments from the newly elected Chair of the Board of Supervisors.

Chairman Monaco handed out a list of his Committee appointments for 2010 noting that copies were available for the public and staff members.

Newly elected Chairman Monaco gave his opening statements and stated his goals for 2010.

**Continue Meeting:**

- c) **Public Comment:** Lisa Faulkner, H1N1 Coordinator for San Benito First 5, explained the flu vaccination campaign focused on children 0-5 years of age stating she would be reporting on a monthly basis. Ms. Faulkner announced

there was a flu vaccination clinic to be held on January 27, 2010 from 1:30 p.m. to 6:30 p.m. at the Veteran's Memorial Building.

Joe Thompson, local resident, explained the difference between recession versus depression stating we are in a depression. Mr. Thompson expressed his opposition to the Council of Governments (COG) stating all five districts are not represented.

Frank Garden, SEIU Local 521, thanked the Board of Supervisors for supporting the reinstatement of Jim Stevens to the County's Building Inspection Department following his wrongful termination in 2008. Mr. Garden, with Mr. Stevens permission, brought some issues of concern to the attention of the County with respect to what he feels is mistreatment of Mr. Stevens by Precision Inspection.

Chairman Monaco stated that staff would look into this matter.

Marvin Jones, local resident, provided comments with regards to Federal Income Tax stating 50% of the taxpayers have been paying taxes in very small increments noting that the last two years it has gone down to less than 2%. Mr. Jones also stated that public employees now exceed number of private sector employees.

- d) **Department Head Announcements:** Kathy Flores, Health & Human Services Agency Director, asked for volunteers for the January 27, 2010 H1N1 vaccination clinic to be held at the Veterans Memorial Building.

Mandy Rose, Integrated Waste Management Director, handed out examples of billboards that would be placed on the garbage and recycling trucks showing information about recycling, household hazardous waste notifications, oil recycling and a reminder about Bulky Item Recycle Days.

Supervisor De La Cruz commented with regards to a complaint he got from someone who is having to pay fees for garbage pick-up when is is not using the services.

Ms. Rose indicated that she would speak to Supervisor De La Cruz about this matter.

County Administrative Officer Susan Thompson explained the process of setting the public hearing for the Rodrigues appeal and why it would be held at 1:30 p.m. rather than in the evening as requested by some members of the public.

Supervisor Barrios commented that many of her constituents feel the hearing should be at night like the Planning Commission meetings and she received over 100 e-mails requesting an evening meeting stating that she understands the reasoning for setting it for January 26<sup>th</sup> unless the Board of Supervisors were willing to change the date of the hearing.

Supervisor Botelho stated he understands the sentiments of the public on this issue but he feels very strongly that we need to remain consistent as far as how we conduct business in San Benito County and this would not set a very good precedence if we made an exception for this hearing. Supervisor Botelho encouraged the public to write or call and let their feelings be known and their comments would be considered.

Chairman Monaco agreed with Supervisor Botelho noting there is an adequate means for people to address the Board and we would move ahead with the hearing set for January 26, 2010 at 1:30 p.m.

e) **Board Announcements, Introductions and Presentations:**

Newly elected Chairman Monaco presented a plaque to outgoing Chairman Botelho in appreciation of his dedicated service as Chairman of the Board of Supervisors in 2009.

Supervisor Botelho thanked his colleagues for a tough job done in 2009 and thanked staff noting it was a tough year as well as a successful year.

Supervisor Barrios reported that she attended the California Women for Agriculture convention event that was held in San Benito County noting it was a huge success.

Supervisor Barrios expressed concern over a major problem in San Juan Bautista with feral animals and it was brought to her attention that it was causing not only a health problem but a social problem and they have tried to bring these animals to the City of Hollister and are being asked to pay in excess of \$200 to receive these animals. Supervisor Barrios stated that she would talk to Supervisor Botelho about this matter.

Supervisor Barrios reported that she attended a teleconference meeting in regards to the Governor's budget and explained the budget plans that were discussed.

Supervisor Barrios further reported that she attended the Pajaro River Watershed Flood Prevention Authority meeting where watershed concerns were discussed and a study was being done.

Supervisor Barrios also stated that she met with some of the local Veteran representatives who expressed concerns about the inadequate services that are being provided to veterans in our County and she would like to further explore this and work with the County Administrative Officer to see what can be done.

*Chairman Monaco asked Supervisor Loe to join Supervisor Barrios in looking into local Veteran's services.*

Supervisor De La Cruz thanked Elvira Robinson and the Latino organization for hosting a Christmas party for underprivileged kids in the county stating it was a great event.

Supervisor De La Cruz thanked Hazel Hawkins Hospital for the great services provided to his wife recently and also thanked the members of the public for their flowers and cards.

Supervisor Botelho stated that feral animals has been a problem in San Juan Bautista for a long time stating there are limited services and he has held many discussions about this and was open to any new ideas.

Supervisor Botelho thanked Cal Fire Chief Paul Avila for coming in and collecting brush after a recent Christmas bon fire in a San Juan Bautista school district and taking care of it with a common sense approach.

Supervisor Botelho reported that he and Supervisor Barrios met with CAO Susan Thompson and Public Works Director Steve Wittry with respect to the proposed Sheriff's Administration Building and the plans for this building stating that it would be agendized soon to discuss how to move forward on this and noting we have to be careful on how we spend reserves.

Supervisor Monaco congratulated Celeste Cattrini on being elected California Women for Agriculture president.

Supervisor Monaco reported that he along with County Counsel, Assistant CAO, Public Works Director and Rick Cooper of Bureau of Land Management went on an all day field trip to the remote area of Clear Creek.

Supervisor Monaco stated that the Clear Creek Management Plan would be on a future agenda with a presentation by Bureau of Land Management.

### **PRESENTATIONS & RECOGNITIONS:**

- 3) **Present proclamation proclaiming January 2010 as National Blood Donor Month in San Benito County and authorize the Chairman to sign said proclamation. (Supervisor Botelho)**

*Upon motion made by Supervisor Botelho and seconded by Supervisor Loe, adopted proclamation proclaiming January 2010 as National Blood Donor Month. (Unanimous)*

Chairman Botelho presented proclamation to David Wright, CEO of Santa Cruz Chapter of the American Red Cross.

Marvin Jones, local resident, came forward noting that Supervisor Monaco received his 10 gallon blood donation acknowledgement. *File #430*

- 4) **Present Certificate of Recognition to Lupe Ortiz Community Action Board Member of San Benito County for over 20 years of service. (Supervisor Loe)**

Supervisor Loe presented Certificate of Recognition to Lupe Ortiz stating that Ms. Ortiz would be greatly missed on the CAB Board.

Ms. Ortiz accepted the recognition stating that she enjoyed her past work.

Robert Scoles, President of CAB, expressed his gratitude for Ms. Ortiz's contributions for her volunteer work. *File 939*

### **CONSENT AGENDA:**

*Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz, approved Consent Agenda Item 6 through 24 pulling Items 5, 10, 16, 17 for discussion and also noting Supervisor Botelho abstains from Item #18. (Unanimous)*

### **ADMINISTRATION:**

- 5) **Approve contract with Bay Area Economics (BAE) and the City of Hollister for fiscal impact study in the amount of \$29,040, the county's share will be \$14,520.**

Catherine Shaw, Management Analyst, handed out a modified copy of Attachment B of the contract which adds the words "and City".

Ms. Shaw explained the contract and answered questions posed by Board members.

**BOARD ACTIONS:** *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Loe, approved contract with BAE and City of Hollister as recommended. (Unanimous)*

*Upon motion made by Supervisor De La Cruz and seconded by Supervisor Loe, approved budget transfer in the amount of \$15,000 as recommended. (Unanimous) File # 119*

### **AGRICULTURAL COMMISSIONER – R. Ross:**

- 6) **Approved** contract with the California Department of Food & Agriculture for Light Brown Apple Moth Regulatory Services for the FY 2009-2010 in the amount of \$25,564.80. *File #1.1*

**BOARD OF SUPERVISORS:**

- 7) **Approved** certificates of recognition for the Chamber of Commerce Man and Woman of the Year, Businesses of the Year and Ambassador of the year for 2010 for presentation on January 16, 2010. (Supervisor Botelho) *File #156*

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 8) **Authorized** the County's Behavioral Health Director to sign the FY 2009-10 Amendment No. 1 to the Negotiated Net Amount Contract (NNA) for the term of July 1, 2007 through June 30, 2010 with the State Department of Alcohol and Drug Programs (ADP); and **adopted Resolution No. 2010-1** to accept the ADP FY 2009-10 Amendment No. 1 and **authorized** chair to sign. *File #810*

**CLERK OF THE BOARD – L. Churchill:**

- 9) **Approved** the action minutes of the December 16, 2009 special meeting.

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 10) **Approve agreement with Department of Health Services (DHS) for Health Emergency Preparedness CDC/Pan Flu/Hospital Preparedness Phase III for the period of July 31, 2009 to July 30, 2010 in the amount of \$184,357; authorize the H&HSA Director to sign said agreement; augment Emergency Preparedness Budget Unit. (4/5 vote)**

Supervisor De La Cruz asked about what the target area was for kids.

HHSA Director Kathy Flores explained.

**BOARD ACTION:** *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, approved the CDC Comprehensive Agreement as recommended; authorized the HHSA Director to sign and approved budget augmentation as requested. (Unanimous) File #130*

- 11) **Approved** contract with Mary O. White for H1N1 registered pharmacist services for the period of January 12, 2010 through July 30, 2010 in an amount not to exceed \$13,920; and **authorized** the H&HSA Director to sign. *File #130*
- 12) **Approved** contract with Claudia Arnold for H1N1 nursing services for the period of January 12, 2010 through July 30, 2010 in an amount not to exceed \$29,000; and **authorized** the H&HSA Director to sign. *File #130*
- 13) **Approved** contract with State Department of Parks and Recreation Hollister Hills SVRA to fund EMS services and mitigate impacts of Hollister Hills SVRA for the period of January 1, 2010 through December 31, 2011 for a total of \$114,000 in revenue; **authorized** the H&HSA Director to sign. *File #1068*
- 14) **Approved** contract with Gavilan College CalWorks Program to provide Subsidized Employment Services to Eligible CalWorks participants for the period of January 12, 2010 through September 30, 2010 in the amount of \$317,922; and **authorized** the H&HSA Director to sign. *File #130*

**LOCAL PLANNING COUNCIL – K. Bobsin:**

- 15) **Certified** the annual Childcare Local Planning Council membership and **authorized** the Chair to sign certification statement. *File #166*

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 16) **Accept all bids in the summary report for the Southside AC Overlay Phase II Project; award contract to Granite Rock Company, dba: Pavex Construction Division, as the lowest responsive, responsible bidder; approve contract with Granite Rock Company, dba: Pavex Construction Division in the amount of \$263,519; authorize the Road Commissioner to issue change orders to the construction in an amount not to exceed \$5,000.**

Supervisor De La Cruz asked for clarification.

Public Works Director Steve Wittry explained that this was essentially the second part of the first phase of the ARRA (American Reinvestment & Recovery Act) funding project.

Mr. Wittry answered questions posed by Board members.

**BOARD ACTION:** *Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz, accepted all bids in the summary report for the Southside AC Overlay Phase II Project and awarded the contract to Granite Rock Company, dba: Pavex Construction Division, and approved the contract with Granite Rock Company, dba: Pavex Construction Division and authorized the Public Works Administrator to sign the contract in the amount of \$263,519 and authorized Road Commission to issue change orders to the construction as recommended. (4-0 Vote. Botelho abstained.) File #105*

- 17) **Approve specifications for the County Service Area (CSA) Landscape Maintenance and Services.**

Supervisor Botelho questioned the timing asking why this would not be awarded until July.

Public Works Administrator Steve Wittry explained that this is specifically for CSA improvements for CSA's that did not approve landscape services and we are now working on getting accurate numbers for the bid documents for future submittal for consideration by the CSA's.

**BOARD ACTION:** *Upon motion made by Supervisor Botelho and seconded by Supervisor Barrios, approved the specifications for the CSA Landscape Maintenance and Services as recommended. (Unanimous) CSA File / File 105.3*

- 18) **Approved** specifications and bid documents for the Fairview and Union Road Asphalt Overlay projects. (4-0 Vote. Botelho abstained.) *File #105*

- 19) **Approved** the plans, specifications and bid documents for Juvenile Hall Control room Cabinetry. *File #105*

- 20) **Accepted** the resignation of Estevan Guzman from the San Benito County Parks and Recreation Commission. *File #93*

**TREASURER/TAX COLLECTOR/PUBLIC ADMINISTRATOR – M. L. Andrade:**

- 21) **Adopted Resolution No. 2010-2** for delegating authority to the County Treasurer to invest and reinvest county funds and other depositors' funds in the County Treasurer or to sell or exchange securities so purchased, pursuant to the requirement of state law. *File #685.2*

## **SHERIFF'S OFFICE – C. Hill:**

- 22) **Approved** renewal of Memorandum of Understanding with the Bureau of Land Management (BLM) for increased protection of persons and property on the public lands, water, roads and trails administered by the BLM and adjacent property for a period of five (5) years; and **authorized** the Sheriff to sign said MOU. *File #110*
- 23) **Adopted Resolution No. 2010-3** authorizing temporary road closure of the roadways listed in the resolution in order to ensure the safety of the public for the Hollister Rotary Club 27<sup>th</sup> Annual Mission 10, 10 mile, 5-k run on January 30, 2010. *File #110*
- 24) **Approved** maintenance agreement with L-1 Identity Solutions for six (6) Indentix Fingerprint Machines for a total amount of \$24,261. *File #24*

## **REGULAR AGENDA:**

### **PLANNING DEPARTMENT – A. Henriques:**

- 27) **Receive update and progress report on the County Housing Element and Inclusionary Housing Ordinance and provide comment and direction to staff.**

Planning Department Art Henriques provided a progress report stating that staff has been working on the initial study revisions and will be completed this week and ready for public review in a couple of weeks.

*Chairman Monaco appointed Supervisors Botelho and Barrios to an ad hoc committee (as discussed at the 12/16/09 special Board meeting) to monitor the progress being made on the Inclusionary Ordinance requirements and report back to the full Board of Supervisors.*

Discussion ensued and Board members provided input as to what they would like the ad hoc committee to address.

*Chairman Monaco stated that progress reports are expected from the ad hoc committee.*

Joe Thompson, local resident, came forward stating he was willing to help and give input from the small business owner perspective and the effects on them. *File #790*

### **ADMINISTRATION:**

- 28) **Receive initial briefing on the Governor's proposed FY 2010-11 state budget.**

CAO Susan Thompson stated that a lot of energy would not be spent on analyzing the Governor's proposal at this time because many of these proposals may fail; however, there is an approximately \$22 billion deficit which is of course a big concern. CAO Thompson explained some of the potential cuts to services and other concerns for our County.

Discussion ensued and the Board provided input.

*Chairman Monaco stated that we may want to consider delaying Budget Hearings until August as we did last year. File #865*

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

29) **Receive National Association of Latino Elected Officials (NALEO) presentation on Census 2010 outreach efforts.**

HHSA Director Kathy Flores introduced Lydia Zendejas, the NALEO representative for the Tri-County region, who provided a PowerPoint presentation entitled “Make Yourself Count” outlining their outreach efforts to increase Census survey response by community members in San Benito County.

Board members provided input and supported these efforts and encouraged everyone to participate. *File #130*

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

31) **Receive update on Hollister Urban Area Master Plan Implementation Program Coordinated Water Supply and Treatment Plan.**

Public Works Administrator Steve Wittry reported that the County has partnered with the City of Hollister, San Benito County Water District and Sunnyslope County Water District through the Governance Committee to study regional solutions for water supply and treatment and a coordinated plan has been approved by the Governance Committee and staff is requesting the Board receives the report and accept the plan.

Harry Blohm, Hollister Urban Area Wastewater Master Plan Project Manager, re-introduced the Hollister Urban Area Master Plan work that we have been pursuing for a long time. Mr. Blohm provided a PowerPoint Presentation covering the timeline and what has been accomplished over the past several years.

Bob Ellis, Project Manager from HDR, and consultant to the four agencies involved, provided a report on the most recent proposals and developments of the Master Plan.

Question and answer period ensued.

**BOARD ACTION:** *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, received and accepted the Hollister Urban Area Master Plan Implementation Program Coordinated Water Supply and Treatment Plan. (Unanimous) File #1005.1*

The Board adjourned for lunch break at 12:10 p.m. and reconvened at 1:30 p.m. re:

30) **Adopt Resolution of Intention to impose a property related fee in various County Service Areas, preliminarily approving a fee report and setting a Public Hearing for March 9, 2010.**

Management Analyst Janelle Cox provided background information and explained the process for imposing a property related fee in various County Service Areas stating this was the first step in the Prop 218 process for this year. Ms. Cox noted that since October 1, 2009 she and Public Works Department have conducted community meetings and CSA site visits to determine the county services that requested at each individual CSA. Ms. Cox stated that additionally a letter was sent out in December to all the CSA property owners informing them about the current process and provided a timeline for them.

Ms. Cox highlighted the fee reports and the budgets. Ms. Cox reported they were recommending the establishment of only two reserves. One is an Operating Reserve and one is a Capital Reserve.

Ms. Cox stated that a few of the CSA's have requested the opportunity to de-activate either some or portions of the services they were receiving and we are continuing to work with those CSA's.

Ms. Cox noted that Stonegate is included in this process, but only for storm drainage maintenance.

Ms. Cox and Mr. Wittry answered questions posed by Board members with regards to the Prop 218 process.

Supervisor Barrios stated that in order not to have some of the same problems we have had before on this process she provided the following six points:

- 1) Envelopes sent should be County envelopes that look official and possibly stamp the front of the envelope stating important ballot inside.
- 2) Use the county automatic calling service to let them know this is coming up.
- 3) E-mails sent out to the CSA representatives or point of contact..
- 4) Telephone calls to the CSA representatives or point of contact,
- 5) Meet with the folks that have not been involved at this point.
- 6) Address how we reach those folks where there is no point of contact.

**BOARD ACTION:** *Upon motion made by Supervisor Botelho and seconded by Supervisor Barrios, **adopted Resolution No. 2010-6**, a Resolution of Intention to Impose a Property Related Fee in various County Service Areas, preliminarily approving a Fee Report, and setting a public hearing for March 9, 2010. (Unanimous) CSA File / #105*

- 32) **Introduce ordinance amending Chapter 3.05 of Title 3 of the San Benito County Code relating to the San Benito County Parks and Recreation Commission; waive the reading of said ordinance; and continue to January 26, 2010 for adoption of said ordinance.**

Mike Hodges, Public Works Department Staff Analyst, provided background information stating that this would be a change to the existing ordinance which has been reviewed and accepted by the Parks and Recreation Commission. Mr. Hodges explained that the attendance portion of the ordinance would be changed in order to keep the attendance for all the members of the Commission at a higher rate than currently and also a change to reduce the gap between turnovers whenever the new regime comes in to be less of a gap between Commissioner appointments. Mr. Hodges stated that it would change the meeting requirement from quarterly to monthly and further clarification of the responsibilities of the Chairman and Vice Chairman and also some legal terminology was added.

Question and answer period ensued and an explanation of why it was being changed to a monthly requirement and how to reduce costs for staff attendance and work on these meetings.

**BOARD ACTION:** *Upon motion made by Supervisor De La Cruz and seconded and Supervisor Barrios, introduced ordinance amending Chapter 3.05 of Title 3 of the San Benito County Code relating to the San Benito County Parks and Recreation Commission; waived the read of said ordinance and continued to January 26, 2010 for adoption of said ordinance. (Unanimous) File #93*

The Board adjourned into Closed Session at 1:55 p.m. and reconvened into Regular Session re:

**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.)*

- 33) **Authority: California Government Code Section 54957**  
Consider Discipline/Dismissal/Release Matter of a Public Employee  
**No reportable action. File #235.6**
  
- 34) **Conference with Legal Counsel – Existing Litigation (Subdivision(a) of Section 54956.9) Name of Cases(s):**
  - 1. Hagins v. County of San Benito, et al. (San Benito Superior Court, Case No. CU-08-00068)  
**No reportable action.**
  - 2. Hogeman v. County of San Benito, et al. (San Benito Superior Court, Case No. CU-08-00127)  
**No reportable action. File #235.6**
  
- 35) **Authority: Government Code Section 54956.8**  
Conference with Real Property Negotiator:  
Property: 2733 John Smith Road, Hollister, CA  
Agency Negotiator: Susan Thompson, County Administrative Officer  
Negotiating Party: Newlight Technologies  
Under Negotiaton: Price and terms of lease  
**BOARD ACTION:** *County Counsel reported that the Board designated CAO Susan Thompson, Assistant CAO Rich Inman and County Counsel's Office to proceed with negotiations with Newlight Technologies and to discuss price and terms of a pending lease. File #235.6*

\* \* \* \* \*

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES: SUPERVISORS: Botelho, Loe, Barrios, De La Cruz, Monaco  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned at 3:05 p.m. to January 21, 2010 at 9:00 a.m. for a special meeting.

**REB MONACO, CHAIRMAN**  
San Benito County Board of Supervisors

**ATTEST:**  
Linda Churchill, Clerk of the Board