



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.14

MEETING DATE: 06/24/2025

DEPARTMENT: COUNTY ADMINISTRATION OFFICE

AGENDA ITEM PREPARER: Gracie Rodriguez

DEPT HEAD/DIRECTOR: Esperanza Colio Warren

SUBJECT:

COUNTY ADMINISTRATIVE OFFICE - E.COLIO WARREN

Waive second reading and adopt Ordinance, amending Title 7, Chapter 7.14 "Microenterprise Home Kitchen Operations of the San Benito County Code, related to the continued authorization of Microenterprise Home Kitchen Operations (MEHKOs) in the County of San Benito, including within incorporated cities. Adopt the accompanying Resolution to allow MEHKOs to continue operating during the 30-day period prior to the ordinance's effective date. Authorize the Clerk of the Board, or their designee, to certify the adoption of the ordinance and ensure publication of either the full ordinance or a summary—along with the names of the Board members voting for and against—in a newspaper of general circulation within the County of San Benito, in accordance with state law, within 15 days of adoption. Authorize the Chair of the Board to sign the ordinance and resolution on behalf of the Board of Supervisors.

SBC FILE NUMBER:119

ORDINANCE: 1083

RESOLUTION: 2025-38

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

In 2022, the Board of Supervisors adopted an ordinance establishing a temporary Microenterprise Home Kitchen Operations (MEHKOs) Program in the County. On May 7, 2024, and May 20, 2025, County staff presented updates to the Board on developments at the state level and the status of the local MEHKOs program. These updates included information on regulatory changes, program performance, and feedback from stakeholders.

Following these presentations, the Board expressed consensus to move forward with creating a permanent MEHKO program.

The proposed ordinance amendment reaffirms the County's support for MEHKOs and updates their legal authorization to allow continued operation in both unincorporated and incorporated areas of San Benito County. A related resolution ensures that MEHKOs can continue operating without interruption during the 30-day period before the amended ordinance takes effect.

Additionally, In response to a recent Board inquiry, the Environmental Health Division is not currently using General Fund dollars to support the Micro Enterprise Home Kitchen Operations (MEHKO) program.

Assembly Bill 178, enacted as part of the 2022 Budget Act, provided state funding to local health departments and code enforcement agencies for MEHKO implementation and oversight. This funding covers costs related to application and permitting materials, permitting processes, initial site inspections, and code enforcement.

In accordance with AB 178, the Environmental Health Division has received and is utilizing this state funding for eligible activities. This has enabled the development of essential program infrastructure without drawing on General Fund resources.

Looking ahead, as MEHKO participation grows and operational needs expand, future General Fund support may be considered if state funding becomes insufficient.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

No

RFP AND BID HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

CONTRACT HISTORY (Describe all amendments and previous contracts):

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

1. Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15061(b)(3) of the State CEQA Guidelines, as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect.
2. Waive second reading and adopt Ordinance, amending Title 7, Chapter 7.14 "Microenterprise Home Kitchen Operations of the San Benito County Code, related to the continued authorization of

Microenterprise Home Kitchen Operations (MEHKOs) in the County of San Benito, including within incorporated cities. *Note that the ordinance will take effect 30 days following adoption.*

3. Adopt the accompanying resolution to allow for the continued operation of MEHKOs during the 30-day period prior to the ordinance's effective date.
4. Authorize the Clerk of the Board, or their designee, to certify the adoption of the ordinance and to publish either the full ordinance or a summary, along with the names of Board members voting for and against, in a newspaper of general circulation in the County within 15 days of passage.
5. Authorize the Chair of the Board to sign the ordinance and resolution on behalf of the Board of Supervisors.

ATTACHMENTS:

[Ordinance Amending Title 7 Ch 7.14 Establishing a Permanent MEHKO Program](#)

[Resolution authorizing a permanent MEHKO pending effective date of Ordinance amending Title 7 Ch.7.14](#)

[Ordinance Amending Title 7 Ch 7.14 Establishing a Permanent MEHKO Program_Redlined Ordinance No. 1046 Temporary Authorization of MEHKOs \(Initial Ord.\)](#)

[Publication Notice - June 13, 2025](#)