



## SAN BENITO COUNTY BOARD OF SUPERVISORS

VACANT      Kollin Kosmicki   Peter Hernandez   Bob Tiffany   Bea Gonzales  
District No. 1      District No. 2      District No. 3      District No. 4      District No. 5

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

### REGULAR MEETING MINUTES September 28, 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 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 (2) minutes unless otherwise permitted by the Board Chair.***

#### **CALL TO ORDER**

The meeting was called to order at 9:11 a.m. by Chair Bea Gonzales. Those present were Supervisors Kollin Kosmicki, Bob Tiffany, and Peter Hernandez, as well as County Counsel Barbara Thompson, County Administrative Officer Ray Espinosa, and Clerk of the Board Jennifer Frechette.

- a. Pledge of Allegiance

**The Pledge of Allegiance to be led by Supervisor Peter Hernandez, District #3.**

The Pledge of Allegiance was led by Supervisor Hernandez.

- b. Acknowledge Certificate of Posting

**Acknowledge certificate of posting**

MOTION:

Motion to approve certificate of posting: Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

**4 - 0**

For (4): *Ayes: Gonzales , Hernandez, Kosmicki, Tiffany* Against (0):

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, 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. Public in-person attendance following the CDPH face covering guidelines; per instructions listed below.**
- 2. Through Zoom (<https://zoom.us/join>) per the instruction stated below, and other methods as described further below; and**

**Webinar ID: 935 5415 7037  
Webinar Password: 273215**

- 3. In the event the meeting is continued to another date, the same webinar and password will be used.**
- 4. Remote live stream on CMAP YouTube channel and the County's Social Media Page. (If available for the meeting).**

**Public Attendance in Person: at the Board of Supervisors Chambers:  
481 4<sup>th</sup> St, Hollister, CA, 95023.**

**For the safety of public and County employees, please note the following. As of April 20, 2021, the Board of Supervisor's meeting will be open to the public, following the conditions listed below:**

- A. All attendees must comply with the June 15, 2021, or any subsequently issued, California Department of Public Health face covering requirements, found at:  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>; and,**

**B. All attendees must wear a face covering if not fully vaccinated as defined by CDPH (*\*fully vaccinated: two weeks after completing the second dose of a two-dose COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna) or two weeks after receiving a single dose of a one-dose COVID-19 vaccine (e.g., Johnson &***

*Johnson/Janssen*). If you are exempt from the state face covering guidance and not fully vaccinated, you will be required to wear a face shield which will be provided to attend the Board meeting. Attendee may show proof of vaccination, the attendee may be excused from the face covering requirement if they have met the fully vaccinated definition.

**C. Due to changing conditions statewide, the Chair or the Board may modify the above requirements for any future Board meeting.**

**D. All attendees must comply with any other rules of procedure/instructions announced by the Chair.**

**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. Zoom regularly provides new versions of the Zoom desktop client and Zoom mobile app to release new security features and fix bugs. To ensure you can join the meeting and participate through public comment, please launch the web address to download the Zoom application: <https://zoom.us/support/download>. Furthermore, we recommend upgrading to the latest version of Zoom once it is available. Please visit <https://support.zoom.us/hc/en-us/articles/201362233-Upgrade-update-to-the-latest-version> to ensure you have the newest Zoom update.

**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 two (2) 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.

**FAILURE TO COMPLY WITH THE ABOVE GUIDELINES:**

- 1. The individual may be asked to leave the Board Chambers.
- 2. The Chair may call a recess of the Board of Supervisors meeting.
- 3. If the recess does not result in the individual complying with the above requirements or leaving the meeting, the Board of Supervisors may close the meeting to the public and resume the meeting exclusively through Zoom and phone-in participation, at any point during the meeting.

**Alternatively, the Board Chair and the Board may take other action as they deem necessary for the orderly conduct of the meeting.**

**Further, the meeting may be closed to the public at any time while Executive Order N 29-20 or AB 361 remains in effect, by order of the Chair, the CAO or the Board of Supervisors.**

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**

MOTION:

Motion to approve presentations and recognition's:

Made by Vice-Chair Bob Tiffany and seconded by Supervisor Kollin Kosmicki

4 - 0

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

**BOARD OF SUPERVISOR'S**

Accept donation of San Benito County Seal carved in wood and Present Certificate of Appreciation to Valerie Eglan.

SBC FILE NUMBER: 156

Chair Gonzales presented the certificate of appreciation for the donation of the wood that was carved for the San Benito County Seal and thanked Valerie Eglan for her service and hours.

Valerie Eglan accepted the certificate of appreciation and gave a small speech on the seal. Also in attendance was Anthony Botelho, past County Supervisor and Jennifer Laine from San Benito County Arts Council.

**BOARD OF SUPERVISOR'S**

Accept donation of embroidered flags from Rustic Turtle Embroidery and flowers from A&R Doors for Lives Lost to COVID-19 Tribute. Present Certificate of Appreciation to both.

SBC FILE NUMBER: 156

Chair Gonzales presented the certificate of appreciation to both Rustic Turtle Embroidery for the donation of embroidered flags and to A&R Doors for the donation of flowers for the Lives Lost to COVID-19 tribute. Both businesses accepted the certificate of appreciation and thanked the Board.

**BEHAVIORAL HEALTH - A. YAMAMOTO**

Approve Proclamation to Declare the Month of October 2021 as the Behavioral Health Department's 33rd Annual Red Ribbon Month.

SBC FILE NUMBER: 810

Supervisor Tiffany presented the Proclamation to declare the Month of October 2021 as Behavioral Health Departments 33rd annual Red Ribbon Month.

Elizabeth Lopez, accepted the proclamation on behalf of the Behavioral Health department.

**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.

There were five public comments from Kristy, Christina, Elia, Julie, and Veronica.

Additionally, there were two more public comments from Veronica and Ricardo that were interpreted by Tania.

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

Joe Paul Gonzalez and Ana Maquiz from the Elections Department gave a update on the Redistricting process and announced that the first public hearing took place on Monday. They presented the upcoming dates of the town halls offered for the public to attend and participate. They will also be at the County Fair where members from the public can draw their own map.

Jeanett Rodriguez, Assistant Management Analyst announced that any family members of individuals who have passed away from COVID can still turn in names to be embroidered on the flags that were presented at the COVID-19 tribute. She also announced that County staff will be at the County fair from October 1-3, 2021 and will be offering a survey on how the community would like to see funds spent from the American Reserve Pan Act. The survey is also available online on the County website COSB.US. She also announced that Human Resources, Restricting, GIS web map, and the Board of Supervisors will be in attendance at the County Fair booth.

**g. Board Announcements: Information Only**

Supervisor Kosmicki announced he meet with Robert Rivas, has concerns with the Landfill expansion and proposed a town hall, spoke on loud noises in San Juan Bautista from cannons to scare off pest, and will attend the County fair on Saturday.

Supervisor Tiffany announced he attended the tribute to life's lost to COVID-19 on Friday, meet with Robert Rivas, attended the Regional Park grant ceremony which totaled \$750,000.00, requested he be a part of the Landfill expansion meeting, spoke on CSA's in his district, and announced he has a vacancy on the Community Action Board.

Supervisor Hernandez announced he attended the tribute to life's lost to COVID-19 on Friday.

Chair Gonzales announced she will be at the County fair Friday and Sunday and the County seal will be displayed at the County booth.

**PUBLIC HEARING**

- 1. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR**  
**(To be heard at 9:00 AM or as soon thereafter as the matter may be heard)**  
**Home Occupation and Rural Home Enterprise Ordinance Amendments-Proposed amendments include repeal existing sections 25.29.090 to 25.29.104 in their entirety and replace with the following.**  
**SBC FILE NUMBER: 790**  
**ORDINANCE NO: 1034**

Michael Chambless, Interim RMA Director gave a brief update on the zoning code.

Arielle Goodspeed, Senior Planner from RMA gave a presentation on Home Occupation Rural Home Enterprises and presented a PowerPoint Presentation which included existing code, home occupations existing code, don't ever do these in a is a home occupation, rural home enterprises existing code, don't ever do these in a rural home enterprise, comparison: zoning districts, comparisons: operations, Planning Commission recommendations from August 18, 2021, existing code (rural home), new code (rural home enterprise), rural home enterprise regulations, and new

code.

There was one public comment from Elia.

There was a discussion with the Board of Supervisor's and County staff regarding restrictions, sale provisions, five acre parcels, possibility of bringing back micro kitchen, zoning and use of business, neighbors and noise issues.

The Board's recommendation is to have staff make changes to this item and bring back this item at the Board meeting of October 26, 2021 for discussion and consideration.

2. **RESOURCE MANAGEMENT AGENCY - M. CHAMBLESS, INTERIM RMA DIRECTOR**  
**(To be heard at 9:00 AM or as soon thereafter as the matter may be heard)**  
**Receive and consider Planning Commission Recommendation and Conduct Public Hearing for the Adoption of Amendments to San Benito County Code Cannabis Regulations to Simplify and Streamline Applications and Permit Outdoor Cultivation Outside Exclusion Zone**  
**SBC FILE NUMBER: 790**  
**ORDINANCE NO: 1036**

Robin Grant, Assistant Director of RMA presented on Cannabis Ordinance amendments and presented a PowerPoint presentation which included July 21, 2021 Planning Commission meeting, August 18, 2021 Planning Commission meeting, basis for amendments, revisions, explanation of changes, variance vs. exception, airport safety, district, outdoor cultivation, hemp exclusion zone, map of hemp exclusion zone, hemp vs. outdoor cultivation, existing state regulations and enforcement measures, partial list of existing regulations, and staff recommendation.

There were five public comments from Jackie, Elia, Craig, Darren, and George.

There was a discussion between the Board of Supervisor's and County staff regarding revenue, net benefits, time frame for 2022, the ability to revoke permits, regulations, risk with outdoor growth, and illegal activity. The Board requested a map to show the nodes and exempt areas.

This item will be brought back at the October 26, 2021 Board meeting for further discussion.

MOTION:

Motion to bring back this item at the October 26, 2021 Board meeting:

Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

**4 - 0**

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

## **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.*

3. **BOARD OF SUPERVISOR'S**

Receive an overview presentation of the current County Travel Policy. Discuss and consider amending San Benito County's Travel policy, Section V (5) MEAL EXPENSES. Provide staff direction to bring back a resolution approving an amendment to Section V (5) MEAL EXPENSES and any other sections if desired.

SBC FILE NUMBER: 156

Ray Espinosa, CAO introduced the item and offered some background information.

Gracie Rodriguez, Assistant Management Analyst presented a PowerPoint on the Travel Policy that included topics, authorization to travel, type of transportation, ground transportation expenses, air transportation, meal expenses, lodging expenses, and miscellaneous expenses.

There was a discussion between the Board of Supervisors and County staff regarding the reimbursement process, meal policy, per diem policy, and trainings.

Supervisor Kosmicki requested out of state travel to require a presentation on return from the attending Supervisor.

There were two public comments from Valerie and Elia.

Motion to bring back a Resolution to approve an amendment to meal expenses failed with a 2/2 vote.

4. **RESOURCE MANAGEMENT AGENCY - M. CHAMBLESS, INTERIM DIRECTOR**

Receive an update from the Resource Management Agency regarding the status of the development potential of the Commercial Nodes.

SBC FILE NUMBER: 790

Robin Grant, from RMA gave a update on Commercial Nodes and presented a PowerPoint presentation which included the overview, background, general plan, map of the 16 commercial nodes, pending/proposed node development, future development potential, and commercial/industrial zoning.

There was one public comment from Elia.

There was a discussion between the Board of Supervisor's and County staff regarding the plans for development, prioritizing nodes, nodes being more attractive to developers, and issues and concerns with the Roads.

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

Receive presentation on Community-Based Organizations (CBOs), county fund allocation process, and approve non-competitive fund distribution to the Community-Based Organizations (CBOs) of funding approved in the FY 21/22 Approved Budget for the period of July 1, 2021 to June 30, 2022 in the

total amount of \$80,000.00.  
SBC FILE NUMBER: 865

Gabriel Orozco, Budget Officer presented on Community Based Organizations and presented a PowerPoint presentation on areas of service, San Benito County fiscal year 17/18, senior based programs, non profit application grant, grant committee, prior grant recipients, grant awards, and recommendations.

There were three public comments from Valerie, Tammy, and Clay.

There was a discussion between the Board of Supervisor's and County staff regarding grant awards and the general fund.

MOTION:

Motion to approve fund distribution of \$80,000.00 for senior services with a 3% cola approving a total of \$82,400.00 for FY 21/22 and implementation and diverting the remaining \$40,000.00 back to the general fund.: Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

**4 - 0**

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

**6. BOARD OF SUPERVISOR'S**

Receive an update and reports from members of the Board of Supervisors regarding Committee assignments and Ad Hoc Committees. Discuss appointment options for Board appointees for the Planning Commission, Park's and Recreation Commission, and the Community Action Board and provide direction to staff if desired.

SBC FILE NUMBER: 156

Jennifer Frechette, Clerk of the Board spoke on the County website having the updated list of committees and ad hocs and their members. She reminded the Board that the ad hoc and committee update is to be a brief report only and in depth discussions need to be placed on the agenda as a discussion item. Currently this item will be placed on the last agenda of the month unless the Board gives other direction to add it to every agenda. She spoke on open vacancy's, and it being a ongoing issue, and the current committee requirements. She brought up the discussion of changing committee requirements to certain committees of the applicants not having to live in the Supervisors district but would need to live in San Benito County.

There was a discussion between the Board of Supervisor's and County staff regarding open vacancy's, changing the committee requirements of Parks and Recreation to allow applicants to live in the County at large and not within the Supervisor's district, referring the Community Action Board to their own Board to consider membership changes. The Board gave direction to staff to come back with an item to Change the membership requirements of the Parks and Recreation Commission for applicants to live in the County at large and not requiring the applicant to live in the Supervisor's district.

Supervisor Tiffany and Kosmicki gave a brief update on the COVID/Vaccine ad hoc and presented a four slide PowerPoint on vaccines and the current data. There was a discussion with the Board of Supervisors regarding COVID.

Supervisor Kosmicki announced there is an open vacancy for a member of the public from San Benito County for 3CE.

Supervisor Tiffany announced he meet with the Library Ad Hoc looking at the idea of a new Library and working with EDC and a potential 1% sales tax on the ballot in the future. He spoke on COG with a update on Highway 25 and affordable housing and with the Landfill expansion needing to offer more education to the public. He stated there is a LAFCO joint training session that will take place on October 27, 2021 at Ridgemark in Hollister, CA and will be attending the RCRC annual conference this week.

Supervisor Hernandez attended Triple A, COG giving a brief update on grants, the Highway 25 expansion, housing, and attended the grant presentation of \$750,000 to go towards the Regional Park. He stated he will not be attending the RCRC Conference because there is a conflict with his schedule.

Chair Gonzales announced she attended the Mobility Partnership meeting, AMBAG Board of Directors meeting, Behavioral Health meeting, grant presentation of \$750,000 for the Regional Park, attended an event personally on September 16th at the Vet's Building. She stated she attends a lot of different events and does not report out all the time but will post them on her social media.

There were no public comments.

## **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.*

There were no public comments.

Supervisor Kosmicki pulled item # 12.

Supervisor Tiffany pulled item # 17.

Supervisor Hernandez did not pull any items from consent.

Chair Gonzales pulled items # 18, 19, 21, 23, and 24.

### **MOTION:**

Motion to approve consent agenda except for items # 12, 17, 18, 19, 21, 23, and 24:

Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

**4 - 0**

For (4):

Against (0):

*Ayes: Gonzales, Hernandez, Kosmicki, Tiffany*

## **7. AGRICULTURAL COMMISSIONER- K. OVERSTREET**

Approve State contract, 21-0421-012-SF, for Light Brown Apple Moth regulatory activities, from July 1, 2021 through December 31, 2021 for a total contract amount \$9,218.47.

SBC FILE NUMBER: 1.1

8. **BOARD OF SUPERVISOR'S**

Approve appointments of Bill Proulx, Georgina Alvarez, and Philip Geiger to the Long-Term Care Commission for the term beginning September 24, 2021 through January 1, 2024.

SBC FILE NUMBER: 156

9. **BOARD OF SUPERVISOR'S**

Approve appointment of Richard A. Way, Jr. to the Planning Commission, District #2 for the term beginning September 28, 2021 through January 1, 2025.

SBC FILE NUMBER: 156

10. **CLERK OF THE BOARD OF SUPERVISOR'S - J. FRECHETTE**

Approve the action minutes of the August 24, 2021 regular meeting, August 25, 2021 special meeting, and the August 31, 2021 special meeting.

SBC FILE NUMBER: 119

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

Approve Contract with the Regents of the University of California's Division of Agriculture for office assistance in the amount of \$48,510.00 for FY 21-22, to provide local programming, such as 4-H Youth Development, through the UC Cooperative Extension (UCCE).

SBC FILE NUMBER: 3

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

Adopt resolution approving the Chairperson to execute the Golden State Finance Authority (GSFA), a JPA of which San Benito County is a member, to execute the Golden State connect authority joint exercise of powers agreement for the purpose of expanding broadband access and quality in rural counties.

FILE NUMBER: 119

RESOLUTION NO: 2021-120

Supervisor Kosmicki pulled this item for discussion regarding moving forward with broadband.

There was a discussion between the Board of Supervisors and County staff regarding Broadband.

MOTION:

Motion to approve  
Resolution:

Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair  
Bob Tiffany**

**3 - 0**

For (3):

Against (0):

*Ayes: Gonzales , Kosmicki, Tiffany*

13. **COUNTY CLERK/AUDITOR/RECORDER/ELECTION - J.P. GONZALEZ**  
Adopt Resolution Levying Taxes and Direct Assessments for Fiscal Year 2021-2022.  
SBC FILE NUMBER: 608  
RESOLUTION NO: 2021-121
  
14. **DISTRICT ATTORNEY - C. HOOPER**  
Approve grant funds from California Office of Emergency Services (CalOES) in the amount of \$139,054.00 for the CalOES County Victim Services Program (XC Grant) for the time period of January 1, 2021 through December 31, 2021. Funds will be used for providing victims of violent crime with mandatory and optional services.  
SBC FILE NUMBER: 165
  
15. **HEALTH AND HUMAN SERVICES AGENCY- T. BELTON**  
Accept FY 2021-22 Immunization Funding Allocation for \$731,746.00 and authorize a 2021-2022 budget adjustment and authorize the HHSA Director to sign the amendment to CDPH Standard Grant Agreement No. 17-10342 A02 once it is received to include the additional funding and any subsequent amendments related to this agreement that do not require a budget adjustment. (4/5 vote required)  
SBC FILE NUMBER: 130
  
16. **HEALTH AND HUMAN SERVICES AGENCY- T. BELTON**  
Adopt Resolution accepting the 2021 Low Income Home Energy Assistance Program (LIHEAP) American Rescue Plan Act (ARPA) which is funded under the American Rescue Plan Act (ARPA) grant in the amount of \$409,096.00 and approving Standard Agreement No. 21V-5578 with the State of California Department of Community Services and Development for the term of August 1, 2021 through March 31, 2023; and approve the budget adjustment. (4/5 vote required)  
SBC FILE NUMBER: 130  
RESOLUTION NO: 2021-122
  
17. **HEALTH AND HUMAN SERVICES AGENCY - T. BELTON**  
Approve and Authorize the Chair to Sign Contract Amendment #1 with Community Homeless Solutions (CHS) in the amount of \$500,000.00 for the period of July 1, 2021 through June 30, 2022.  
SBC FILE NUMBER: 130

Supervisor Tiffany pulled this item for discussion regarding the bidding process.

Tracey Belton, HHSA Director provided background information on the Amendment of the contract and stated they put out for a RFP.

There was a discussion between the Board of Supervisors and County staff regarding the bidding process.

MOTION:

Motion to approve contract:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Kollin Kosmicki**

**4 - 0**

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

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

Adopt Resolution appointing Dr. George Gellert as the County Public Health Officer and waive the registered voter requirements of Government Code Section 24001 finding that waiver is in the best interest of the County to prevent an interruption of essential services. Approve title changes with the corresponding salaries. Delegate authority to the Health & Human Services Agency Director to offer employment within the new established salary range for the Public Health Officer and Deputy Public Health Officer/EMS Medical Director – Extra Help.

SBC FILE NUMBER: 130

RESOLUTION NO: 2021-123

Chair Gonzales pulled this item for discussion with regards to the waiver of the voter registration and requirements of a full time health officer.

Tracey Belton. HHSA Director offered background information on the Interim Public Health officer David Ghilarducci.

Irma Valencia, Deputy County Counsel stated that appointing Dr. Gellert would be the best interest for the County because it is hard to recruit a Health Officer.

Dr. George Gellert stated he would like to move to San Benito County but plans to be in the State of California 50% of the time, with currently living in Texas.

MOTION:

Motion to approve Resolution:

Made by **Chair Bea Gonzales** and seconded by **Vice-Chair Bob Tiffany**

**3 - 1**

For (3):

Against (1):

*Ayes: Gonzales , Kosmicki, Tiffany Nays: Hernandez*

**19. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR**

Approve ongoing account with the City of Hollister to supply water to the Veteran's Memorial Park for an amount not to exceed \$30,000.00 until repairs to the County's well are completed, and approve a Budget Adjustment not to exceed \$30,000.00. (4/5 vote required)

SBC FILE NUMBER: 93

Chair Gonzales pulled this item for discussion.

There was a discussion between the Board of Supervisor's and County staff regarding the City taking over the park and using COVID funds towards well infrastructure.

MOTION:

Motion to approve budget adjustment to supply water to the Veteran's Memorial Park: Made by **Chair Bea Gonzales** and seconded by **Supervisor Kollin Kosmicki**

**4 - 0**

For (4): Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

**20. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR**

Adopt resolution approving the submittal of a grant application for up to \$3 million dollars Prop 68 Funds for the construction of Riverview Regional Park.  
SBC FILE NUMBER: 93  
RESOLUTION NO: 2021-124

**21. RESOURCE MANAGEMENT AGENCY - M. CHAMBLESS, INTERIM RMA DIRECTOR**

Adopt recommended decision of hearing officer regarding code violations at 2594 Los Viboras Road.  
SBC FILE NUMBER: 790.3  
RESOLUTION NO: 2021-125

Chair Gonzales pulled this item for discussion.

Reed Gallogly, Deputy County Counsel provided information on the code violation and explained it went through the administration process.

MOTION:

Motion to adopt recommended decision hearing regarding code violations at 2594 Los Viboras Road: Made by **Chair Bea Gonzales** and seconded by **Vice-Chair Bob Tiffany**

**3 - 0**

For (3): Against (0):

*Ayes: Gonzales , Kosmicki, Tiffany*

**22. RESOURCE MANAGEMENT AGENCY - M. CHAMBLESS, INTERIM RMA DIRECTOR**

Adopt continuing Resolution confirming the RMA Director's authority to enter into emergency repair and replacement contracts to remediate a local emergency, pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding; finding that there is a need to continue emergency action; and finding emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events. No new costs are being incurred or authorized by this action. (4/5 vote required)  
SBC FILE NUMBER: 75.5

RESOLUTION NO: 2021-126

23. **RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR**

Approve a two-year contract with Sharps Solutions for Regional Agency sharps collection programming, in an amount not to exceed \$40,000.00 for two years (County portion \$12,600.00 for two years and \$6,300.00 for one year - contingent on approval from all members of the JPA).

SBC FILE NUMBER: 142

Chair Gonzales pulled this item for discussion.

Michael Chambless, Interim RMA Director provided background information on the contract.

MOTION:

Motion to approve contract:

Made by **Chair Bea Gonzales** and seconded by **Supervisor Kollin Kosmicki**

4 - 0

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

24. **RESOURCE MANAGEMENT AGENCY- M.CHAMBLESS, INTERIM RMA DIRECTOR**

Ratification of provisionally approved escrow instructions securing agricultural mitigation fee required by the certified EIR and Conditions of Approval for Subdivision TSM-15-94 (Promontory/Bluffs), and authorize Michael Chambless to approve escrow holdback agreement, subject to County Counsel approval.

SBC FILE NUMBER: 790

Chair Gonzales pulled this item for discussion.

Michael Chambless, Interim RMA Director provided background information on the subdivision and map issue.

MOTION:

Motion to approve agreement:

Made by **Chair Bea Gonzales** and seconded by **Supervisor Kollin Kosmicki**

4 - 0

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

**PUBLIC HEARING**

**CLOSED SESSION**

Barbara Thompson, County Counsel read out closed session into record, there were no public comments.

*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.)*

**25. CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Dania Torres-Wong, Michael McDougall, Ray Espinosa, Edgar Nolasco, Gabriel Orozco, Barbara Thompson and Elvia Barocio

Employee Organizations:  
Institutions Association  
Law Enforcement Management  
Management Employees' Group  
SEIU Local 521 (General Unit Employees)  
Deputy Sheriff's Association  
Confidential Employees  
Confidential Management Employees  
Appointed Department Heads  
Unrepresented Employees  
SEIU Local 2015 (In-Home Supportive Services)  
Authority: California Government Code Section 54957.6

Barbara Thompson, County Counsel reported out no reportable action.

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

Significant exposure to litigation pursuant to subdivision (d)(2), (e)(5) of Government Code Section 54956.9  
Number of cases:1  
Potential of litigation as a result of oral threat of legal action regarding public health guidance for Fire Department as memorialized by the email September 20, 2021.  
SBC FILE NUMBER: 235.6

Barbara Thompson, County Counsel reported out no reportable action.

**FUTURE AGENDA ITEMS**

Supervisor Tiffany requested a plan for a new Library and working with the Lobbyist on State grants, Chair Gonzales second these two items to be heard at a future Board meeting for discussion.

Supervisor Kosmicki requested to address illegal dumping and trash in the community, specific with Recology picking up trash and their contract, Supervisor Tiffany second this item to be discussed at a future Board meeting.

Chair Gonzales requested a informational presentation from the Community Food Bank/Pantry's within the school district, Supervisor Kosmicki second this item to be heard at a future Board meeting for discussion.

Opportunity for Board members to request items to be placed on the next agenda for

discussion.

## ADJOURNMENT

### Adjourn to the next regular meeting of October 12, 2021.

MOTION:

Motion to adjourn meeting at 5:26 p.m.: Made by Supervisor Kollin Kosmicki and seconded by Vice-Chair Bob Tiffany

4 - 0

For (4):

Against (0):

*Ayes: Gonzales , Hernandez, Kosmicki, Tiffany*

*NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Wednesday 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.*

