



SAN BENITO COUNTY BOARD OF SUPERVISORS

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2

Peter Hernandez
District No. 3

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

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

REGULAR MEETING MINUTES

December 14, 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 9:01 a.m. by Chair Bea Gonzales. Those present were Supervisors Kollin Kosmicki, Bob Tiffany, Betsy Dirks, 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 Betsy Dirks,
District #1.**

The Pledge of Allegiance was led by Supervisor Betsy Dirks, District #1.

- b. Acknowledge Certificate of Posting

Acknowledge certificate of posting

MOTION:

Motion to approve certificate
of posting:

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

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

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

Pursuant to AB 361, and the resolutions adopted thereunder, 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.

The meetings are open to the public, under the following conditions: All Attendees must comply and wear a face covering if not fully vaccinated and show proof. If providing proof attendees will not need to wear a face covering. If you are exempt from the state face covering guidance or not fully vaccinated you will be required to wear a face shield which will be provided to attend the Board meeting; All attendees must comply with any other rules of procedures/instructions announced by the Board of Supervisors and/or County Staff. Any violations of the above may result in the Board of Supervisors or the Chair closing the meeting, effective immediately, or clearing the room, as well as other enforcement actions. The meeting will be available through Zoom and YouTube for those who wish to join or require accommodations with the instructions below:

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: 869 8917 5657

Webinar Password: 318132

- 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 4th 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.

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

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 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

d. **Presentations and Recognitions**

BOARD OF SUPERVISORS

(1) Open nominations and conduct election for Chair of the Board of Supervisors for 2022;

(2) Open nominations and conduct election for the Vice-Chair of the Board of Supervisors for 2022;

SBC FILE NUMBER: 156

Supervisor Bea Gonzales was appointed Chair for the year of 2022.

Supervisor Bob Tiffany was appointed Vice-Chair for the year of 2022.

MOTION:

Motion to appoint Supervisor Bea Gonzales as Chair for the year of 2022: Made by **Supervisor Peter Hernandez** and seconded by **Supervisor Betsy Dirks**

4 - 1

For (4): Against (1):

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

MOTION:

Motion to appoint Supervisor Bob Tiffany as Vice-Chair for the year of 2022: Made by **Supervisor Betsy Dirks** and seconded by **Chair Bea Gonzales**

5 - 0

For (5): Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

BOARD OF SUPERVISORS

Present Certificate of Recognition to Karen Overstreet, County Agricultural Commissioner/Sealer for over 6 years of service with the County of San Benito upon her retirement.

SBC FILE NUMBER: 156

Supervisor Kosmicki presented Karen Overstreet with a recognition upon her retirement with 6 years of service with San Benito County.

BOARD OF SUPERVISORS

Present Certificate of Recognition for Deputy Victor Casada and his K-9

Falkon for their years of service to San Benito County as a Deputy Sheriff and Sheriff's Canine.
SBC FILE NUMBER: 156

Sheriff Taylor presented a Certificate of Recognition to Deputy Victor Casada and his K-9 Falkon for their service with San Benito County.

e. Department Head Announcements: Information Only

Melinda Casillas, Tax/Treasurer announced that the deadline to pay the first installment of property taxes is December 10, 2021.

Kris Mangano, Manager of OES announced that as of January 1, 2022 the Hazel Hawkins Hospital will be a level 4 trauma center. She also gave a update on the Winter Weather Outlook meeting that took place and stated the OEP plan is in the works and will be having a workshop in January with all departments included.

Ray Espinosa, CAO announced that the Behavioral Health Director Alan Yamamoto has announced his retirement of April 15, 2022 and will need to start recruitment as soon as possible. He also stated that the Behavioral Health Board will need to be a part of the hiring process.

Ray Espinosa, CAO announced that Michael Chambless is the new official Resource Management Agency Director.

Michael Chambless, RMA Director gave a breif update on roads and projects. He announced that the Hospital Road Bridge is now open and complete, Southside Road is closed due to a hill slide from minor flooding with the recent rain, stated Fairview is ok so far, and to slow down on Roads because of fallen branches. He requested to pull items # 27 and 31 from the agenda because there is more needed work.

Kris Mangano, Manager of OES announced that they received award approval from the State for the January/February storm and that the County turned in the application for approval. The amount is still not known but will probably be a 75%/25% cost share.

Ray Espinosa, CAO thanked County staff for their services for the year. He gave a brief update on the County's accomplishments for the year which included the new opening of the Jail, the new Behavioral Health Building, and many Bridges and Projects.

f. Board Announcements: Information Only

Supervisor Kosmicki spoke on the stripping of the Roads and that RMA is aware, talked on complaints of trash on Airline and that it needs to be addressed, and attended the San Juan Waste water town hall. He also attended the San Juan Holiday of lights parade and the Hospital Road Bridge opening. He has one open vacancy with the Community Action Board and announced the Arts Council was awarded with a grant. He spoke on the Board accomplishments of the year and wished everyone a happy holiday and thanked staff for their services.

Supervisor Tiffany spoke on Redistricting and looks like the County of San Benito will be placed within the South San Jose District based of the latest map with Jimmy Penetta no longer being the County's representative stating the final map will be finalized December 20, 2021. He spoke on issues with Roads and potholes and that RMA is addressing the issue and spoke on drought issues within the County. He attended the Hospital Road Bridge opening and spoke on the High School

being recognized as the ESPN top 5 Special Olympics Champion school for 2021. He wished everyone a Merry Christmas and Happy New Year and thanked staff for their services.

Supervisor Hernandez wished everyone a Merry Christmas and Happy New Year.

Supervisor Dirks announced she toured the County Jail, toured a business in Aromas Fire Clay, attended the Hospital Road Bridge opening, was welcomed with the Business Council, attended the Arts Council grand opening, she spoke on trash pick up and meet with Rick Perez to go over ideas moving forward. She thanked staff for their services, wished everyone a Happy New Year and to stay safe on Roads. She also announced she was able to attend the CSAC Conference and spoke on the Women's Leadership meeting and will be bringing a item forward with the Women's Bill of Right's to eliminate discrimination towards woman.

Chair Gonzales announced she has meet with Redistricting meetings and there may be a potential change for San Benito County. She attendee the annual CSAC Conference and spoke on the Women's Leadership meeting and the Women's Bill of Right's item coming forward, she also attended the Hospital Road Bridge opening, the San Juan Holiday of lights parade, and the Water District meeting regarding Stonegate and their water issues. She also attended the ARPA ad hoc, AMBAG, and First 5. She wished everyone a Merry Christmas and Happy New Year.

g. 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 two public comments from Sandy and Rob.

PUBLIC HEARING

1. COUNTY CLERK/AUDITOR/RECORDER/REGISTRAR OF VOTERS - J.P. GONZALEZ

(To be heard at 10:00 AM or as soon thereafter as the matter may be heard as required by Elections Code section 21507.1 (d)) Public Hearing to review and adopt district boundaries of Supervisorial Districts. Action to be taken includes conducting public hearing, adopting ordinance and adopting a resolution.

SBC FILE NUMBER: 160

ORDINANCE NO: 1039

RESOLUTION: 2021-147

Joe Paul Gonzalez introduced the item and gave some background information on the process. February 23, 2021 was the first action that took place for redistricting being 11 months in now. He explained that the County website has a page dedicated to Redistricting that will stay in place for the next ten years. The public was invited in the process offering several workshops with in the community. Dec ember 15, 2021 is the final deadline where a map needs to be adopted, and explained if the Board does not adopt a map, the County Superior Court can have the final say in the adoption of the map.

Douglas Johnson, from NDC presented a PowerPoint presentation on Redistricting which included the Redistricting process, Redistricting rules/goals, 2020 census, Constitutional and Federal voting right act considerations, neighborhoods/communities of interest , the maps, December 14,

2021 public hearing, NDC2, Staff D83953, modified staff alternative D83953A, and public hearing/comment/action.

There were 14 public comments from Sandy, Mickey, Jose, David, Richard, Kimberley, Maria, Alex, Katie, Danny, Nathalia, Beline, Jason, and Rob.

There was a discussion between the Board of Supervisor's and County staff which included maps and concerns, the County being in support of Latino candidates, the spread of rural and suburban communities, and AG being a part of every district.

MOTION:

Motion to adopt Ordinance Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**
1039:

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to adopt map D83953A and Resolution 2021-147 Made by **Vice-Chair Bob Tiffany**
with attachments A, B, and C: and seconded by

4 - 1

For (4):

Against (1):

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

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)

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 replacing with updated Home Occupation and Rural Home Enterprise ordinances.

SBC FILE NUMBER: 790

ORDINANCE NO: 1034

Arielle Goodspeed, Senior Planner of RMA presented a PowerPoint presentation on Home Occupation and Rural Home Enterprise which included Home Occupation and Rural Home Enterprise existing code, additional items to be added per the Board of Supervisors, Home Occupations limited retail, code enforcement in a home occupation/rural home enterprise, cottage food operations, business tax added to home occupation/rural home enterprise, and staff recommendation.

There was a discussion between the Board of Supervisors and County staff regarding limited site sales, State regulations with the County adding to it, public and environmental health requirements, safety checks, and safety elements.

There were no public comments.

This item will be brought back to the Board meeting of January 25, 2022 for further discussion regarding concerns.

MOTION:

Motion to approve bringing back this item on the Board meeting of January 25, 2022 for discussion: Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, 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. TRAINING BY COUNTY ADMINISTRATION OFFICE- R. ESPINOSA

Discuss various topics but not limited to Brown Act, Board Rules and of Procedures, San Benito County Board of Supervisors Roles and Responsibility, Board of Supervisors Role in Operations and Policy Direction, State of California Conflict of interest laws, Charter County vs. General Law.
SBC FILE NUMBER: 119

Judith Propp, from Sloan Sakai Attorney at Law presented a PowerPoint on the Brown Act, Board Rules and Procedures, San Benito County Board of Supervisors Roles and Responsibility, Board of Supervisors Role in Operations and Policy Direction, State of California Conflict of interest laws, Charter County vs. General Law which included topics, objectives, Legislative intent, Brown Act basics, what is a meeting, committees, examples of meetings, what is not a meeting, serial meetings, serial meetings can occur, digital age cautions, teleconferences, accessibility, notice and agenda requirements, notice and agenda exceptions, agenda item description, agenda item, public comment agenda item, general public comment, rights of the speaker, limits on public comment, unruly speakers, closed session, penalties of disclosure, penalties for violations, CA charter counties, general law, County charter provisions, limitations, charter process, and charter authority.

There was one public comment from Rob.

There was a discussion between the Board of Supervisors and County staff regarding the pros and cons of a Charter County, and general questions were asked. The topic of Charter County vs, General Law will be discussed at the Board Retreat in March of 2022.

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

Read title of the ordinance, make a motion to accept formal introduction, waive reading, and continue to the next meeting an ordinance amending section 5.03.180 regarding cannabis business activities tax.
SBC FILE NUMBER 790
ORDINANCE NO: 1040

Robin Grant, Assistant Director for RMA presented on amending the Ordinance regarding Cannabis business activities tax. She stated this item will be brought back at the January 25, 2022

Board meeting for consideration of adoption.

There was one public comment from Sandy.

There was a discussion between the Board of Supervisors and County staff regarding water issues, not being marketable, proven to be a lost, and 1:1 offset.

Barbara Thompson, County Counsel read the Ordinance into record and will come back at the January 25, 2022 Board meeting for adoption.

MOTION:

Motion to approve bringing back this item at the January 25, 2022 Board meeting at 9 am or there after for adoption of Ordinance 1040:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

4 - 1

For (4):

Against (1):

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

5. COUNCIL OF GOVERNMENTS - M. GILBERT

Presentation on Regional Housing Needs Determination and Allocation Methodology.

SBC FILE NUMBER: 1035

Veronica Lezama and Beth Jarosz from COG, presented a PowerPoint presentation on Regional housing needs determination and allocation Methodology which included what is RHNA?, role of Government, COG Board of Directors, coordination, map of schedule, what are statutory objectives of RHNA?, 5 RHNA objectives, 13 RHNA factors, 5th cycle RHNA, SBC 6th cycle regional housing need, income category units, Methodology option A, B, and C, and draft allocations summary.

There was a discussion between the Board of Supervisors and County staff regarding Methodology options, meeting arena allocations, low income units, concerns of overcrowding, how are the 13 factors ordered, infrastructure issues such as sewer and water, bringing more affordable housing to San Benito County, and other options besides A, B, and C.

Supervisor Hernandez recommended writing a letter to COG from the Board.

There were no public comments.

6. RESOURCE MANAGEMENT AGENCY - M. CHAMBLESS, INTERIM RMA DIRECTOR

Adopt a resolution reducing the Cannabis Business Activities Tax Rate for Commercial Cannabis Outdoor Cultivation from \$5.00 to \$3.00 per square foot.

SBC FILE NUMBER: 790

RESOLUTION NO: 2021-167

Robin Grant, Assistant Director for RMA presented on reducing the Cannabis business activities tax rate for commercial Cannabis outdoor cultivation from \$5.00 to \$3.00 per square foot explaining this item does not have to be approved through a Ordinance amendment but through a Resolution.

There were no public comments.

There was no discussion amongst the Board of Supervisors and made a motion to approve the Resolution.

MOTION:

Motion to adopt
Resolution:

Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Betsy Dirks**

4 - 1

For (4):

Against (1):

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

7. **BOARD OF SUPERVISOR'S**

Discussion of designation of the 2022 RCRC, CSAC, GSFA, GSCA, COG, AMBAG, Intergovernmental Committee, and Veteran's Park Commission and appoint Supervisor's as delegates and/or alternates; the remaining commissions will be staying in effect until January 25, 2022, with Chair of the Board of Supervisors appointment.

SBC FILE NUMBER: 156

MOTION:

Motion to approve the appointment of CSAC with
Supervisor Gonzales as the delegate and Supervisor
Hernandez as the alternate:

Made by **Supervisor Betsy Dirks**
and seconded by **Supervisor Kollin Kosmicki**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve the appointment of Veteran's Park
Commission with Supervisor Hernandez and Supervisor
Dirks as the delegates:

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

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve the appointment of Intergovernmental
Committee with Supervisor Kosmicki and Supervisor
Tiffany as the delegates:

Made by **Supervisor Peter Hernandez** and seconded by
Supervisor Kollin Kosmicki

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve the appointment of AMBAG with Supervisor Dirks and Supervisor Gonzales as the delegates:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales , Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve the appointment of COG with Supervisor Kosmicki and Supervisor Hernandez as the delegate and Supervisor Dirks as the alternate:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales , Hernandez, Kosmicki, Tiffany

There was a discussion between the Board of Supervisor's regarding commission assignments for the year of 2022 with RCRC, CSAC, GSFA, GSCA, COG, AMBAG, Intergovernmental Committee, and Veteran's Park Commission with the remaining commissions staying in effect until January 25, 2022 where the Chair of the Board will make the remaining appointments.

A motion was made to approve the appointment of RCRC, GSFA, and GSCA with Supervisor Tiffany as the delegate and Supervisor Hernandez as the alternate.

A motion was made to approve the appointment of COG with Supervisor Kosmicki and Supervisor Hernandez as the delegate and Supervisor Dirks as the alternate.

A motion was made to approve the appointment of AMBAG with Supervisor Dirks and Supervisor Gonzales as the delegates.

A motion was made to approve the appointment of Intergovernmental Committee with Supervisor Tiffany and Supervisor Kosmicki as the delegates.

A motion was made to approve the appointment of the Vet's Park Commission with Supervisor Hernandez and Supervisor Dirks as the delegates.

A motion was made to approve the appointment of CSAC with Supervisor Gonzales as the delegate and Supervisor Hernandez as the alternate.

MOTION:

Motion to approve the appointment of RCRC, GSFA, and GSCA with Supervisor Tiffany as the delegate and Supervisor Hernandez as the alternate:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales , Hernandez, Kosmicki, Tiffany

8. **BOARD OF SUPERVISOR'S**

Receive update and reports from members of the Board of Supervisors

regarding Committee assignments and Ad Hoc Committees. Discuss the creation of an ad hoc for the hiring of a new Agricultural Commissioner/Sealer and appoint two Supervisor's if desired.

SBC FILE NUMBER: 156

Supervisor Kosmicki announced he meet with the Intergovernmental Committee regarding prospects for a second High School and a presentation regarding the Gavilan campus, progress with homelessness, and schools and vaccine policy's. He will be meeting with the 3CE Board and will be discussing a rate adjustment increase and will also be meeting with the Monterey Bay Air Resources District and Integrated Local Task Force.

Supervisor Kosmicki spoke on the COVID/Vaccine ad hoc with Supervisor Tiffany and gave a update on the numbers, cases going up, the State issuing a indoor mask mandate starting 12/15/21, vaccine rates of age groups, and with incentive funding to run out approximately December 27, 2021. They also announced that a presentation by Dr. Gellert will take place at 6:30 pm and a session will be held on Thursday in Spanish.

Supervisor Tiffany announced he attended the CSAC annual meeting, RCRC, and the Intergovernmental Committee meeting and discussed a second high school and the Gavilan campus.

Supervisor Hernandez had no reports.

Supervisor Dirks had no reports.

Chair Gonzales had no reports.

There were no public comments.

A ad hoc was created for the hiring of a new AG Commissioner/Sealer with Supervisor Dirks and Tiffany being appointed.

MOTION:

Motion to approve creation of ad hoc hiring of a new AG Commissioner/Sealer with Supervisor Dirks and Tiffany being appointed:

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

5 - 0

For (5):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

Against (0):

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.

Items # 27 and 31 were removed by staff Michael Chambless.

Chair Gonzales and Supervisor Hernandez pulled no items.

Supervisor Dirks pulled items # 11 and 19 for discussion.

Supervisor Tiffany pulled item # 26 for discussion.

Supervisor Kosmicki pulled items # 10, 11, 28, 29, 30, and 38 for discussion.

There were no public comments.

MOTION:

Motion to approve consent agenda except for items # 10, 11, 19, 26, 28, 29, 30, 38, and items # 27 and 31 were removed:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

9. **AGRICULTURAL COMMISSIONER - K. OVERSTREET**

Approve State contract, 21-0516-023-SF, for Asian Citrus Psyllid (ACP) for trapping activities, from October 1, 2021 through September 30, 2022, Total contract value is \$66,097.00.

SBC FILE NUMBER: 1.1

10. **BOARD OF SUPERVISOR'S**

Approve appointments of Christina E Andrade and Deanna Trinidad to the Aging and Long Term Care Commission for the term beginning January 1, 2021 through December 31, 2024.

SBC FILE NUMBER: 156

Supervisor Kosmicki pulled this item for discussion. He has concerns with applicants not living in San Benito County.

A motion was made to approve the appointment of Christina E Andrade only.

MOTION:

Motion to approve the appointment of Christina E Andrade:

Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

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

Accept and Receive the Annual Impact Fee Report for 2020-2021.

SBC FILE NUMBER: 119

Supervisor Kosmicki and Dirks both pulled this item for discussion.

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

This item will come back on the January 25, 2022 Board meeting for adoption.

MOTION:

Motion to accept the annual impact fee report for 2020-2021: Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

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

Adopt Resolution acknowledging Hollister Fire Department to perform the inspection of certain occupancies required annually according to section 13146.2 and 13146.3 of the California health and safety code.

SBC FILE NUMBER: 119

RESOLUTION NO: 2021-159

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

Approve License Agreement with Recology South Valley DBA Recology San Benito County to facilitate three events at Veteran's Memorial Park on January 8, 2022, April 16, 2022, and October 8, 2022.

SBC FILE NUMBER: 865

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

Adopt proposed resolution authorizing teleconferencing options for meetings of the Board of Supervisors for the period of December 14, 2021 through January 13, 2022, pursuant to AB 361.

SBC FILE NUMBER: 119

RESOLUTION NO: 2021-160

15. **COUNTY CLERK/AUDITOR/RECORDER/ELECTIONS- J.P. GONZALEZ**

Approve and Authorize the County Clerk-Auditor-Recorder to execute a service agreement with K&H Printers – Lithographers, Inc. for Election Printing and Mailing services for the period of December 14, 2021 through December 14, 2025.

SBC FILE NUMBER: 285

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

Approve the appointment of Mr. Mike Fisher, as a Private Sector representative and Ms. Claire Grissom, as a Youth Committee Representative to the Workforce Development Board (WDB) for a three-year term effective November 9, 2021 through November 9, 2024.

SBC FILE NUMBER: 130

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

Adopt resolution approving the 2021-2023 Fiscal Year Rehabilitation Contract

#21-OMSR-16743 between the State Department of Housing and Community Development (HCD) and the County of San Benito in an amount not to exceed \$2,385,974.00; and authorize the HHSA Director to sign said contract for the period of the date of approval through June 30, 2022, any subsequent amendments to said contract that do not require a budget augmentation; and approve the budget adjustment. (4/5 vote required)

SBC FILE NUMBER: 130

RESOLUTION NO: 2021-161

18. **HUMAN RESOURCES - E. NOLASCO**

Adopt Resolution to approve State Mandated Minimum Wage Increases and Amended the County's Class Title and Pay Plan to reflect the salary changes to Office Assistant I, Office Assistant II, Office Assistant III, Peer Advocate and Peer Mentor.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-162

19. **HUMAN RESOURCES- E. NOLASCO**

Adopt Resolution and approve a Section 125 "Cafeteria Plan" to allow employees of the County of San Benito to make payments on a pre-tax basis among Cafeteria Plan Choices, and authorize staff to finalize the plan and implement the plan effective January 1, 2022, including authorization to sign all necessary documents and take any other necessary action to finalize the plan.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-171

Supervisor Dirks pulled this item for discussion.

Edgar Nolasco, Deputy CAO provided background information on the classifications and stated there will be a RFP for a Public Information Officer and this will be a full time in house employee.

MOTION:

Motion to approve job specifications:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

20. **HUMAN RESOURCES - E. NOLASCO**

Approve Job Specifications for Transit Mechanic–COG-LTA, GIS Technician, GIS Coordinator, GIS Manager, Custodial Lead Worker, Public Information Officer, and Senior Property Transfer Assessment Technician along with their corresponding salaries. Approve the County's Class Title and Pay Plan to reflect the salary changes to Custodian, Road Maintenance Supervisor, Road Maintenance Worker I, Road Maintenance Worker II, Road Maintenance Worker III, and Work Crew Supervisor. Direct staff to amend the Schedule of Approved Position Allocations to reflect the position changes to Resource Management Agency and add an unfunded 1.0 FTE PIO position to the County Administrative Office.

SBC FILE NUMBER: 630

21. **HUMAN RESOURCES - E. NOLASCO**

Adopt a resolution approving the new collective bargaining agreement between the County of San Benito and Law Enforcement Management.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-163

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

Approve Budget Transfer from Special Materials in the amount of \$101,974.99 to Fixed Assets in the amount of \$43,630.14 and Other Charges in the amount of \$58,344.85 and Approve the purchase of a Morgue for the Sheriff's Office and Generator for the Animal Shelter through both funded by Homeland Security Grant Program.

SBC FILE NUMBER: 865

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

Adopt Governing Body Resolution Authorizing the County Administrator and/or the Emergency Services Manager to execute any actions necessary for the purpose of obtaining, managing, and spending financial assistance through the California Office of Emergency Services (CalOES) for the FY 2022 Homeland Security Grant (HSGP).

SBC FILE NUMBER: 75.5

RESOLUTION NO: 2021-164

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

Adopt Governing Body Resolution Authorizing the County Administrator and/or the Emergency Services Manager to execute any actions necessary for the purpose of obtaining financial assistance through the California Office of Emergency Services (CalOES) for the FY 2021 Emergency Management Performance Grant (EMPG), and the FY2021 Emergency Management Performance Grant –American Rescue Plan Act (EMPG-ARPA) which may include executing applications, filings, and grant management.

SBC FILE NUMBER: 75.5

RESOLUTION NO: 2021-165

25. **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: 2021-166

26. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR

Approve adding a Capital Improvement Project for the Installation of a 24-Hour Library Kiosk at Sunnyside Park, Riverview Way at Hospital Road into the FY 2021-22 Recommended Capital Improvement Project schedule and approve accompanying budget adjustment for \$385,000.00 to the Capital Projects Fund from the Library Budget via Grants and reallocated existing funding (4/5 Vote Required).

SBC FILE NUMBER: 105.3

Supervisor Tiffany pulled this item for discussion.

Nora Conte, Librarian provided back ground information.

Michael Chambless provided background information on the project and location.

MOTION:

Motion to approve adding capital improvement project:

Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales , Hernandez, Kosmicki, Tiffany

27. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR

Adopt plans and specifications and authorize a bid solicitation of the upcoming FY 21-22 Capital Improvement Project, ADA Compliant Doors-Administration Building, PWB-2118, and authorize the advertising for bids. (4/5 vote required)
SBC FILE NUMBER: 105.3

28. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR

Accept proposals received for the Capital Improvement Project-Door Security and Electronic Key Access for the Elections Office/Registrar of Voters, PWB 2021-002; find Ojo Technology, Inc. as the lowest responsive, responsible bidder; award contract to Ojo Technology, Inc. in the amount of \$69,991.55; approve contract and authorize the RMA Director to execute it upon receipt of all required documents; authorize the RMA Director to issue change orders in the amount not to exceed \$6,999.10, per Public Contract Code 20142; and approve a Budget Adjustment/Transfer to clarify the correct funding source for this project is the General Fund. (4/5 Vote Required)
SBC FILE NUMBER: 105.3

Supervisor Kosmicki pulled this item for discussion and wanted clarification on the funding which will be coming from ARPA funds.

MOTION:

Motion to adopt plans and specifications:

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

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

29. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR

Approve the emergency purchase of an industrial 225 gallon water heater from Ferguson Enterprises, LLC. in the amount of \$41,381.33, to remediate a total loss of hot water at the Juvenile Hall Facility; find that the emergency repair of county equipment is required for the operation of the Juvenile Hall pursuant to San Benito County Code section 5.09.010(O), that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the emergency replacement is necessary to respond to the emergency, pursuant to Public Contracts Code 22050; waive the adoption of plans and specifications and compliance with competitive bidding requirements; and approve a Budget Adjustment/Transfer from the General Fund Unassigned Balance to the Capital Projects Fund. (4/5 vote required)
SBC FILE NUMBER: 105.3

Supervisor Kosmicki pulled this item for discussion.

Michael Chambless provided background information and stated a boiler needs to be replaced every ten years or so.

MOTION:

Motion to approve purchase of water heater:

Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

30. RESOURCE MANAGEMENT AGENCY – M. CHAMBLESS, INTERIM RMA DIRECTOR

Adopt plans and specifications and authorize a bid solicitation of the upcoming Capital Improvement Project PWB-2120, Jail Commercial Walk-In Freezer, authorize the advertisement for bids, and approve a Budget Adjustment/Transfer of \$146,016.00 from the Jail Facilities Impact Fund to the Capital Project Fund's Jail Commercial Walk-In Freezer CIP Project (4/5 Vote Required)
SBC File Number: 105.3

Supervisor Kosmicki pulled this item for discussion.

Gabriel Orozco, Budget officer provided background information on the funding for the project.

MOTION:

Motion to approve plans and specifications:

Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

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

Approve an amendment to the contract with Quincy Engineering, Inc. to perform additional services for the design of the Panoche Road Bridge over Tres Pinos Creek, for an additional amount not to exceed \$136,250.00, and approve a budget adjustment in the amount of \$136,250.00 from \$120,622.00 Caltrans Grant & \$15,628.00 Matching Funds to Road Construction Costs. The additional services include a change in scope for the CEQA document from an Initial Study/Mitigated Negative Declaration (IS/MND) document to a Focused Environmental Impact Report (EIR), and additional Project Management. (4/5 vote required)

SBC FILE NUMBER: 105

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

Approve an amendment to the contract with NV5 Inc. to perform additional services including general civil and transportation engineering, structural engineering, and bridge program management for an additional amount not to exceed \$290,000.00, and approve budget adjustment/transfer from Caltrans Reimbursement and RSTP Local Matching Funds to the Fixed Assets Roads Fund. (4/5 vote required)

SBC FILE NUMBER: 105

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

Accept all bids for the PWB-2101 County Drainage Improvements at Various Locations project, and find Granite Rock Company as the lowest responsive responsible bidder; award contract to Granite Rock Company in the amount of \$427,656.50; approve contract and authorize the RMA Director to execute the contract upon receipt of all contract documents required in the Invitation for Bids; authorize the RMA Director to issue change orders in an amount not to exceed \$33,882.82 (Contract Contingency Amount) for a total of \$461,539.32; and approve a budget adjustment/transfer providing additional capital budget for the County Roadway Drainage project from the Santa Ana Drainage Impact Fee Fund in the amount of \$361,539.32 (4/5 vote required).

SBC FILE NUMBER 105

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

Approve Vernazza Wolfe Associates Contract Amendment No. 4 to finish scope of work and services by the contractor to provide updated in-lieu fee estimates for rental and for-sale housing, assess financial feasibility of in-lieu fee, to prepare written reports, prepare and participate in public meetings, update affordable housing ordinance (previously completed), and develop affordable housing strategy; and approve Budget adjustment in the amount of \$26,620.00 for increased scope of work and insurance cost (4/5 vote required).

SBC FILE NUMBER: 790

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

Adopt Resolution to Authorize Integrated Waste Management (IWM) Staff to Submit a Cooperative Grant Application as a Non-Lead Participant with the Community Food Bank of San Benito as Lead Participant for a Edible Food Recovery Grant.

SBC FILE NUMBER: 142

RESOLUTION NO: 2021-168

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

Adopt resolution authorizing the formation of a community facilities district/JCFA with the California Statewide Communities Development Authority (CSCDA) to finance public improvements/developer impact fees associated with the planned San Juan Oaks Development.

SBC FILE NUMBER: 105.3

RESOLUTION NO: 2021-169

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

_ Adopt a modified Memorandum of Understanding between the Integrated Waste Management Regional Agency Members for the establishment of an Edible Food Recovery Program consistent with Senate Bill 1383.

SBC FILE NUMBER: 142

38. **SHERIFF'S DEPARTMENT - E. TAYLOR**

Approve Budget Adjustment of \$90,143.50 to the Sheriff's Budget, and approve the purchase of complete dispatch workstations from Vision Communications Co. and related equipment from Gates Air, Inc., for the relocated 911 alternate dispatch center at the Sheriff's Office, in an amount not to exceed \$90,143.50. (4/5 Vote Required)

SBC FILE NUMBER: 110

Supervisor Kosmicki pulled this item for discussion.

Gabriel Orozco, Budget Officer provided background information on the funding.

MOTION:

Motion to approve budget adjustment:

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

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

39. **TREASURER/TAX COLLECTOR/PA - M. CASILLAS**

Accept the report where each month the Treasurer's Office presents the Treasurer Portfolio activities report. This report contains an overview of the month's activities including any portfolio changes, the amount of departmental

deposits and amounts paid out of the Treasury, along with relevant economic issues affecting the portfolio. The report also summarizes the activities of the portfolio for the reporting month. This month's report is for September 2021. Chandler's Economic Report as of August 30, 2021 is included with this report.

SBC FILE NUMBER: 685.2

40. **TREASURER/TAX COLLECTOR/PA - M. CASILLAS**

Accept the monthly Treasurer Portfolio Activity Report is presented each month. The month of October 2021 is attached. The report contains detailed information regarding the activity of our operating and investments.

SBC FILE NUMBER: 685.2

41. **TREASURER/TAX COLLECTOR/PA- M. CASILLAS**

Adopt a resolution, delegating authority to the San Benito County Treasurer to invest and reinvest County funds and the funds of other depositors in the County Treasury, or to sell or exchange securities subject to the guidelines set forth in the County's Investment Policy.

SBC FILE NUMBER: 685.2

RESOLUTION NO: 2021-170

42. **(The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito Geologic Hazard Abatement District)**

a. Acknowledge Certificate of Posting.

b. Public Comment. Opportunity to address the Board on items of interest not on the agenda.

Meeting was called to order at 4:52 p.m by Director Bea Gonzales. Those present were Director Peter Hernandez, Betsy Dirks, Kollin Kosmicki, and Bob Tiffany.

There were no public comments.

MOTION:

Motion to approve certificate of posting: Made by **Supervisor Peter Hernandez** and seconded by **Supervisor Kollin Kosmicki**

5 - 0

For (5):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

Against (0):

SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)

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

Review presentation regarding the status of the San Benito Geologic Hazard Abatement District (GHAD).

Accept Petition for Annexation of Territory from The Promontory at Ridgemark development into the existing San Benito Geologic Hazard Abatement District (GHAD), and accept the draft Plan of Control for The Promontory at Ridgemark development dated December 3, 2021, and setting a hearing

within the year 2022 to allow for annexing The Promontory at Ridgemark Development into the San Benito GHAD.
RESOLUTION NO.: 2021-172

MOTION:

Motion to adjourn meeting at 5:28 p.m.: Made by **Supervisor Kollin Kosmicki** and seconded by **Supervisor Peter Hernandez**

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

Eric Harrell presented a PowerPoint on this item which included the overview, benefits of a GHAD, GHAD's in CA, annexation process, SB GHAD structure, the plan of control, proposed GHAD ownership and maintenance responsibilities, financing, long term GHAD financing, transfer process, GHAD Board duties, and next steps (Jan 25, 2022).

There was a discussion regarding the clarification of appointments, annexation, GHAD being exempt from CEQA and LAFCO. This item will be brought back on January 25, 2022 to consider formation.

There were no public comments.

MOTION:

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

5 - 0

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

The Board will adjourn as the Board of Directors of the San Benito County Financing Corporation and reconvene as the Board of Supervisors.

PUBLIC HEARING

44. ASSESSOR'S OFFICE - T. SLAVICH

(The public hearing will begin at 1:30 p.m. or soon thereafter as the matter may be heard by the Board of Supervisors).

Review Land Conservation Act Request for Compatible Use Determination (LCA Contract 75-16 - Replace old mobile home with new modular home for employee housing - Santa Anita Ranch Partners, LLC); Request for Division (LCA Contract 87-12 - DiFiore, ETAL, Syncline Ranch); Request for Division & Consolidation of (LCA Contracts 68-83, 78-41, 78-42, 78-43, 78-44, 78-45, 78-46, 78-47, 78-49, 87-10 & 88-17 - Frusetta, ETAL, San Benito Ranch); Request for Lot-Line Adjustment (LCA Contract 10-13 - PW Ranch Trust); and make determinations approving or denying each request.

SBC FILE NUMBER: 7

MOTION:

Motion to approve request with PW Ranch Trust: Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Betsy Dirks**

5 - 0

For (5): Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve request with Frusetta, ETAL, San Benito Ranch: Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

5 - 0

For (5): Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

MOTION:

Motion to approve request with DiFiore, ETAL, Syncline Ranch: Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor Kollin Kosmicki**

5 - 0

For (5): Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

Tom Slavich, Assessor provided background information for each of the four request and read each request into record.

There were no public comments for the four request.

MOTION:

Motion to approve request with Santa Anita Ranch Partners, LLC: Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

5 - 0

For (5): Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

CLOSED SESSION

Barbara Thompson, County Counsel read 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.)

45. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code section 54956.9, subds. (a) and (d)(1). Number of Cases:

Name of Case: County of San Benito v. Sunnyslope County Water District,
Superior Court of California, County of San Benito, Case No. CU-20-00068.

Name of Case: Western Resources Legal Center v. San Benito County,
Superior Court of California, County of San Benito, Case No. CU-21-00204

Name of Case: In Re: National Prescription Opiate Litigation MDL 2804,
United States Judicial Panel on Multidistrict Litigation, Case No. CAN/5:18-cv-02733

SBC FILE NUMBER: 235.6

Barbara Thompson, County Counsel reported out approval of Janssen and Distributor settlement agreements and authorized County Counsel to sign participation agreements with a 5/0 vote.

FUTURE AGENDA ITEMS

Supervisor Dirks would like to bring forward the Women's International Bill of Right's initiative at a future Board meeting for discussion in February of 2022.

Chair Gonzales brought up the discussion of having future agenda items on a Charter County, Affordable Housing, and Ad Hoc update on COVID-19.

Supervisor Tiffany would like the Board to receive a presentation from the High School that was presented at the Intergovernmental Committee meeting regarding a second High School and a Gavilan College update.

Supervisor Tiffany would like a presentation on PACE financing program to be brought to the Board for discussion, Chair Gonzales second this item to be brought forward for discussion at a future Board meeting.

Supervisor Kosmicki requested a update on the Betabel project, Chair Gonzales second this item to be brought forward for discussion at a future Board meeting.

Supervisor Hernandez requested a presentation on a Charter County.

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

ADJOURNMENT

Adjourn to the next regular meeting of January 25, 2022.

MOTION:

Motion to adjourn meeting at 4:51 p.m.: Made by **Supervisor Peter Hernandez** and seconded by **Vice-Chair Bob Tiffany**

5 - 0

For (5):

Against (0):

Ayes: Dirks, 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/. 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.

<p><i>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.</i></p>
