



## 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 November 23, 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 9:18 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 Bob Tiffany, District #4.**

The Pledge of Allegiance was led by Supervisor Bob Tiffany, district #4.

- 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: 993 9328 1338**

**Webinar Password: 939672**

- 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 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**

There were none.

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

Michael Chambless, Interim RMA Director announced that on December 10th, 2021 will be the Hospital Road Bridge opening with December 11, 2021 being the first day with traffic. He stated the State approved ER disaster of last years storm and will have more information on the Board meeting of December 14, 2021.

Dulce Alonso, Senior Management Analyst announced the County has applied for a micro business grant of \$80,000.00 to support micro businesses.

David Westrick, PIO presented a video by HHSA on social media that talks about being vaccinated.

Sylvia Jacquez from HHSA spoke on California Housing and the upcoming developments. The migrant center will be awarded 2.3 million dollars to go towards the migrant camp infrastructure.

**f. Board Announcements: Information Only**

Supervisor Kosmicki wished everyone a Happy Thanksgiving. He encouraged individuals 18 and over to get the vaccine booster on MyTurn and thanked Luis Valdez for the vaccine video and the outreach that has been done. He attended the Lulac Veteran's Day breakfast, meet with Shawn Tennenbaum from the high school and spoke on future improvements on the campus, attended the celebration of the migrant camp grant award, and reminded everyone of the lights on celebration that will take place on Saturday in downtown Hollister with San Juan Bautista holiday lights parade being December 4, 2021. He listened in on the Monterey Board of Supervisor's meeting where they discussed Monterey and San Benito County joint 5 year plan to end homelessness. State the Congressional redistricting places San Benito County in Silicon Valley and urges the State not to. He lastly spoke on the violence that took place with the Solano family and would like to end the meeting in a moment of silence for the Solano family.

Supervisor Tiffany encouraged individuals 18 and over to get the vaccine booster on MyTurn and stated the \$200 incentive is still available. He attended the Veterans Day breakfast by Lulac and spoke on the issue of the Congressional redistricting draft map placing San Benito County in the south San Jose district.

Supervisor Dirks attended the Veterans Day breakfast by Lulac, the VFW ceremony, the migrant housing center celebration of the grant they received, and attended the annual Turkey Trot event at

Spring Groove School. She spoke on the Congressional redistricting and that it is a concern for San Benito County and Monterey County. She wished everyone a Happy Thanksgiving and encouraged others to attend the lights on celebration on Saturday. She sent her condolences to the Solano family.

Supervisor Hernandez wished everyone a happy Thanksgiving. He spoke on the Congressional redistricting and offered information of [wedrawtheline.org](http://wedrawtheline.org) to be able to speak on the issue stating that San Benito County is very rural and has a lot of farm workers which is a different element than Santa Clara County. He stated that there will be a prayer at 6 pm at the Hollister Police Department for the Solano family and would like to have a moment of silence.

Chair Gonzales wished everyone a Happy Thanksgiving.

**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 six public comments from Elia, Belen, Evangelina, Maria, Josefina, and Robin.

**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) Hold a Public Hearing and introduce and waive the First Reading of the Countywide Edible Food Recovery Ordinance and direct staff to place the Ordinance on the consent calendar for adoption at the January 25, 2021 meeting for the establishment of an Edible Food Recovery Program consistent with Senate Bill 1383. Adopt a 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 ORDINANCE NO: 1038**

**MOTION:**

Motion to approve  
MOU:

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

**4 - 1**

For (4):

Against (1):

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

Celina Stotler, IWM Manager offered background information on the edible food program and presented a PowerPoint presentation on the agenda, organics legislative update on edible food recovery program, senate bill 1383, rural exemptions, jurisdiction requirements, commercial food generations, Ordinance requirements, food recovery organizations and services, summary of SB 1383 edible recovery requirements, key dates, County capacity planning, MOU responsibility's, and

other SB 1383 requirements.

There was one public comment from Elia.

There was a discussion between the Board of Supervisor's and County staff regarding the State implementing but not paying, non mandates, the cost associated with businesses, potential food poisoning, options to limit cost, and company's that are donating food to food banks already.

MOTION:

Motion to waive first reading of Ordinance: Made by **Supervisor Kollin Kosmicki** and seconded by **Vice-Chair Bob Tiffany**

4 - 1

For (4):

Against (1):

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

2. **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) Public Hearing to review and adopt district boundaries of Supervisorial Districts.**  
**SBC FILE NUMBER: 160**  
**ORDINANCE NO: 1039**  
**RESOLUTION: 2021-147**

Joe Paul Gonzales introduced the 4th public hearing for the district boundaries of Supervisorial Districts. He stated at the last public hearing the Board reviewed maps for consideration and new additional maps are available for review at today's public hearing. He presented three compliant maps and announced to the Board that they can adopt a map or come back to the December 14th Board meeting for adoption which will be the last day the Board can adopt a map. He also explained if the Board does not adopt a map by December 14th the Court can adopt the map for them.

Dr. Jeff Tilton from NDC presented a PowerPoint presentation which included the redistricting process, redistricting rules/goals, 2020 census, neighborhoods/communities of interest and their maps, non complaint maps, public maps, Board advanced maps, alternative maps, alternative maps non complainant, staff draft alternative, and public hearing /action.

Joel Ellinwood, Assistant County Counsel presented on Constitutional and Federal voting rights act considerations.

There were three public comments from Elia, Richard, and Darveen. One public comment was read into record which was from Jose.

Francisco Diaz spoke on the community outreach and workshops that were offered to the public for their input.

There was a discussion between the Board of Supervisor's and County staff regarding having a special meeting before December 14th, San Juan Oaks being in one district, December 14th deadline being a concern, the disappointment of past maps not being complainant.

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

Receive presentation from VICO Infrastructure Company on a conceptual proposal for SB 1383 compliance and enter into a Project Development Agreement (PDA) with VICO.  
SBC FILE NUMBER: 142

Samuel Kramer, Vice-president of VICO Infrastructure Company presented a PowerPoint presentation on a proposal for SB 383 compliance which included an overview, goals and objectives, current waste flows, phase 1 waste transfer station, phase 2 advanced waste processing facilities, phase 1 schedule transfer station two year schedule, project development agreement summary, and team overview.

There were three public comments from Elia, Valerie, and John.

There was a discussion between the Board of Supervisors and County staff regarding revenue, truck traffic going to the landfill, roads, being complainant with SB 383, and the cost of the phases. The Board would like to slow down the process and see other alternatives and go out for RFP's for this project.

At the January Board meeting there will be a status report on the landfill process.

MOTION:

*Motion to reject the Project Development Agreement with VICO and give staff direction to come back with other alternatives:*

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

**4 - 1**

*For (4):*

*Against (1):*

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

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

Adopt Resolution to approve Master Tax Agreement for commercial and industrial annexation with the City of Hollister

SBC FILE NUMBER: 119

RESOLUTION: 2021-159

Dulce Alonso, Senior Management Analyst offered background information on the Master Tax Share Agreement and that the Board requested this item to be brought back to this meeting from the November 9, 2021 Board meeting. She stated the the Hollister City Counsel approved this item at their meeting, with the deal being at 70% with the City and 30% with the County.

There was one public comment from Elia.

There was a discussion between the Board of Supervisor's and County staff regarding the term of

the agreement and the City and County working together.

The ad hoc with Supervisor Tiffany and Kosmicki spoke on this item reporting that the County needs to move forward with the Master Tax Share Agreement because they have not had an agreement in a long time. They also reported that it took a long time to come to a deal and they feel its a good deal.

MOTION:

Motion to approve agreement with an amendment of a 15 year term:

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

3 - 2

For (3):

Against (2):

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

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

Receive presentation of the RMA end of the year status presentation.  
SBC FILE NUMBER: 790

Michael Chambless, Interim RMA Director presented a PowerPoint presentation on the end of the year status which included administration division, planning/building/code enforcement/building permits, public works, (engineering/Roads/capital projects), Integrated Waste Management, County Service areas, housing, and parks.

There were no public comments.

There was a discussion between the Board of Supervisor's and County staff on Roads and projects. This item will come back at the December 14, 2021 Board meeting for further discussion.

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

Receive informational presentation by Environmental Health on unpermitted Food Vendors (UFV).  
SBC FILE NUMBER: 130

John Hodges, from Environmental Health presented a PowerPoint presentation on unpermitted food vendors which included health permit, unpermitted food vending (UFV), what we encounter, no hand wash sink, investigate complaint of UFV, unpermitted vendor's options, and become legally permitted.

There was a discussion between the Board of Supervisor's and County staff regarding the cost of a permit, where vendors can locate themselves, prepacked and unpackaged food, programs for nonprofits, and fines/citations.

There was one public comment from Elia.

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

Discussion on Construction Phasing determination for the Riverview Regional Park and provide staff direction.  
SBC FILE NUMBER: 93

Michael Chambless, Interim RMA Director discussed construction phasing for the Riverview

Regional Park with a total amount of \$3,500,000.00 available to spend. He presented a PowerPoint presentation which included the features that can be included in the park with the price. He also announced that the public was involved and got input from around 400 people from the community.

There were two public comments from Robin and Valerie.

There was a discussion between the Board of Supervisor's and County staff regarding the Riverview Regional Park and involving the community with their input. Each Supervisor went through the list of features and expressed what feature they would like to be seen in the park. In the first phase of construction the softball field, bathrooms, open lawn area, and RC car facility will be removed from the list with the following staying on.

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

Approve (1) appropriation from non-departmental fund totaling \$50,000, for (2) MOU with the Chamber of Commerce Foundation in the amount of \$35,750.00, (3) delegation of authority to execute contract with Cal-Coastal SBDC for \$5,000.00, and (4) various organizational memberships fees totaling \$9,250.00 all promoting local economy to add to the existing Economic Development Division of \$100,000 for Economic Development Corporation MOU for FY 21/22.  
SBC FILE NUMBER: 865

Dulce Alonso, Senior Management Analyst presented a PowerPoint presentation which included annual investment \$150,000.00 Chamber of Commerce Foundation, Cal Coastal Business Development Center (SBDC), memberships, and Board consideration.

There were no public comments.

There was a discussion between the Board of Supervisor's and County staff regarding tourism, memberships and their purpose, and contract terms.

Eduardo Navarro from the Chamber of Commerce Foundation spoke and clarified the Foundation.

**MOTION:**

Motion to approve appropriation totaling of \$50,000.00:

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

**4 - 1**

For (4):

Against (1):

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

**MOTION:**

Motion to approve membership fees totaling \$9,250.00:

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

**3 - 2**

For (3):

Against (2):

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

**MOTION:**

Motion to approve agreement with Cal Coastal SBDC for \$5,000.00:

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

**4 - 1**

For (4):

Against (1):

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

MOTION:

Motion to approve MOU Agreement with the San Benito County Chamber of Commerce with a modification for a 1 year term in the amount of \$35,750.00:

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

**4 - 1**

For (4):

Against (1):

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

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

Approve to designate General Fund Unallocated Fund Balance in the amount of \$250,000.00 for the Ag Commissioner Future Building Concerns as Outlined in a CIP Project submitted during the FY 2021-2022 Budget.  
SBC FILE NUMBER: 1.1

Karen Overstreet, Agricultural Commissioner presented a PowerPoint presentation which included food ag. code (FAC) section 224.5 criteria, revenues/vs expenses, proposed future CIP project, and recommendation. She explained that the funding will go towards the ag commissioner building that is in need of remodeling work.

There was one public comment from Elia.

There was a discussion between the Board of Supervisor's and County staff regarding funding. Gabriel Orozco, Budget Officer offered background information on the funding.

MOTION:

Motion to approve \$218,000.00 to the ag commissioner building concerns:

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

**5 - 0**

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

**10. BOARD OF SUPERVISOR'S**

Receive update and reports from members of the Board of Supervisors regarding Committee assignments and Ad Hoc Committees.  
SBC FILE NUMBER: 156

Supervisor Kosmicki reported on the Library ad hoc and the possibility of getting a kiosk through a grant, meet with the Landfill Committee meeting, and addressed the concern of litter and illegal dumping with in the County stating that Waste Solutions has committed to send out crews for clean up with in the County.

Supervisor Tiffany reported he meet with the EDC, ARPA, and the Landfill ad hoc, spoke on the

Library ad hoc and its kiosk, attended the Behavioral Health Board meeting, COG, and AMBAG, and will be attending CSAC's annual meeting next week in Monterey, CA.

Supervisor Hernandez reported he attended the COG meeting.

Supervisor Dirks had no reports, but reported out she has an open vacancy in her district for the Community Action Board.

Chair Gonzales had no reports, but reported out she has an open vacancy in her district for Parks and Recreation and the Community Action Board.

## **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 was one public comment from Elia.

Supervisor Kosmicki pulled items # 26 and 27.

Chair Gonzales pulled items # 11, 12, 16, and 22.

Supervisor's Dirks, Tiffany, and Hernandez did not pull any items from consent agenda.

### **MOTION:**

Motion to approve consent agenda except for items 11, 12, 16, 22, 26, and 27:

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

**5 - 0**

For (5):

Against (0):

Ayes: Dirks, Gonzales, Hernandez, Kosmicki, Tiffany

### **11. COUNTY ADMINISTRATION OFFICE – R. ESPINOSA**

Adopt proposed resolution authorizing teleconferencing options for meetings of the Board of Supervisors for the period of November 23, 2021 through December 23, 2021, pursuant to AB 361.

SBC FILE NUMBER: 119

RESOLUTION NO: 2021-148

Chair Gonzales pulled this item for discussion regarding questions AB 361 and Board member's not attending the meeting in person.

Joel Ellinwood, Assistant County Counsel reported he will bring back an answer.

The Board of Supervisors discussed Board member's attending meetings in person or via zoom.

MOTION:

Motion to adopt  
Resolution:

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

**5 - 0**

For (5):

Against (0):

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

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

Approve the amount of \$106.09 to purchase a 9x12 plaque with gavel and County seal for the outgoing Board of Supervisor Chair for the year of 2021.  
SBC FILE NUMBER: 119

Chair Gonzales pulled this item for discussion and brought up the discussion of how she would like to continue to be the Chair for the year of 2022.

There was a discussion with the Board of Supervisor's of the history of the Chair changing year to year.

Ray Espinosa, CAO gave background information of the changing of the Chair.

MOTION:

Motion to approve the purchase  
of a plaque:

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

**4 - 1**

For (4):

Against (1):

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

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

Adopt Resolution accepting the certified Statement of Election Results for the November 02, 2021 Special Municipal Election, Council Member District 3.  
SBC FILE NUMBER: 285  
RESOLUTION NO: 2021-149

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

Adopt Resolution accepting the 2022 Community Services Block Grant (CSBG) and approving Standard Agreement #22F-5034 in the amount of \$275,298.00, and authorizing the Director or Deputy Director to execute agreement.  
SBC FILE NUMBER: 130  
RESOLUTION NO.: 2021-150

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

Approve the License Agreement between the County of San Benito and the Department of Housing and Community Development authorizing the limited use of the San Benito County Migrant Center as a Family Winter Shelter Program during the period of December 13, 2021 through March 16, 2022.  
SBC FILE NUMBER: 130

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

Approve the appointment of Mr. Scott Reese to the Workforce Development Board (WDB) as a Public Sector representative for a three-year term effective October 12, 2021 through October, 12 2024.

SBC FILE NUMBER: 130

Chair Gonzales pulled this item for discussion.

Sylvia Jacquez offered background information on the Workforce Development Board stating that the applicant doesn't have to reside in San Benito County.

MOTION:

Motion to approve  
application:

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

**4 - 1**

For (4):

Against (1):

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

17. **HUMAN RESOURCES - E. NOLASCO**

Adopt Resolution, approving side letter with the County of San Benito and Institutions Association (SBCIA) modifying Article 8, Compensation of the SBCIA MOU; Authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action; Authorize the County Administrative Officer and/or his/her designee to make any technical edits as later identified.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-151

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

Adopt a Resolution approving the wages, hours benefits and other terms and conditions of employment for the County's specified Unrepresented employees (Confidential, Confidential Management and Unrepresented); Authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action; Authorize the County Administrative Officer and/or his/her designee to make any technical edits as later identified.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-152

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

Adopt a resolution approving the wages, hours benefits and other terms and conditions of employment for the County's Elected Department Heads; Authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose of intent of this Action; Authorize the County Administrative Officer and/or his/her designee to make any technical edits as later identified.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-153

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

Adopt a resolution approving the wages, hours benefits and other terms and conditions of employment for the County's Appointed Department Heads; Authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose of intent of this Action; Authorize the County Administrative Officer and/or his/her designee to make any technical edits as later identified.

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-154

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

Adopt a resolution approving the new collective bargaining agreement between the County of San Benito and Management Employees Group (MEG).

SBC FILE NUMBER: 630

RESOLUTION NO: 2021-155

22. **HUMAN RESOURCES- E. NOLASCO**

Receive the 2021 San Benito County Holiday Closure Schedule for all Departments; adopt a Resolution of the San Benito County Board of Supervisors authorizing the hours of operation during December 2021 for holiday closure period; Exhibit "A" provides the 2021 Holiday closure schedule for all the County departments.

SBC FILE NUMBER: 630

RESOLUTION: 2021-156

Chair Gonzales pulled this item for discussion with regards of how the County will inform the public of holiday closures.

Edgar Nolasco, Deputy CAO announced office hours will be on voicemails, on social media, and leaving signs on County office doors.

MOTION:

Motion to approve holiday  
office closure:

Made by Chair Bea Gonzales and seconded by Supervisor  
Kollin Kosmicki

**5 - 0**

For (5):

Against (0):

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

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

Authorize the appropriation of the Community Corrections Partnership (CCP) AB 109 Funding as agreed and voted upon by the San Benito County Community Corrections Partnership Executive Committee (CCP-EX); approve budget adjustment/transfer in the amount of \$15,250.00. (4/5 Vote Required.)

SBC FILE NUMBER: 510

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

Approve the SB 823 Department of Juvenile Justice (DJJ) Realignment funding budget Adjustment/Transfer in the amount of \$250,000.00. (4/5 Vote

Required.)  
SBC FILE NUMBER: 510

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

Approve an amendment to the contract with Biggs Cardosa Associates, Inc. to perform additional services for the design of the Rosa Morada Road Bridge Replacement project at Arroyo Dos Picachos, for an additional amount not to exceed \$231,050.00, and approve a budget adjustment in the amount of \$231,050.00 from Caltrans REIMB Grant & RSTP Matching Funds to Road Construction Costs. The scope of services includes additional utilities coordination and associated construction document work, coordination and construction document work pertaining to environmental permitting and mitigation planting, and construction support services. (4/5 vote required)  
SBC FILE NUMBER: 105

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

Approve EMC Planning Group EIR Contract Amendment No. 3. for Ridgemark Master Plan PLN170008 to add services by the contractor and its subcontractors to provide updated analysis related to project changes, including 38 affordable housing units, a changed intersection, and clarification to the project's commercial component.  
SBC FILE NUMBER: 790

Supervisor Kosmicki pulled this item for discussion.

Michael Kelly, from RMA provided background information on affordable housing with the project including 38 units.

MOTION:

Motion to approve  
agreement:

Made by **Supervisor Kollin Kosmicki** 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**

Approve a conservation easement deed as satisfaction of an environmental mitigation condition of approval following Planning Commission approval of County Planning file PLN190063, the Zink 3030 Lemmon Court minor subdivision/tentative parcel map.  
SBC FILE NUMBER: 790

Supervisor Kosmicki pulled this item for discussion.

Michael Kelly from RMA offered background information on the minor subdivision.

MOTION:

Motion to approve easement Made by **Vice-Chair Bob Tiffany** and seconded by **Supervisor**

deed:

Betsy Dirks

**4 - 1**

For (4):

Against (1):

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

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

Approve change order authorization for RMA Director in the amount of \$125,978.56 or approximately 2.1% of the contract total for the construction of the new Behavioral Health Center pre-engineered building. (4/5 Vote required)  
SBC FILE NUMBER: 105.3

**29. 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: 2021-158

**CLOSED SESSION**

Joel Ellinwood, Assistant 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.)*

**30. CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Government Code section 54956.9, subds. (a) and (d)(1). Number of Cases: 2

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

SBC FILE NUMBER: 235.6

There was no reportable action.

31. **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

There was no reportable action.

**FUTURE AGENDA ITEMS**

Ray Espinosa, CAO announced items that will be on the December 14, 2021 agenda which will include a training on the Brown Act, Charter County vs General law, Chair and Vice-Chair for 2022, Redistricting, RFP plan for Behavioral Health, and the timeline for janitorial services in house.

Supervisor Tiffany spoke on RMA bringing the cannabis item with taxing and local background check. This item will also be brought at Decembers Board meeting.

Supervisor Hernandez would like to discuss the possibility of using ARPA funding for sewer infrastructure, Chair Gonzales second this item to be brought 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 December 14, 2021.**

MOTION:

Motion to adjourn meeting at 6:03 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*

**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.*

