



## SAN BENITO COUNTY VETERANS MEMORIAL PARK COMMISSION

Maria Spandri

Peter Hernandez

Robert Duffy

Paul St. John

Betsy Dirks

Hollister VFW

Board of Supervisors

American Legion

San Juan Bautista VFW

Board of Supervisors

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San Benito County Board Chambers – 481 4<sup>th</sup> Street, Hollister, CA 95023

**REGULAR MEETING**  
**Monday, April 4, 2022**  
**7:00 PM**

**ZOOM WEBINAR ID: 828 6505 0645**  
**PASSWORD: 255688**

Members of the Veterans Memorial Park Commission 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 may attend the commission meeting in person and follow the State guidelines. If an attendee is not fully vaccinated it is highly recommended that an attendee wears a face covering or face shield. All attendees must comply with any other rules of procedures/instructions announced by the Commissioners and/or County Staff. 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:**

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.

Zoom on Web-browser:

Veterans Memorial Park Commission  
Resource Management Agency  
Phone: (831) 636-4170 – Fax: (831) 636-4176  
2301 Technology Parkway, Hollister, CA 95023  
[www.cosb.us](http://www.cosb.us)

- a. If joining through web-browser, launch the address <https://zoom.us/join> or open the direct link listed below: <https://zoom.us> 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.

#### 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.

#### Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM prior to the meeting to the Clerk at [Jfrechette@cosb.us](mailto:Jfrechette@cosb.us).

#### Public Comment Guidelines

- a. The Commission 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 three (3) 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.

If you have any questions, please contact the Clerk at (831) 636-4000, Ext. 13 or email [JFrechette@cosb.us](mailto:JFrechette@cosb.us)

#### **AGENDA**

##### **1. Call to Order:**

- a. Pledge of Allegiance
- b. Roll Call
- c. Acknowledge Certificate of Posting

##### **2. Public Comment:** *This is an opportunity for the public to address the commission on items of interest not appearing on the agenda or not scheduled for public hearing. No action may be taken unless provided for by GC 56954.2. Each speaker is limited to five minutes.*

##### **3. Consent Agenda:**

- a. Approval of Minutes of the November 1, 2021 special meeting.

- b. Approve PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt proposed resolution authorizing teleconferencing options for meetings of the Committee for the period of April 4, 2022, through May 4, 2022, pursuant to AB 361.

**4. Elections:**

- a. Nomination for Chair.
- b. Nomination for Vice-Chair.

**5. Commission Announcements – Information only.**

**6. Discussion/Action Items:**

- A. Discuss changing the regular standing meeting time to 5:00 p.m. or other time and provide staff direction.
- B. Receive update from each of the sports league and the City of Hollister to include but not limited to Babe Ruth, Hollister Heat, Hollister Little League, Tremors, and the City of Hollister and provide direction if desired.
- C. Receive an informational presentation on Paint care recycling event for include paint collection, battery collection and delegate authority to staff to approve License Agreement for the use of Veterans Memorial Park as a site to facilitate a recycling event. on October 1, 2022 and delegate authority to staff to make future minor changes to this agreement with County Counsel approval if required.
- D. Delegate authority to the CAO, or his/her designee, to execute license agreement with The City of Hollister for the 2022 4<sup>th</sup> of July fire Works Show on dates of July 4, 2022, to facilitate events at the Veteran's Memorial field with County Counsel approval and delegate authority to CAO to approve any changes to the contract or any changes in dates as necessary.
- E. Discus Capital improvement projects and plans for Vets Park to include but not limited to parking lot: re-stripes and directional control signage and restrooms.
- F. Receive informational update on Parks budget from Budget officer.
- G. FUTURE AGENDA ITEMS., No discussion of these items shall occur, but the Committee may direct any of the reports to be agendized for a future meeting.

**7. Adjournment.**



# SAN BENITO COUNTY VETERANS MEMORIAL PARK COMMISSION

Maria Spandri

Peter Hernandez

Robert Duffy

Paul St. John

Kollin Kosmicki

Hollister VFW

Board of Supervisors

American Legion

San Juan Bautista VFW

Board of Supervisors

San Benito County Board Chambers – 481 4<sup>th</sup> Street, Hollister, CA 95023

**SPECIAL MEETING**  
**Monday, November 1, 2021**  
**5:00 PM**

## MEETING MINUTES

**1. Call to Order – The meeting was called to order at 5:02 p.m. by Commissioner Spandri.**

- a. Pledge of Allegiance was led by Commissioner Duffy.
- b. Roll Call – Commissioners Spandri, Duffy, St. John, and Kosmicki were present; commissioner Hernandez was absent.
- c. Acknowledge Certificate of Posting.

*Commissioner Kosmicki made a motion to approve Certificate of Posting, seconded by Commissioner Duffy. (4/0 vote)*

### **Public Comment**

No public comment.

**2. Consent Agenda**

- a. Approval of Minutes of the October 4, 2021 special meeting.

*Motion by Commissioner Kosmicki to approve the minutes as presented. Seconded by Commissioner St. John. (4/0 vote)*

**3. Discussion/Action Items:**

**A. PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt proposed resolution authorizing teleconferencing options for meetings of the**

Veterans Memorial Park Commission  
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**Commission for the period of November 1, 2021, through November 30, 2021, pursuant to AB 361.**

Commissioner Spandri briefly explained the reason for this resolution.

*Commissioner Duffy made a motion to the proposed Resolution pursuant to AB 361, seconded by Commissioner St. John. (4/0 vote)*

- B. Delegate Authority to CAO, or his/her designee, to execute a license agreement with Boy Scouts of America, 501(c)(3), (Troops 436 and 428) for 2022 Christmas tree collection fundraiser event dates of January 3, 2022; January 9, 2022; and January 10, 2022 to facilitate events at Veteran's Memorial Park Parking lot, subject to County Counsel approval.**

Senior Management Analyst Dulce Alonso gave a background for the license agreement with Boy Scouts of America. The dates on the agenda were incorrect, the correct dates were to be January 2, 2022, January 8, 2022, and January 9, 2022. Ms. Alonso spoke with Little League, Tremors, and Babe Ruth to make sure the dates did not interfere with their events. Ms. Alonso was waiting to hear back from Tina Garza, but she did not expect there to be a problem with the dates.

David Mirrione, parent committee member with Scouts BSA Troop 436 gave more information regarding the annual Christmas Tree drive.

Public Comment: Mary Dam

Commissioner Spandri thanked Mr. Mirrione for coming out, providing the information, and for providing this event.

Commissioner Duffy asked how the public was notified about the event and asked how people could make donations.

Mr. Mirrione informed the commission that the public was notified through social media, banners at various intersections, flyers, and advertisements at Bourdets Tree Farm. The flyers that are being distributed to give information on how to give donations.

*Commissioner Duffy made a motion to approve the license agreement with Boy Scout of America, 504(c)(3), (Troops 436 and 428) for the 2022 Christmas tree collection fundraiser, seconded by Commissioner St. John. (4/0 vote)*

**4. Adjournment:**

***Motion made by Commissioner Kosmicki and seconded by Commissioner Duffy to adjourn the meeting; Meeting adjourned at 5:18 p.m. (4/0 vote)***

**BEFORE THE SAN BENITO COUNTY VETERANS MEMORIAL PARK  
COMMISSION, COUNTY OF SAN BENITO**

**RESOLUTION NO. 2022-02**

**RESOLUTION OF THE SAN BENITO COUNTY VETERANS MEMORIAL PARK  
COMMISSION AUTHORIZING CONTINUED REMOTE  
TELECONFERENCE MEETINGS**

**WHEREAS**, the County of San Benito and the is committed to preserving and nurturing public access and participation in meetings of the Board of Supervisors and Committee meetings, subject to the Ralph M. Brown Act (“Brown Act”); and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

**WHEREAS**, the proclaimed state of emergency remains in effect; and,

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and,

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

**WHEREAS**, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

**WHEREAS**, the Board of Supervisors is empowered by Article XI, section 7 of the California

Constitution to take actions necessary to protect public, health, welfare, and safety within the unincorporated areas of the County; and,

**WHEREAS**, the County has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the County's various legislative bodies subject to the Brown Act; and,

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Benito County Board of Supervisors deemed it necessary to find that a *requirement* to meet in person for meetings of all County of San Benito related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees, and thus, intends to invoke the provisions of AB 361 related to teleconferencing; and,

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Benito County the **Veterans Memorial Park Commission** finds:

- a) That it has reconsidered the circumstances of the current state of emergency; and
- b) That a *requirement* to meet in person for meetings of all County of San Benito related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees;
- c) That it intends to invoke the provisions of AB 361 related to teleconferencing; and,

**WHEREAS**, on September 30, 2021, Dr. Ghilarducci, Interim San Benito County Public Health Officer, issued a recommendation on Social Distancing, attached hereto as Exhibit "A", and incorporated herein by this reference; and,

**WHEREAS**, on March 22, 2022, the Board of Supervisors of San Benito County adopted a resolution authorizing teleconferencing meetings pursuant to AB 361; and

**WHEREAS**, the Board of Supervisors' adopted resolution applies to all legislative bodies of the County, thus allowing all bodies to utilize the provisions of AB 361; and,

**WHEREAS**, the **Veterans Memorial Park Commission** is presented by this resolution for the opportunity to determine whether AB 361 should be specifically applied to **Veterans Memorial Park Commission** meetings;

**WHEREAS**, the San Benito County **Veterans Memorial Park Commission** has considered all information related to this matter, as presented at the public meetings of the **Veterans Memorial Park Commission** identified herein and at the Board of Supervisors, including any supporting reports by County Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, which continues to remain in active.

**WHEREAS**, the San Benito County **Veterans Memorial Park Commission** further finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.

**NOW, THEREFORE, BE IT RESOLVED**, by the San Benito County Veterans Memorial Park Commission as follows:

1. The San Benito County **Veterans Memorial Park Commission** finds that the facts set forth in the recitals to this Resolution are true and correct;
2. The above findings and this resolution apply to all San Benito County **Veterans Memorial Park Commission** meetings;
3. As long as the State Emergency remains in effect or until directed otherwise by the Committee, staff shall present to the **commission** at every meeting an item necessary to continue the findings required by AB 361;
4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Commission adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Veterans Memorial Park Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953; and,
5. The County Administrative Officer and County Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**PASSED AND ADOPTED** by the San Benito County Veterans Memorial Park Commission, County of San Benito, State of California on this 4<sup>th</sup> day of April 2022, by the following vote:

AYES: Commissioners  
NOES: Commissioners  
ABSTAINING: Commissioners  
ABSENT: Commissioners

By \_\_\_\_\_  
\_\_\_\_\_, Chair  
San Benito County

ATTEST:  
Jennifer Frechette, Clerk of the Board

APPROVED AS TO LEGAL FORM:  
Barbara J. Thompson, County Counsel

By: \_\_\_\_\_

By: \_\_\_\_\_  
County Counsel

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## EXHIBIT "A"



### SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

DAVID GHILARDUCCI, MD, FACEP  
INTERIM HEALTH OFFICER

TRACEY BELTON  
AGENCY DIRECTOR

PUBLIC HEALTH SERVICES  
Healthy People in Healthy Communities

September 30, 2021

CAO Ray Espinosa  
San Benito County Administration

#### Re: Recommendation on Social Distancing and Hybrid Meetings

Given the considerable impact on our community from the COVID-19 virus and the Delta variant, I strongly recommend that all legislative bodies, including but not limited to the County, cities, and special districts, local commissions and committees, and subsidiary bodies, continue social distancing measures for public meetings, including offering, at the legislative body's discretion, a remote or hybrid format for public meetings. Social distancing and masking remain crucial strategies in our fight to prevent contagion. Conducting public meetings in a remote or hybrid manner allows for members of the community to participate from the comfort of their homes without having to risk contracting the virus by attending in-person meetings.

These measures serve to help contain the spread of the disease and protect the community. All events public gatherings, including public meetings, create environments where a virus can potentially spread among attendees and participants. However, when combined with social distancing and masking policies, and the continued effort to increase vaccination within San Benito County, a remote or hybrid format for meetings maximizes avenues for public access and input and minimizes the risk of contagion for not only the public, but for agency staff, presenters, and legislative body members as well.

If you have any questions regarding this recommendation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "David Ghilarducci MD".

David Ghilarducci MD  
Interim Health Officer

PUBLIC HEALTH SERVICES  
300 Tres Pinos Road, Suite A-202  
Hollister CA 95023  
831-637-2367

ENVIRONMENTAL HEALTH  
300 Tres Pinos Road, Suite C-2  
Hollister CA 95023  
831-636-4059

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765 South Street  
Hollister CA 95023  
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08/23/21