



# 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

**SPECIAL MEETING**  
**Monday, May 2, 2022**  
**5:00 PM**

**ZOOM WEBINAR ID:854 4411 0783**  
**PASSWORD: 900523**

Pursuant to California Governor Gavin Newsom’s AB 361, relating to the convening of public meetings in response to the COVID-19 pandemic, members of the Commission are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

THIS MEETING WILL BE OPEN TO THE PUBLIC UNDER THE FOLLOWING CONDITIONS: 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 meeting; All attendees must comply with any other rules of procedures/instructions announced by the Chair and/or County Staff. Any violations of the above may result in the Chair closing the meeting, effective immediately, or clearing the room, as well as other enforcement actions. The meeting will be available through Zoom for those who wish to join or require accommodations with the instructions below:

The meeting can also be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and other methods as described further below with the ID and Password stated at the top of the agenda:

#### 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

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)

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:

- 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. **Consent Agenda:**

- a. Approval of Minutes of the April 4th, 2022, regular meeting.
  
- b. Approve PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt proposed resolution authorizing teleconferencing options for meetings of the Committee for the period of May 2, 2022, through June 2, 2022, pursuant to AB 361.

### 3. **Discussion/Action Items:**

- A. Receive top five project priorities for the Veterans Memorial Park and provide staff direction if desired.
  
- 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 staff direction if desired.
  
- C. Discus Food Vendor agreement process and if desired provide staff direction.
  
- D. 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.**

The next regular meeting will be on July 4, 2022, at 5 p.m.

**SAN BENITO COUNTY  
VETERANS' MEMORIAL  
PARK COMMISSION  
CERTIFICATE OF POSTING**

**Pursuant to Government Code Section #59454.2(a), the agenda for the San Benito County Veterans' Memorial Park Commission Special Meeting of May 2, 2022, was posted on the 28<sup>th</sup> day of April, 2022 at the following locations, freely accessible to the public:**

**On the County website COSB.US under events and commissions**

**and**

**The bulletin board outside the front entrance of the San Benito County Administration Building, 481 Fourth Street, Hollister, CA**

**I, Jennifer Frechette, certify under penalty of perjury, that the foregoing is true and correct.**



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**JENNIFER FRECHETTE, CLERK OF  
THE BOARD OF SUPERVISORS**

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

**RESOLUTION NO. 2022-\_\_**

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

**WHEREAS**, the County of San Benito and the San Benito County Veterans Memorial Park Commission is committed to preserving and nurturing public access and participation in meetings of the Board of Supervisors and Commission 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**, 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 October 12, 2021, 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, 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 Commission, 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 Advisory Commission, County of San Benito, State of California on this 2<sup>nd</sup> day of May 2022, by the following vote:


AYES: COMMISSIONER  
NOES: COMMISSIONER  
ABSTAINING: COMMISSIONER  
ABSENT: COMMISSIONER

By \_\_\_\_\_  
Maria Spandri, Chair  
San Benito County Veterans Memorial Park Commission

ATTEST:  
Jennifer Frechette, Clerk of the Board

APPROVED AS TO LEGAL FORM:  
Reed Gallogly, Deputy County Counsel

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

DocuSigned by:  
  
By: 5FAF18CBCD194D2...  
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 blue ink that reads "David Ghilarducci MD".

David Ghilarducci MD  
Interim Health Officer

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ENVIRONMENTAL HEALTH  
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08/23/21