

**SAN BENITO COUNTY**  
**Economic Development Advisory Committee**

*Committee:*

*Vice Chair of the Board of Supervisor Bob Tiffany, District 4 and  
Board of Supervisor Peter Hernandez, District 3*

**AGENDA**

**Thursday, May 26, 2022**

**12:00 P.M.**

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

**Webinar ID: 846 0561 8500**

**Webinar Password: 897143**

Pursuant to AB 361, and the resolution adopted thereunder, relating to the convening of public meetings in response to the COVID-19 pandemic, and pursuant to the recommendation from Dr. Gellert dated January 5, 2022, members of the Committee are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

The meeting is closed to the public. The meeting will be available through Zoom those who wish to join or require accommodations with the instructions below:

This meeting can be accessed in the following methods:

Through Zoom (<https://zoom.us/join>) per the instruction stated below

**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.

**Written Comments & Email Public Comment**

Members of the public may submit comments via email by 5:00 PM on the Monday prior to the meeting to the Senior Administrative Analyst at [dalonso@cosb.us](mailto:dalonso@cosb.us)

**Public Comment Guidelines**

- A.** The Committee 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 Dulce Alonso, at (831) 636-4000, or email [dalonso@cosb.us](mailto:dalonso@cosb.us)

***The San Benito County Economic Development Committee welcomes you to this meeting and encourages your participation.***

- *If you wish to speak on a matter that does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Committee, please state your name for the record. Please address the Committee as a whole through the Chair.*
- *If you wish to speak on an item contained in the agenda please seek recognition from the Chairman prior to consideration of the item.*

**12:00 P.M. CALL TO ORDER**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL.
3. ACKNOWLEDGE CERTIFICATE OF POSTING
4. PUBLIC COMMENT: *Opportunity to address the Committee on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2.*
5. Approve minutes for April 14, 2022.

**REGULAR AGENDA**

6. PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt the proposed resolution authorizing teleconferencing options for meetings of the Committee for the period of May 26, 2022, through June 26, 2022, pursuant to AB 361.
7. DISCUSS changing regular standing meetings from the second Thursday of each month to the fourth Thursday of each month and provide staff direction.
8. DISCUSS proposed Sales Tax Reimbursement program and provide staff direction if desired.
9. DISCUSS filing of the notice of intention to circulate initiative measure and potential impact on future economic development and provide staff direction if desired.
10. Receive an informational presentation on the Community Economic Resilience Fund "CERF" program from Economic Development Corporation.
11. DISCUSS and provide direction on the California Microbusiness COVID-19 Relief Grant Program and provide staff direction if desired.
12. DISCUSS Economic Development Programs in the State Budget May Revise.
13. DISCUSS accomplishments over the past year and set priorities for the remainder of 2022.
14. Report out from Committee members or the ex-officio members.
15. FUTURE AGENDA ITEMS., No discussion of these items shall occur, but the Committee may direct any of the reports to be agenzized for a future meeting.

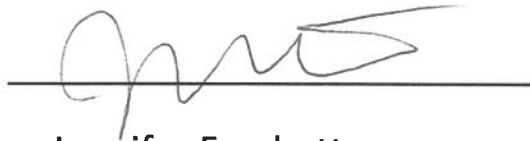
*As required by Gov. Code Section 54957.5 any public record distributed to the San Benito Economic Development Committee less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County 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.***

# **CERTIFICATE OF AGENDA POSTING**

## **ECONOMIC DEVELOPMENT COMMITTEE**

Special Meeting scheduled for May 26, 2022, at 12 P.M. was posted at the San Benito County Administration Office, 481 Fourth Street, Hollister, CA and on our county website [www.cosb.us](http://www.cosb.us) on this 20th day of May 2022 AT 12 P.M. per Government Code Section 54956.

A handwritten signature in black ink, appearing to read 'Jennifer Frechette', is written over a solid horizontal line.

**Jennifer Frechette**

**Clerk of the Board**



2-0

For (2)

Ayes: Tiffany, Hernandez

Against (0):

Noes: -

<b>REGULAR AGENDA</b>
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5. PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt the proposed resolution authorizing teleconferencing options for meetings of the Committee for the period of April 14, 2022, through May 14, 2022, pursuant to AB 361.

**MOTION:**

*Motion to approve proposed resolution as presented.*

Made by **Supervisor Hernandez** and seconded by **Supervisor Tiffany**

2-0

For (2)

Ayes: Tiffany, Hernandez

Against (0):

Noes: -

6. Receive updates from Economic Development Corporation to include but not be limited to progress on the County of San Benito Comprehensive Economic Development Strategy and other activities.

*Rene Wells, Executive Director for the Economic Development Corporation of San Benito County gave overview presentation on the Comprehensive Economic Development Strategic Plan and other activities.*

*Supervisor Tiffany provided some highlights on the updated Memorandum of Understanding (MOU) between the County of San Benito and the Economic Development Corporation (EDC) of San Benito County. Language within the MOU references EDC assisting incoming businesses and current business wanting to expand.*

*Supervisors Tiffany requested an item concerning an incentive program to be brought back for discussion. County staff in the previous year had worked on an incentive program, first of its kind for the County, for incoming business and expanding businesses and were close to completion.*

*Public comment opened.*

*Public comment closed.*

***No action taken; discussion only***

7. Receive update on Grant Writer for County of San Benito activities and provide staff direction, if desired

*Graciela Rodriguez, Associate Administrative Analyst, provided the committee with brief status update regarding grant writing services. County, after due diligence, will be contracting with California Consulting Inc. for its grant writing services.*

*County Administrative Officer (CAO) provided further comments. The request to seek out a grant writer came from the Board of Supervisors and fell under the Economic Development Committee's tasks to have County staff to follow through with seeking proposals and recommending the best suited agency to move forward with.*

*California Consulting Inc. representative, Steve Samuelian & Dan Rodriguez provided a brief introduction, history of California Consulting Inc. and goals to accomplish.*

*Supervisor Tiffany highlighted the need to have the Contractor collaborate with department heads, state lobbyist and other agencies to move forward with grants seamlessly.*

*Public Comment Opened.*

*Kristina Chavez, Business Council: would like to put emphasis on the HWY 152 commercial trade corridor and realignment of 152/25*

*Public comment closed.*

*Supervisor Hernandez provided some brief comments.*

***No action taken; discussion only***

8. Receive informational presentation from San Benito County Workforce Development Board on a range of workforce development activities.

*Enrique Arreola, Deputy Director, representing the San Benito County Workforce Development Board (WDB), provided a presentation on the history, tasks, duties, and services provided by the County's WDB and all other Boards across the State. Highlight upcoming trainings such as SB1 Pre-apprenticeship-Building& Construction Trades, Regional Equity & Recovery Partnerships, etc.*

*Public Comment Opened.*

*Fran – San Juan Bautista Business Association – requirements for licenses  
Kristina Chavez – Business Council, had a couple of questions regarding vacancies, challenges, programs etc.  
Rosa Fernandez – San Benito Health Foundation*

*Public Comment Closed*

***No action taken; discussion only***



9. Discuss the California Microbusiness COVID-19 Relief Grant Program and provide staff direction, if desired.

*Graciela Rodriguez, Associate Administrative Analyst, provided the committee with a status update on the Microbusiness Grant Program, how many applications have been received, where individuals can locate information.*

*Supervisor Tiffany asked what type of outreach has been conducted and whether staff can attend the Hollister Downtown Association Farmers Market for further outreach.*

*Staff have established a working group consistent of Economic Development Corporation, City of Hollister, City of San Juan Bautista, Chamber of Commerce, and other agencies to promote the grant program. Other outreach methods include webinars, flyers, and word of mouth.*

*Public Comment Opened*

*Kristina Chavez – send bilingual letter to all registered businesses, cold calls, PR*

*CAO Ray Espinosa provided a brief update on the open Public Information Officer position and will be conducting review of applications soon.*

*Cindy – Cal Coastal*

*Fran – have staff work at local banks to provide grant information.*

*Renee Wells – suggested another option to promote grant program via Benitolink, news outlet.*

*Brian Foucht – suggested calling registered Home Occupations*

*Public Comment Closed.*

***No action taken; discussion only***

10. Discuss Programs/activities to increase San Benito County tax base and provide staff direction, if desired.

*Dulce Alonso, Senior Administrative Analyst, provided an overview of previous Economic Development goals from prior years and acknowledged what goals have been accomplished and which goals the County is still pursuing.*

*CAO provided further information on the Sales Tax measure; the Board of Supervisors had requested to hold off until after budget hearings. Will not be moving forward with a poll now. Other items to address are the general plan, commercial development, sales tax for larger projects and other.*

*Supervisor Tiffany provided some brief comments on the incentive program, sales tax, tax sharing agreement, and other.*

*CAO highlighted that sales tax is important for the county.*

*Supervisor Tiffany asked where we stand in updating the financial impact of the County.*

*CAO provided some insight and will be bringing back information on the 9111 report, financial report, at a future committee meeting.*

*Kristina Chavez, Business Council representative, would like to enforce Supervisor Tiffany's request of discussing Sales Tax specifically the 9111 report on the initiative, furthermore, impacts on other communities that have had the similar initiatives passed throughout California as well as those communities who have effectively defeated them.*

*Public Comment Opened.*

*Public Comment Closed.*

***No action taken; discussion only***

11. Discuss by-laws for the Economic Development Committee and member composition and provide staff direction, if desired.

*Dulce Alonso, senior analyst, introduced the item and provided an update on the direction received for the member composition of the Committee and goals. Composition of committee consist of two supervisors, and five ex-officio members made up San Benito County Business Council, San Benito County Chamber of Commerce/Foundation, Hollister Downtown Association, Economic Development Corporation of San Benito County, San Juan Bautista Economic Development Citizens Advisory Committee/San Juan Bautista Committee.*

*Direction was requested for addressing a conflict of scheduling and attendance of the San Benito County Chamber of Commerce and how appointment of Ex-officio would work.*

*Supervisor Tiffany provided a few comments and clarity on voting members.*

*Supervisor Hernandez provided comments and expectations for the committee. Suggested that each agency assign a representative to attend the meetings.*

*Supervisor Tiffany opened comment period for the ex-officio agencies to provide input on representation.*

*Brian Foucht, representing San Juan Bautista, suggested having a primary representative and an alternate to attend the Economic Development Committee meetings.*

*Christina Chavez, Business Council, agreed with Brian Foucht' comment of primary and alternate. Also suggested having the City of Hollister at the table.*

*Committee will take into consideration inviting City of Hollister to attend Economic Development Committee meetings.*

*Brett Miller, City of Hollister, voiced their agreement to attend meetings.*

*Senior Analyst, Dulce, moved onto second matter, scheduling of Committee meetings addressing the current conflict of schedule affecting ex-officio members. Asked for direction on how to proceed.*

*Supervisor Tiffany provided direction to send out an email to compromise on a better time and/or date for all members to attend.*

*Chamber provided their input on having one member from*

*Public comment opened*

*Public comment closed.*

***No action taken; discussion only***

12. 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.

*Supervisor Tiffany opened item and summed up requests: Incentive program, Microbusiness Grant Program, update on Sales Tax – timing and initiative financial report, would like to incorporate into agenda a section for each ex-officio organization to report out moving forward*

*Kristina Chavez, Business Council representative, recommends the following topics: Housing – lack of volume and type, incentive program for employer provided housing, Energy for current and future needs electric and gas, status of Business License program and collection of quarry impact fees – utilize for road improvement, Landfill – imperative every business receive information regarding to current services as well as the application for expanding the landfill*

*Public comment opened*

*Public comment closed.*

*Supervisor Hernandez provided closing comments and is requesting to have a strategy session to determine goals that the committee can pursue.*

*Staff recommendation for goal setting is have each supervisor sit down with staff in preliminary discussion prior to bringing an item to the entire committee.*

**MOTION:**

*Motion to adjourn meeting made by **Supervisor Hernandez** seconded by **Supervisor Tiffany***

**2-0**

*For (2)*

*Ayes: Tiffany, Hernandez*

*Against (0):*

*Noes: -*

**ADJOURNMENT:**

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**BEFORE THE SAN BENITO COUNTY ECONOMIC DEVELOPMENT  
COMMITTEE, COUNTY OF SAN BENITO**

**RESOLUTION NO. 2022-04**

**RESOLUTION OF THE SAN BENITO COUNTY ECONOMIC DEVELOPMENT  
COMMITTEE AUTHORIZING CONTINUED REMOTE  
TELECONFERENCE MEETINGS**

**WHEREAS**, the County of San Benito and the San Benito County Economic Development Committee (FGAC) 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 meetings of the Economic Development Committee County 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 Economic Development Ad Hoc Committee 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 Economic Development Committee is presented by this resolution for the opportunity to determine whether AB 361 should be specifically applied to Economic Development Committee meetings;

**WHEREAS**, the San Benito County Economic Development Committee has considered all information related to this matter, as presented at the public meetings of the Economic Development Committee 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 Economic Development Committee 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 Economic Development Committee as follows:

1. The San Benito County Economic Development Committee 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 Economic Development Committee meetings;
3. As long as the State Emergency remains in effect or until directed otherwise by the Committee, staff shall present to the Committee 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 Committee adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Economic Development Committee 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 Economic Development Committee, County of San Benito, State of California on this 26<sup>th</sup> day of May 2022, by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSTAINING:	SUPERVISORS
ABSENT:	SUPERVISORS

By \_\_\_\_\_  
 Bob Tiffany, Chair  
 San Benito County Economic Development Committee

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,

David Ghilarducci MD  
Interim Health Officer

**PUBLIC HEALTH SERVICES**  
351 Tres Pinos Road, Suite A-202  
Hollister CA 95023  
831-637-5367

**ENVIRONMENTAL HEALTH**  
351 Tres Pinos Road, Suite C-1  
Hollister CA 95023  
831-636-4033

**MEDICAL THERAPY UNIT**  
761 South Street  
Hollister CA 95023  
831-637-1989

08/23/21





# San Benito County

Economic Development Advisory Committee

# AGENDA

- ▶ PROPOSED RESOLUTION PURSUANT TO AB 361- Adopt Resolution May 26, 2022, through June 26, 2022, pursuant to AB 361.
- ▶ Changing standing meeting to the fourth Thursday of each month
- ▶ DISCUSS proposed Sales Tax Reimbursement program and provide staff direction if desired.
- ▶ DISCUSS filing of the notice of intention to circulate initiative measure and potential impact on future economic development and provide staff direction if desired.
- ▶ Receive an informational presentation on the Community Economic Resilience Fund “CERF” program from Economic Development Corporation.
- ▶ DISCUSS and provide direction on the California Microbusiness COVID-19 Relief Grant Program and provide staff direction if desired.
- ▶ DISCUSS Economic Development Programs in the State Budget May Revise.
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- ▶ Report out from Committee members or the ex-officio members.
- ▶ FUTURE AGENDA ITEMS., No discussion of these items shall occur, but the Committee may direct any of the reports to be agenzized for a future meeting.

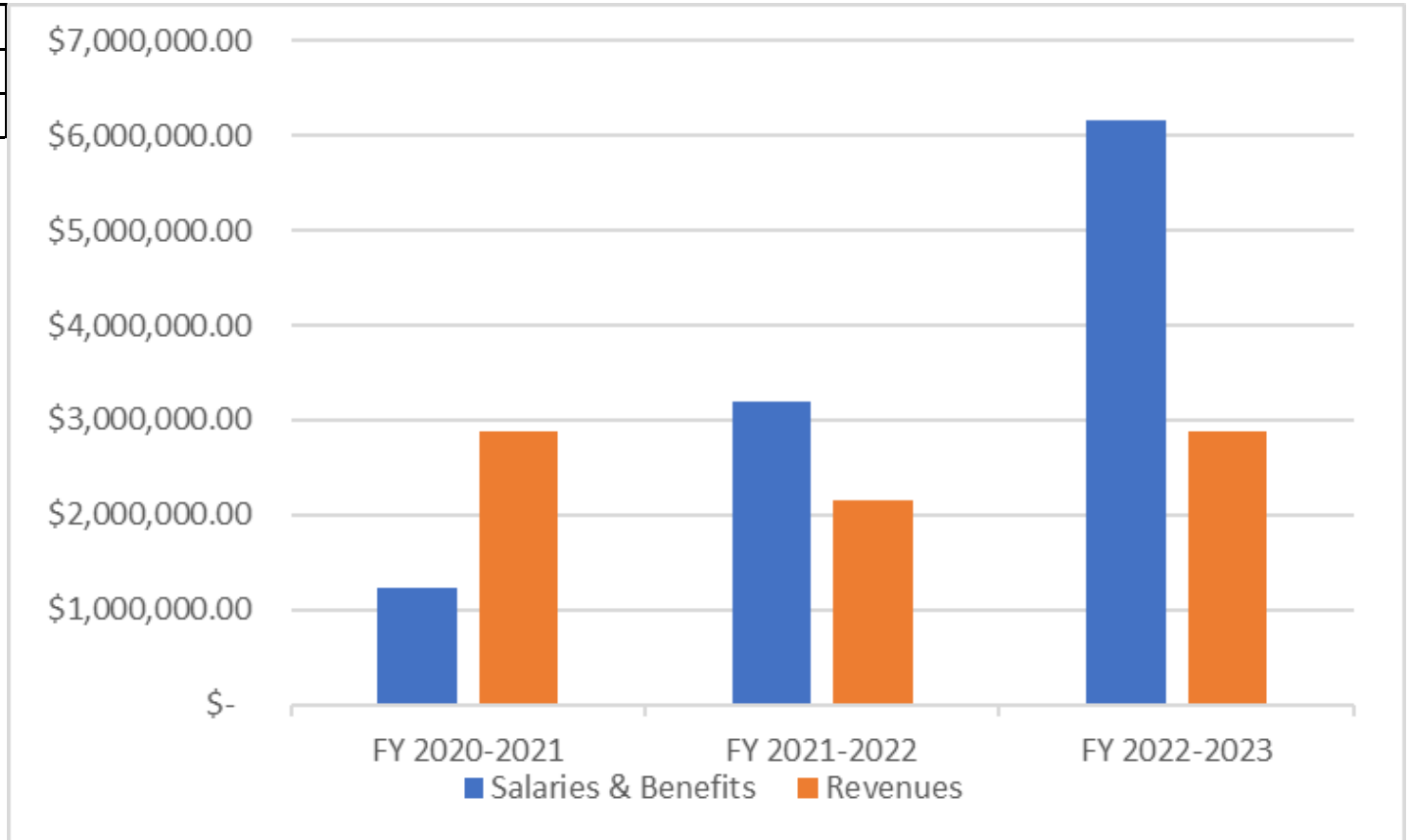
# Sales Tax Reimbursement Program

- ▶ This Incentive is to encourage new and existing businesses that generate sales tax revenue to locate or expand in San Benito County.
- ▶ Business expansion will increase sales tax revenue, by providing a sales tax reimbursement incentive. New revenue will be generated that may not otherwise occur.
- ▶ Many other local governments use a similar incentive, with programs that describe and define the amount of maximum reimbursement, term of the incentive, eligible businesses, and eligible costs.
  - Hazel Wetherford, Economic Development Director, City of Dublin

# Ongoing General Fund Concern

	FY 2020-2021	FY 2021-2022	FY 2022-2023
Salaries & Benefits	\$ 1,234,107.00	\$ 3,194,318.00	\$ 6,162,360.28
Revenues	\$ 2,873,537.00	\$ 2,164,092.00	\$ 2,877,092.00

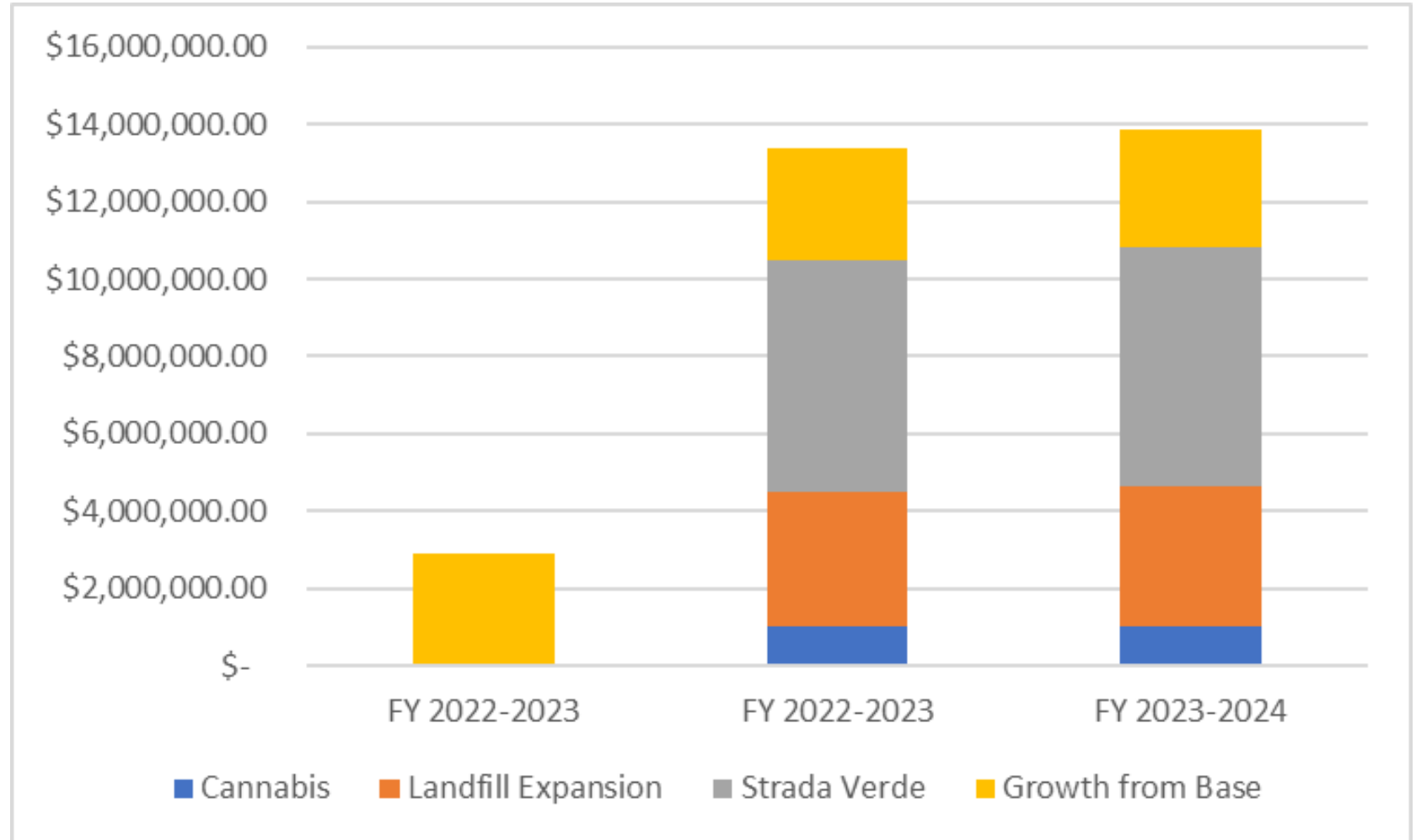
- Growth in Expenses outpace the revenues
- 3% COLA in October 2022, 3% increase for Services and Supplies, & 1% increase to Other Costs.
- Consistent increase in cost & inconsistent increase in revenues.
- Reliance on Property tax growth
- OPEB and CalPERS concerns



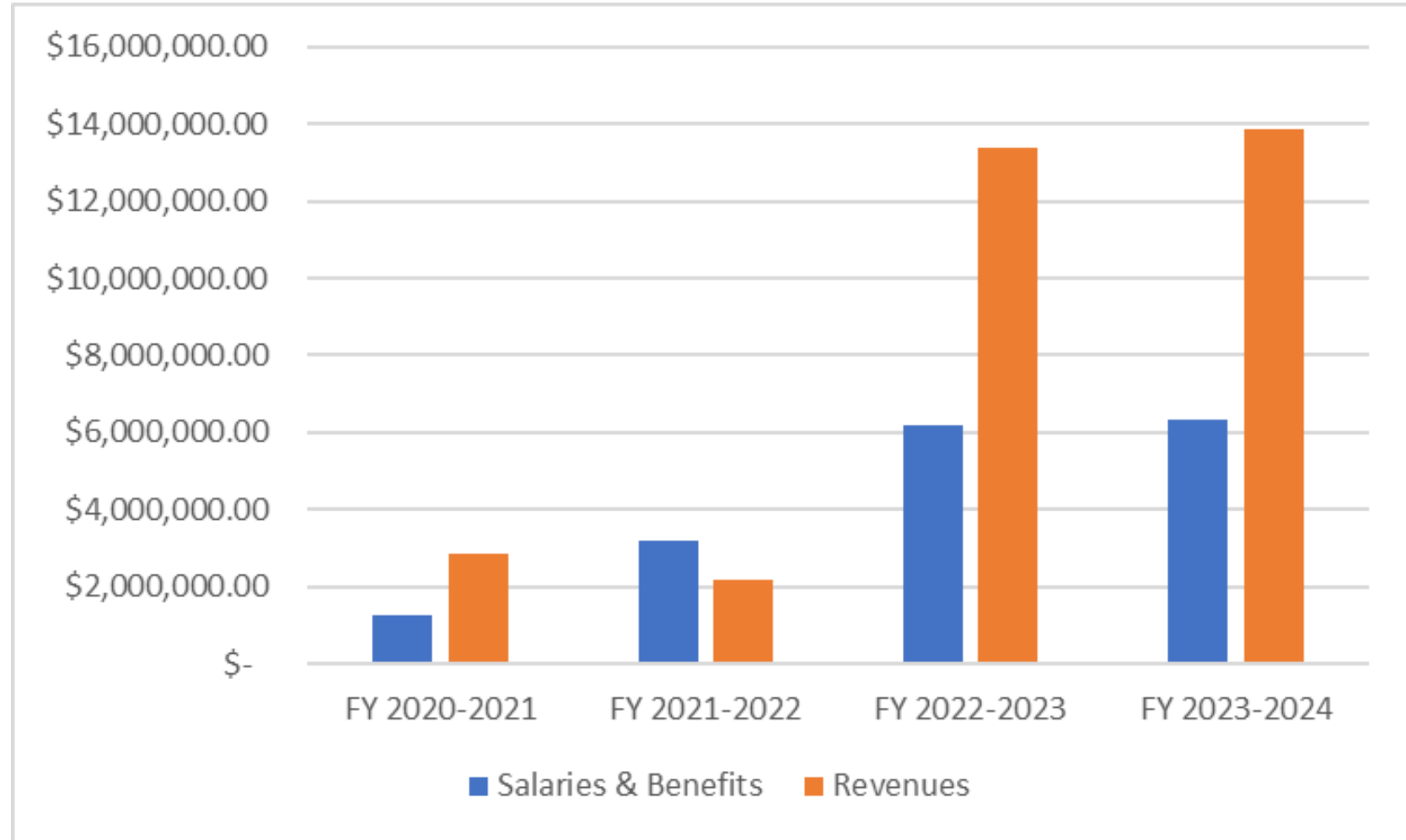
# Potential Growth Projects

## Other Potential Ongoing Revenue

- Cannabis
- Landfill Expansion
- Strada Verde
- Growth from Base



# Ongoing General Fund with Projects



# May Revise FY 2022–23 Budget Plan Economic Development Programs

- ▶ Cal Competes Tax Credits and Grants.
- ▶ Climate Innovation Grant Program.
- ▶ Small Business Hard-Hit Industries Grant Program. The program would be administered by the Office of the Small Business Advocate (CalOSBA), at Go-Biz, and offer:
  - \$500 million in grants, ranging from \$10k-\$50k, to businesses in the top-ten industries most impacted by the pandemic.
  - \$75 million in grants to small agricultural businesses, ranging between \$30k-\$50k, to provide additional relief to those small businesses most affected by severe drought.

# Ad-Hoc ED Accomplishments

1. Contracted with PARRINELLO GROSS & LEONI LLP, for Lobbying service  
\$750,000 for Riverview Regional Park
1. Updating the Cannabis Ordinance
2. Contracted with California Consulting as our grant-writing firm.
3. Explored a Sales tax 1% County Initiative
  1. **SAN BENITO COUNTY 8.25%**, City of Hollister 9.25%, City of San Juan Bautista 9.00%
4. County tax collector: business license program and seeking compliance.



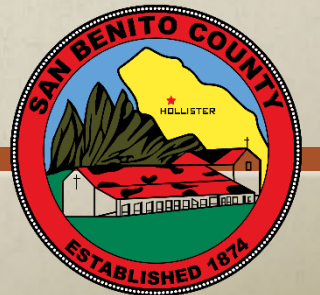
# Questions



# County Initiative Measure Process & Timelines – County's Role

**Decision Points for the Board of Supervisors**

Prepared & Presented by Joel Ellinwood, Assistant County Counsel



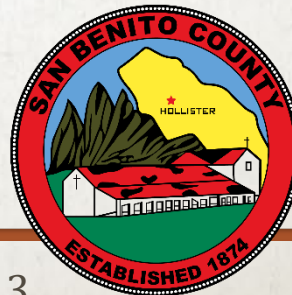
# Governing Law – Elections Code §§ 9100, *et seq.* Steps:

- Notice of Intention to Circulate Petition with Written Text of Initiative filed with County Elections Official  1) GPA – Delete Nodes, Voter Approval  2) GPA – Ag Chemical Hazards Buffer
- Preparation of County Counsel Ballot Title & Summary  both
- Publication of Notice of Intention & County Counsel Ballot Title & Summary  both
- Circulation of Petition to Registered Voters in the County – Up to 180 days from receipt of Ballot Title & Summary  both
- Submission of Petition with Signatures to Elections Official – 30 business days to review and validate signatures  1) 4, 092 signatures submitted May 2, 2022; 2) pending
- Certification of Sufficiency – at least 2,060 valid signatures required
- Presentation to Board of Supervisors at next regularly scheduled meeting to adopt or submit to voters



# Board of Supervisors Actions At Next Regular Board Meeting After Petition Certified as Sufficient is Submitted:

- Adopt the measure as submitted without alteration at the meeting at which the certified petition is submitted, or within 10 days thereafter
- Order Election - Submit the measure at the next statewide election more than 88 days later
- Order an Elections Code § 9111 impact report to be presented within 30 days of certification of sufficiency, then either:
  - Adopt the measure as submitted within 10 days, or
  - Order an election



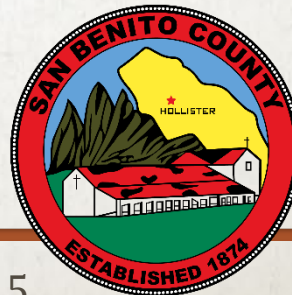
## Timing of Election – Elections Code § 1405

- Board of Supervisors must call for the election at least 88 days before the next statewide election
  - For November 8 General Election: August 12, 2022
  - Likely to have at least one initiative measure on the agenda for June 14, 2022 meeting
  - Last regularly scheduled Board meeting before deadline: August 9, 2022
- Option to call special election for a date at least 88 days and no more than 103 days later – with full cost of the special election paid by County



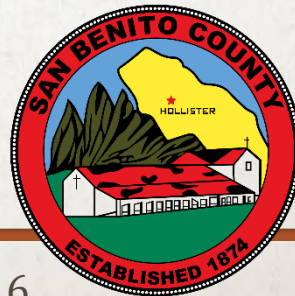
# Elections Code § 9111 Impact Report

- May be ordered at any time during circulation of petition
- Contents to include:
  - Fiscal impacts
  - Effect on internal consistency with general and specific plans, housing element and zoning
  - Effect on use of land and ability to meet regional housing needs
  - Impact on infrastructure funding including transportation, schools, parks and open space
  - Impact on ability to attract & retain business and employment
  - Any other matters requested by the Board of Supervisors



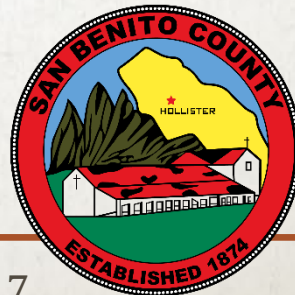
# Elections Code § 9111 Impact Report

- Purpose: inform the Board of Supervisors and the voting public of potential consequences if measure is adopted
- Must be “accurate, fair, and impartial presentation of relevant facts to aid the voters in reaching an informed judgment regarding the ballot measure,” Government Code § 54964 (c)
- Staff Recommends that Board of Supervisors authorize CAO to contract for Elections Code § 9111 Report for the General Plan Health & Safety Code Policy HS-6.9 – 3.5-mile buffer initiative with a qualified consulting firm selected by the CAO



# County and Supervisors Role During the Election

- The county **may** express an opinion on the merits of a proposal. *Choice-in-Education League v. Los Angeles Unified School Dist.* (1993) 17 Cal. App. 4th 415; Elections Code § 9162.
- The county **cannot campaign** for or against an initiative. *Stanson v. Mott* (1976) 17 Cal. 3d 206; Govt. Code §54964.
  - Campaign materials are those that advocate or promote a single viewpoint with the object of influencing the voters on a particular issue. *League of Women Voters of California v. Countywide Criminal Justice Coordination Committee* (1988) 203 Cal. App. 3d 529, 555.
- A county may provide the electorate with educational and informational materials. This is a fine line. See *Vargas v. City of Salinas* (2009) 46 Cal. 4<sup>th</sup> 1 for examples of permissible activities.
- Public entities are not “foreclosed from providing objective information on a proposed ballot measure.” *Stanson v. Mott*, supra, 17 Cal. 3d at p. 221.





# Acceptable v. Impermissible Activities

- **Impermissible** activities include, but are not limited to:
  - Purchasing bumper stickers, posters, advertising ‘floats,’ or television and radio ‘spots’ unquestionably constitutes improper campaign activity. *Vargas*, 46 Cal. 4th at 24, 32.
  - The dissemination, at public expense, of campaign literature prepared by private proponents or opponents of a ballot measure constitutes improper campaign activity. *Vargas*, 46 Cal. 4th at 24.



# Acceptable v. Impermissible Activities

- **Permissible** activities include, but are not limited to:
  - The Board of Supervisors may, in the course of a regular Board meeting, take a position on a ballot measure since the meeting is open to the public and citizens may express their views. *Choice-in-Education League v. Los Angeles Unified School Dist.* (1993) 17 Cal. App. 4th 415; Elections Code § 9162.
  - A County department may present staff reports and other analyses at regular meetings of the Board of Supervisors that demonstrate the department's view of the merits of a ballot measure to assist the Board of Supervisors in its decision making on matters within the Board's purview (such as budget allocations). *Vargas*, 46 Cal. 4th at 36-37; Elections Code § 9111.
  - A County department may respond to citizen inquiries about a ballot measure in a way that provides a fair presentation of the facts about the measure and the department's view of the merits of the ballot measure. *Vargas*, 46 Cal. 4th at 25.
  - A representative from a County department may be authorized to accept invitations from private or public organizations to present the department's view of a ballot measure at a meeting of the private or public organization. *Vargas*, 46 Cal. 4th at 36.



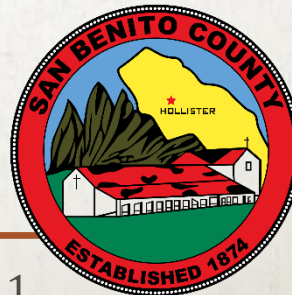
# Acceptable v. Impermissible Activities

- Style, Tenor, and Timing Test (Fact Intensive)
  - The determination of the propriety or impropriety of expenditure depends upon a careful consideration of such factors as a style, tenor and timing of the publication; no hard and fast rule governs every case. See *Stanson v. Mott*, supra, at pp. 221-222.
  - Was the information delivered in a manner consistent with established practice regarding regular County or departmental public communications channels?
  - Was the information delivered in a way that emphasizes facts and does not use inflammatory language or argumentative rhetoric?
  - Communications should not encourage the public to adopt the department or County's views, vote one way or another, or take any other action in support of or in opposition to the ballot measure. *Vargas*, 46 Cal. 4th at 34, 40.



# Board of Supervisors Arguments For or Against County Ballot Measures

- Elections Code §§ 9162 - 9166
- “The board of supervisors or any member or members of the board . . . may file a written argument for or against any county measure. An argument shall not exceed 300 words in length.” § 9162 (a).
- “If more than one argument for or more than one argument against any county measure is submitted to the county elections official within the time prescribed, the county elections official shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters. In selecting the argument, the county elections official shall give preference and priority in the order named to the arguments of the following:
  - (1) The board of supervisors or a member or members of the board.
  - (2) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
  - (3) Bona fide associations of citizens.
  - (4) Individual voters who are eligible to vote on the measure.” § 9166 (a)



# Board of Supervisors Arguments For or Against County Ballot Measures

- Multiple supervisors or individual supervisors may submit separate opposing arguments for or against a ballot measure.
- Any argument for or against a ballot measure by a majority of the members of the Board of Supervisors must be approved in accordance with the Brown Act – as an action item on a published agenda to be taken at an open public meeting subject to public comment.
- Individual supervisors may join arguments submitted by other proponents or opponents for or against a ballot measure, with up to five signatories per argument. § 9164



# What is the Community Economic Resilience Fund?

The CERF was created to promote a sustainable and equitable recovery from the economic distress of COVID-19 by supporting new plans and strategies to diversify local economies and develop sustainable industries that create high-quality, broadly accessible jobs for all Californians.

## CERF Program Objectives



**Promote equitable & sustainable economic development**



**Support inclusive economic planning that prioritizes equity, job quality, and sustainability**



**Align and leverage federal and state funding to maximize economic resilience**

# CERF Program Design

## Phase 1: Planning

### **13 regions, up to \$5M each**

- Inclusive planning processes
- Fostering partnerships and collaboration
- Create 13 High Road Transition Collaboratives (HRTCs)
- Development of regional economic plans

## Phase 2: Implementation

### **Upwards of \$500M total**

- Projects that
  - Demonstrate proposed impacts to disinvested communities
  - Demonstrate community support
  - Promote state climate goals
  - Support labor standards and job quality
  - Demonstrate clear role in regional strategy
  - Complement existing funding sources

# CERF Regions

- All 13 regions will receive planning and implementation dollars through competitive processes
- Designed to promote economic development and maintain consistency with existing efforts
- Administration of program will allow for flexibility to collaborate across these regions and work at different levels



The Central Coast Region is made up of San Benito, Santa Cruz, Monterey, San Luis Obispo, Santa Barbara, and Ventura Counties.





## COMMUNITY ECONOMIC RESILIENCE FUND (CERF)

**OVERVIEW:** CERF's planning phase will establish regional, inclusive planning tables to develop blueprints and align resources for each region's economic future. These regional tables will result in recommended investments throughout the region that will build economic resilience, bolster equity outcomes, and facilitate the transition to carbon neutrality.

**PROGRAM VISION:** Deliver a sustainable and equitable economic future that meets communities and regions where they are by supporting new regional plans and investing in strategies and projects that help diversify regional economies and develop or expand environmentally sustainable industries that create high-quality, broadly accessible jobs for all Californians.

# Post-Award Program Requirements

## High-Road Transition Collaboratives (HRTCs)

- Strength and diversity of collaborative partnerships
- Outreach and engagement plan
- Governance structure
- Inclusive process

# High-Road Transition Collaborative

The six-county **Uplift Central Coast Coalition** – led by [REACH](#), the [EDC](#) and [MBEP](#) – is excited to bring together industry, government, nonprofit and education partners to compete for a share of California's new \$600 million Community Economic Resilience Fund (CERF), established to support inclusive and equitable regional economic development initiatives.

## About REACH

[REACH](#) is an economic impact organization created to ensure the Central Coast of California is a place where current and future generations have the opportunity to thrive. With a mission to increase economic prosperity through big thinking, bold action and regional collaboration, REACH serves the Central Coast Region spanning San Luis Obispo and Santa Barbara Counties. For more information [visit our website](#).

## About EDC

The EDC creates empowered business owners, connects community partners and informs civic leaders in the greater Ventura and Santa Barbara County region. We do this by: delivering business consulting and local resources that are equitably accessible, providing access to affordable business capital, implementing strategic initiatives that strengthen the region's vitality, fostering public-private partnerships that promote community economic development for the public good and committing to the triple-bottom line of equity, environment and economy in our stewardship of the region.

## About MBEP

Monterey Bay Economic Partnership (MBEP) is a regional member-supported nonprofit organization consisting of public, private, and civic entities located throughout the counties of Monterey, San Benito, and Santa Cruz. Founded in 2015, our mission is to improve the economic health and quality of life in the region.