



AGENDA
REGULAR MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, March 17, 2022
4:00 p.m.

LOCATION: Via-Zoom
Attendance at the COG meeting is closed to the public per Executive Order N-29-20 and Assembly Bill 361 (AB 361). The public may join meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda:

Meeting ID: 839-1001-4294

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki,
Mary Vazquez Edge, Rolan Resendiz, and Peter Hernandez
Alternates: San Benito County: Betsy Dirks
City of San Juan Bautista: Scott Freels; City of Hollister: Rick Perez
Ex Officio: Caltrans District 5

*Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the Public Comment portion of the agenda item will be closed. **The Opportunity to address the Board of Directors on items of interest not appearing on the agenda will be provided during Section E. Public Comment.***

4:00 P.M. CALL TO ORDER

- A. Pledge of Allegiance
- B. Roll Call
- C. Verification of Certificate of Posting
- D. NOTICE OF TEMPORARY PROCEDURES FOR COUNCIL OF GOVERNMENTS BOARD MEETINGS *(Please see Zoom instructions at the end of the agenda)

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, and Assembly Bill 361 (AB 361), relating to the convening of public meetings in response to the COVID-19 pandemic, attendance at the COG meeting is closed to the public. The public may join the meeting by Zoom: <https://zoom.us/join> per the instructions provided at the end of the agenda. Additionally, members of the COG Board are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

- E. Public Comment (*Opportunity to address the Board on items of interest on a subject matter within the jurisdiction of the Council of Governments and not appearing on the agendas. No action may be taken unless provided by Govt. Code Sec. 54954.2 Speakers are limited to 3 minutes.*)
- F. Executive Director’s Report

G. Caltrans Report/Correspondence – Eades

H. Board of Directors' Reports

CONSENT AGENDA:

(These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Members of the public who wish to speak on a Consent Agenda item must submit a Speaker Card to the Clerk and wait for recognition from the Chairperson. Approval of a consent item means approval as recommended on the Staff Report.)

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated February 17, 2022 – Gomez
2. **RECEIVE** Construction Projects Report – Caltrans District 5
3. **ADOPT** Resolution 22-04 Authorizing Teleconferencing Options for Council of Governments Meetings for the Period of March 24, 2022, through April 22, 2022 – Rivera
4. **APPROVE** Amendment No. 1 to the Fiscal Year 2021/2022 Overall Work Program Amending Work Element 306: Short Range Transit Plan – Lezama

REGULAR AGENDA:

5. **APPOINT** Two COG Board Members to an Ad-Hoc Committee to Perform Review and Recommendation of a Project Management and Engineering Services Firm for the State Route 25 Conversion Project – Rivera

Adjourn to COG Meeting on April 21, 2022. Agenda Deadline is Tuesday, April 5, 2022, at 12:00 p.m.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Council's office at (831) 637-7665 at least 48 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

ZOOM INSTRUCTIONS:

Members of the public are encouraged to participate in Board meetings in the following ways:

1. Remote Viewing

Members of the public who wish to watch the meeting can view the meeting online through Zoom. Instructions for participating via Zoom are included below.

2. Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM. on the Wednesday prior to the Board meeting to the Secretary at monica@sanbenitocog.org. Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

3. Council of Governments Board meeting Zoom Instructions for remote Participants:

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831-637-7665
sanbenitocog.org

Three ways to attend zoom meetings: 1) **over the phone**, 2) **on a web browser**, or 3) **through the Zoom Smart Device Application**. Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting.

1. **Over the phone (Audio only):**
 - (669) 900-6833 or (408) 638-0968.
2. **On a Web-browser:**
 - <https://zoom.us/join>
3. **Smart device Application:**
 - Apple App store: <https://apps.apple.com/us/app/id546505307>
 - Android App store: <https://play.google.com/store/apps/details?id=u.s.zoom.videomeetings>

Zoom Audio Only (phone)

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the **Meeting ID, 839-1001-4294** followed by the **"#" key**, which can be found at the top page of the agenda. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2022/03/COG_Packet_031722.pdf
2. It will then ask for a **Participant ID**, press the **"#" key** to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the **"*9"** to raise your hand, zoom facilitator will unmute you when your turn arrives.

Zoom On Web-browser or Zoom app on Tablet or Smartphone

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select **"JOIN A MEETING"**
2. You will be prompted to enter **Meeting ID, 839-1001-4294** and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2022/003/COG_Packet_0317022.pdf
3. You can launch audio through your computer or set it up through the phone. Follow instructions provided by Zoom.
4. **Public Comment:** *click "Raise hand" icon, the zoom facilitator will unmute you when your turn arrives.*

Public Comment Guidelines

- If participating on Zoom: Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The Council of Governments Board welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- 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 questions, contact the Council of Governments and leave a message at (831) 637-7665 x. 201, or email monica@sanbenitocog.org.

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CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Council of San Benito County Governments on **March 17, 2022** at **4:00 P.M.** was posted at the following locations freely accessible to the public:

The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the **14th day of March 2022**, on or before **4:00 P.M.**

The meeting agenda was also posted on the Council of San Benito County Governments website, www.sanbenitocog.org, under Meetings, COG Board, Meeting Schedule

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY: 

Monica Gomez, Secretary II
Council of San Benito County Governments

**SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS
REGULAR MEETING
(Zoom Platform)
February 17, 2022, at 4:00 P.M.**

MINUTES

MEMBERS PRESENT:

Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki, Mary Vazquez Edge, Rolan Resendiz, and Alternate Betsy Dirks Ex Officio, Orchid Monroy-Ochoa, Caltrans District 5

STAFF PRESENT:

Executive Director; Mary Gilbert, Administrative Services Specialist; Norma Rivera, Transportation Planner; Veronica Lezama, Transportation Planner; Regina Valentine, Office Assistant; Griselda Arevalo, Secretary; Monica Gomez, Deputy County Counsel; Shirley Murphy.

OTHERS PRESENT:

Aaron Henkel, Caltrans District 5; Heather Adamson, Director of Planning for the Association of Monterey Bay Area Governments (AMBAG).

CALL TO ORDER:

Chair Velazquez called the meeting to order at 4:00 P.M.

A. PLEDGE OF ALLEGIANCE

Director Kosmicki led the pledge of allegiance.

B. ROLL CALL

Secretary Gomez called the roll call and confirmed a quorum of Directors were present.

C. CERTIFICATE OF POSTING

Motion made to acknowledge Certificate of Posting:

Motion: Mary Vazquez Edge Second: Kollin Kosmicki

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Chair Velazquez voted yes.

Motion carried: 4/0

Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki
No: None
Recused: None
Abstention: None
Absent: Dirks

D. NOTICE OF TEMPORARY PROCEDURES FOR COUNCIL OF GOVERNMENTS BOARD MEETINGS

Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the COG Board can attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

Chair Velazquez reminded members of the public that an overview of temporary procedures (Zoom etiquette) for COG meetings was attached to the agenda.

E. PUBLIC COMMENT: None

F. Executive Director's Report – Mary Gilbert

Executive Director Mary Gilbert provided the contact information for Caltrans District 5 Public Information Officer for any project questions. Kevin Drabinski is Caltrans District 5 Public Information Officer and may be reached at (805)549-3138 email: Kevin.Drabinski@dot.ca.gov. The information will also be added to the COG website along with project mapping and schedules.

Staff is continuing work on the Highway 156 Multi-Modal Enhancement Study and looking at the use of the frontage road once the new expressway is constructed. A public meeting was held last week where several community members provided comments. Staff will be bringing an update on that project in the next few months, as they draft the plan.

Ms. Gilbert announced that the San Benito Santa Clara Mobility Partnership will be holding a meeting next week on February 23, 2022 at 9:30 a.m. Staff is also preparing for an upcoming meeting in March with partners on the Central Coast Coalition, for the State Legislative Advocacy Day.

Lastly, Ms. Gilbert requested that the COG Board continue agenda item 8 to the March 17, 2022, COG meeting.

Chair Velazquez stated that it would be helpful to add information on the SR 156 / SR 25 Turbo Roundabout Project to the website because constituents have contacted the Board asking for information and maps of the project.

G. Caltrans Report/ Correspondence – Orchid Monroy-Ochoa, on behalf of Scott Eades

Branch Chief, Orchid Monroy-Ochoa announced that Governor Gavin Newsom has announced the appointment of Caltrans Director Toks Omishakin to serve as the Secretary of the California State Transportation Agency. Mr. Omishakin has been the Director of the California Department of Transportation since 2019. His replacement has not yet been announced and Caltrans staff will share any updates on the new Caltrans Director appointment once they hear from headquarters.

Ms. Monroy-Ochoa reported that Caltrans District 5 has released completion of its Active Transportation Plan. The Plan was distributed to the public on February 9, 2022. Caltrans staff will be presenting the completed Plan at upcoming Technical Advisory Committee and Bicycle and Pedestrian Advisory Committee meetings in the next coming months.

Lastly, Ms. Monroy-Ochoa reported that Governor Newsom announced \$312 million in Clean California projects to beautify and revitalize public spaces throughout the State. The new grant awards for 126 projects to beautify and transform areas across the state. The projects are expected to create 3,600 jobs, with 98 percent of the projects benefiting underserved communities. Construction will begin in April. Twelve projects were selected in District 5. Two projects were selected in San Benito County, the Hollister Pinnacle National Park Highway Beautification Project, and the San Juan Bautista Pedestrian Enhancements Project.

H. Board of Directors' Reports

Director Vazquez Edge announced that she was reappointed to COG as the representative for the City of San Juan Bautista.

Director Kosmicki thanked Executive Director Mary Gilbert and the Valley Transportation Authority staff for meeting with him and providing an overview of the Mobility Partnership as well as a project status summary.

Chair Velazquez directed staff to add an item to the March meeting agenda for the COG Chair to make appointments to an Ad-hoc committee to work together with staff on hiring engineering and environmental development support for COG for the Highway 25 Conversion Project. The COG Board expressed that it will be essential to find a firm that has experience dealing with this type of project and that they understand that delivery/timeline is a critical issue for the Board.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated December 16, 2021 – Gomez
2. **APPROVE** Council of Governments Draft Special Meeting Minutes Dated January 11, 2022 – Gomez
3. **APPROVE** Council of Governments Draft Meeting Minutes Dated January 20, 2022 – Gomez
4. **RECEIVE** Construction Projects Report – Caltrans District 5
5. **ADOPT** Resolution 22-03 Authorizing Teleconferencing Options for Council of Governments Meetings for the Period of February 22, 2022, through March 23, 2022 – Rivera
6. **RECEIVE** Council of Governments FY 2021/22 Second Quarter Budget Report and **APPROVE** Budget Adjustment/Transfer 21-22-01 and Budget Adjustment/Transfer 21-22-02 – Rivera

Director Vazquez Edge pulled Item 4 from the Consent Agenda

There was no public comment on the Consent Agenda.

Motion made to approve Consent Agenda Items 1-3, 5, and 6:

Motion: Rolan Resendiz Second: Mary Vazquez Edge

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Chair Velazquez voted yes.

Motion carried: 4/0

Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki
No: None
Recused: None
Abstention: None
Absent: Dirks

Agenda item 4 was pulled from consent for Board discussion. Director Vazquez Edge requested an update from Caltrans on the questions asked by the COG Board at last month's meeting.

Ms. Monroy-Ochoa provided an update on the Highway 156 Improvement Project. The Project Manager, Terry Thompson stated that bids will open on March 2, 2022, and the cooperative agreement amendment is in routing.

The groundbreaking ceremony will be scheduled once the project contract has been awarded. A task order is under development to have the construction outreach beginning prior to construction award, and the public outreach will include construction of both SR 156, and the roundabout project at SR 25 and SR 156. An interagency team will be established to discuss project construction issues that may arise and coordinate efforts between the agencies. Regarding the SR 156/Alameda eastbound right-turn channelization project, construction is anticipated to begin in the spring of 2024, comments were submitted to the City of San Juan Bautista, and they are awaiting the City's response.

Director Vazquez Edge stated that with regards to the SR 156/Alameda eastbound right-turn channelization project, it was her understanding that the City of San Juan Bautista Staff is waiting on Caltrans to move forward.

Director Kosmicki inquired about how the SR 156/Alameda project will coincide with the Highway 156 Improvement Project because the timelines for both projects intersect.

Ms. Monroy-Ochoa stated that she would follow-up with the project manager to get some clarification on the projects and report back to the Board.

There was no public comment.

Motion made to accept Consent Agenda Item 4:

Motion: Kollin Kosmicki Second: Mary Vazquez Edge

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Chair Velazquez voted yes.

Motion carried: 4/0

Yes: Velazquez, Vazquez Edge, Resendiz, Kosmicki
No: None
Recused: None
Abstention: None
Absent: Dirks

Director Dirks joined the meeting at 4:17 p.m.

REGULAR AGENDA:

4:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)

7. 2022 Unmet Transit Needs – Lezama

- a. RECEIVE** Report on the Unmet Transit Needs Process
- b. HOLD** Public Hearing on the Unmet Transit Needs of the Community

Receive presentation from Transportation Planner Veronica Lezama on the Draft 2020-2045 San Benito Regional Transportation Plan in both English and Spanish.

Chair Velazquez opened the Public Hearing at 4:20 p.m.

Public Comment:

Gina Orozco, Southside School parent
Judy Rodriguez, Gavilan College

Chair Velazquez closed the Public Hearing at 4:23 p.m.

The COG Board inquired if there was a general sentiment or common concerns received from the public in this process and if the comment regarding lack of transportation to Southside School is the responsibility of the school district.

Transportation Planner, Veronica Lezama stated that staff will be summarizing all the comments received and presenting a draft to the Board.

Executive Director, Mary Gilbert stated that staff is working directly with school district and Southside School principal to try to address their transportation concerns. COG staff will provide an analysis of all comments received and will be reporting back to the Board.

Director Dirks lost connection at 4:39 p.m.

Director Dirks reconnected at 4:42 p.m.

8. RECEIVE Update on the Regional Housing Needs Allocation Process – Gilbert

The COG Board continued Item 8 to the March 17, 2022, COG meeting at the request of COG staff.

There was no public comment.

9. RECEIVE Presentation from Caltrans on the Construction of the Highway 156/Highway 25 Intersection Safety Turbo Roundabout Project – Gilbert/Henkel

Executive Director Mary Gilbert introduced Caltrans Project Manager Aaron Henkel, who provided a presentation on the construction of the Highway 156/Highway 25 Safety Turbo Roundabout Project.

The COG Board provided the following comments and concerns:

- Will there be any stop or yielding signs?
- Lower speed limit to allow people to adjust to the roundabout
- Concerned about it being a throw away project
- Concerned about truck and tractor trailers slowing down to go through roundabout causing traffic to back up and/or trucks coming through too fast
- Ensure signage location is far back enough to allow drivers to slow down with enough time
- Provide plenty of notice to the community, post information/roundabout videos on website and provide information to the Board to share with constituents
- Suggested opening roundabout on a Saturday, if possible, to allow public time to test it out prior to work week

Mr. Henkel responded to the COG Board's questions and concerns. The roundabout will have a lot of signage to tell people where they need to go and choose their lanes ahead of time, prior to entering the roundabout. He stated that roundabouts typically have yield signs, however he would have to look at the sign package for construction. Because construction will be ongoing for about one year, drivers should be fairly used to the area and familiar with slowing down as they traverse the curves and enter the roundabout. Regarding the concern of it being a throwaway project, they worked to try to minimize any throwaway, and believe they will be able to incorporate most of the roundabout into the final design for the SR 156/ SR 25 Interchange Project. Truck and trailer traffic would be able to traverse through the roundabout without having to come to a complete stop and start over again.

Mr. Henkel mentioned that the Board could contact him with any additional questions they may have.

Ms. Gilbert stated that staff would forward Mr. Henkel's contact information to the COG Board. Staff will be updating the website to include Highway 25/156 Turbo Roundabout Project information provided today, along with the images of the construction phases, and roundabout video. The information will be provided to the COG Board so that they can share on their social media and/or forward to constituents.

There was no public comment.

ADJOURNMENT:

There being no further business to discuss, Director Vazquez Edged motioned to adjourn at 5:05 p.m.
Motion seconded by Director Kosmicki.

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Kosmicki voted yes, Director Dirks voted yes, Chair Velazquez voted yes.

Motion carried: 5/0

Yes:	Velazquez, Vazquez Edge, Resendiz, Kosmicki, Dirks
No:	None
Recused:	None
Abstention:	None
Absent:	None

ADJOURN TO COG MEETING MARCH 17, 2022, AT 4:00 P.M.



PROJECT UPDATE – SAN BENITO COUNTY

PREPARED FOR THE MARCH 17, 2022 COUNCIL OF SAN BENITO COUNTY GOVERNMENTS MEETING

CONSTRUCTION PROJECTS

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager (Resident Engineer)	Contractor	Comments
1.	None	None	None	None	None	None	None	None

PROJECTS IN DEVELOPMENT

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager	Phase	Comments
2.	Near Hollister, just north of San Benito Lateral (PM 18.8/19.1)	Curve restoration	Winter 2023	\$4.3 million	SHOPP	Terry Thompson	PS&E/RW	A second Resolution of Necessity (RON) is prepared for presentation at the March CTC meeting if needed. Both RONs may adversely affect the project schedule. Developed a child project for landscape mitigation.
3.	San Felipe Road to 0.3 miles north of Hudner Lane (0.8 mi west of SR 25 to 0.5 miles east of SR 25)	Conversion of 2-lane conventional highway to a 4-lane expressway	N/A	N/A	Local	Terry Thompson	PA&ED	Planning and Environmental are analyzing the impacts of SB743.
4.	Intersection of SR 25/156, north of Hollister (PM 54.048)	Construct Roundabout	Fall 2021- Winter 2022	\$10.7 million	SHOPP	Aaron Henkel	Construction	Contract awarded to Granite Rock Co. Work anticipated to begin April 2022.



PROJECT UPDATE – SAN BENITO COUNTY

PREPARED FOR THE MARCH 17, 2022 COUNCIL OF SAN BENITO COUNTY GOVERNMENTS MEETING

PROJECTS IN DEVELOPMENT (CONTINUED)

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager	Phase	Comments
5. Highway 156 Improvement Project (34490)	In and near San Juan Bautista, from The Alameda to slightly east of Fourth Street (PM 3.0/R8.2)	Construct four-lane expressway	Summer 2021 - Summer 2023	\$60 million	STIP/Local	Terry Thompson	PS&E/RW	Bid Opening was pushed one week to March 9, 2022.
6. U.S 101 Southbound Connector Extension (1N910)	In San Benito County 3.0 miles West of San Juan Bautista at SR-156 and U.S. Route 101	Extend westbound connector an additional 1800 feet and construct a ramp meter	TBD	TBD	Minor A	Terry Thompson	PA&ED	Conducting preliminary engineering to determine the cost and scope of two alternative determined by traffic data a) auxiliary lane only b) two lane ramp meter.
7. SR 156/Alameda EB Right-Turn Channelization (1P300)	In San Juan Bautista at the intersection of SR 156 and The Alameda (PM 2.9/3.1)	Installation of eastbound right-turn channelization from SR 156 onto the Alameda	Spring 2024	TBD	Oversight/Local	Paul Valadao	PA&ED	Performed 50% PS&E review in the late Fall 2021. Comments were submitted to the City of San Juan Bautista, awaiting the applicant's response

ACRONYMS USED IN THIS REPORT:

PA&ED	Project Approval and Environmental Document	SBt	San Benito County
PS&E	Plans, Specifications, and Estimate	STIP	Statewide Transportation and Improvement Program
ROW	Right of way	SHOPP	Statewide Highway Operation and Protection Program
SB1	Senate Bill 1	SR	State Route
		SCL	Santa Clara County



PROJECT UPDATE – SAN BENITO COUNTY

PREPARED FOR THE MARCH 17, 2022 COUNCIL OF SAN BENITO COUNTY GOVERNMENTS MEETING



Staff Report

To: Council of San Benito County Governments
From: Norma Rivera, Administrative Services Specialist Telephone: (831) 637-7665
Date: March 17, 2022
Subject: **Assembly Bill 361 Teleconferencing Options For COG**

Recommendation:

ADOPT Resolution 22-04 Authorizing Teleconferencing Options for Council of Governments meetings for the Period of March 24, 2022, through April 22, 2022.

Summary:

On September 16, 2021, the Governor signed Assembly Bill (AB) 361, a bill that codifies certain teleconference procedures that local agencies have adopted in response to the Governor’s Brown Act-related Executive Orders. Specifically, AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders under certain prescribed circumstances or when certain findings have been made and adopted by the local agency legislative body.

Financial Considerations:

None.

Discussion:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, amending his prior Executive Order N-29-20, and waiving certain provisions of the Brown Act relating to teleconferences/remote meetings by local agency legislative bodies. The Executive Order waived, among other things, the provisions of the Brown Act that otherwise required the physical presence of members of local agency legislative bodies or other personnel in a particular location as a condition of participation or as a quorum for a public meeting. These modifications remained in effect through September 30, 2021.

Under Assembly Bill (AB) 361, when the state of emergency lasts longer than 30 days, as is the case presently, the legislative body must make findings every 30 days to continue using the bill’s exemption to the Brown Act teleconferencing rules. AB 361 mandates that the legislative body must find that there is a continuing need for teleconferencing due to dangers posed by the ongoing state of emergency. This means that local agencies will have to put an item on the public meeting agenda at least every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law’s teleconference provisions.

To continue to meet under those modified rules after April 22, 2022, the Board will again need to reconsider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Reducing the circumstances under which people come into close contact remains a vital component of the San Benito County and COG's COVID-19 response strategy. Local agency public meetings are an essential government function and the last 18 months have proven that the teleconferencing format protects public access while minimizing exposure to COVID-19.

The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19 is spreading quickly throughout 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/omicron-variant.html>).

Staff recommends that the Board adopt findings that conducting in-person meetings at the present time would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to return each 30 days to afford the Board the opportunity to reconsider such findings is before the Board for consideration (Attachment 1). If the Board adopts the proposed resolution, then it may continue to meet under the modified Brown Act teleconference rules of AB 361 through April 22, 2022. If the Board does not adopt the resolution, Board meetings will be conducted in-person at the San Benito County Board of Supervisors Chambers. Staff does not recommend a hybrid virtual/in-person meeting option due to limits on staff resources for meeting administration.

Counsel Review: Yes

Supporting Attachment(s):

1. Resolution 22-04
2. Letter from San Benito County Health Officer



BEFORE THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

A RESOLUTION OF THE COUNCIL OF SAN)
BENITO COUNTY GOVERNMENTS) Resolution No. COG 22-04
AUTHORIZING CONTINUED REMOTE)
TELECONFERENCE MEETINGS OF THE COUNCIL)
OF GOVERNMENTS AND THE MEETINGS OF ITS)
ADVISORY BODIES PURSUANT TO AB 361)

WHEREAS, the Council of San Benito County Governments is committed to preserving and nurturing public access and participation in meetings of the Board of Directors and in meetings of its advisory bodies, including but not limited to the Technical Advisory Committee (TAC), Social Services Technical Advisory Committee (SSTAC), and the Measure G Transportation, Safety and Investment Plan Oversight Committee; 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 Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, pursuant to his authority under the California Emergency Services Act, California Government Code section 8625; 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 4, 2021, Governor Newsom clarified that the "reopening" of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying 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 Assembly Bill 361 (AB 361), which 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 Omicron variant of COVID-19 is spreading quickly throughout 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/omicron-variant.html>); and

WHEREAS, on September 30, 2021, Dr. Ghilarducci, Interim San Benito County Public Health Officer, issued a recommendation on Social Distancing at public meetings of legislative bodies within San Benito County; and

WHEREAS, on January 5, 2022, Dr. Gellert, San Benito County Public Health Officer, issued an updated recommendation on continued Social Distancing at public meetings of legislative bodies within San Benito County, attached hereto as Exhibit “A”, and incorporated herein by this reference; and

WHEREAS, the Council of San Benito County Governments is a joint powers authority formed under the joint exercise of powers provisions of California Government Code Sections 6500-6522 and the California Code of Civil Procedure section 1240.140, among the County of San Benito, a political subdivision of the State of California, and the Cities of Hollister and San Juan Bautista, municipal corporations located in San Benito County; and

WHEREAS, the San Benito County 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 County of San Benito; and

WHEREAS, at its regular meetings on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 25, 2022, and February 22, 2022, the San Benito County Board of Supervisors considered all information related to this matter, as presented at the public meetings of the Board of Supervisors 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, and adopted Resolution Nos. 2021-128, 2021-140, 2021-148, 2021-160, 2022-04, and 2022-21, making the findings and determinations required by AB 361; and

WHEREAS, the Council of San Benito County Governments has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the Council of Governments’ 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 Council of San Benito County Governments deems it necessary to find that a requirement to meet in person for meetings of all Council of Governments' related legislative bodies subject to the 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, at its regular meetings on October 21, 2021, November 18, 2021, and December 16, 2021, special meeting on January 11, 2022, regular meetings on January 20, 2022, and February 17, 2022, the Council of San Benito County Governments considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein, including any supporting reports by Council of Governments' Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-11, 2021-12, 2021-13, 2022-01, 2022-02, and 2022-03, making the findings and determinations required by AB 361; and

WHEREAS, the Council of San Benito County Governments has further considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein as of the date of this Resolution, including any supporting reports by Council of Governments' 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 effect; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the California Legislature have exercised their respective powers, pursuant to California Government Code section 8629, to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature, and the proclaimed state of emergency remains in effect; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of public meetings; and

WHEREAS, the Board of Directors of the Council of San Benito County Governments 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 Board of Directors of the Council of San Benito County Governments as follows:

1. Recitals. The Board of Directors hereby finds that the facts set forth in the Recitals to this Resolution are true and correct and are incorporated into this Resolution by this reference. The above findings and this Resolution apply to all Council of Governments related legislative bodies subject to the Brown Act, including but not

limited to its Technical Advisory Committee (TAC), Social Services Technical Advisory Committee (SSTAC), Measure G Transportation, Safety and Investment Plan Oversight Committee, and any other Council of Governments standing committees and all other committees and commissions established by the Council of San Benito County Governments and subject to the Brown Act.

2. Proclamation of Local Emergency. The Board of Directors hereby proclaims that a local emergency continues to exist throughout the County, and social distancing orders are currently in place and needed to protect the health and safety of the citizens.
3. Consideration of Future Extensions of Resolution. As long as the State Emergency remains in effect or until directed otherwise by the Board of Directors, staff shall present to the Board at every meeting an item necessary to continue the findings required by AB 361.
4. Effective Date of Resolution. 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 Board of Directors adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Council of San Benito County Governments may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.
5. Remote Teleconference Meetings. The staff, Counsel, and legislative bodies of the Council of Governments are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS THIS 17th DAY OF MARCH 2022 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

Ignacio Velazquez, Chair

APPROVED AS TO LEGAL FORM:
SAN BENITO COUNTY COUNSEL'S OFFICE

Dated: March 11, 2022

By: Shirley L. Murphy
Shirley L. Murphy, Deputy County Counsel

ATTEST:
Mary Gilbert, Executive Director

Dated: _____

By: _____

EXHIBIT A

GEORGE GELLERT MD, MP, MPA
HEALTH OFFICER

TRACEY BELTON
AGENCY DIRECTOR



SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

PUBLIC HEALTH SERVICES

Healthy People in Healthy Communities

January 5, 2022

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 and more recently the Omicron variant, I strongly urge 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. The conduct of public meetings in a remote or hybrid manner enables members of the community to participate from the comfort of their homes without having to risk contracting these viruses by attending in-person meetings.

In addition, these measures help contain the spread of the disease and protect the community. All events public gatherings, including public meetings, create environments where these virus variants can potentially spread among attendees and participants. However, when combined with social distancing and effective masking practices, along with continued efforts to increase vaccination uptake within San Benito County, a remote or hybrid format for meetings maximizes avenues for public access and input and minimizes the risk of infection for the public, agency staff, meeting presenters, and legislative body members as well.

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

A handwritten signature in black ink, appearing to read "George Gellert MD, MPH, MPA".

George Gellert MD, MPH, MPA
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
831-636-4035

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



Staff Report

To: Council of Governments
From: Veronica Lezama, Transportation Planning Manager Telephone: (831) 637-7665
Date: March 17, 2022
Subject: **Amendment No. 1 to Fiscal Year 2021/2022 Overall Work Program**

Recommendation:

APPROVE Amendment No. 1 to the Fiscal Year 2021/2022 Overall Work Program Amending Work Element 306: Short Range Transit Plan.

Summary:

The Council of Governments on behalf of the San Benito Local Transportation Authority received a planning grant for the preparation of a Short-Range Transit Plan update. An amendment to the current FY 2021/2022 Overall Work Program is required in order to receive the planning funds.

Financial Impact:

COG was awarded a California Department of Transportation Sustainable Transportation Planning grant in the amount of \$100,000. COG identified an in-kind match of staff time in the amount of \$12,956. The total budget for the Short-Range Transit Plan is \$112,956.

Background:

As the designated Regional Transportation Planning Agency, the Council of Governments prepares an annual Overall Work Program that identified the planning work that the agency will perform during each fiscal year. The document may be amended if changes occur during the current fiscal year to reflect priorities, funding changes, and staffing modifications.

Staff Analysis

Amendment No. 1 to the FY 2021/2022 Overall Work Program consists of amending the scope of work for Work Element 306 Short-Range Transit Plan (Attachment 1). The enclosed Work Element shows the proposed edits using track changes.

Counsel Review: No

Supporting Attachments: OWP Work Element No. 306

Council of San Benito County Governments (COG)

Local Transportation Authority • Airport Land Use Commission • Service Authority for Freeways & Expressways
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Work Element 306: Short Range Transit Plan

Lead Agency: Local Transportation Authority

Project Manager: Regina Valentine, Transportation Planner

Objectives

The Short-Range Transit Plan will include recommendations that are operationally and financially sustainable regarding: program goals and objectives, service enhancement or reduction possibilities, capital improvement planning, management structure and partnership opportunities, marketing, and related policy issues. The plan will address internal and external factors influencing the use of public transit, including fares, schedules, route design, passenger amenities, etc. The plan will include a short-range element (within 5-year window) and a longer 10-year element setting a vision for improved transit services for the future.

Previous and Ongoing Work

This project will build upon planning efforts in the region such as LTA's 2016 Short Range/Long Range Transit Plan and Association of Monterey Bay Area Governments' (AMBAG) Rural Transit Improvement Initiative studying the unique needs of rural transit. It is consistent with the adopted 2040 San Benito Regional Transportation Plan and 2040 AMBAG Metropolitan Transportation Plan/Sustainable Communities Strategy and associated Implementation Project Place Types Matrix, as it supports enhancements for high quality transit encouraging transit-oriented development. It is also consistent with the goals of the City of Hollister's (the County Seat) 2005 General Plan Circulation Element, a portion of the General Plan which supports the Land Use Element. This coordination between land use and transportation (including complete streets components) allows for more sustainable communities both today and into the future.

Work Element 306 Funding Source			Amount
Federal Transit Administration, 5304 - Sustainable Communities			\$100,000
Transportation Development Act (TDA)			\$12,956
Total			\$112,956
Task	Deliverable	Deadline	Responsible Party
2.1	<u>Update Goals, Objectives, and Standards</u>	<ul style="list-style-type: none"> <u>Goals, Objectives, and Standards Report</u> 	<u>January 2022</u> COG/LTA and Consultant
2.2	Identification of issues to be addressed in the SRTP Update after reviewing previous documents and conducting a decision makers' survey	Decision Makers' Survey <ul style="list-style-type: none"> Project Public Participation Plan 	July 2021 COG/LTA and Consultant

		<ul style="list-style-type: none"> Identified Issues Report 		
2.3	Evaluation of existing service and ridership analyzing travel demands and demographics, completing passenger counts , doing peer comparisons, and conducting a bilingual (English and Spanish) onboard rider survey	<ul style="list-style-type: none"> Bilingual (English and Spanish) Onboard Rider Survey Existing Services and Recommended Implementation Plans Report 	March November 2022	COG/LTA and Consultant
2.4	Prepare peer comparisons and an evaluation of existing service costs, efficiency and effectiveness, and comparison with adopted performance standards providing future recommendations	<ul style="list-style-type: none"> Performance Indicators Report and Template 	January 2022	COG/LTA and Consultant
2.5	Development of a 10-year Capital Improvement Plan that includes schedules, cost estimates, and funding sources for replacement, rehabilitation, expansion, and introduction of new technologies	<ul style="list-style-type: none"> Capital Asset Plan Report 	April March 2022	COG/LTA and Consultant
2.6	Recommendations as to types of media and messages to market services and improvements to rider information services, including recommendations regarding specific branding of Specialized Transportation	<ul style="list-style-type: none"> Marketing and Communications Report 	April 2022	COG/LTA and Consultant
2.7	Recommendations an annual financing plan for operations and capital improvements based on current and expected funding sources	<ul style="list-style-type: none"> Financial Plan Report 	April 2022	COG/LTA and Consultant
2.8	Comparison of the staffing levels (COG/LTA and third-party contractors) of the public transportation services to other organizations in peer-level transit systems and provide a summary of comparison staffing levels and duties/expertise	<ul style="list-style-type: none"> Management and Organizational Report 	May 2022	COG/LTA and Consultant
2.9	Meetings and public participation including meeting with a stakeholder group and the Social Services Transportation Advisory Council, and presenting the	<ul style="list-style-type: none"> Public Meeting Agendas/Minutes 	June 2022	COG/LTA and Consultant

	draft and final plans to the COG/LTA Board at a regularly scheduled meeting	<ul style="list-style-type: none"> • Stakeholder Meeting Agendas/Minutes • Draft Plan • Final Plan • Staff Reports 		
2.10	Focused operational plan that outlines an approach to restore fixed route transit capacity at times of peak demand for Fall 2021, which will include service routings, levels, and spans	<ul style="list-style-type: none"> • Fixed Route Operational Restoration Plan 	August 2021	COG/LTA and Consultant
2.11	Executive summary and final Plan will be provided for COG/LTA review. Staff will request that the COG/LTA Board to adopt the final Plan.	<ul style="list-style-type: none"> • Executive Summary • Final Plan 	June 2022	COG/LTA and Consultant
2.12	Copies of the Plan will be printed. Digital and hard copies of the final Plan will be submitted to Caltrans. The final Plan will be posted on the COG and LTA websites.	<ul style="list-style-type: none"> • Digital Copies of the Plan • Hard Copies of the Plan • Website Postings 	June 2022	COG/LTA



Staff Report

To: Council of San Benito County Governments
 From: Norma Rivera, Administrative Services Specialist Telephone: (831) 637-7665
 Date: March 17, 2022
 Subject: State Route 25 Conversion Project

Recommendation:

APPOINT Two COG Board Members to an Ad-Hoc Committee to Perform Review and Recommendation of a Project Management and Engineering Services Firm for the State Route 25 Conversion Project.

Summary:

At the February 17, 2022, COG meeting, the COG Chair directed staff to add an item to the March meeting agenda to form an ad-hoc committee for the review and recommendation of a project management and engineering services firm to support staff through the environmental review and design of the State Route 25 Conversion Project. The ad-hoc committee will consist of two appointed COG Directors to meet with the COG Executive Director, and others necessary, on reviewing proposals. Staff will then complete the procurement process and bring a contract to the Board for approval at a future meeting.

Financial Considerations:

State Route 25 Conversion Project management and engineering services will be paid for with local Measure G revenues. Measure G is the COG Ordinance 2018-01 and Transportation Safety and Investment Plan that was approved by San Benito County voters on November 6, 2018. The measure consists of a one cent local transactions and use tax to be collected for 30 years to improve our local streets and roads, improve connectivity, and reduce congestion.

Discussion:

Staff recommends that the COG Board appoint two Directors to the ad-hoc committee to meet with the COG Executive Director, and others necessary, to review and recommend a firm for project management and engineering services for the State Route 25 Conversion Project. The Ad-Hoc Committee will review all responsive proposals and recommend the preferred firm to the COG Board for approval.

Counsel Review: N/A

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