



## SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus  
District No. 1

Anthony Botelho  
District No. 2

Pat Loe  
District No. 3  
Vice-Chair

Reb Monaco  
District No. 4  
Chair

Jaime DeLaCruz  
District No. 5

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

### SPECIAL MEETING JULY 19, 2005 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in **special session**. Supervisors Don Marcus, Jaime De La Cruz, Anthony Botelho, Pat Loe and Reb Monaco were all present. Also present was County Administrative Susan Thompson, Interim County Counsel Claude Biddle and Senior Board Clerk Linda Churchill. Chairman Reb Monaco presided.

#### 6:30 p.m. CALL TO ORDER:

- a) Pledge of Allegiance.
- b) *Acknowledged Certificate of Posting.*
- c) **Public Comment:** Stephen Rosati, Hollister resident, came forward to express his concern about the proposed flyover at Highway 152 / 156 (Don Pacheco Y) and wanted to make certain his comments were passed on to Council of Governments (COG) and that the Board of Supervisors send a letter to VTA (Valley Transportation Authority) expressing the Board's opposition to the proposed alternative.

Mr. Rosati further commented with regards to Proposition 42 funding noting that it has been fully funded at \$1.3 billion and we should move forward and start the ball rolling on the gap project.

#### CONSENT AGENDA:

##### BOARD OF SUPERVISORS:

- 1) **Accepted** the resignation of Michael G. Smith from the San Benito County Fish & Game Commission effective immediately. (Supervisor De La Cruz) **File #24**

##### DEPARTMENT OF EMERGENCY SERVICES – M. Riopel:

- 2) **Reaffirmed** 14-Day Proclamation of Local Emergency – Thomas Road. **File #**

#### REGULAR AGENDA:

##### BOARD OF SUPERVISORS:

- 3) **Regarding nomination for appointment to the Planning Commission, consider the following:**

- a) **District 5 Supervisor nominates Michael G. Smith for appointment to the San Benito County Planning Commission; and**
- b) **Accept nomination and consider appointment of Michael G. Smith to the San Benito County Planning Commission representing Supervisorial District 5 with a term effective July 19, 2005 and co-terminus with that of the duly elected Supervisor. (Supervisor De La Cruz)**

Supervisor De La Cruz stated that his Planning Commissioner has moved out of District 5 and had to resign from the position. After appropriate posting requirements Mr. Smith submitted his application and brings a wealth of experience to the position.

Michael Smith came forward stating that he has been with the community for 10 years and looks forward to sitting on the Planning Commission

**BOARD ACTION:** *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho accepted nomination of Michael G. Smith for appointment to the San Benito County Planning Commission and appointed Mr. Smith to represent District 5 with a term effective July 19, 2005 and coterminous with that of the duly elected supervisor. (Unanimous) File #790.2*

- 4) **Hold workshop for community input for the purpose of convening an Ethics Committee for San Benito County and direct staff as appropriate. (CAO)**

A workshop was held for public input from interested stakeholders regarding a campaign ethics committee.

Mickie Solorio Luna, San Benito County resident and President of the San Benito County LULAC Council, came forward. Ms. Solorio felt it was the best idea ever brought by the Board of Supervisors stating that LULAC supports the idea and is willing to assist with the process.

Susan Swanson, San Benito County resident, stated that she felt that an Ethics Committee is important and even if the Board of Supervisors does not create it the Board should support it noting that it should be a diverse group of community members.

Sally Bettencourt, San Benito County resident, stated that she was opposed to this Ethics Committee because she did not think a non-biased person could be picked in this community because everyone has their own opinions and their own philosophies.

The Board held discussion.

**BOARD ACTIONS:**

*Chairman Monaco directed County Counsel to look into how Santa Clara County established their commission and to look into the process for filing 5013C papers.*

*Upon motion made by Supervisor Botelho and seconded by Supervisor De La Cruz moved as follows:*

- 1) *Directed staff to hold a public meeting for all interested non-profit organizations and special interest Boards and individual citizens for the purpose of convening possible stakeholders. Staff would organize the meeting, outline the nature of the ethics committee process undertaken in Santa Clara County, ask if there are volunteers to assume temporary leadership of the organization and if so conduct an election among those present to select a temporary Chair. Staff at that point would leave the meeting and allow the group to move forward.*
- 2) *Directed staff to send a letter to Gavilan College requesting that the college offer a program in ethical campaigning for all local office holders and persons considering candidacy. The course would be offered approximately nine (9) months before each local election and the County would provide information on the course to candidates when campaign materials are obtained from the elections departments.  
(Note: Susan Lyons, Management Analyst, has already contacted Gavilan College.)  
(Unanimous.)*

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES: SUPERVISORS: Don Marcus, Jaime De La Cruz, Anthony Botelho, Pat Loe,  
Reb Monaco  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to its next regularly scheduled meeting on July 26, 2005 at 9:30 a.m.

**REB MONACO, CHAIRMAN**  
San Benito County Board of Supervisors

ATTEST:  
John R. Hodges  
Clerk of the Board  
BY:  
Linda Churchill  
Senior Board Clerk