

11/19/2024

TO: San Benito County Council of Governments

FROM: Stephen J. Rosati

RE: Agenda Item #11 Action Item from COG Board Meeting 11/21/2024

These comments are for Action Item #11. Approve First Amendment to Measure G Transportation Safety and Investment Plan Oversight Committee Bylaws. The following is from the ADMINISTRATIVE PROVISIONS AND SAFEGARDS SECTION 1.c. when voters approved Measure G back in November 2018:

“Members of the Expenditure Plan Oversight Committee shall be appointed by the Council of Governments Board of Directors and shall be residents who are neither elected officials of any government, nor employees from any agency or organization that either oversees or benefits from the proceeds of the sales tax. The committee shall include, at a minimum, representatives from the City of Hollister, the City of San Juan Bautista, and the unincorporated areas of San Benito County”.

After the November 2018 successful vote, the SBC COG established the Bylaws in your Staff Report as to the number of members (eleven 11), the breakdown (seven 7 categories) for these eleven members into the 7 different categories of the committee and the voting requirements of a quorum during meetings into Section 5.3 of the Ordinance. I hope the COG Board will seriously consider replacing the proposed wording to the following in Section 5.3 of the Ordinance:

1. Change the number of committee members from eleven (11) to **nine** (9).
2. Appoint 2 Alternates in case a committee member(s) cannot attend a meeting (still leaving nine (9) as the number of voting committee members).
3. Change the required quorum number from four (4) to **five** (5).
4. Include the following wording from the second paragraph above plus 2 sentences to Section 5.3 of the Ordinance: Members of the Expenditure Plan Oversight Committee shall be appointed by the Council of Governments Board of Directors and shall be residents who are neither elected officials of any government, nor employees from any agency or organization that either oversees or benefits from the proceeds of the sales tax. The committee shall include, at a minimum, representatives from the City of Hollister, the City of San Juan Bautista, and the unincorporated areas of San Benito County. The committee shall include at least two (2) members from the unincorporated areas of San Benito County, two (2) members from the City of Hollister and one (1) member from the City of San Juan Bautista. The remaining 4 members shall be at large from any of the 3 areas of the county stated in this Section.

By reducing the number of members to nine (9) and the different categories to four (4), the COG Board will accomplish:

- Following the original intent of the originally verbiage approved by the voters.
- Making a quorum more easily for the meetings by having the breakdown of categories to include “at large” rather than the difficult categorizations originally established in the Ordinance.
- Making the decisions on the action items of the Oversight Committee based on a more “legal” quorum (by definition) that the voters would expect to exist and current governmental agencies actually utilize.
- Replacing committee members much easier and faster to avoid rescheduling meetings due to fewer members.
- Help prevent committee members from missing meetings since in reality, a “non-quorum” requirement was possibly going to exist to conduct business. We are only talking about 4 meetings per year, plus the committee’s actions are “after the fact”, so much less dialog is needed to conduct committee business.
- Again, most importantly, keeping the support and trust from voters.

Thank you again for your serious consideration.

Respectfully,

Stephen J. Rosati

