

# AGENDA REGULAR MEETING

## COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

**DATE:** Thursday, June 19, 2008  
2:00 p.m.

**LOCATION:** Board of Supervisors Chambers, 481 Fourth Street,  
Hollister, CA 95023

**COG MEMBERS:** Directors: Chair Brad Pike, Sr., Directors Anthony Botelho, Rick Edge, Doug Emerson, and Don Marcus  
Alternates: City of Hollister: Pauline Valdivia; San Benito County: Pat Loe, San Juan Bautista: Ed Laverone

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*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 C. Public Comment.*

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### **2:00 P.M. – CALL TO ORDER**

- A. Pledge of Allegiance
- B. Verification of Certificate of Posting

### **CLOSED SESSION:**

#### **1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

No. of cases: 5

Authority: California Government Code Section 54956.9(a)

- a) Council of San Benito County Governments v. Hollister Inn
- b) Council of San Benito County Governments v. McNamee
- c) Council of San Benito County Governments v. K&S Market
- d) Council of San Benito County Governments v. Roberts (South Valley Trailers)
- e) Council of San Benito County Governments v. Hollister Farms

#### **2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of Litigation

No. of Cases: 1

Authority: California Government Code Section 54956.9(c)

### **2:30 p.m.**

- C. PUBLIC COMMENT:** (Opportunity to address the Board on items of interest not appearing on the agendas. No action may be taken unless provided by Govt. Code Sec. 54954.2. **Speakers are limited to 3 minutes.**)

## D. COG DIRECTORS' REPORTS

## E. EXECUTIVE DIRECTOR'S REPORT

### **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.)*

3. **APPROVE** Council of Governments Transaction Report (Financial Claims) dated May 1, 2008 to May 31, 2008 – Postigo
4. **APPROVE** Council of Governments Special Meeting Minutes dated May 9, 2008 - Gomez
5. **APPROVE** Council of Governments Special Joint Meeting Minutes dated May 15, 2008 – Gomez
6. **APPROVE** Council of Governments Meeting Minutes dated May 15, 2008 – Gomez
7. **APPROVE** Contract Between the Council of Governments and the County of San Benito for Personnel Services for FY 2008/2009 – Postigo
8. **APPROVE** Fiscal Year 2008/2009 Overall Work Program Including Planning Activities to be Performed by the Council of Governments – Lezama
9. **RECEIVE** 2008 Bike Week Participation Report – Lezama
10. **APPOINT** Bicycle and Pedestrian Advisory Committee (BPAC) Members – Lezama
11. **APPROVE** Scope of Services and Fee Schedule with the Association of Monterey Bay Area Governments for Metropolitan Planning Services for FY 2008/09 in an Amount not to Exceed \$4,644 – Lezama
12. **APPROVE** the Allocation of \$29,000 in Regional Surface Transportation Program Funds to the City of Hollister for the Nash Road Lighted Crosswalk Project – Lezama
13. **Unmet Transit Needs Report** – LiOwen
  - a) **RECEIVE** Unmet Transit Needs Report
  - b) **RECEIVE** Correspondence from Social Services Transportation Advisory Council Regarding Unmet Transit Needs
  - c) **ADOPT** Resolution 08-12 Concerning Unmet Public Transportation Needs Funding and Program for Fiscal Year 2008/2009
14. **RECEIVE** Construction Projects Report – Caltrans District 5
15. **APPROVE** Support Letters for Valley Transportation Authority Request for Federal Funding of the Route 152 Mobility Partnership – Rheinheimer

**16. 2008 State Legislation – Rheinheimer**

- a) **OPPOSE** Senate Bill 375 Regarding New Requirements for Regional Transportation Plans
- b) **OPPOSE** Senate Bill 1507 Prohibiting Construction of Roadways Near Schools
- c) **RECEIVE** Update on the Upcoming Federal Transportation Bill

**17. RECEIVE** Update on Implementation of Triennial Performance Audit Recommendations – Dinkuhn

**REGULAR AGENDA:**

**TRANSPORTATION ISSUES:**

**18. Highway 25 Safety and Operational Enhancements Project – Dinkuhn**

- a) **CONDUCT** a Hearing on the Resolution of Necessity to Acquire the Real Property Interest in Assessors Parcel No. 014-030-002
- b) **RECEIVE** Public Testimony from Property Owner(s)
- c) **APPROVE** Resolution No. 08-13

**19. RECEIVE** Final System Analysis Study of Routes 25, 101, 152, and 156 – Dinkuhn

**20. Highway 25 Bypass Project – Dinkuhn**

- a) **RECEIVE** Update on the Highway 25 Bypass Project,
- b) **CONSIDER** Contract Change Order Nos. 49-52 for an amount not to exceed \$206,871, and
- c) **APPROVE** Claim for \$2,100 to Reimburse Frank Jr. Farms for Crop Losses

**21. RECEIVE** Report on Governor's FY 08/09 Proposed State Budget – May Revision for Transportation – Rheinheimer

**ADMINISTRATION ISSUES:**

**22. APPROVE** FY 2008/2009 Council of Governments' Budget – Postigo

**ADJOURN to COG Meeting on Thursday, JULY 17, 2008 at 2:00 p.m.**

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*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.*

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