

AGENDA

REGULAR MEETING

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, October 16, 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

*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 D. Public Comment.***

2:00 P.M. – CALL TO ORDER

A. Pledge of Allegiance

B. Verification of Certificate of Posting

C. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

No. of cases: 3

Authority: California Government Code Section 54956.9(a)

a) Council of San Benito County Governments v. Hollister Inn/Roberts

b) Council of San Benito County Governments v. K&S Market

D. 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.**)

E. COG DIRECTORS' REPORTS

F. 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.)

1. **APPROVE** Council of Governments Transaction Report (Financial Claims) dated September 2008 – Postigo
2. **APPROVE** Council of Governments Meeting Minutes dated September 18, 2008 – Gomez
3. **RECEIVE** Construction Projects Report – Caltrans, District 5
4. **SET** Special Meeting for December 11, 2008, Which Combines Regular Meetings of November and December – Postigo

REGULAR AGENDA:

ADMINISTRATION ISSUES:

5. **Fiscal Year 2007/2008 Budget Report** – Postigo
 - a) **RECEIVE** Fiscal Year 2007/2008 Budget Report
 - b) **APPROVE** Budget Adjustments/Transfers for Year End Closing June 30, 2008
6. **RECEIVE** Report on Council of Governments Formation, Purpose and **APPROVE** Mission Statement – Rheinheimer

TRANSPORTATION ISSUES:

7. **RECEIVE** Update on the Highway 25 Bypass Project and **APPROVE** Contract Change Orders for an Amount Not to Exceed \$34,699 – Dinkuhn
8. **Highway 25 Safety and Operational Enhancements Project** – Dinkuhn
 - a) **RECEIVE** Update on the Project
 - b) **APPROVE** Agreement for Possession and Use with Property Reserve, Inc.,
 - c) **APPROVE** Agreement with MNS Engineering for Construction Management Services,
 - d) **APPROVE** Plans and Bid Documents for Project, and
 - e) **AUTHORIZE** Staff to Solicit Bids for Construction.
9. **APPROVE** Comment Letter Regarding the Gavilan San Benito Campus and Fairview Corners Projects Environmental Impact Report – Rheinheimer
10. **RECEIVE** Report on California State Budget for Fiscal Year 2008/09 Relating to Transportation Funding – Rheinheimer

ADJOURN TO COG MEETING ON THURSDAY, DECEMBER 11, 2008. AGENDA DEADLINE IS TUESDAY, DECEMBER 3, 2008 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.
