

REGULAR MEETING AGENDA

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

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DATE: Thursday, February 19, 2009
2:00 p.m.

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

COG MEMBERS: Directors: Anthony Botelho, Jaime de la Cruz, Rick Edge,
Doug Emerson, and Victor Gomez
Alternates: City of Hollister: Eugenia Sanchez; San Benito
County: Pat Loe, San Juan Bautista: Margaret Bilich

*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.***

2:00 P.M. – CALL TO ORDER

A. Pledge of Allegiance

B. Verification of Certificate of Posting

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. CLOSED SESSION:

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

No. of cases: 2

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

2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: COG Executive Director

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 January 2009 – Postigo
2. **APPROVE** Council of Governments Minutes dated January 15, 2009 – Gomez
3. **RECEIVE** Construction Projects Report – Caltrans, District 5
4. **APPROVE** Amendment No. 1 to the Contract with Shipper Design for Bike Week Consultant Services, Decreasing the Contract by \$200 for a Total not to Exceed \$3,398 – Lezama
5. **APPROVE** Amendment No. 1 with Alta Planning + Design for the Preparation of Safe Routes to Schools Maps for the Bikeway and Pedestrian Master Plan, Increasing the Contract by \$4,515 for a Total not to Exceed \$84,515 – Lezama
6. **APPROVE** Memorandum of Understanding with the Council of Governments, the San Benito County Airport Land Use Commission, the City of Hollister, and the County of San Benito for the Airport Land Use Compatibility Plan for the Hollister Municipal Airport – Lezama
7. **APPROVE** Project Nominations for FY 2009/2010 Transportation Planning Grant Program – Lezama
8. **APPROVE** Memorandum of Understanding with the Association of Monterey Bay Area Governments, the Santa Cruz County Regional Transportation Commission, and the Transportation Agency for Monterey County for the Environmental Impact Report for the 2010 Regional Transportation Plan Update for an Amount not to Exceed \$17,500 – Dinkuhn
9. **APPROVE** Comment letter on Notice of Proposed Mitigated Negative Declaration for San Benito County Use Permit 1006-08 – Dinkuhn

REGULAR AGENDA:

ADMINISTRATIVE ISSUES:

10. **RECEIVE** 2nd Quarter 2009/2009 Budget Report and **APPROVE** Budget Adjustments/Transfers – Postigo
11. **REVIEW** and **COMMENT** on Fiscal Year 2009/2010 Budget Assumptions – Postigo

TRANSPORTATION ISSUES:

12. **Highway 25 Bypass Project**
 - a. **RECEIVE** Update on the Highway 25 Bypass A. Project
 - b. **APPROVE** Contract Change Orders for an Amount Not to Exceed \$83,251.20

- c. **APPROVE** Actual Moving Expense Claim for an Amount not to Exceed \$36,795.89 – Dinkuhn

- 13. **San Juan Road Interchange Project**
 - a. **RECEIVE** Presentation on the San Juan Road/Highway 101 Interchange Project in San Benito and Monterey Counties
 - b. **COMMENT** on the Environmental Document, and
 - c. **APPROVE** Letters of Support for the Project to Senator Boxer and Representative Sam Farr – Dinkuhn

- 14. **American Recovery and Reinvestment Act of 2009**
 - a. **RECEIVE** Report on the American Recovery and Reinvestment Act of 2009 and
 - b. **APPROVE** List of Projects for Economic Stimulus Funding, and
 - c. **APPROVE** Resolution Number 09-05 – Rheinheimer

- 15. **APPROVE** Draft 2009 Legislative Program and **ENDORSE** the California Consensus on Federal Transportation Authorization for 2009 – Rheinheimer

ADJOURN TO COG MEETING ON THURSDAY, MARCH 19, 2009. AGENDA DEADLINE IS TUESDAY, MARCH 10, 2009 AT 12:00 P.M

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