

**SAN BENITO COUNTY  
COUNCIL OF GOVERNMENTS  
REGULAR MEETING**

**September 20, 2012, 2:00 P.M.**

**FINAL MINUTES**

**MEMBERS PRESENT:**

Chair Emerson, Director Boch, Director Botelho, Director De La Cruz, and Director Gomez

**STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Administrative Services Specialist, Kathy Postigo; Secretary, Monica Gomez

**CALL TO ORDER:**

Chair Emerson called the meeting to order at 2:05 P.M.

**A. PLEDGE OF ALLEGIANCE**

**B. CERTIFICATE OF POSTING**

*Upon a motion duly made by Director Gomez, and seconded by Director De La Cruz, the Directors unanimously approved the Certificate of Posting.*

**C. PUBLIC COMMENT:**

Chair Emerson stated for the record that the COG Board received Joe Thompson's public comment correspondence dated August 14, 2012 through September 14, 2012. The correspondence was entered into the public record.

**D. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer**

Ms. Postigo announced that she would cover the COG meeting as Ms. Rheinheimer and Ms. Gilbert were both out of town.

**E. CALTRANS DISTRICT 5 REPORT – Gubbins/Loe**

**F. BOARD OF DIRECTORS REPORTS: None**

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Regular Meeting Minutes Dated August 16, 2012 – Gomez
2. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated August 2012 – Postigo
3. **RECEIVE** Construction Projects Report – Caltrans District 5

4. **ADOPT** COG Resolution 12-10 Approving Amended Social Services Transportation Advisory Council Bylaws – Rheinheimer
5. **ADOPT** COG Resolution 12-11, Amending the Regional Transportation Plan Advisory Committee Bylaws – Gilbert
6. **APPROVE** Memorandum of Understanding as Amended September 2012 between Santa Barbara County Association of Governments, Association of Monterey Bay Area Governments, Council of San Benito County Governments, Transportation Agency for Monterey County, San Luis Obispo Council of Governments, and Santa Cruz County Regional Transportation Commission to Form a Partnership to Ensure the Vitality of the U.S. 101 Corridor Along the Central Coast – Rheinheimer
7. **APPROVE** Contract with Schipper Design for an Amount not to Exceed \$18,500 for the Development of the San Benito County Rideshare Program Website – Lezama
8. **APPROVE** Proclamation 12-05 declaring October 2012 as Rideshare Month in San Benito County – Lezama

Director De La Cruz asked to pull Agenda Item 7 for discussion.

There was no public comment on the Consent Agenda.

*Upon a motion duly made by Director Gomez, and seconded by Director De La Cruz, the Directors unanimously approved Items 1-6 and 8 from the Consent Agenda.*

#### **Regarding Item 7:**

Director De La Cruz wanted to know the names of the other bidders and their bid amounts.

Ms. Postigo stated that staff did not usually list all of the proposals and bid amounts. Four proposals were received and reviewed by a panel, who selected Schipper Design as the most qualified consultant.

Director De La Cruz stated that the contract was not awarded based on the lowest bidder; it was awarded based on experience, which raised questions for him. He stated that he could not approve a contract without viewing all of the bids that were submitted.

Director Botelho stated that he was comfortable with approving the contract because the contractor is not only local, but has been used before, and has experience in the field. He mentioned that previously, a contract was awarded to a company from Los Angeles, which may have been the lower bidder; however, their work did not meet expectations.

Director De La Cruz stated that the Board should ensure that they are doing their best to select based on fairness and most cost effective.

Chair Emerson stated that when dealing with a professional services contract, most would agree that the cheapest isn't always the best. He stated that he would support this contract, however, he agreed with Director De La Cruz by stating that in the future, he would like to see a report listing the dollar amounts, and reasons why the contractor is selected.

*Upon a motion duly made by Director Botelho, and seconded by Director Gomez, the Directors approved Item 7, with Director De La Cruz voting No: Motion Passes 4/1*

*Upon a motion duly made by Director De La Cruz, and seconded by Director Botelho, the Directors unanimously adjourned the COG meeting.*

**ADJOURN TO COG MEETING OCTOBER 18, 2012.**