

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

January 17, 2013, 2:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Chair Botelho, Director Boch, Director De La Cruz, Director Scattini, and Alternate Valdivia

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Transportation Planning Manager, Mary Gilbert; Administrative Services Specialist, Kathy Postigo; Secretary, Monica Gomez

CALL TO ORDER:

Director Botelho called the meeting to order at 2:00 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

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

C. ELECT COG Chairperson for 2013

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini, the Directors elected Anthony Botelho as COG's Chairperson for 2013.

D. ELECT COG Vice Chairperson for 2013

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini, the Directors elected Ignacio Velazquez as COG's Vice Chairperson for 2013.

E. COMMITTEE APPOINTMENTS

1. Associate Member to the Association of Monterey Bay Area Governments (AMBAG) and an Alternate

Chair Botelho stated that he would hold off on appointing an Associate Member at this time. Unless, there is a particular issue that comes up, it can be addressed at that time.

2. Delegate and Alternate to the California Association of Councils of Governments (CALCOG)

Chair Botelho stated that he would hold off on appointing a Delegate and Alternate to CALCOG at this time.

3. Representative to Speak on Behalf of COG at California Transportation Commission Meetings

Chair Botelho appointed himself and Director Velazquez to speak on behalf of COG at California Transportation Commission Meetings for 2013.

Chair Botelho stated that although the Mobility Partnership has been dissolved, he would appoint Director Boch to represent COG if/when it is reinstated.

F. PUBLIC COMMENT:

Chair Botelho stated for the record that the COG Board received Joe Thompson's public comment correspondence dated December 16, 2012 through January 16, 2013. The correspondence was entered into the public record.

Joe Thompson
Tres Pinos, CA

Mr. Thompson stated COG's Joint Powers Authority is unconstitutional and violates the civil and constitutional rights of the citizens of three districts because they don't have an elected representative on the COG Board. He stated that the same Constitutional flaw that he identified in 1989 still exists today.

G. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer

Ms. Rheinheimer provided an update on behalf of Caltrans. Caltrans anticipates construction of the ADA Curb Ramp project in Hollister to begin in February and March. The end of the project is scheduled for the third week of March.

Deputy County Counsel, Shirley Murphy provided a report on COG v. Hollister Inn, Inc. The California Supreme Court denied the defendant's petition for appeal. Therefore, the case is finally over. Ms. Murphy provided copies of the notice received from the Supreme Court and a copy of the Court of Appeals Decision.

H. CALTRANS DISTRICT 5 REPORT – None

I. BOARD OF DIRECTORS REPORTS:

Director Boch asked staff to contact Caltrans about a drainage problem in San Juan Bautista on Washington Street which goes underneath Highway 156. Caltrans at one point started a drain, but never completed it. The issue is when it rains, the mud and dirt flows down this incomplete drain and down Washington Street, leaving the City to clean up the mess. The City has been telling Caltrans about the problem for years and nothing has been done.

Ms. Rheinheimer stated that staff will contact Caltrans and ask them to report back to Roger Grimsley to address the issue.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Regular Meeting Minutes Dated December 20, 2012 – Gomez
2. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated December 2012 – Postigo
3. **RECEIVE** Construction Projects Report – Caltrans District 5
4. **RECEIVE** Update on the Highway 25 Bypass Route Transfer – Gilbert

There was no public comment on the Consent Agenda.

Upon a motion duly made by Director Valdivia, and seconded by Director De La Cruz, the Directors unanimously approved Items 1-4 from the Consent Agenda.

REGULAR AGENDA

TRANSPORTATION ITEMS:

5. APPROVE Policy Goals for Inclusion in the Draft 2014 Regional Transportation Plan – Gilbert

Ms. Rheinheimer provided background information on this item. The Regional Transportation Plan (Plan) sets forth goals and policies and establishes lists of planned short-term and long-term transportation projects for San Benito County. Staff has prepared policy goals for inclusion in the draft document, which is scheduled to be complete and circulated for public comment in December of this year.

Ms. Gilbert reported that AMBAG recently adopted its policy goals, which were developed with input from all of the regional agencies, including the Council of Governments. Staff finds these policy goals consistent with the needs in San Benito County and consistent with the feedback provided by the advisory committees. The policy goals are broken down into the following six categories:

- Accessibility and Mobility
- Economic Vitality
- Environment
- Healthy Communities
- Social Equity
- System Preservation & Safety

Ms. Gilbert stated that staff recommends that the Board approve the policy goals that were adopted by AMBAG. COG staff will work with its partner agencies to identify methods to measure performance of the Plan in meeting these policy goals, as required by state guidelines.

Director De La Cruz stated that most construction is taking place near the Target and Nob Hill store areas and there is not much construction on the Westside of Hollister other than the Hollister Super Store. He asked how transportation needs would be addressed if there is nothing being built on the Westside of Hollister.

Ms. Rheinheimer stated that one of the projects that will be included in this Plan is the West Gateway Improvements that the City of Hollister is working on, which would address part of this issue. You want to attract more commercial and retail on the Westside of Hollister if you have a transportation improvement project in that area it may help attract additional businesses. Ms. Rheinheimer stated that they're looking at infrastructure needed to support economic development in that area such as, transit stops, bicycle lanes, improved sidewalks.

Director Boch mentioned that the two major employers in the County are Natural Selection and Pacific Scientific and inquired if public transportation is provided to these two locations.

Ms. Gilbert mentioned that staff attempted to address this need however, public transportation did not meet their needs due to diverse employee schedules. Ms. Gilbert noted that there is a program through CalVans of which AMBAG is a member, which provides a fleet of vans that are available for lease by different groups.

The Directors noted that it may be a good idea to re-visit and provide outreach to these employees once again.

Joe Thompson
Tres Pinos, CA

Mr. Thompson stated that he would like to repeat everything he gave COG's Directors in his August 23, 2009 critique of the RTP, as then proposed. He stated that they continue to perpetrate those mistakes.

Chair Botelho closed Public Comment.

Upon a motion duly made by Director Valdivia, and seconded by Director De La Cruz, the Directors unanimously approved Item 5.

Chair Botelho continued Item 6 to the conclusion of the LTA, MEA, SAFE, and ALUC meetings.

The COG Board convened to Closed Session at 3:16 p.m.

CLOSED SESSION:

6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: COG Executive Director

COG reconvened from closed session at 3:39 p.m.

Deputy County Counsel Shirley Murphy stated there was no reportable action taken under Public Employee Performance Evaluation Title: COG Executive Director

There was no public comment on this item.

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

ADJOURN TO COG MEETING FEBRUARY 21, 2013.