

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

July 18, 2013, 3:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

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

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Administrative Services Specialist, Kathy Postigo; Secretary, Monica Gomez

OTHERS PRESENT:

John Olejnik, Caltrans District 5; Derek Wong, PMC; Steve Wittry, San Benito County Public Works

CALL TO ORDER:

Chair Botelho called the meeting to order at 3:00 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

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

C. PUBLIC COMMENT: None

D. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer

Ms. Rheinheimer provided a handout titled “Imagine” from the Association of Monterey Bay Area Governments (AMBAG), which listed the Community Workshop Schedule. One of the workshops was held July 17, 2013 at the Veteran’s Memorial Hall on the Sustainable Communities Strategy. Ms. Rheinheimer stated that it was successful although, there were only a few number of people in attendance.

Ms. Rheinheimer noted that there will be an online survey that will gather the same information that was gathered at the workshop. For more information, visit: www.MovingForwardMB.org

E. CALTRANS DISTRICT 5 REPORT: Olejnik

John Olejnik reported that on July 17th Caltrans issued an Encroachment Permit to the City of Hollister for the Street Festival. The closure will be from Saturday 6:00 AM to 8:00 PM from 4th Street to South Street.

Mr. Olejnik provided an update on the Prunedale Improvement Project. The resident engineer has informed Caltrans that they may be able to complete the project by the end of the year, which would be ahead of schedule.

On Monday, Caltrans permanently closed access to Echo Valley Road so that work may continue on Crazy Horse Canyon.

As a follow up from last month's meeting regarding speed limit signs, Mr. Olejnik reported that he spoke with the resident engineer for the area. They went through and re-checked the area and made sure that all of the intended signs are posted. They hope that motorists continue to meet the reduced speed limit of 55 mph in the construction zone area.

F. BOARD OF DIRECTORS REPORTS: None

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated June 20, 2013 – Gomez
2. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated June 2013 – Postigo
3. **RECEIVE** Construction Projects Report – Caltrans District 5
4. **2013 Unmet Transit Needs Report** – Lezama
 - 1) **ACCEPT** 2013 Unmet Transit Needs Report.
 - 2) **ADOPT** Resolution 13-05 Concerning Unmet Public Transportation Needs Funding and Implementation of the Program for Fiscal Year 2013/2014.

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

REGULAR AGENDA

TRANSPORTATION ITEMS:

5. **RECEIVE** Presentation on Triennial Performance Audit for Fiscal Years 2009/10 through 2011/12 – Postigo

Kathy Postigo introduced Derek Wong of PMC. He provided a brief presentation of the Triennial Performance Audit findings.

Mr. Wong reported that the audits found no compliance issues for either agency. The Council of Governments' audit included the following four recommendations for performance improvements:

- 1) Provide estimation of San Benito COG employee time allocation for Overall Work Program elements.
- 2) Consider the implementation of a Mobility Management Plan and the appropriate CTSA designation and implementation.
- 3) Consider alternative organizational structures for an RTPA that directly administers transit services.
- 4) Establish performance criteria for evaluating transit systems under Article 4.5.

The Local Transportation Authority's audit included three recommendations:

- 1) Ensure both the LTA Transportation Planner and Administrative Services Specialist review the final State Controller's Report prior to submittal to State for data accuracy.
- 2) Conduct an update of the SRTP that includes productivity goals and performance benchmarks.
- 3) Maximize use of new dispatching software and research its potential for integrating various functions such as tracking maintenance, customer service, vehicle location, and on-time performance.

Mr. Wong stated overall, COG staff is very competent and professional and has complied with all applicable State law.

There was brief discussion about the discrepancies found in the reports. Mr. Wong stated that it is important to have staff oversee each others work when compiling and submitting State reports to ensure that they are accurate.

Ms. Rheinheimer stated that staff will work together to ensure accuracy in all final reports. Staff will also work to implement the recommendations that were listed in the audit.

There was no public comment on this item.

6. Office Facilities Lease Agreement or Extension – Postigo

1) Approve One Year Extension of Lease Between Council of San Benito County Governments and Hidalgo, Inc. for Office Space Located at 330 Tres Pinos Road, Suite C7

OR

2) Approve New Four Year Lease Between Council of San Benito County Governments and Hidalgo, Inc. for Office Space Located at 330 Tres Pinos Road Suite C7

Ms. Postigo reported that the lease for COG's office facilities is set to expire on July 31, 2013. Staff has been searching for a less expensive office space in the downtown Hollister area since February of this year.

Ms. Postigo stated that there are three options available at this time:

- 1) extend the current lease for one year
- 2) enter into a new contract for four years at a reduced rate, or
- 3) negotiate a new contract with Ignacio Velazquez for office space located at San Benito and 5th Street

There was discussion regarding relocation options.

Steve Wittry from San Benito County Public Works provided more information on the pending vacancy of the Courthouse. He stated that staff is working with the Facilities Subcommittee to determine options for the Courthouse and a possible list of tenants. He mentioned that the Northeast corner of the 2nd floor of the Courthouse could be a possible location for the Council of Governments or Office of Education offices. Currently, there is a Courtroom located there and it would have to be renovated for tenant improvements. Mr. Wittry stated that the Facilities Subcommittee will be taking a proposed list of tenants and office sizes to the Board of Supervisors in August for direction to move forward.

The COG Board inquired about the cost of rent.

Mr. Wittry stated that they are putting together general numbers to present to the Board of Supervisors; however, it will ultimately be up to the Board of Supervisors to determine the rate of rent for the tenants.

Mr. Wittry mentioned that there will be expenditures that are required to convert the space into usable offices.

Ms. Rheinheimer stated that staff is not necessarily looking for office space on San Benito Street. She stated that an office space off the main street might be more appropriate for COG because it would still be visible and the downtown area would remain as the attractive retail center.

Ms. Rheinheimer recommended that the Board allow COG staff another year to look into other spaces in the downtown area, continue to have conversations with the County regarding possible Courthouse space.

The COG Board established that they would have to grant a one year extension with the current lease Hidalgo, Inc. This would allow staff time to keep looking for an alternative location in the general downtown area. There was also consensus that the old Courthouse space is a very viable option however,

more information will be required to fully evaluate this option as renovations are not expected to be complete until 2014.

The COG Board directed staff to try to negotiate an additional month to month lease extension with Hidalgo, Inc. after the one year extension is up. They suggested putting a cap of 3-6 months on the month to month extension to possibly assist with negotiations.

There was no public comment on this item.

Upon a motion duly made by Director Gomez, and seconded by Director Boch, the Directors approved Item 6(1) extending the current lease for one year and directed staff to negotiate an additional 6 months (month to month) extension, with Director De La Cruz voting No. Motion passed 4/1.

Chair Botelho continued Item 7 to the end of the LTA agenda.

CLOSED SESSION:

7. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9;

No. of cases: 1

The COG Board convened to closed session at 4:12 P.M.

The COG Board reconvened from closed session at 4:27 P.M.

Deputy County Counsel, Shirley Murphy, stated that there was no reportable action taken under Anticipated Litigation: Initiation of Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9.

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

ADJOURN TO COG MEETING AUGUST 15, 2013.