

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

July 17, 2014, 3:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Chair Gomez, Director Boch, Director Botelho, and Director Muenzer

MEMBERS ABSENT:

Director Scattini

STAFF PRESENT:

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

OTHERS PRESENT:

John Olejnik, Mark McCumsey, Caltrans District 5; Heather Adamson, Association of Monterey Bay Area Governments (AMBAG)

CALL TO ORDER:

Chair Gomez 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 Muenzer, and seconded by Director Boch, the Directors acknowledged the Certificate of Posting. Vote: 4/0 motion passes.

C. PUBLIC COMMENT:

**Dean Hanson
Hollister, CA**

Mr. Hanson stated that he uses the County Express bus service regularly. He stated that he has had problems with one of the female drivers. He stated that the driver tells him that they cannot tie down his rolling walker on the bus. He stated that he has gotten off of her bus because of the problem and when he asks for his token back, she cannot return his token and ignores him. He said that the problem started about 4-5 months ago when he questioned the driver for transporting 5 of her own children on the bus from Gilroy to Hollister. He stated that he has talked to Tony, the MV manager for County Express, who has told him it will be taken care of. He stated that it's going on 2 weeks and he has yet to hear back from Tony.

Chair Gomez thanked Mr. Hanson for his comments and directed staff to get back to him.

D. EXECUTIVE DIRECTOR'S REPORT: Rheinheimer

Ms. Rheinheimer reported that she attended the San Juan Road Interchange event along with Director Botelho July 3rd. Ms. Rheinheimer stated that Senator Barbara Boxer, Congressman Sam Farr, and Caltrans Director Malcolm Dougherty were present for the press conference at the construction site of the San Juan Road Interchange Project in Aromas, California to urge Congress to address the funding crisis in the Highway Trust Fund.

Ms. Rheinheimer wished everyone good-bye and good luck as this would be her last COG meeting before her departure.

E. CALTRANS DISTRICT 5 REPORT: Gubbins

John Olejnik stated that on behalf of Caltrans District 5, he wanted to extend best wishes to Lisa Rheinheimer. Caltrans enjoyed working with her through the San Benito Council of Governments and also looked forward to working with her through the Monterey County area.

Mr. Olejnik mentioned that District 5 Maintenance team's annual mowing operation is under way along the state highway system on the Central Coast. The work is scheduled for completion before the peak summer fire season begins.

Mr. Olejnik mentioned that Caltrans encourages those interested in transportation to look into the California Freight Mobility Plan (CFMP). You can find a link to the plan on the Caltrans website.

F. BOARD OF DIRECTORS REPORTS:

Regarding the San Juan Road Interchange event, Director Botelho stated that it was nice to see such influential people present at the event, as well as how much the project has advanced. He stated that Caltrans has a lot to be proud of with the project as it will improve safety on such a dangerous corridor. He mentioned that the topic and emphasis was on the Highway Trust Funds and urging Congress to address the funding crisis.

Director Botelho also wished Ms. Rheinheimer the best of luck in her future endeavors. He stated that it had been a privilege and pleasure working with her over the years.

Director Muenzer reported that he attended the Caltrans Freight Mobility Plan workshop in Marina. He extended appreciation to Caltrans staff for hosting the workshop. He also thanked Caltrans staff for the brief discussion regarding Highway 25.

Director Muenzer and Director Boch echoed Director Botelho's comments to Ms. Rheinheimer. They stated that it was a pleasure to have worked with her and wished her the best of luck in her future endeavors.

Chair Gomez, on behalf of the COG Board, presented Ms. Rheinheimer with a Certificate of Appreciation. He stated that it had been a pleasure working with her over the past six years. He stated that she had a lot to be proud of with such an awesome staff. He stated that the County was losing a key employee and that she would surely be missed.

Ms. Rheinheimer expressed her appreciation to the COG Board and COG staff for their support over the past 7 ½ years and wished everyone the best of luck.

CLOSED SESSION:

Deputy County Counsel, Shirley Murphy reported:

1. Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8
Property: 600 Del Monte Drive, Hollister
Agency Negotiators: Shirley Murphy, Deputy County Counsel, Lisa Rheinheimer, Executive Director, and Mary Gilbert, Transportation Planning Manager
Negotiating Parties: Leslie Marie Clark Trust
Under Negotiation: Price and Terms of Payment
2. Public Employee Appointment – Pursuant to Governments Code Section 54957(b)
Title: Council of Governments Interim Executive Director

The COG Board convened to Closed session at 3:18 p.m.

The COG Board reconvened from Closed session at 3:49 p.m.

Shirley Murphy, Deputy County Counsel reported that there was no reportable action taken regarding Closed session Item 1.

Regarding Closed session Item 2, Shirley Murphy reported that the COG Board discussed negotiations with Counsel and Interim Human Resources Director, Georgia Cochran. There will be a final action taken on this matter at a Special COG meeting that has been set for July 17, 2014 at 4:30 p.m.

CONSENT AGENDA:

3. **APPROVE** Council of Governments Draft Meeting Minutes Dated June 19, 2014 – Gomez
4. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated June 2014 – Postigo
5. **RECEIVE** Construction Projects Report – Caltrans District 5
6. **APPROVE** Apportionments of Regional Surface Transportation Program Funds for Bus Stop Improvements Projects – Gilbert
7. **Council of Governments Office Facilities Lease** – Postigo
 - a. **APPROVE** Lease between Council of San Benito County Governments and the Pivetti Company for Office Space Located at 330 Tres Pinos Road, Suite C7/
 - b. **AUTHORIZE** Chair to Sign Lease Between Council of San Benito County Governments and The Pivetti Company.
8. **RESCIND** the Following COG Board Actions taken at the March 20, 2014 COG Board Meeting under Agenda Item Numbers 7 and 8:
 - a. **DIRECT** San Benito COG Staff to use the Updated 2010 San Benito Traffic Model for Transportation Planning Purposes; and
 - b. **ADOPT** the San Benito County Population, Employment and Housing Projections for 2035 and Direct San Benito COG Staff to Forward This Data to the Association of Monterey Bay Area Governments (AMBAG) for Transportation Planning Purposes and Inclusion in the 2014 Metropolitan Transportation Plan (MTP) and Sustainable Communities Strategy (SCS).

Chair Gomez pulled Item 8 to allow Public comment.

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors unanimously approved Items 3-7 from the Consent Agenda. Vote: 4/0 motion passes.

PUBLIC COMMENT:

Item 8

Kristina Wyatt, SBC Business Council

Ms. Wyatt stated that she was speaking on behalf of the San Benito County Business Council. She wanted to point out that the COG Board was only rescinding the population job and employment forecast decision that was made on March 20, 2014 that was previously adopted unanimously by the COG Board purposes of ensuring consistency with AMBAG's current Metropolitan Transportation Plan and Sustainable Communities Strategy and that this Board intends to immediately process the amendment to the San Benito County Regional Transportation Plan that provides for the growth forecast by the Board of Supervisors approval and currently being utilized in the County General Plan by the consultant. She also referred to her letter dated March 20th, which was previously presented to the COG Board. The COG Board had previously and unanimously approved the 2010 Jobs Employment Population Forecast to be consistent with the Supervisors decision and the County Board of Supervisors adopted the 94,731 population forecast for planning purposes and they hoped that the COG Board should be utilizing the same forecast in an amendment to the RTP now that the AMBAG Sustainable Communities Strategies has been adopted. The COG Board and the RTP should strive for consistency, mostly for defensibility, with the General Plan Growth Forecast and they hope that the COG record should clearly state that the COG Board intends to be consistent and amend the RTP to be consistent with the General Plan process.

Chair Gomez asked Ms. Rheinheimer to address Ms. Wyatt's questions.

Ms. Rheinheimer stated that she could only address the questions to a certain extent because she did not know the outcome of the County's General Plan. She stated that the purpose of the action on Item 8 was simply to make sure that the COG was consistent with its recently adopted (in June) Regional Transportation Plan.

Director Botelho wanted to clarify some points with the County's General Plan revisions. He stated that when the General Plan process first began in 2007-2008, the Board of Supervisors had to pick a number at that time, which was the AMBAG Population number of 94,000 back in 2008. Since that period things have happened with the economy and population growth in the State. AMBAG and the State Department of Finance have moved on to a different projection which AMBAG uses as its model going forward. The County uses the number as a reference point, it does not mean that the County is going to grow to 94,000 more or less. It is just a beginning point in which they do the environmental work. There are community growth areas identified in the Plan, which will have to go through a General Plan amendment regardless, and this also makes it difficult for people to relate to. He stated that this is one of the reasons why the Regional Transportation Plan is evaluated and updated every 4 years to see where things are and whether or not projections need to be modified.

There was no further discussion.

Upon a motion duly made by Director Botelho, and seconded by Director Boch, the Directors approved Item 8 as noted below, with Chair Gomez opposed. Vote: 3/1 motion passes.

Rescind the following COG Board Actions taken at the March 20, 2014 COG Board meeting under agenda Item numbers 7 and 8:

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- b. **ADOPT** the San Benito County Population, Employment and Housing Projections for 2035 and Direct San Benito COG Staff to Forward This Data to the Association of Monterey Bay Area Governments (AMBAG) for Transportation Planning Purposes and Inclusion in the 2014 Metropolitan Transportation Plan (MTP) and Sustainable Communities Strategy (SCS).

REGULAR AGENDA

TRANSPORTATION ITEMS:

- 9. HOLD** Public Hearing to ADOPT Resolution 2014-08 Adopting the Final Regional Housing Needs Allocation Plan Covering the Period of 2014-2023 – Rheinheimer

Ms. Rheinheimer reported that the Council of Governments is required to hold a public hearing on the adoption of the Final Regional Housing Needs Allocation Plan. The Final Plan has been revised per comments received from the California Housing and Community Development Department. The revisions address statutory factors in allocating the housing need determination on pages 11-14 of the Final Regional Housing Needs Allocation Plan.

There was no discussion from the Board.

Chair Gomez opened and closed the public hearing at 3:59 p.m., there was no public comment on the item.

Upon a motion duly made by Director Muenzer, and seconded by Director Boch, the Board adopted Item 9 as noted above Vote: 4/0 motion passes.

10. Highway 25 Widening Project – Gilbert

- a. RECEIVE** Update on the Highway 25 Widening Project
- b. APPROVE** Cooperative Agreement between the Council of San Benito County Governments and Caltrans for Finalizing the Highway 25 Widening Environmental Document

Mary Gilbert reported that COG staff presented an update on the project to the San Benito County Board of Supervisors on July 8, 2014. There was discussion among the Board regarding the project's placement on the unconstrained project list in the adopted 2014 Regional Transportation Plan. There was consensus among the Supervisors that the COG should work to identify funding to allow for an amendment of the Regional Transportation Plan and inclusion of the project on the constrained, or fully funded, project list.

Ms. Gilbert reported COG staff is still working with Caltrans with regard to the environmental document. Previous Board action was to approve funding for finishing the environmental document, therefore Caltrans prepared a Cooperative Agreement that identifies COG's contribution of local funds to the completion of the environmental document for the project.

COG staff asked that the Board approve the Cooperative Agreement between the Council of San Benito County Governments and Caltrans finalizing the Highway 25 Widening Environmental Document.

PUBLIC COMMENT:

Kristina Wyatt, SBC Business Council

Ms. Wyatt wanted to reiterate some points that the Business Council made at the Board of Supervisors meeting last week. She stated that it is clear that Highway 25 needs to have some improvements and they realize that they can't have those improvements come in the form of only increasing traffic impact fee and imposing that on future development. Therefore, the Business Council would like to work together with COG, the City of Hollister, and San Benito County on public private partnership to bring in investment funds to do some current safety improvements that are needed on Highway 25. Also, they would like to work cooperatively with Santa Clara County and Supervisor Mike Wasserman in the City of Gilroy to get the Highway 25/101 Interchange fixed. As well as those property owners and the property that's within Santa Clara County to have the widening be consistent through both counties. Ms. Wyatt stated that it is important to have a gateway for the tourists that we want to invite to our Pinnacles National Park.

There was no further discussion.

Upon a motion duly made by Director Muenzer, and seconded by Director Botelho, the Directors unanimously approved Item 10 as noted above. Vote: 4/0 motion passes.

11. RECEIVE Draft 2014 Unmet Transit Needs Report – Lezama

Veronica Lezama reported that the Council of Governments is required to hold Unmet Transit Needs Hearings to receive transportation Development Act funds. Staff and the Social Services Transportation Advisory Council (SSTAC) reviewed the testimony from the Unmet Transit Needs Hearings and made recommendations based on COG's adopted criteria for Unmet Transit Needs, Reasonable to Meet.

Ms. Lezama reported that the Advisory Council reviewed all the testimony received and determined that there were no Unmet Transit Needs.

Ms. Lezama stated that the final Unmet Transit Needs Report will be provided to the Board for approval at the August meeting.

There was no discussion from the Board or public comment on this item.

Upon a motion duly made by Director Boch, and seconded by Director Botelho, the Directors unanimously adjourned the COG meeting at 4:07 p.m. Vote: 4/0 motion passes.

ADJOURN TO COG MEETING AUGUST 21, 2014.