

AGENDA REGULAR MEETING

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, August 21, 2008
2:00 p.m.

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

COG MEMBERS: Directors: Chair Brad Pike, Sr., Directors Anthony Botelho, Rick Edge, Doug Emerson, and Don Marcus
Alternates: City of Hollister: Pauline Valdivia; San Benito County: Pat Loe, San Juan Bautista: Ed Laverone

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**

CLOSED SESSION:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

No. of cases: 4

Authority: California Government Code Section 54956.9(a)

- a) Council of San Benito County Governments v. Hollister Inn
- b) Council of San Benito County Governments v. McNamee
- c) Council of San Benito County Governments v. K&S Market
- d) Council of San Benito County Governments v. Hollister Farms

- 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. COG DIRECTORS' REPORTS

E. 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.)

- 2. APPROVE** Council of Governments Transaction Report (Financial Claims) dated June 30, 2008 – Postigo

3. **APPROVE** Council of Governments Transaction Report (Financial Claims) dated July 2008 - Postigo
4. **APPROVE** Council of Governments Meeting Minutes dated July 17, 2008 - Gomez
5. **RECEIVE** Construction Projects Report – Caltrans District 5
6. **APPOINT** Social Services Transportation Advisory Council Member – LiOwen
7. **APPROVE** List of Projects for Federal Transit Administration (FTA) Section 5310 Funding – Dinkuhn
8. **APPOINT** Bicycle and Pedestrian Advisory Committee (BPAC) Member – Lezama
9. **APPROVE** Amended List of Qualified Consultants for On-call Services for Engineering, Project Management, and Construction Management – Rheinheimer
10. **SURPLUS PROPERTY ON HIGHWAY 25 BYPASS** – Dinkuhn
 - a) **DECLARE** One Building as Surplus Property to be Sold

REGULAR AGENDA:

ADMINISTRATION ISSUES:

11. **TRANSPORTATION DEVELOPMENT ACT PROGRAM FOR FISCAL YEAR 2007/2008** – Postigo
 - a) **SET** Transportation Development Act Annual Reserve Amount at \$5000,000
 - b) **ALLOCATE** Local Transportation Funds in the Amount of 04700,000 to the City of Hollister, County of San Benito, and City of San Juan Bautista.

REGIONAL HOUSING NEEDS:

12. **Regional Housing Needs Plan** – Rheinheimer
 - a) **OPEN** Public Hearing on Final Regional Housing Needs Plan,
 - b) **CLOSE** Public Hearing, and
 - c) **APPROVE** Final Regional Housing Needs Plan.

TRANSPORTATION ISSUES:

13. **Highway 25 Safety and Operational Enhancements Projects** – Dinkuhn
 - a) **RECEIVE** Update on the Project,
 - b) **APPROVE** Agreement with PG&E for Utility Relocation, and
 - c) **APPROVE** Resolution No. 08-15, Authorizing the Executive Director to Sign the Right of Way Certification
14. **Highway 25 Bypass Project** – Dinkuhn
 - a) **RECEIVE** Update on the Highway 25 Bypass Project,
 - b) **CONSIDER** Contract Change Order Nos. 28S1, 55, and 56 for an Amount not to Exceed \$653,059.00
 - c) **CONSIDER** Amendment No. 7 to Agreement Between COG and Erickson, Beasley, and Hewitt, and
 - d) **CONSIDER** Memorandum of Possession and Use Agreement between COG and Heritage Plaza Associates, LLC

15. Mobility Partnership – Route 152 Realignment – Rheinheimer

- a) **RECEIVE** Update on Mobility Partnership,
- b) **DISCUSS** Ad-Hoc Committee Membership and **MAKE** Changes as Needed,
and
- c) **RECEIVE** Report on Assembly Bill 3021 Regarding Toll Roads.

ADJOURN to COG Meeting on Thursday, September 18, 2008 at 2:00 p.m.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Council's office at (831) 637-7665 at least 48 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.
