



AGENDA
REGULAR MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS
Please Click on Boxes Below to Open Agenda Items

DATE: Thursday, December 17, 2009
2:00 p.m.

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

COG MEMBERS: Directors: Anthony Botelho, Jaime De La Cruz, Margaret Bilich,
Doug Emerson, and Victor Gomez
Alternates: City of Hollister: Eugenia Sanchez; San Benito
County: Pat Loe; San Juan Bautista: Vacant

*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**
- C. Public Comment** (Opportunity to address the Board on items of interest on a subject matter within the jurisdiction of the Council of Governments and 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. Executive Director's Report**
- E. Board of Directors' Reports**
- F. Closed Session:**
 - 1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
 - No. of cases: 2
 - Authority: California Government Code Section 54956.9(a)
 - Council of San Benito County Governments v. Hollister Inn
 - Council of San Benito County Governments v. McNamee

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: COG Executive Director

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.)

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated November 19, 2009 – Gomez
2. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated November 2009 – Postigo
3. **APPROVE** Contract with Blue Heron Design for Bike Week Consultation Services for an Amount Not to Exceed \$2,057 – Lezama
4. **SET** Unmet Transit Needs Hearing Dates – LiOwen
5. **RECEIVE** Construction Projects Report – Caltrans District 5

REGULAR AGENDA:

2:00 P.M. PUBLIC HEARING (Or as soon thereafter as the matter may be heard):

6. **Council of San Benito County Governments v Roberts/Hollister Inn – Rheinheimer**
 - a. **CONDUCT** a Public Hearing to Receive Testimony and Evidence Relating to Whether it is in the Greatest Public Good and Least Private Injury to Provide Hollister Inn with Alternative Access to Highway 25.
 - b. **EXERCISE ITS DISCRETION** Pursuant to Code of Civil Procedure Section 1240.350 to Determine Whether or not it Should Condemn Private Property to Provide Hollister Inn with Alternative Access to Highway 25.

TRANSPORTATION ITEMS:

7. **RECEIVE** Update on the Highway 25 Safety and Operational Enhancements Project – Rheinheimer
8. **RECEIVE** Update on the 2010 San Benito County Regional Transportation Improvement Program – Rheinheimer

*Council of San Benito County Government ▪ Measure A Authority
Airport Land Use Commission ▪ Service Authority for Freeways and Expressways*

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ADMINISTRATIVE ITEMS:

9. **RECEIVE** Council of Governments Draft Audit Report for FY 2008/09 (Verbal Report) – Postigo/ Mike Grace

Adjourn to COG Meeting on Thursday, January 21, 2010. Agenda Deadline is Tuesday, January 12, 2010 at 12:00 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 ours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.