



AGENDA
REGULAR MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, April 16, 2020
3:00 p.m.

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

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Peter Hernandez,
Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz
Alternates: San Benito County: Mark Medina;
City of San Juan Bautista: César E. Flores
Ex Officio: Caltrans District 5

Attendance at the COG meeting is closed to the public per Executive Order N-29-30. The public may join meeting by Zoom: <https://zoom.us/join> per the instruction stated below:

Meeting ID: 920-557-615

*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 E. Public Comment.***

3:00 P.M. CALL TO ORDER

- A. Pledge of Allegiance
- B. Verification of Certificate of Posting
- C. **NOTICE OF TEMPORARY PROCEDURES FOR COUNCIL OF GOVERNMENTS BOARD MEETINGS**

Pursuant to California Governor Gavin Newsom's [Executive Order N-29-20](#) issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the COG Board are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

Members of the public are encouraged to participate in Board meetings in the following ways:

1. Remote Viewing

Members of the public who wish to watch the meeting can view the meeting online through Zoom. Instructions for participating via Zoom are included below.

2. Written Comments & Email Public Comment

- Members of the public may submit comments via email by 5:00 PM. on the Wednesday prior to the Board meeting to the Clerk of the Board at monica@sanbenitocog.org. Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

3. Council of Governments Board meeting Zoom Instructions for remote Participants:
Three ways to attend zoom meetings: **1) over the phone, 2) on a web browser, or 3) through the Zoom Smart Device Application.** Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting.

1. **Over the phone (Audio only):**
 - (669) 900-6833 or (408) 638-0968.
2. **On a Web-browser:**
 - <https://zoom.us/join>
3. **Smart device Application:**
 - Apple App store: <https://apps.apple.com/us/app/id546505307>
 - Android App store:
<https://play.google.com/store/apps/details?id=u.s.zoom.videomeetings>

Zoom Audio Only (phone)

If you are **calling in as audio-only**, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the **Meeting ID**, 920 557 615, followed by the “#” key, which can be found at the top page of the agenda. The meeting agenda can be found at:
http://www.sanbenitocog.org/wp-content/uploads/2020/04/COG_Packet_041620.pdf
2. It will then ask for a **Participant ID**, press the “#” key to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.
4. **Public Comment:** If you are using a phone, please press the “*9” to raise your hand, zoom facilitator will unmute you when your turn arrives.

Zoom On Web-browser or Zoom app on Tablet or Smartphone

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select “**JOIN A MEETING**”
2. You will be prompted to enter **Meeting ID**, 920- 557-615 and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2020/04/COG_Packet_041620.pdf
3. You can launch audio through your computer or set it up through the phone. Follow instructions provided by Zoom.
4. **Public Comment:** *click “Raise hand” icon, the zoom facilitator will unmute you when your turn arrives.*

Public Comment Guidelines

- If participating on Zoom: Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The Council of Governments Board welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.

· Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have questions, contact the Council of Governments and leave a message at (831) 637-7665 x. 201, or email monica@sanbenitocog.org.

D. Ask for Moment of Silence for former COG Director and City Of Hollister Council Member Marty Richman

E. 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.)*

F. Executive Director's Report

G. Caltrans Report – Gubbins/Loe

H. Board of Directors' Reports

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 February 20, 2020 – Gomez
2. **RECEIVE** Measure G Transportation Safety and Investment Plan Oversight Committee Minutes Dated October 28, 2019 – Gomez
3. **RECEIVE** Construction Projects Report – Caltrans District 5
4. **ADOPT** Resolution No. 2020-01, Delegating Authority to the Executive Director to Execute Funding Agreements and Amendments with the California Department of Transportation – Postigo

REGULAR AGENDA:

5. **RECEIVE** Update on Council of Governments Operations Effective March 17, 2020 and Direct Staff as Needed (Verbal Report) – Gilbert
6. **REVIEW** Council of San Benito County Governments Rules and Regulations and Direct Staff to Prepare Amendments as Needed – Gilbert
7. **San Benito County Measure G** – Gilbert
 - a. **RECEIVE** Measure G Financial Update
 - b. **APPOINT** Members to Measure G Strategic Plan Ad-Hoc Committee
 - c. **APPROVE** the Highway 25/Highway 156 Interchange Environmental Approval, Design and Construction as Priority for Tier I Highway 25 Project Measure G funding.

Adjourn to COG Meeting on May 21, 2020. Agenda Deadline is Tuesday, May 5, 2020 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 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov



Making Conservation
a California Way of Life.

March 23, 2020

Ms. Mary Gilbert, Executive Director
Council of San Benito County Governments
330 Tres Pinos Road, Suite C7
Hollister, CA 95023

Dear Ms. Gilbert:

This letter is in response to questions raised to the California Department of Transportation (Caltrans) during the Council of San Benito County Governments (SBCOG) Board Meetings between December 19, 2019 and March 19, 2020.

1. Director Velazquez raised a question about stormwater and flooding along State Route (SR) 25 in Hollister, specifically near Sunset Drive and Airline Highway. He commented that the use of wood chips/bark as ground cover is a concern as it is carried by stormwater into the drainage system causing blockages. Are other solutions available?

Response: The use of wood chips/bark as groundcover is present along SR 25 from Sunnyslope/Tres Pinos Road to Santa Ana Road; it is not present further south near Sunset Drive and Airline Highway within the State right-of-way. The drainage system along the realigned portion of Route 25 (aka bypass), designed and constructed by SBCOG, is maintained by the City of Hollister under agreement with Caltrans. In some locations along the bypass, wood chips were placed by Caltrans at the City's request to provide ground cover and discourage weed growth. Caltrans Maintenance crews are aware of the potential for the wood chips/bark to flow into the drainage system during storms and monitor the area to protect the drains. Caltrans crews also note that other debris carried by stormwater into the drainage system with originates outside of the right-of-way and beyond Caltrans' control. Options going forward include transferring additional maintenance responsibilities to the City of Hollister. Meanwhile, we support continuing dialogue and coordination between our respective maintenance crews.

2. The Board requests a response to its resolution regarding the SR 25/156 safety project.

Response: Safety is Caltrans' highest priority and we are taking the stated concerns into consideration for how best to reduce collisions at this intersection. Furthermore, we recognize the interest in coordinating actions that are the most responsive, cost-effective and supportive of actions to achieve the longer-term corridor vision as a 4-lane Expressway. In relation to the latter, Caltrans, in partnership with SBCOG, is undertaking a Value Analysis (VA) to determine the first phase of the Highway 25 Expressway Conversion Project. The outcome of this collaborative process is to have a shared strategy to move forward with all improvements in the corridor. More information about the safety project will also be provided under separate cover.

3. Director Velazquez requested a better map of the adopted route for the Highway 25 Expressway Conversion Project in relation to the VA Study.

Response: We appreciate Director Velazquez's participation in the VA Study and suggest the specific needs for mapping be raised therein.

4. Former Director Boch requested an overall timeline for all phases of the Highway 156 Improvement Project. The look back would be helpful to understanding the overall process, including the challenges and risks that have affected and may still be affecting the schedule. Taking what we can learn from that experience will help inform the delivery of the SR-25 Expressway Conversion project.

Response: The SR 156 Improvement Project has a long history that has been outlined in an attachment to this letter. We appreciate the Board's interest in working together to achieve the most efficient project delivery process.

5. During public comment, a member of the public asked about the schedule for repaving Highway 25 in San Benito County.

Response: Caltrans has identified a maintenance paving project on a three-mile segment of SR 25 from Best Road to Plaza Drive (SBt-25-46.6 to R49.830). If approved for funding, construction would likely begin Spring 2021. Additional needs for pavement preservation projects have been identified for much of

Ms. Mary Gilbert
March 30, 2020
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the route between the Pinnacles National Park in the south to the Santa Clara County line in the north, however, the availability for funding is uncertain at this time.

We appreciate our partnership with SBCOG and remain committed to working with you and the local partners to deliver the most cost-effective and efficient improvements for this region.

Sincerely,



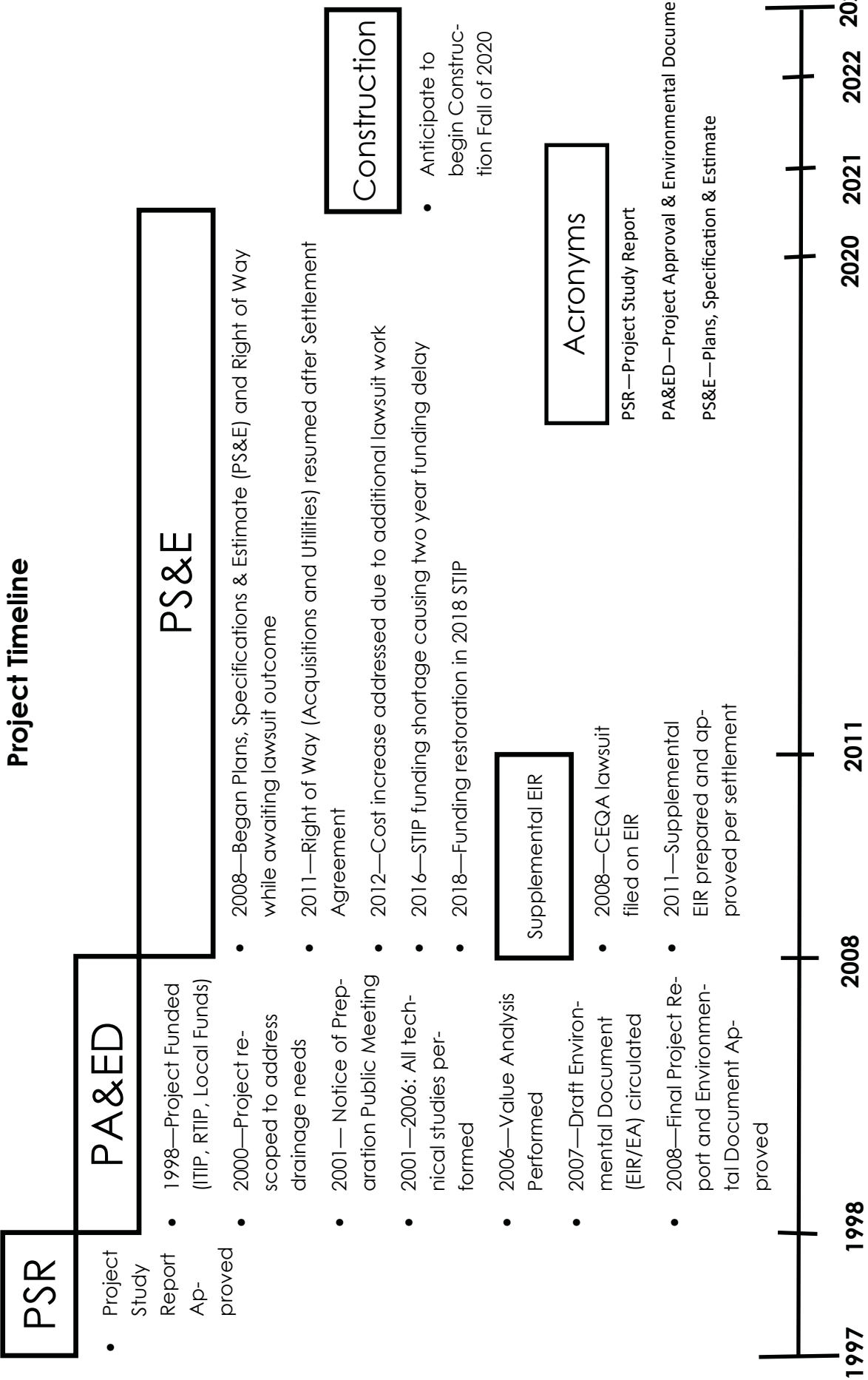
for
TIMOTHY M. GUBBINS
District Director

Attachment: SR 156 Improvement Project Timeline



IMPROVEMENT PROJECT

Project Timeline



1997

1998

2008

2011

2020

2021

2022

2023

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

February 20, 2020, 3:00 P.M.

MINUTES

MEMBERS PRESENT:

Jaime De La Cruz, Peter Hernandez, Marty Richman, Ignacio Velazquez, and Alternate César E. Flores
Ex Officio, Aileen Loe, Caltrans District 5 Director

MEMBERS ABSENT:

Mary Vazquez Edge

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Mary Gilbert; Transportation Planner,
Veronica Lezama, Secretary, Monica Gomez

OTHERS PRESENT:

Don Reynolds, City of San Juan Bautista; Heather Adamson, Association of Monterey Bay Area
Governments

CALL TO ORDER:

Director Flores called the meeting to order at 3:00 P.M.

A. PLEDGE OF ALLEGIANCE Director De La Cruz led the pledge of allegiance.

B. CERTIFICATE OF POSTING

*A motion was made by Director Botelho, and seconded by Director Richman, the Directors
acknowledged the Certificate of Posting. Vote: 4/0 motion passes.*

**C. Moment of Silence for former COG Director and City of San Juan Bautista Council Member
Tony Boch**

Director Flores asked for a moment of silence for former COG Director and City of San Juan Bautista
Council Member Tony Boch and a close friend of his who recently passed away.

D. ELECT COG Chairperson for 2020

*A motion was made by Director De La Cruz, and seconded by Director Hernandez, the Directors elected
Ignacio Velazquez as the COG Chairperson for 2020. Vote: 5/0 motion passes.*

E. ELECT COG Vice Chairperson for 2020

*A motion was made by Director Velazquez, and seconded by Director De La Cruz, the Directors elected
Peter Hernandez as the COG Vice Chairperson for 2020. Vote: 5/0*

Chair Velazquez thanked Director Flores for his leadership over the past year and expressed his condolences over the loss of his friend.

F. COMMITTEE APPOINTMENTS:

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

Chair Velazquez appointed Peter Hernandez as the CALCOG Delegate and Alternate Director Cesar E. Flores as the Alternate.

2. Two Representatives to the San Benito/Santa Clara Mobility Partnership (One City of Hollister Representative and One Other Representative)

Chair Velazquez appointed himself and Peter Hernandez to the San Benito/Santa Clara Mobility Partnership

3. Representative to Speak on Behalf of COG at California Transportation Commission and Central Coast Coalition Meetings

Chair Velazquez appointed himself as the California Transportation Commission and Central Coast Coalition representative for COG.

Director Flores excused himself from the COG meeting at 3:09 p.m.

G. PUBLIC COMMENT:

Chair Velazquez stated for the record that the COG Board received Joe Thompson's public comment correspondence. The correspondence was entered into public record.

Stephen Rosati

Mr. Rosati requested that at the next COG meeting, the COG Board send a letter to the Valley Transportation Authority opposing any effort to commit any redirection of funds to Transit. He provided a handout of his comments to the Board.

H. EXECUTIVE DIRECTOR'S REPORT: Gilbert

Mary Gilbert welcomed Director Hernandez and Director De La Cruz to the COG Board.

Ms. Gilbert reported that the Free, select Fixed Route and Intercounty rides on public transit has gone very well. A preliminary look shows that it has had a positive impact on ridership. The ridership is much higher during those times than it was at the same time last year. Staff will be providing a full report to the COG Board at a future meeting.

Ms. Gilbert reported that Assembly member Robert Rivas hosting an Environmental Town Hall next Friday at the San Benito High School. Ms. Gilbert noted that she would be one of the speakers at the event.

I. Caltrans District 5 Report: Aileen Loe

Aileen Loe reported that the new Director of Caltrans, Toks Omishakin hosted a meeting among all Caltrans leadership and is working to establish his five priorities for the department 1) Safety 2) Modality - Integration of Modes 3) Efficiency – with resources and taxpayer dollars 4) Innovate – deliver best service to public 5) Engage – work closely with communities, local partners.

Ms. Loe stated that Caltrans would require additional time to provide a written response to some of the Boards questions from the last meeting, including a historical timeline milestone schedule for the Highway 156 Improvement project. With regards to the maintenance/drainage issue on Highway 25, they needed location information.

Director Velazquez stated that drainage/clogging is occurring along Highway 25's Sunset Drive and Airline Highway.

Ms. Loe stated that she would follow up regarding the surface treatment in the area.

Director Richman stated that he did not mind waiting for a written document on the historical timeline/schedule of delays on the Highway 156 project because he wants to be able to demonstrate it to the voters.

J. Board of Directors' Reports

Chair Velazquez stated that he would like to have the following items on the next agenda:

1. Complete update on Measure G - projected dollars coming in and how those dollars are being used, and what are the timelines. (Goal is for everyone to be very clear to move forward aggressively on Highway 25)
2. Put Ad-Hoc committee together to help with Hwy 25 & Strategic Plan (two members working with COG Executive Director, Caltrans, and Santa Clara County)
3. Letter to go out every month to our State elected officials, our Assembly Member, Senator, Governor, Congressional rep., Caltrans - asking for financial help/ help with the red tape for Hwy 25.
4. Discuss possible time change in COG meeting to allow more participation from community with plans to move forward on Hwy 25.
5. Provide overview of COG Rules

Director De La Cruz stated that the City of Hollister and stakeholders should be invited to participate with any plans to move forward on Highway 25.

Director Hernandez stated that he would provide an update under the corresponding item on the agenda regarding the California Transportation Commission meeting he and Executive Director Mary Gilbert attended.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated December 19, 2019 – Gomez
2. **RECEIVE** Construction Projects Report – Caltrans District 5
3. **REAPPOINT** Clay Kempf, Esther Alva, and Pauline Valdivia to the Social Services Transportation Advisory Council – Valentine

4. **APPROVE** and Authorize the Executive Director to Execute a Memorandum of Understanding (MOU) with the Association of Monterey Bay Area Governments (AMBAG) Defining Roles and Responsibilities Associated with the Administration of the Assembly Bill 101 Housing Planning and Production Grant Program Upon Determination of the Final Allocation Amount – Gilbert
5. **Fiscal Year 2020/2021 Draft Overall Work Program – Lezama**
 - a. **RECEIVE** Fiscal Year 2020/2021 Draft Overall Work Program, which includes Planning Activities to be Performed by the Council of Governments; and
 - b. **AUTHORIZE** Submittal of Fiscal Year 2020/2021 Draft Overall Work Program to the California Department of Transportation for Comment.

There was no public comment on the Consent Agenda.

A motion was made by Director Richman, and seconded by Director Hernandez, the Directors approved Consent Agenda Items 1-5, with an abstention from Director De La Cruz on Item 1. Vote: 4/0 motion passes.

REGULAR AGENDA

3:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)

6. **2020 Unmet Transit Needs Hearing – Lezama**
 - a. **RECEIVE** Presentation on Unmet Transit Needs
 - b. **OPEN** Public Hearing
 - c. **CLOSE** Public Hearing

Veronica Lezama provided a PowerPoint presentation on the 2019 Draft Unmet Transit Needs Report and answered questions from the Board.

Chair Velazquez inquired about service to the dialysis center out of town and what will happen once the new center opens up in town.

Director De La Cruz stated that he was grateful that a dialysis center would be opening in town and that staff should provide outreach to inform the public about the service to the future center.

Ms. Lezama stated that Local Transportation Authority currently provides transportation to the dialysis centers in Gilroy and Morgan Hill. Staff would be coordinating with the new dialysis center to provide transportation to their location once they open.

Director Hernandez inquired about the Dial-A-Ride service.

Ms. Lezama provided an overview of Dial-A-Ride services.

Ms. Lezama recommended that the COG Board open the public hearing to receive comments on the 2020 Unmet Transit Needs Hearing. Following public comments, the Board will close the public hearing. The public comment period will conclude March 3, 2020.

Chair Velazquez opened the public hearing at 3:35 p.m.

Public Comment:

Ann Curry

Ms. Curry stated she had been using County Express Dial-A-Ride for a few years now. She stated that drivers seemed rushed to meet the times posted on the Fixed route schedules and that the posted time schedules should be redone. Fixed route schedule does not provide enough time for passengers with mobility issues to board the bus. If they have bags, instead of using the lift to load their bags, passengers with walkers have to load their bags on the bus instead of allowing the use of the lift. Drivers work 12 hour days and have to be back at the yard by 6 p.m. and with two drivers in the evening or split days so drivers don't have to work 12-hours a day. Consider split days 6 a.m. to 2 p.m., and 1-7 p.m. to allow later service for rides to movies or other activities. If a person calls to request same day service by noon, by 1p.m. already booked for the day. Buses pick up regular riders first, then non-regular riders don't get picked up until 9 a.m. During the schoolyear they do a lot of the pick-ups and drop-offs for the schools so there are no buses available for Dial-A-Ride during those times. They should consider having a bus dedicated for Dial-A-Ride. She also stated that more benches are needed at bus stops near grocery stores.

Chair Velazquez closed the public hearing at 3:39 p.m.

In regards to the public comment concern about not providing enough time for passengers to board the bus, Director Richman recommended staff conduct a study and go out with a stop-watch to get estimated time it typically takes for passengers to get on and off the bus, especially for those who may have mobility issues. Director De La Cruz concurred with the recommendation.

7. 2022-2045 San Benito Regional Transportation Plan Goals – Lezama

- a. RECEIVE** a Presentation on the 2022-2045 San Benito Regional Transportation Plan Update; and
- b. COMMENT** and **APPROVE** the Draft Goals for Inclusion in the Draft 2022-2045 San Benito Regional Transportation Plan – Gilbert

Veronica Lezama provided a Power-point presentation on the San Benito Regional Transportation Plan Goals. She stated that COG staff was seeking feedback from the COG Board on the draft goals for inclusion in the draft 2022-2045 San Benito Regional Transportation Plan.

Director Hernandez asked for clarification regarding the Economic Vitality goal. He asked if the transportation system would include people living in unincorporated areas or for those who don't have transportation to places such as Pinnacles.

Ms. Lezama stated that the goal is to raise the region's standard of living by enhancing the performance of the transportation system. Pursue suitable and flexible funding to maintain and improve the system. She said that COG is a member of the County and City's Development Review Committee. As new development comes before the County and City, staff looks at the transportation component to ensure that there is access to that development, whether it's pedestrian, bike paths, or roadway access.

There was no public comment.

A motion was made by Director De La Cruz, and seconded by Director Richman, the Directors approved Item 7a, b. Vote: 4/0 motion passes.

8. RECEIVE Central Coast Coalition Legislative Platform and Information on Legislative Activities – Gilbert

Ms. Gilbert provided an update on the Central Coast Coalition legislative platform and legislative activities that staff attended on February 19th. She stated that staff met with top transportation officials: David Kim, Secretary of the California State Transportation Agency they talked about our priorities, invited them to our community to see our needs and projects. They also met with Brian Annis, Chief Finance Officer for the California High Speed Rail Authority and Jim Davis, Caltrans Chief Deputy Director and Tim Gubbins, Caltrans District 5 Director. They met with Mitchell Weiss, Executive Director of the California Transportation Commission and with Frank Ramirez from the Governor’s Office of Business and Economic Development.

Director Richman stated that he was in support of the Central Coast Coalition as it is a good opportunity for COG to team-up and advocate for the Central Coast.

Ms. Gilbert noted that San Benito County is next in line to host the next Central Coast Coalition Town Hall meeting in 2021. The Commission, Caltrans directors, and other officials would be amongst those invited to come.

There was no public comment.

9. RECEIVE Update on the State Route 156/State Route 25 Roundabout and Proposed Alternatives – Gilbert

Ms. Gilbert provided a Power-point presentation on the Highway 25/156 Interchange Alternatives.

Staff initiated a contract with WMH Engineering to develop potential interchange designs for a short-term project delivery at the intersection in lieu of the roundabout. Staff met with representatives from Sen. Anna Caballero’s office, Asm. Robert Rivas, Sen. Jim Beall, and Caltrans Director Toks Omishakin in Sacramento in February. The group discussed the preliminary proposals and staff will continue to work with the state to accelerate the delivery of an interchange project. The interchange will be reviewed as part of the Value Analysis effort to be conducted with Caltrans and local representatives in March.

Director Hernandez asked if the preliminary proposal that was discussed at the meeting was something that Caltrans was considering.

Aileen Loe stated that Caltrans is currently reviewing the proposal. They’re looking at several things and will be providing a written response. She said that there is a collision concentration at the intersection, this is why it qualifies for the safety money under the State Highway Operations & Protection Program (SHOPP). They can achieve the safety benefits with a roundabout much sooner than they would be able to with an interchange which would take some years to achieve. She said they are looking at reviewing the interchange as part of the Value Analysis effort. They are also looking at some design variations with the roundabout. They are looking at some refinements to help eliminate some of the potential for crossover collisions right in the roundabout and to fit it in within the existing right of way. The goal is to deliver it to the public as soon as possible to protect the safety of the travelers and to also work with COG to expedite things as much as they can on the Highway 25 project.

Director De La Cruz stated for the record that he did not support the Roundabout project and they need to look at other options to fix and widen Highway 25.

Ms. Gilbert stated that staff initiated a contract with WMH Engineering to develop potential interchange designs for a short-term project delivery at the intersection in lieu of the roundabout. They will be discussing this some more in the Value Analysis effort.

Chair Velazquez stated that this was the reason he wanted to send letters to the State and Federal Government, to let them know that we need financial help to aggressively move towards a better solution. He asked if Caltrans has looked into the idea that was proposed, to place sensor lights that sense when a car is not slowing down so it holds the lights.

Ms. Loe stated that Caltrans has looked into a variety of options that will all be put into a comprehensive response of innovative technologies that are available.

Director De La Cruz stated that the monthly letters that will be sent out should also be sent to the City of Hollister and the Board of Supervisors to ensure that everyone is included and working together as a united front.

There was no public comment.

10. San Benito County Measure G – Gilbert

- a. RECEIVE** Update on Measure G Activities
- b. DISCUSS** Project Funding for Tier I and Tier II Projects

Ms. Gilbert provided an update on the San Benito County Measure G activities. Staff is updating revenue forecasts while matching forecasts to anticipated expenditures. The strategic plan will be presented for adoption in March 2020. The Board may consider establishing a Measure G Strategic Plan ad-hoc committee of up to two board members to assist staff in the final development of the Plan.

In late 2019, the COG Board approved goals for a value analysis of the State Route 25 Widening project. Staff is coordinating with Caltrans on the Value Analysis effort and the project kickoff is scheduled for March 10.

Chair Velazquez stated that he wanted to participate in the Value Analysis process.

There was discussion about the growth component measure passing or failing. Director Richman and Director Hernandez stated that they need to ensure that KNN Finance is looking at the growth component measure and the financial impacts it could have.

Chair Velazquez stated that the financial numbers historically are always very conservative and are based on today's numbers and what's really out there, which is all included in the modeling.

Director De La Cruz stated that he wanted to have an update on the Value Analysis in March.

Ms. Gilbert confirmed that staff would be providing an update on the Value Analysis effort to the Board in March.

There was no public comment.

A motion was made by Director De La Cruz, and seconded by Director Hernandez, to adjourn the COG meeting. The meeting was adjourned at 4:25 p.m. Vote: 4/0 motion passes.

ADJOURN TO COG MEETING MARCH 19, 2020 AT 3:00 P.M.

**Council of San Benito County Governments
Measure G Transportation Safety and Investment Plan Oversight Committee**

REGULAR MEETING

October 28, 2019 6:00 PM

MINUTES

MEMBERS:

<i>Attendee Name</i>	<i>Title</i>	<i>Representing</i>	<i>Attendance Status</i>
<i>Darlene Boyd</i>	Member	Education	Excused
<i>John Eade</i>	Member	Agriculture	Present
<i>Victor Gomez</i>	Chair	Latinx Community	Present
<i>Al Gonzales</i>	Member	Trade/Labor	Excused
<i>Judi Johnson</i>	Vice Chair	Senior/Disabled Community	Present
<i>Jose Mario Ortega</i>	Member	Industry	Present
<i>Tim Burns</i>	Member	SBC District 1	Present
<i>Hamdy Abass</i>	Member	SBC District 2	Absent
<i>Sandy Hughes</i>	Member	SBC District 3	Present
<i>Kevin Stopper</i>	Member	SBC District 4	Present
<i>Andrew Rollins</i>	Member	SBC District 5	Present

STAFF PRESENT:

Mary Gilbert; Executive Director, Kathy Postigo; Administrative Services Specialist, Veronica Lezama; Transportation Planner, Shirley Murphy; Deputy County Counsel, and Monica Gomez; Secretary.

OTHERS PRESENT:

Harry Mavrogenes; San Benito County Resource Management Agency Director.

CALL TO ORDER:

Chair Victor Gomez called the meeting to order at 6:00 p.m.

CERTIFICATE OF POSTING:

A motion was made by Judi Johnson, and seconded by John Eade, the Committee acknowledged the Certificate of Posting. Vote: 8/0 motion passes.

PUBLIC COMMENT: None.

Executive Director Announcements:

Executive Director, Mary Gilbert noted that Committee members will be required to complete the California Fair Political Practices Commission’s (FPPC) Form 700 - Statement of Economic Interests at the required intervals. Members should be receiving an email from the San Benito County Elections Department with a

link to complete the form on-line. Executive Director Gilbert also provided a regional transportation project update handout, which has information on local highway projects. The handout can be found on the COG website (www.sanbenitocog.org). Lastly, Ms. Gilbert stated that staff will provide information on the Pavement Management Programs for each of the local jurisdictions on the next agenda.

MEMBER ANNOUNCEMENTS: None.

CONSENT AGENDA:

1. **Approve** Measure G Transportation Safety and Investment Plan Oversight Committee Meeting Minutes Dated August 5, 2019 – Gomez
2. Receive 2019/20 Meeting Calendar – Gomez
3. Receive Adopted Measure G Transportation Safety and Investment Plan Oversight Committee Bylaws – Lezama

A motion was made by Andrew Rollins, and seconded by John Eade, the Committee approved Consent Items 1-3. Vote 8/0 motion passes.

REGULAR AGENDA:

4. **Receive Fiscal Year 2018/2019 Fourth Quarter (April, May, June) and Fiscal Year 2019/2020 First Quarter (July, August, September) Measure G Revenue Statements – Gilbert**

Mary Gilbert noted that Kathy Postigo, COG's Administrative Services Specialist was also present to answer any detailed questions from members.

Ms. Gilbert reported that during the reporting period, the California Department of Tax and Fee Administration (CDTFA) has collected and remitted a total of \$2,717,680.53 to the Council of San Benito County Governments' Measure G fund. She stated that COG staff was currently working on finalizing the local agency agreements with the Cities and County, which will specify the distribution quantities/percentages and terms for obtaining Measure G funds.

There was brief discussion about the funds collected to date. Staff was asked how often members would see expenditure reporting.

Ms. Gilbert stated that staff would be reporting to the committee on a quarterly basis. Kathy Postigo, explained that the County reports on a modified accrual basis at the end of the fiscal year.

There was no public comment.

5. **Receive Update on Measure G Strategic Plan and Cash Flow Model – Gilbert**

Mary Gilbert provided a Power Point presentation on the Measure G Strategic Planning Update (prepared by KNN Public Finance) and answered questions from the Committee. Ms. Gilbert stated that the Strategic Plan would detail all anticipated funding sources, opportunities for bonding and project management, advocacy, and other strategies to ensure that Measure G is successfully implemented with sufficient oversight by COG.

There was discussion about the Tier 1 Highway 25 Expressway project. Chair Gomez stated that knowing that the figures are going to be short for the project, based on KNN's cash flow model, the committee may want to consider looking at options that are more valuable. He said that if there is a cost savings and they

don't reach the \$240 million mark for the Highway 25 Expressway project, those other funds can be used for pavement maintenance for local roads.

Ms. Gilbert provided an overview of Tier I Highway 25 Project funding approaches: 1) Pay as you go: Revenues or Cash Balances 2) Borrow: Loans or Bonds 3) Matching Funds: Federal, State, & Local. Ms. Gilbert mentioned that COG is looking at doing a Value Analysis of the project with representatives from Caltrans, COG staff, County and City staff, and regional partners at Santa Clara Valley Transportation Authority to review project delivery alternatives.

There was discussion about bonds. Committee members asked to see the split of how much is paid towards interest and principal. They also asked to see the County and City's pavement maintenance project lists and recommended that City and County representatives are invited to attend the next meeting.

Ms. Gilbert provided an overview of Measure G next steps.

Chair Gomez asked to keep the Committee up to speed on COG Board directions on any potential changes of a modified Highway 25 project.

Ms. Gilbert stated that there will likely be more information to report once they have completed the Value Analysis of the project early next year.

There was no public comment.

6. Receive Presentation on Procedures for Transportation Project Development – Lezama

Veronica Lezama provided a PowerPoint presentation on standard Transportation Project Development Procedures for projects funded with local, state, and federal funds.

Committee members thanked staff for the presentation stating that it was very helpful to see the step-by-step transportation development process.

There was no public comment.

7. Receive Update on Santa Clara/San Benito Mobility Partnership – Gilbert

Executive Director Mary Gilbert provided an update on the latest work completed by the Santa Clara/San Benito Mobility Partnership, including the selection of a preferred alternative for the Phase 1 SR 25/101 Interchange design.

There followed discussion about Alternative 1, the preferred alternative for the interchange that was selected by the Mobility Partnership.

Chair Gomez mentioned that he asked staff to add this item to the agenda to receive an update and receive a broader understanding of the entire segment of Highway 25. However, he stated that for future updates members of the public are more than welcomed to attend the Mobility Partnership meetings, which are held in Gilroy. Ms. Gilbert mentioned that anyone interested may visit the Valley Transportation Authority (VTA) website and subscribe to the agendas and receive automatic notification of future agendas.

There was no public comment on this item.

A motion was made by John Eade, and seconded by Kevin Stopper, the Committee voted to Adjourn the Measure G Transportation Safety and Investment Plan Oversight Committee meeting at 7:21 p.m.

ADJOURN TO MEETING OF JANUARY 29, 2020 AT 6:00 P.M.



PROJECT UPDATE – SAN BENITO COUNTY

PREPARED FOR THE APRIL 16, 2020 SAN BENITO COUNTY COUNCIL OF GOVERNMENTS MEETING

CONSTRUCTION PROJECTS

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager (Resident Engineer)	Contractor	Comments	
1.	Highway 25 Super Elevation Adjustment and Culvert Extension (1C260)	Just north of La Gloria Road (PM 25.9/R26.2)	Curve correction	Spring 2019 – Spring 2020	\$2.1 million	SHOPP	Brandy Rider/Joe Erwin (RJ)	Granite Rock Company, San Jose, CA	Construction completed late March.
2.	Highway 25 Roadway Safety Improvements 1F4304	In Hollister from Sunnyslope/Tres Pinos Road to San Felipe Road (PM R49.9/R52.2)	Route deficiency corrections	Spring 2019 – Spring 2020	\$6.9 million	SHOPP	Brandy Rider/Joe Erwin (BB)	Granite Rock Company, San Jose, CA	Construction anticipated for completion in early April

PROJECTS IN DEVELOPMENT

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager	Phase	Comments	
3.	Highway 25 Curve Alignment Restoration (1H810)	Near Hollister, just north of San Benito Lateral (PM 18.8/19.1)	Curve restoration	Begin in Fall 2020	\$4.3 million	SHOPP	Brandy Rider/Barak Miles	PA&ED	PA&ED phase anticipated for completion Sept. 2020.
4.	Highway 25 Expressway Conversion Project (48540)	Near Hollister and Gilroy in SBt & SCL Counties (PM SBt 51.5 to SCL 2.6)	Conversion of 2-lane conventional highway to a 4-lane expressway	N/A	N/A	Local	Brandy Rider/Aaron Henkel	PA&ED	Caltrans is currently working with SBtCOG to develop a workplan for PA&ED and develop a cooperative agreement to initiate work on Phase 1. VA 1 st meeting held, 2 nd meet rescheduled for May 26-28 in SLO.



PROJECT UPDATE – SAN BENITO COUNTY

PREPARED FOR THE APRIL 16, 2020 SAN BENITO COUNTY COUNCIL OF GOVERNMENTS MEETING

PROJECTS IN DEVELOPMENT (CONTINUED)

Project	Location/Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager	Phase	Comments
5. Highway 25/156 Roundabout (1J480_)	Intersection of SR 25/156, north of Hollister (PM 54.048)	Construct roundabout	Spring 2021- Fall 2021	\$10.7 million	SHOPP	Brandy Rider/Aaron Henkel	PS&E/RW	Final design phase anticipated Winter 2021.
6. Highway 156 Improvement Project (34490)	In and near San Juan Bautista, from The Alameda to slightly east of Fourth Street (PM 3.0/R8.2)	Construct four-lane expressway	Summer 2020 - Summer 2022	\$57.4 million	STIP/Local	Brandy Rider/Aaron Henkel	PS&E/RW	Project design continues with 95% completion. ROW appraisals in progress. Utility relocation, design coordination under way.

ACRONYMS USED IN THIS REPORT:

PA&ED	Project Approval and Environmental Document
PS&E	Plans, Specifications, and Estimate
ROW	Right of way
SB1	Senate Bill 1
SBt	San Benito County
SCL	Santa Clara County
SR	State Route
SHOPP	Statewide Highway Operation and Protection Program
STIP	Statewide Transportation and Improvement Program



Staff Report

To: Council of San Benito County Governments
From: Kathy Postigo, Administrative Services Specialist
Date: April 16, 2020
Subject: **Resolution 20-01**

Recommendation:

ADOPT Resolution No. 2020-01, Delegating Authority to the Executive Director to Execute Funding Agreements and Amendments with the California Department of Transportation.

Summary

Resolution 20-01 authorizes the Council of San Benito County Governments Executive Director to sign Funding Agreements and Amendments with the California Department of Transportation.

Financial Considerations:

None

Background:

We received the 2019/2020 Regional Transportation Planning Agency Exchange Agreement to complete and sign from Caltrans, Division of Local Assistance. Caltrans is requesting a Resolution that identifies the representative who is authorized to sign on the Agency's behalf. Attached is a Resolution 20-01 authorizing the Council of San Benito County Governments Executive Director to sign Funding Agreements and Amendments with the California Department of Transportation.

Staff Analysis:

In order to be eligible for these funds, San Benito Council of Governments must provide California Department of Transportation a resolution authorizing its Executive Director to sign Funding Agreements and Amendments.

Executive Director Review: _____

Counsel Review: Yes

Supporting Attachment: 1. Resolution 20-01

*Council of San Benito County Governments
330 Tres Pinos Rd, Suite C7
Hollister, CA 95023*



BEFORE THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

A RESOLUTION OF THE COUNCIL OF SAN) RESOLUTION NO. 20-01
BENITO COUNTY GOVERNMENTS)
DELEGATING AUTHORITY TO EXECUTE)
AGREEMENTS WITH THE CALIFORNIA)
DEPARTMENT OF TRANSPORTATION)

WHEREAS, Federal and State funds administered by and through the California Department of Transportation are regularly made available to the Council of San Benito County Governments; and

WHEREAS, Master Agreements, Program Supplement Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements need to be executed with the California Department of Transportation before such funds can be claimed; and

WHEREAS, the Council of San Benito County Governments wishes to delegate authority to execute these agreements and any amendments thereto to the Executive Director of the Council of San Benito County Governments

NOW, THEREFORE, BE IT RESOLVED that the Council of San Benito County Governments hereby authorizes the Executive Director of the Council of San Benito County Governments to execute all Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements, and any amendments thereto with the California Department of Transportation.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS ON THIS 19th DAY OF MARCH, BY THE FOLLOWING VOTE:

- AYES:
- NOES:
- ABSTAINING:
- ABSENT:

Ignacio Velazquez, Chairperson

APPROVED AS TO LEGAL FORM:
County Counsel's Office

Dated: _____

By: _____
Shirley L. Murphy, Deputy County Counsel

ATTEST:

Dated: _____

By: _____
Mary Gilbert, Executive Director



Staff Report

To: Council of Governments
From: Mary Gilbert, Executive Director **Telephone:** (831) 637-7665
Date: April 16, 2020
Subject: Update on COG Operations

Recommendation:

RECEIVE Update on Council of Governments Operations Effective March 17, 2020 and Direct Staff as Needed

Summary:

California Governor Newsom issued a Proclamation of a State of Emergency on March 4, 2020. When preparing this staff report, San Benito County has 31 confirmed cases of COVID-19 and multiple cases have been confirmed in neighboring Santa Clara County.

In response to COVID-19, the San Benito County Public Health Officer issued a shelter-in-place order on March 17, 2020 requiring residents to stay at home except for essential needs to help reduce the spread of the virus. The shelter-in-place order was later updated further restricting activities and extending the effective date through May 3, 2020.

Staff will provide an update on COG's response to the order and receive direction from the Board regarding operations policies as needed.

Executive Director Review: MG

Counsel Review: N/A

Staff Report

To: Council of Governments
From: Mary Gilbert, Executive Director **Telephone:** (831) 637-7665
Date: April 16, 2020
Subject: COG Rules and Regulations

Recommendation:

REVIEW Council of San Benito County Governments Rules and Regulations and Direct Staff to prepare amendments as needed.

Summary:

The Council of Governments operates using adopted Rules and Regulations. The Rules and Regulations may be amended upon direction by the Board.

Financial Considerations:

There is no financial impact at this time.

Background:

COG's Rules and Regulations govern the agency's general operations. The regulations must be implemented consistent with the intent and purpose of the "Joint Powers Agreement of the Council of San Benito County Governments", dated December 31, 1973, as amended. The Joint Powers Agreement is Attached (Attachment 2).

Staff Analysis:

The Rules and Regulations include the following four sections:

1. General Rules and Regulations
2. Implementing Procedures for the California Environmental Quality Act: The Purpose of this section is to provide objectives, criteria and specific procedures for the orderly evaluation of projects and the preparation of environmental documents pursuant to the California Environmental Quality Act and State CEQA Guidelines.
3. Purchasing Policy: The purpose of this chapter is to adopt policies and procedures governing purchases of supplies, equipment and contractual services by the agency

4. Conflict of Interest Code: The Political Reform Act, Government Code Section 81000, et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code. This section also includes COG's adopted Code of Conduct.

Staff is seeking direction from the Board regarding any proposed changes to the Rules and Regulations.

Executive Director Review: MG

Counsel Review: N/A

Supporting Attachments: 1. COG Adopted Rules and Regulations
 2. Joint Powers Agreement

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

RULES AND REGULATIONS

Section I. GENERAL RULES AND REGULATIONS

A. GENERAL APPLICATION The Council of San Benito County Governments (Council) hereby declares that its procedures shall be governed by the regulations hereinafter set forth, together with such other regulations as may from time to time be prescribed by the Council.

B. PARTICULAR APPLICATION Unless otherwise particularly noted, the regulations hereinafter provided shall be implemented consistent with the intent and purpose of the "Joint Powers Agreement of the Council of San Benito County Governments", dated December 31, 1973, and as amended, entered into by the participating incorporated cities and the County of San Benito.

C. MEETINGS Regular meetings of the Council shall be held on the third Thursday of each month commencing at the hour of 3:00 p.m. Unless otherwise particularly ordered by the Council, all meetings shall be held in the Chambers of the Board of Supervisors of San Benito County, 481 Fourth Street, Hollister, California.

D. CHAIR At its first meeting in January of each year, the Council shall, by majority vote of all appointed members, select one of its members who shall serve as Chair of the Council for the balance of the calendar year. Any Chair selected under the provisions of this section shall continue to act as such Chair until the selection of a successor. The Chair of the Council shall be rotated between the participating incorporated cities and the County of San Benito.

E. VICE CHAIR. The same procedure as heretofore set forth for the selection of a Chair shall be followed for the selection of a Vice-Chair of the Council.

F. CHAIR PRO TEMPORE In the absence of both the Chair and the Vice-Chair at any meeting, the members present and constituting a quorum, may by majority vote, select a Chair Pro Tempore to serve in the absence of such officers.

G. QUORUM A majority of the appointed members from the participating agencies shall constitute a quorum for the transaction of any business of the Council.

H. BROWN ACT All meetings of the Council shall be conducted pursuant to the provisions of the RALPH M. BROWN ACT, Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code, commencing with section 54950.

I. AGENDA The business of each regular meeting shall be transacted in accord with an agenda prepared by the Executive Director and transmitted to each member of the Council. All agenda items for any regular meeting shall be filed with the Executive Director not later than seven (7) calendar days prior to the meeting at which such item is to be considered, absent special circumstances.

J. RULES OF ORDER

1. When motions are made by directors, the motion shall be stated to the clerk by the moving director.

2. No question on a motion shall be debated or put to the Council unless the motion has been seconded. When a motion is seconded, it shall be stated by the Chair before debate.

3. A motion having been stated by the Chair, shall be deemed to be in possession by the Council, but it may be withdrawn at any time before decision or amendment with the assent of the second.

4. When a question is under debate, no motion shall be received unless the motion is:

- a. To adjourn;
- b. To lay on the table;
- c. To consider the previous question;
- d. To postpone to a certain date;
- e. To commit to committee;
- f. To amend; or
- g. To postpone indefinitely.

These motions shall have no preference in the above order.

5. A motion to adjourn or a motion to fix time of adjournment shall be decided with debate.

6. A motion to lay on the table shall include all amendments to the main question.

7. A motion to consider the previous question shall preclude all amendment from debate to the main question and shall be put in the form "shall the main question be put to a vote."

8. A member called to order shall relinquish the floor unless permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Chair shall be final.

9. Upon demand of any Council member, or at the discretion of the Chair, the vote shall be by roll call, except that the vote on all ordinances or resolutions shall be by roll call.

10. Where a procedural issue arises which is not resolved by reference to the Council's rules, the procedure to be followed shall be stated by the Chair. However, upon objection by any member, the procedure to be followed is determined by majority vote of the Council ("Rule of the Chair").

K. VOTING Except on demand of a member, the roll need not be called upon voting upon a motion, unless the motion is to adopt an ordinance in which case the vote shall be by roll call. A Council order applies mainly as a directive to Council officers or employees. It need not be reviewed in writing, as it generally applies to one specific act only. Council resolutions and ordinances must be reviewed in written form before binding action is taken on them.

L. RECORDS OF PROCEEDINGS All proceedings of every meeting of the Council shall be reported in writing and recorded by means of audio tape or video tape. The Executive Director shall permanently maintain the written records (minutes) and the tape records in the Council file. The executive Director also shall keep a resolution file in which all resolutions shall be entered in full.

M. REPORTS AND RECOMMENDATIONS The Executive Director shall review all matters coming before the Council and shall make a report and recommendation on all items placed on the agenda.

N. FEES The Council may establish an appropriate fee schedule for services provided by the Council.

O. AMENDMENTS Rules and regulations herein enumerated may, from time to time, be amended by resolution of the Council. Prior notification by mail of specific changes proposed, to all members of the Council and the specific date on which such amendments will be considered shall be required. A vote of a majority of the membership of the board of directors is required to amend such rules or regulations.

Section 2. IMPLEMENTING PROCEDURE FOR THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A. INTRODUCTION

1. AUTHORITY

The following procedures are adopted by the San Benito County Council of Governments (COG) pursuant to Section 21082 of the California Public Resources Code (Environmental Quality Act of 1970, "CEQA"), and Sections 15000, 15020 and 15022 of Title 14 of the California Administrative Code, Guidelines for Implementation of the California Environmental Quality Act of 1970 (hereinafter referred to as the "State CEQA Guidelines") as amended.

2. PURPOSE

The Purpose of these procedures is to provide objectives, criteria and specific procedures for the orderly evaluation of projects and the preparation of environmental documents pursuant to the California Environmental Quality Act and State CEQA Guidelines.

3. RELATIONSHIPS OF THE COUNTY PROCEDURES TO STATE CEQA GUIDELINE

The COG procedures are intended to supplement the State CEQA Guidelines for practical application to specific projects approved or undertaken by COG. The following procedures, therefore, do not replace the State CEQA Guidelines, but are to be used in conjunction with them. All articles and appendices of the State CEQA Guidelines are included and made part of these procedures by this reference. If the application of any provision contained in the COG procedures conflicts with any provision of the State CEQA Guidelines the provision of the State CEQA Guidelines shall control.

COG may, from time to time, revise any portion of these implementing procedures. If any such change in these rules and procedures conflicts with any provision of or amendment to CEQA or the Guidelines, the provisions of CEQA or the Guidelines shall control.

4. DEPARTMENT PROCEDURES

The Executive Director of COG may adopt administrative procedures and forms consistent with these procedures to facilitate the orderly processing of applications and projects.

5. SEVERABILITY OF PROVISIONS

If any section, subsection, sentence, clause or phrase of these procedures is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these procedures, it being hereby expressly declared that these procedures and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved, or ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

B. RULES AND PROCEDURES

1. GENERAL

Article 1 of the State CEQA Guidelines is incorporated with no additions.

2. GENERAL RESPONSIBILITIES

Article 2 of the STATE CEQA Guidelines if incorporated with the following additions:

15025 Delegated Responsibilities

- A.** The following functions shall be assigned to appropriate COG staff to assist in administering CEQA.
- 1) Determining whether a project is exempt or ministerial.
 - 2) Conducting an Initial Study and deciding whether to prepare a draft EIR or Negative Declaration.
 - 3) Preparing a Negative Declaration or EIR.
 - 4) Determining that a Negative Declaration has been completed within a period of 105 days.
 - 5) Preparing responses to comments on environmental documents.
 - 6) Filing of notices to the public and to other agencies as required by CEQA guidelines.
- B.** The Executive Director, and his/her designate(s) are COG's reviewing staff for private projects requiring COG approval and COG projects subject to the provision of CEQA.

The duties of the COG staff shall include the following:

- 1) Assess the potential environmental significance of Projects proposed to be undertaken or approved by the COG that are subject to the requirements of CEQA, the State CEQA Guidelines and these procedures.
 - 2) Prepare environmental documents and recommendations to the approving authority for projects subject to CEQA, the State CEQA Guidelines and these procedures.
 - 3) Review environmental documents submitted by Lead Agencies for COG for comment.
 - 4) Notify the public of the availability for review of environmental documents by legal notice in a newspaper of general circulation for minimum public review of 7 days and mail COG agenda on environmental matters to interested parties.
 - 5) Transmit and/or file all notices as required by these procedures.
 - 6) Review and comment on Notices of Preparation, proposed Negative Declarations, and Draft EIRs sent to COG as a Responsible Agency by Lead Agencies.
- C.** COG shall not delegate the following functions:
- 1) Reviewing and considering a final EIR or approving a Negative Declaration prior to approving a project.
 - 2) The making of findings as required by Sections 15091 and 15093.

- D. Where an advisory body is required to make a recommendation on a project to COG, the advisory body shall also review and consider the EIR or Negative Declaration in draft or final form.

3. AUTHORITIES GRANTED TO PUBLIC AGENCIES BY CEQA

Article 3 of the State CEQA Guidelines is incorporated with the following additions:

15040.1 Appeals

- A. Appeals of Public Works Director's Decisions.
Any decision made pursuant to CEQA and these implementing procedures by the Public Works Director may be appealed to COG within 15 days of the Director's written decision.
- B. Appeals of Advisory Agency's Decisions.
Any appeal of decision under CEQA by any advisory agency shall be made to COG within 15 days.
- C. Fees shall be set by ordinance of COG.

4. LEAD AGENCY

Article 4 of the State CEQA Guidelines is incorporated with no additions.

5. PRELIMINARY REVIEW OF PROJECTS AND CONDUCT OF AN INITIAL STUDY

Article 5 of the State Guidelines is incorporated with the following additions:

150600. Preliminary Review

The following shall apply to all private projects requiring Cog approval:

- A. COG staff shall determine whether or not an application is complete within 30 working days from the date that the application is submitted.
- B. COG staff may, as a result of the 30 day preliminary review, determine that additional information and/or technical reports are required in order to conduct the formal environmental evaluation. In such cases COG staff shall inform the applicant in writing of the information required to complete the application. The applicant shall provide the additional information prior to acceptance of the application as complete by COG staff.

C. COG staff shall notify applicants in writing of acceptance of an application as complete within the time limits specified in this section.

15061(b) Review for Exemption

Once Cog staff determines that an activity is a private project subject to CEQA, COG staff shall determine if project is exempt from CEQA.

15063. Initial Study

A. Contents:

- 1) For private projects, the applicant shall submit an Environmental Assessment Report (attachment 1 of the Procedures) to the COG staff along with the application requesting approval for the project. The Environmental Assessment Report, when accepted as complete, shall be considered as adequate description of the project, its location, and environmental setting for purposes of the initial study.
- 2) The COG staff shall complete the identification of environmental effects by use of an environmental checklist, and shall include a discussion of ways to mitigate significant effects identified, if any.
- 3) The COG staff shall include in its discussion an examination of whether the project would be consistent with existing zone, General Plan, land use plans controls and traffic plans.

B. Consultation:

- 1) Within five (5) working days after a private project has been determined to be complete, the COG staff shall circulate copies of the proposed plans and other pertinent information to appropriate Responsible and Trustee Agencies for review and comment.
- 2) Responsible and Trustee Agencies shall be allowed a minimum of 15 working days to respond to private projects.

6. NEGATIVE DECLARATION PROCESS

Article 6 of the State Guideline is incorporated with the following additions:

15072.1 Public Notice of a Negative Declaration

COG shall publish a notice that it intends to adopt a Negative Declaration in a newspaper of general circulation in the area at least 7 days prior to adoption.

7. EIR PROCESS

Article 7 of the State Guidelines is incorporated with no additions.

8. TIME LIMITS

Article 8 of the State Guidelines is incorporated with the following addition:

15108. Completion and Certification of EIR – 90 Day Extension of Time Limit

The one year time limit for completing and certifying an EIR may be extended once for a period of not more than 90 days upon consent of COG's Executive Director and the applicant.

9. CONTENTS OF ENVIRONMENTAL IMPACT REPORT

Article 9 of the State Guidelines is incorporated with no additions.

10. CONSIDERATION ON PREPARING EIRS AND NEGATIVE DECALRATIAONS.

Article 10 of the State Guidelines is incorporated with no additions.

11. TYPES OF EIR

Article 11 of the State Guidelines is incorporated with no additions.

12. SPECIAL SITUATIONS

Article 12 of the State Guidelines is incorporated with no additions.

13. REVIEW AND EVALUATION OF EIRS AND NEGATIVE DECLARATIONS

Article 13 of the State Guidelines is incorporated with no additions.

14. PROJECTS ALSO SUBJECT TO NEPA

Article 14 of the State Guidelines is incorporated with no additions.

15. LITIGATION

Article 14 of the State Guidelines is incorporated with no additions.

16. EIR MONITOR

Article 16 of the State Guidelines is incorporated with no additions.

17. EXEMPTION FOR CERTIFIED STATE REGULATORY PROGRAMS

Article 17 of the State Guidelines is incorporated with no additions.

18. STATUTORY EXEMPTIONS

Article 18 of the State Guidelines is incorporated with the following additions:

15268.1 Ministerial Projects

COG shall determine “ministerial” projects on a case by case basis. Such determinations shall be based on the definition of “ministerial” contained in section 15369 of these procedures and on COG ordinances and regulations.

19. CATEGORICAL EXEMPTIONS

Article 19 of the State Guidelines is incorporated with the following additions:

15304. Minor Alterations to Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include, but are not limited to:

Grading on land w/slope of 10%, except as stated below:

- In any waterway, floodplain, or wetland;
- In any officially designated (by federal, state, or local government action) scenic area;
- Officially mapped areas of severe geologic hazard, (such as Alquist-Priolo earthquake fault zone or within an official seismic hazard zone);
- When the grading involves clean-up of contaminated soil;
- Slopes over 10% with severe to very severe erosion hazards;
- Slopes over 30%; or
- Where any of the following limits area exceeded.

EXCAVATION LIMITS (2:1 SLOPES)

Slope	Cubic Yards	Maximum Depth Of Excavation (ft.)
0% to 10%	1,000	3
10.1 to 20%	600	4
20.1% to 25%	300	5
25.1% to 30%	100	6

EMBANKMENT LIMITS (2:1 SLOPES)

Slope Embankment	Cubic Yards	Maximum Height of (ft.)
0% to 10%	1500	2
10.1% to 15%	1000	3
15.1 to 20%	500	4
20.1% to 25%	250	5
Over 25%	0	N/A

The remainder of this section remains as written in the CEQA Guidelines.

20. DEFINITIONS

Article 21 of the State Guidelines is incorporated with the following additions.

15388. “COG Staff” Shall mean the COG Executive Director and his/her Designate(s).

15389. The Executive Director of COG is appointed by the Board of The Council of San Benito County Governments.

Section 3. PURCHASING POLICY

A. DEFINITIONS

For the purpose of this article, the following words and phrases shall have the meaning respectively ascribed by this section:

- 1) Agency: Council of San Benito County Governments
- 2) Board of Directors: The governing body of the agency.
- 3) Contractual services: Any telephone, gas, water, electric light and power services; the rental of equipment and machinery; insurance; the services of attorneys, physicians, electricians, engineers, consultants or other individuals or organizations possessing a high degree of technical skill; and all other types of agreements under which the contract provides services which are required by the agency, but not furnished by its own employees. Purchase of space for legal advertising shall not be subject to the provisions of this chapter.
- 4) Fixed Assets: Any piece of tangible personal property having an estimated useful life of one calendar year or more, capable of being permanently identified as an individual unit of property, and belonging to

one of the general classes of property considered a fixed asset in accordance with generally accepted accounting practices (i.e., equipment, machinery, vehicles, furnishings,) with an accounting value of \$3,000 or more.

- 5) Professional Services: An independent contractor's expert advice or professional services that involve extended analysis, personal expertise, the exercise of discretion and independent judgment in their performance, which are of an advisory nature, provide a recommended course of action, and have an end product transmitting information which is related to COG programs. Providers are selected on the basis of qualification, subject to the negotiation of a fair and reasonable compensation. Classification as professional services may also require an advanced, specialized type of knowledge, expertise, technical skill or training customarily acquired either by a prolonged course of study or equivalent experience, such as accountants, financial advisors, auditors, grant writers, program specialists, labor consultants and negotiators, investigators, law enforcement retained certified laboratories, attorneys and other litigation-related specialist, environmental consultants, appraisers, architects, landscape architects, surveyors, engineers, design professionals, and construction project management firms.

- 6) Supplies and equipment: Any personal property, such as physical articles, materials or things, which property shall furnished to, or shall be used by the agency.

B. PURPOSE OF CHAPTER

The purpose of this chapter is to adopt policies and procedures governing purchases of supplies, equipment and contractual services by the agency in accordance with section 54200 et seq. of the Government Code. This chapter is not intended to conflict with applicable provisions of state law and shall be interpreted as supplementary thereto.

C. DESIGNATION OF THE PURCHASING AGENT

The Board of Directors appoints the Executive Director or designee to serve as the Purchasing Agent for Council of San Benito County Governments.

D. PURCHASING AGENT – POWERS AND DUTIES

The Purchasing Agent shall have all the duties and powers prescribed by the laws of the state including the following duties:

1. Acquisition of Personal Property – To purchase equipment, materials, supplies and all other personal property and services for COG where funding has been approved and budgeted by the Board, unless specified otherwise in the Purchasing Policy.

2. Professional Service Contracts – To engage independent contractors to perform professional services through contracts for the COG with or

without furnishing of material where the aggregate cost does not exceed \$10,000. Contracts shall not be split between fiscal years to circumvent this dollar limitation.

3. Renewal/Extension of Contracts – To renew or extend contracts for professional services that are critical to ongoing COG projects provided the financial obligation falls within his/her preview of authority.
4. Rental of Real Property – To negotiate and execute in the name of COG, contracts to lease or rent for the COG real property or storage space where funding has been approved by the COG Board, with an annual rent not to exceed \$50,000.

E. DESIGNATION OF ASSISTANT PURCHASING AGENTS

The Purchasing Agent has the authority to designate such assistants and limit or rescind authority. The Purchasing Agent may delegate the authority to purchase to a deputy or assistant.

F. ASSISTANT PURCHASING AGENT – POWERS AND DUTIES

The Assistant Purchasing Agent shall have all the duties and powers prescribed by laws of the state relating to COG purchasing agents, and orders of the Board of Directors to include the following duties:

1. Acquisition of Personal Property - To purchase, equipment, materials, supplies and all other personal property and services for COG where funding has been approved and budgeted by the Board unless specified otherwise in the COG Purchasing Policy.
2. Professional Service Contracts – To engage independent contractors for professional services through contracts where the cost does not exceed \$3,000, where funding has been approved and budgeted. Contracts shall not be split between fiscal years to circumvent this dollar limitation.
3. Rental of Real Property – To negotiate and execute in the name of COG, contracts to lease or rent for COG real property or storage space, with an annual rent not to exceed \$3,000, where funding has been approved and budgeted by the Board.

G. PURCHASING METHODS AND PROCEDURES

In the performance of his/her function hereunder, the Purchasing Agent or Assistant Purchasing Agent shall comply with all applicable statutes and regulations. Purchases shall be made using such methods and procedures to secure the lowest price consistent with the quality desirable for the use intended. The Purchasing Agent and Assistant Purchasing Agent shall comply with standards set forth in the Council of Governments Rules & Regulations, Section 3 – Purchasing Policy.

H. EXCEPTIONS TO THE COMPETITIVE PROCESS

Except as otherwise directed by law, or as directed by the Board of Directors, competitive process is not required for the following purchases:

1. Expert and professional services which involve extended analysis: the exercise of discretion and independent judgment in their performance; and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience as defined under Definitions – Professional Services.
2. Legal brief printing, stenographic services, and transcripts.
3. Books, publications, subscriptions, recordings, motion picture films, and annual book and periodical contracts.
4. Insurance.
5. Contracts for services which by law when some other office or body is specifically charged with obtaining.
6. Public utility services.
7. Ordinary travel expenses.
8. Personal property or services obtainable through master contracts or purchasing association pools identified for the use and benefit of all local agencies.
9. Where law fixes the price of property or services.
10. Training, seminars, and classes for COG personnel.
11. Sole source procurement, defined as an award for a commodity or service which can only be purchased from one supplier, usually because of its technological, specialized, or unique character.
12. Emergency purchases necessary when unforeseen circumstances require an immediate purchase in order to avoid a hazard to life or property or serious interruption of the operation of COG, or the necessary emergency repair of COG equipment.
13. When the product/services are needed by COG pending a contract award and a contractor agrees to provide such product/services at the same contract price as a previous award, until a new contract has been awarded. Such interim period contracts shall not exceed six months.

I. CONTRACTUAL PROCEDURES

All Contracts are binding legal documents that are subject to the following provisions:

1. All contracts, leases and any amendments or modifications shall be reviewed and approved as to legal form by the County Counsel's Office prior to execution of the Purchasing Agent, Assistant Purchasing Agents and/or Board of Directors.
2. Prior approval shall be obtained from County Counsel's Office before any contracts for professional services relating to outside attorney services are executed.

J. PREFERENCE FOR PRODUCTS CONTAINING RECYCLED MATERIALS

1. The Purchasing Agent shall establish and maintain procedures and specifications to ensure that COG gives preference, in its purchasing decisions, to products containing the maximum amount of recycled materials, where the quality and fitness of such products is equal to those of products containing no recycled materials, or a lesser amount of recycled materials, and where the total cost of such products is reasonable in comparison to the total cost of those products containing no recycled materials, or a lesser amount of recycled materials.
2. "Product containing recycled materials" means, with respect to a paper product, a "recycled paper product" as that term is defined in Section 12301© of the Public Contract Code, and means, with respect to other products, a "recycled product," as that term is defined in Section 12301(d) of the Public Contract Code.
3. To the extent that the Public Contract Code or other provisions of state law provide for purchasing preferences which are more extensive than those established herein, or for additional procedures to increase the use of recycled materials, the provisions of state law shall prevail.

K. PREFERENCE FOR LOCAL BUSINESSES

Local business preference shall be considered for purchases of supplies, equipment and services, when all other factors are determined to be equal to individuals or firms having a bona-fide place of business within the County of San Benito.

Local businesses are encouraged to submit quotations, bids or proposals for supplies, equipment and services; are also encouraged to submit quotations, bids or proposals for fixed assets that are normally procured through a master contract, if they can meet the pricing of the master contract proposed and all factors are determined equal.

L. UNLAWFUL PURCHASES

Failure of the Purchasing Agent or Assistant Purchasing Agent to adhere to the provisions of this policy may incur costs not meriting the definition of county charges and therefore becoming the personal responsibility of the Purchasing Agent or Assistant Purchasing Agent. Except as otherwise provided by law, no purchase of Materials, supplies, furnishings, equipment, other personal property or contractual services shall be made in excess of the amount of the appropriations allowed by the budget.

M. EMERGENCY PURCHASES WITHOUT PRIOR APPROVAL

Emergency purchases may be made by the Purchasing Agent or Assistant Purchasing Agent when a generally unexpected occurrence or unforeseen circumstances require an immediate purchase of material, supplies or equipment:

1. in order to avoid a hazard to life or property;
2. in order to avoid a serious interruption or discontinuance of essential services or operation of COG;
3. in order to make necessary emergency repairs of COG equipment required to provide essential services or for the operation of COG; or
4. in order to avoid economic loss to COG.

Emergency purchases shall be submitted to the Board of Directors for ratification at its next meeting.

N. PROTEST PROCEDURES

Any aggrieved potential provider of supplies, equipment or contractual services may file a written protest against a potential purchase by the board of directors. The protest shall be filed with the Executive Director one (1) day before the day of the meeting at which the board of directors is initially scheduled to consider the subject purchase. The exact basis for the protest and proof that the protester is a viable and responsible provider of the supplies, equipment or services sought shall be specified in writing and filed with the Executive Director who shall render a written decision in response to the protest not later than five (5) days after the day of the meeting at which the board of directors is initially scheduled to consider the subject purchase. Any protester disagreeing with the decision of the Executive Director may file an appeal not later than five (5) days after the date of the Executive Director's decision. The appeal shall state the basis of error that the Executive Director allegedly made. The board of directors shall hear the appeal at the next meeting when the appeal may be placed on the agenda.

O. ACCEPTANCE OF GRATUITIES

The acceptance of any gratuity in the form of cash, merchandise or any other thing of value by an official or employee of the agency, or by an official or

employee of a public agency contracting with the agency, from a vendor or contractor, or prospective vendor or contractor, is prohibited and shall be a cause for disciplinary action in the case of an agency employee or official, or in the case of an official or employee of the contracting public entity, cause for termination of the contract between the agency and the public entity.

Section 4. CONFLICT OF INTEREST CODE

A. REQUIREMENTS FOR A CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Section 81000, et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code.

B. CODE ADOPTED

The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations, Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission pursuant to the Administrative Procedure Act, Government Code Sections 11370. The San Benito County Council of Governments will adopt the terms of 2 Cal. Code of Regulations Section 18730, any later amendments duly adopted by the Fair Political Practices Commission, and the attached Appendix A in which officials, employees and members of the advisory bodies of the San Benito County COG are designated and disclosure categories are set forth is hereby incorporated by reference and constitutes the conflict of interest code of the San Benito County COG and of the advisory bodies referred to in Appendix A.

C. RESPONSIBILITY OF PERSONS REQUIRED TO DISCLOSE FINANCIAL INFORMATION

Persons holding the positions or who are members of the advisory bodies designated on appendix A shall file statements of economic interests pursuant to Section 4(C) of the code with the San Benito County Clerk, to whom the San Benito County COG hereby delegates the authority to carry out the duties of the filing officer.

D. CODE OF CONDUCT

1. DUTY TO DISCLOSE

The Executive Director and other COG managers, supervisors and purchasing agents shall not be involved in any purchasing decisions, tasks, or procedures, (including participation in initiation, award, or administration of a contract) in which they or persons related to them have a real or apparent conflict of interest. In cases where there may be such conflicts of interest, employees have the responsibility to report in writing such conflicts to the Executive Director. Failure to make such disclosure is subject to disciplinary action.

2. CONFLICT OF INTEREST

The COG Board of Directors has adopted a Conflict of Interest code, under which certain designated employees are required to disclose economic interests and are prohibited from participating in decisions, which may have an effect on their financial interest. The terms and requirements of the Conflict of Interest Code are incorporated herein by reference.

No employee, officer, or agent of COG shall participate in procedures, tasks, or decisions relative to initiation, award, or administration of a contract if a conflict of interest, real or apparent, exists. Such a conflict of interest arises when any of the following has a financial or other interest in a firm that participates in a COG bidding process or that is selected for a contract award involving:

- a. The employee, officer or agent
- b. Any member of his or her immediate family
- c. Business associate of a and b above
- d. An organization which employs, or which is about to employ a current COG employee

The standards governing the determination as to whether such an interest exists are set forth in Sections 1090, 1091, and 1091.5 of the California Government Code.

3. GRATUITIES AND CONTINGENT FEES

No Director, officer, employee or agent of COG knowingly shall solicit, accept, or agree to accept gratuities, favors or anything of more than a nominal monetary value in connection with actual or potential procurement and contracting activities. Under this policy, the term "nominal monetary value" shall be defined as a value of fifty dollars (\$50) or less.

4. CONFIDENTIAL INFORMATION

No employee of COG involved in purchasing shall use confidential information for his or her actual, anticipated, or apparent personal gain, or for the actual, anticipated, or apparent personal gain of any person related to such employee. "Confidential

Information" is defined as any proprietary, privileged, or nonpublic information, coming to the employee's attention as a result of employment by COG, the knowledge of which makes financial gain possible.

5. DISCIPLINE OF VIOLATION

The violation of any of these Standards of Conduct will subject the violator to any disciplinary proceedings or action deemed appropriate by the COG Executive Director, up to and including dismissal.

APPENDIX A

Positions and Advisory Bodies	Disclosure Categories					
	A-1	A-2	B	C	D	E
Council of San Benito County Governments <ul style="list-style-type: none"> • Board of Directors • Executive Director • Transportation Planning Manager • Administrative Services Specialists 	X	X	X	X	X	X
Social Services Transportation Advisory Council Members	X	X	X	X	X	X
Technical Advisory Committee Members	X	X	X	X	X	X
Bicycle and Pedestrian Advisory Committee Members	X	X	X	X	X	X
Regional Transportation Plan Advisory Committee Members	X	X	X	X	X	X
Measure G Transportation Safety and Investment Plan Oversight Committee	X	X	X	X	X	X

AMENDED JOINT EXERCISE OF POWERS AGREEMENT

FOR

THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

This AMENDED JOINT EXERCISE OF POWERS AGREEMENT (hereinafter "Agreement") is made and entered into in the County of San Benito, State of California the 8th day of Sept 2014, by and among the following public entities:

- The County of San Benito, a political subdivision of the State of California,
- The City of Hollister, a municipal corporation located in San Benito County, and
- The City of San Juan Bautista, a municipal corporation located in San Benito County

(hereinafter collectively referred to as "Member Entities") pursuant to the joint exercise of powers provisions of California Government Code Sections 6500-6522 and the California Code of Civil Procedure Section 1240.140.

RECITALS

WHEREAS, on December 31, 1973, the County of San Benito, the City of Hollister, and the City of San Juan Bautista entered into a Joint Powers Agreement for Council of San Benito County of Governments; and

WHEREAS, on May 6, 1974, the County of San Benito, the City of Hollister, and the City of San Juan Bautista entered into an Amendment to Joint Powers Agreement for Council of San Benito County Governments; and

WHEREAS, on July 26, 2005, the County of San Benito, the City of Hollister, and the City of San Juan Bautista entered into an Amendment to Joint Powers Agreement for Council of San Benito County Governments; and

WHEREAS, the San Benito County Local Roads and Highways Improvement Ordinance ("Measure A") was approved by the County's electors in June 1988; and

WHEREAS, Measure A designated the Council of San Benito County Governments as responsible for administering Measure A should it be approved by the County's electors; and

WHEREAS, pursuant to Section 180050 of the Public Utilities Code, the Board of Supervisors of the County of San Benito also designated the Council of San Benito County Governments as the local agency to administer Measure A; and

WHEREAS, each of the Member entities is a California public entity having the power to plan for, expend funds for, construct, operate, and take all other necessary actions in favor of

projects benefitting the members, inhabitants, and/or population of the respective Member Entities; and

WHEREAS, each of the Member Entities herein recognize that the County of San Benito is experiencing continued expansion of its incorporated cities and the development of formerly undeveloped areas; and

WHEREAS, by reason of this growth, governmental problems involving incorporated and unincorporated areas jointly are arising and are expected to increase in the future; and

WHEREAS, the Member Entities herein recognize that there exist planning problems which require area wide consideration; and

WHEREAS, it is necessary and desirable that a single agency be created and has been created with the responsibility and authority to:

1. Provide a forum for discussion and study of area wide problems of mutual interest to the member governments;
2. Insure through cooperation, coordination, and the pooling of common resources, maximum efficiency and economy in governmental operation;
3. Identify, inventory, and comprehensively plan for the solution of regional problems requiring multi-governmental cooperation;
4. Develop area wide plans and policies for growth and development;
5. Facilitate agreements among the governmental units for specific projects or other inter-related developmental actions or for the adoption of common policies with respect to problems which are common to its members;
6. Attain the greatest degree of intergovernmental cooperation possible in order to prepare for future growth and development of San Benito County;
7. Adopt, implement, and construct projects that are referred to it by the Member Entities and that are of mutual interest and beneficial to them; and
8. Conduct other area wide functions as the Member Entities deem appropriate; and

WHEREAS, creation of the Council of San Benito County Governments and action by it upon development projects appear necessary to qualify the County, its various cities and special public agencies and districts, for allocations of State and Federal funds necessary to carry out such projects; and

WHEREAS, by this Amended Agreement, the Member Entities intend to clarify, reaffirm, and expand the powers of the Council of San Benito County Governments created on December 31, 1973 and to provide for the general direction of the policies of such joint exercise of powers authority without invalidating any prior actions of the Council of San Benito Governments, its Member Entities, Measure A Authority, and/or any of the Council of San Benito Government's related entities.

NOW, THEREFORE, in consideration of the mutual promises, covenants, conditions, and benefits hereinafter set forth, it is agreed by and among the Member Entities hereto as follows:

ARTICLE I

DEFINITIONS

Unless the context otherwise requires, the terms defined in this Article I and initially capitalized in the text shall for all purposes of this Agreement have the following meanings:

1.1 Act. The term "Act" means Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code of the State and all laws amendatory thereof or supplemental thereto.

1.2 Agreement. The term "Agreement" means this Amended Joint Exercise of Powers Agreement, as it may from time to time be amended.

1.3 COG. The term "COG" means the Council of San Benito County Governments created by the Joint Powers Agreement for Council of San Benito County of Governments entered into on or about December 31, 1973 and re-authorized by this Agreement.

1.4 Board. The term "Board" or "Board of Directors" means the governing body of COG.

ARTICLE II

PURPOSE

This Agreement is made pursuant to the provisions of the Act relating to the joint exercise of powers. Each of the Member Entities possesses the common powers referred to in the recitals hereof. Each is duly authorized and by law vested with the authority to exercise the power of eminent domain to acquire property necessary to carry out any of its powers and functions. Through this Agreement the Member Entities are confirming their desire to enter into an agreement for the joint exercise of their respective powers of eminent domain, whether or not possessed in common, for the acquisition of property as a single parcel. This Agreement is also entered into in order to exercise their other common powers, and the additional powers granted to COG under the Act, or under any other applicable law, for the purpose of effectuating any project undertaken pursuant hereto, to determine housing needs for the Member Entities and to

assist in regional planning by preparing congestion management plans, transportation plans, and/or air quality plans. Such purpose will be accomplished and the powers exercised in the manner herein set forth.

ARTICLE III

COG

3.1 Creation of COG. The Council of San Benito County Governments was created on December 31, 1973 and is being re-authorized and its powers expanded by this Agreement. As authorized by the Act, COG shall be and is a public entity separate from the Member Entities and shall be responsible for the administration of this Agreement. The debts, liabilities and obligations of COG shall not constitute debts, liabilities or obligations of the Member Entities, unless assumed in a particular case by resolution or other action of the governing body of the Member Entity to be charged.

Within thirty (30) days after the effective date of this Agreement, or any amendment hereto, COG will cause a notice to be prepared and filed with the office of the Secretary of State in the manner set forth in Section 6503.5 of the Act. Within seventy (70) days after the effective date of this Agreement, and within ten (10) days after any change of facts required to be stated pursuant to California Government Code Section 53051(b), COG shall cause a notice to be prepared and filed with the Secretary of State, and with the County Clerk of San Benito County in the manner set forth in California Government Code Section 53051.

3.2 Governing Board. COG shall be administered by a Board of Directors, which shall consist of a five (5) member Board of Directors selected from the legislative bodies of the Member Entities as follows:

3.2.1 Each legislative body shall appoint one (1) director and one (1) alternate for its own membership.

3.2.2 Other directors, if any, and other alternates, if any, shall be appointed by the respective legislative bodies of the Member Entities on the basis of population. Each City's population shall be determined by the percentage its population has to the County as a whole. The County's population shall be determined by the percentage population of the unincorporated areas of the County have to the County as a whole. The County or any City having in excess of seventy-five (75) per cent of the population of the County as a whole shall appoint all such directors and alternates. The County or any City or Cities having less than twenty-five (25) per cent of the population of the County as a whole shall not appoint any such directors or alternates. Population is to be determined by the latest United States Decennial Census or later California Department of Finance figures.

In the absence of a director or directors, an alternate or alternates appointed by the legislative body whose director or directors as absent shall have the right to participate in and vote on all matters pending before COG.

3.2.3 Except for the term of office of the initial directors and alternates which shall expire June 30, 1975, the term of office of each director and alternate shall be one (1) year commencing at the first COG meeting in January of each year and until the appointment and qualification of a successor. The body which originally appointed a director or alternate whose term has expired shall appoint a successor. Any director or alternate may be removed at any time and without cause by the body appointing him. Any vacancy in the membership of the Board of Directors shall be filled for the unexpired term by appointment by the body which originally appointed the director or alternate whose office has become vacant.

3.2.4 Ex-officio membership. The purpose of ex-officio membership is to permit the ex-officio member(s) to participate in COG discussions before and after a matter is allowed for discussion by the public. Ex-officio members shall have no vote on matters brought before the COG. Ex-officio membership is not intended to evolve into full voting membership.

3.2.4.1 The California Department of Transportation (Caltrans) may appoint one member to the COG to serve as an ex-officio member. An ex-officio member may be added or deleted by amending the AMENDED JOINT EXERCISE OF POWERS AGREEMENT. Additional ex-officio members shall be limited to public agencies. This restriction to public agencies does not affect the permanent ex-officio members described in the first sentence of paragraph 3.2.4.1. As used here, "public agency" means the State of California or any department or agency thereof, a county, city, public corporation, municipal corporation, public district, or special district.

3.3 Quorum. A majority of the voting members of the Board of Directors shall constitute a quorum. Such a quorum shall be necessary for the purpose of conducting official business. A majority vote of those voting shall be sufficient to carry any measure. A roll call vote shall be conducted at the request of any representative.

3.4 Rules and Regulations. The Council of San Benito Governments Rules and Regulations adopted in April 2003, as previously amended from time to time, remain in full force and effect

3.5 Executive Director. COG may employ an Executive Director and such additional staff it deems necessary to perform its function. The Executive Director shall serve at the pleasure of COG and shall be directly responsible to it.

ARTICLE IV

POWERS

COG shall have the power to make and enter contracts; to employ agents, consultants, and employees; to acquire, condemn, hold, lease, and dispose of property; to incur debts, liabilities and obligations; to approve, implement, and construct Projects that are referred to it by the Member Entities that are of mutual interest and beneficial to them; to pass resolutions; to exercise jointly the common powers of its Member Entities in studying, planning, and implementing projects benefitting the inhabitants and/or population of the respective Member Entities; to sue and be sued in its own name; to receive gifts, contributions and donations of property, funds, services, and other forms of assistance from persons, firms, corporations and any governmental entity; to apply for an appropriate grant or grants and/or loan or loans under any federal, state, or local programs for assistance in developing any Project it adopts; to obtain in its own name all necessary permits and licenses, opinions and rulings; to procure public liability and other insurance as it deems advisable to protect COG and each of its Member Entities hereto and to change the costs thereof to the operating costs of COG. COG also has the power to ratify prior actions and adopt as its own any actions of its related entities and/or advisory or administrative bodies/entities. COG shall also have any additional powers conferred under the Act, insofar as such additional powers may be necessary or desirable to accomplish the purposes of COG as set forth herein.

The powers designated above shall be exercised subject only to such restrictions upon the manner of exercising such powers as are imposed upon the County of San Benito in the exercise of its powers as required by Government Code Section 6509.

Notwithstanding the foregoing, COG shall have any additional powers conferred under the Act, insofar as such additional powers may be necessary or desirable to accomplish the purposes of COG as set forth herein.

ARTICLE V

FINANCIAL SUPPORT OF COG

Each Member Entity shall contribute to the financial support of COG. Each city's share of financial support shall be determined by the percentage its population has to the County as a whole. The County's share of financial support shall be determined by the percentage of the population of the unincorporated areas of the County have to the County as a whole. Population is to be determined by the latest United States Decennial Census or later California State Department of Finance Figures. The fiscal year of COG shall commence on July 1 of each year and shall terminate on June 30 of the following year. Each Member Entity shall deposit its share of financial support with COG's treasurer no later than August 1 of each year.

ARTICLE VI

DISPOSITION OF FUNDS

6.1 The Treasurer of the County of San Benito shall be the depository and shall have custody of all COG's money, and shall comply with the provisions of Section 6505.5 of the California Government Code.

6.2 The Auditor of the County of San Benito shall draw warrants to pay demands against COG when approved by COG.

6.3 All funds received by COG shall be strictly accounted for and the Auditor of the County of San Benito shall make or contract for an annual audit of the accounts and records of COG as prescribed in Section 6505 of the California Government Code.

6.4 The Executive Director of COG is hereby designated as the person who shall have charge of, handle and have access to any property of COG, including any property acquired as the result of the joint exercise of powers.

ARTICLE VII

REGIONAL REVIEW AGENCY

COG has and is hereby designated by the Member Entities as the regional review agency for the purposes of acting on any appropriate proposals which may be presented to it for consideration, and as the sole regional planning representative for transmission of proposed recommendations to the U.S. Department of Housing and Urban Development or such other agency of the Federal Government or State Government as may be designated to receive such recommendations for COG, and as to the area wide planning organization (APO) for the County of San Benito as such APO is defined in pertinent State and/or Federal directives and regulations.

ARTICLE VIII

REGIONAL TRANSPORTATION PLANNING AGENCY

COG has and is hereby designated by the Member Entities as the Regional Transportation Planning Agency and is responsible for the development of the Regional Transportation Plan. It is also responsible for the annual allocation of funds from the Transportation Development Act to local jurisdictions and transit operators. From time to time, COG may be asked to adopt and be lead agency for road projects, bike lane construction projects, and other types of transportation projects (non-motorized and motorized) that are of mutual interest and beneficial to them. COG can utilize any of its designated powers to serve in this capacity and to ensure the completion of these projects.

ARTICLE IX

ADMINISTRATION OF MEASURE A

COG has been and is hereby designated as the local agency responsible for administering Measure A and any Projects funded thereby, including but not limited to, the Highway 25 Hollister By Pass Project. The Administration of said Projects shall include utilizing any of its designated powers to complete the Projects. COG also has the power pursuant to Government Code Section 6508 to delegate its functions to an advisory body or administrative body, such as the Measure A Authority, for the purposes of program development, policy formulation, and/or program implementation provided, however, that any annual budget of the agency to which the delegation is made must be approved by the Board of Directors of COG.

ARTICLE X

LIMITATIONS

Nothing herein shall be construed as limiting in any manner the power of any of the respective parties to initiate and complete a local project within their respective jurisdictions with their own funds. Furthermore, nothing herein shall be construed as invalidating any prior actions of COG, its Member Entities, The Measure A Authority, or any of COG's related entities.

ARTICLE XI

MEMBERSHIP IN COG

Any incorporated city within San Benito County and the County may become a member of COG by properly executing this Agreement. Any Member Entity which has withdrawn from COG in accordance with the provisions of Article XII of this Agreement may resume its membership upon thirty (30) days written notice to the then members, which notice may be waived by a majority vote of COG.

ARTICLE XII

WITHDRAWAL FROM COG

Any Member Entity may withdraw from this agreement upon sixty (60) days written notice to the other Member Entities. A Member Entity withdrawing shall not be liable for the payment of further contributions and shall have no right to reimbursement of any monies previously paid to COG, provided, however, that the Board of Directors may authorize a reimbursement, if in its judgment, such reimbursement is fair and equitable, and can be done without jeopardy to the operation of COG.

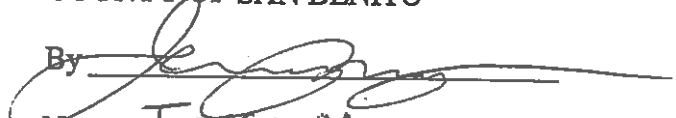
ARTICLE XIII

TERM

This Agreement shall become effective as the date hereof and shall continue in full force and effect until terminated by the Member Entities, but may not be terminated until such time as all evidences of COG's indebtedness herein provided for, and the interest thereon, shall have been paid in full. Any surplus money shall be returned to the Member Entities in proportion to the contributions made.


IN WITNESS WHEREOF, the parties hereto have executed this agreement and affixed their hands hereto.

COUNTY OF SAN BENITO

By 
Name Jerry Muenzer

Chairman of the Board of Supervisors,
County of San Benito

CITY OF HOLLISTER

By 
Name _____

Mayor of the City of Hollister

CITY OF SAN JUAN BAUTISTA

By Andrew Moor
Name A. J. M.

Mayor of the City of San Juan Bautista



Staff Report

To: Council of San Benito County Governments
 From: Mary Gilbert, Executive Director Phone Number: (831) 637-7665 x.207
 Date: April 16, 2020
 Subject: **San Benito County Measure G**

Recommendation:

- a. **RECEIVE** Measure G Update
- b. **Appoint** Members to Measure G Strategic Plan Ad-Hoc Committee
- c. **APPROVE** the Highway 25/Highway 156 Interchange Project Environmental Approval, Design and Construction as Priority for Tier I Highway 25 Project Measure G funding.

Background:

Measure G is a 1% sales tax approved by voters in the November 2018 election. COG oversees implementation of the measure and ensuring delivery of the projects in the approved expenditure plan.

Financial Analysis:

The State Board of Equalization has collected and remitted a total of \$5,142,325 to the Council of San Benito County Governments' Measure G fund. The County of San Benito Auditor's Office holds the fund in an account for COG. The most recent financial statements are attached (Attachment 1). Staff is evaluating impacts of the COVID-19 Pandemic in relation to the revenue forecasts that COG updated in 2019.

Summary

Staff is coordinating with local jurisdictions to distribute local roads funding and is continuing development of the Tier I Highway 25 Widening project.

Staff Analysis

Staff is preparing a Measure G Strategic Plan. The Measure G Strategic Plan will identify priorities for distribution of funds from the Measure.

Financing the Highway 25 Widening project will require issuance of bonds and matching state funds. The project cost estimate is greater than \$240 million. KNN Public Finance, under

contract to COG, gave a detailed presentation of financing options to the Board at its October 2019 meeting (Attachment 2).

Due to the limits of bonding capacity and Measure G revenues, COG is pursuing alternatives and project phasing to build Highway 25 improvements in the near-term. As part of this effort, COG is partnering with Caltrans on a Value Analysis effort targeted at the Highway 25 widening.

The Value Analysis team met for its first workshop March 10-12, 2020. The team of engineers and planners working on the Value Analysis includes representatives from COG, Caltrans, the City of Hollister, and San Benito County. The workshop covered the following activities

1. Project Background & Goals
2. Evaluation of Performance Measures
3. Baseline Project Identification
4. Site Visit
5. Development of Potential Alternatives for Project Phases and Design
6. Technical Review of Alternatives
7. Development of Alternatives

The team will meet remotely in May to finish reviewing alternatives based on performance metrics. Staff will present a final report to the COG Board in early summer.

The team is evaluating the State Route 25/State Route 156 interchange as the first phase of the project. The preliminary cost estimate for the interchange is \$39 million. Staff estimates it will cost up to \$10 million to finish the environmental document and project design.

In order to keep the project schedule moving aggressively and to begin distribution of funds, COG recommends that the Chairperson appoint two COG Directors to an ad-hoc committee to meet with the COG Executive Director, Caltrans, the Santa Clara County Valley Transportation Authority, and others as necessary to finalize the strategic plan for delivery of Measure G projects.

Staff is seeking consensus and approval from the Board that the State Route 25/156 interchange is the Priority for Tier I Highway 25 Project Measure G funding.

Executive Director Review: MG

Counsel Review: N/A

Supporting Attachments: 1. Fiscal Year 2019/2020 Second Quarter Measure G Revenue Statement

2. Power Point Presentation – October 2019

**MEASURE G GENERAL LEDGER
SECOND QUARTER
FISCAL YEAR 2019/2020**

**ATTACHMENT 1
Detail General Ledger Report**

G/L Date Range 10/01/19 - 12/31/19

Include Sub Ledger Detail

Exclude Accounts with No Activity

G/L Date	Journal	Journal Type	Sub Ledger	Description/Project	Source	Reference	Debit Amount	Credit Amount	Actual Balance		
G/L Account Number 634.95.7391.101.990000000 Cash Cash								Balance To Date:	\$2,727,580.89		
10/24/2019	2020-00001744	JE	RA	WF Receipt Deposit Batch 10.25.19	Collections		680,432.88		3,408,013.77		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00002720	2020-00001404	Aug 2019 Measure G		Council of Governments	10/25/2019		680,432.88	680,432.88			
							Total	\$680,432.88	\$680,432.88		
									3,408,013.77		
11/25/2019	2020-00002527	JE	RA	WF Receipt Deposit Batch 12.10.19	Collections		1,181,568.51		4,589,582.28		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00004034	2020-00001992	3rd qtr 2019 (calendar)		Council of Governments	12/09/2019		1,181,568.51	1,181,568.51			
							Total	\$1,181,568.51	\$1,181,568.51		
12/24/2019	2020-00002809	JE	RA	WF Receipt Deposit Batch 01.03.20	Collections		543,052.45		5,132,634.73		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00004736	2020-00002251	Measure G Oct 2019		Council of Governments	01/02/2020		543,052.45	543,052.45			
							Total	\$543,052.45	\$543,052.45		
							Account	Cash Cash Totals	\$2,405,053.84	\$0.00	\$5,132,634.73
G/L Account Number 634.95.7391.1000.512.001 Sales Tax Sales and Use Tax								Balance To Date:	(\$524,447.76)		
10/24/2019	2020-00001744	JE	RA	WF Receipt Deposit Batch 10.25.19	Collections			680,432.88	(1,204,880.64)		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00002720	2020-00001404	Aug 2019 Measure G		Council of Governments	10/25/2019		680,432.88	(680,432.88)			
							Total	\$680,432.88	(\$680,432.88)		
11/25/2019	2020-00002527	JE	RA	WF Receipt Deposit Batch 12.10.19	Collections			1,181,568.51	(2,386,449.15)		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00004034	2020-00001992	3rd qtr 2019 (calendar)		Council of Governments	12/09/2019		1,181,568.51	(1,181,568.51)			
							Total	\$1,181,568.51	(\$1,181,568.51)		
12/24/2019	2020-00002809	JE	RA	WF Receipt Deposit Batch 01.03.20	Collections			543,052.45	(2,929,501.60)		
<i>Receipt Number</i>	<i>Receipt Batch</i>	<i>Receipt Description</i>		<i>Received From</i>	<i>Payment Date</i>		<i>Amount</i>	<i>Distribution Amount</i>			
2020-00004736	2020-00002251	Measure G Oct 2019		Council of Governments	01/02/2020		543,052.45	(543,052.45)			
							Total	\$543,052.45	(\$543,052.45)		
							Account	Sales Tax Sales and Use Tax Totals	\$0.00	\$2,405,053.84	(\$2,929,501.60)

**MEASURE G GENERAL LEDGER
SECOND QUARTER
FISCAL YEAR 2019/2020**

Detail General Ledger Report

G/L Date Range 10/01/19 - 12/31/19

Include Sub Ledger Detail

Exclude Accounts with No Activity

Balance To Date: \$0.00

G/L Account Number 634.95.7391.1000.541.001 Use of Money and Property Interest

JE GL

Account	Use of Money and Property Interest Totals	\$0.00	\$0.00	\$0.00
Program/Section/Activity	Administration Totals	\$0.00	\$2,405,053.84	
Division	Transportation Sales Tax Meas G Totals	\$2,405,053.84	\$2,405,053.84	
Department	Trust and Agency Totals	\$2,405,053.84	\$2,405,053.84	
Fund	Transportation Sales Tax Meas G Totals	\$2,405,053.84	\$2,405,053.84	
	Grand Totals	\$2,405,053.84	\$2,405,053.84	

**NO INTEREST HAS BEEN ALLOCATED BY THE COUNTY AUDITOR'S OFFICE
FOR THE FIRST TWO QUARTERS AS OF 02/18/2020**

PRIOR QUARTERS CASH	\$2,727,580.89
CURRENT QUARTER CASH	<u>\$2,405,053.84</u>
TOTAL CASH	<u>\$5,132,634.73</u>



Council of San Benito County Governments

**Regular Meeting of the Board of Directors
Measure G Strategic Planning Update**

October 17, 2019



1300 Clay Street, Suite 1000, Oakland, CA 94612
phone 510-839-8200 fax 510-208-8282

Strategic Planning Process

- **Strategic Plan Framework**
 - Estimated construction schedules, costs, and implementation timing for the Highway 25 project
 - Develop and/or review revenue projection models and allocation targets
 - Integration of financial and project data with outside funding sources and other planning documents
- **Cash Flow Model Approach**
 - Incorporates revenue forecasts and program allocations defined in the Expenditure Plan
 - Provides a reasonable expectation for the timing and sequencing of project delivery
- **Program/Bonding Capacity Analysis**
 - The Expenditure Plan directs the allocation of Measure G sales tax revenues based on Tier I, Tier II, and Tier III respective percentage allocation targets and controls for program spending within these areas
 - SBCOG has the authority to issue limited tax bonds payable from and secured by the proceeds from the Measure G sales tax to advance projects identified in the Expenditure Plan – such bonding must be adequately supported by program and total Measure G revenues
- **Policy Development**
 - Program policies, debt policies and related financial policies, such as internal reserves, internal loans, and program coverages

Measure G Expenditure Plan and Revenue Allocation Percentages



Total Measure G: \$485M

Distribution Net of Admin: \$480M



**Tier I: Widen Highway 25
\$242M
(50% of Net Measure G)**



**Tier II: Local Road Repair
\$216M
(45% of Net Measure G)**



**Tier III: Other Projects/Bike & Ped
\$22M
(5% of Net Measure G)**

Measure G Revenue Projection: Historical Context

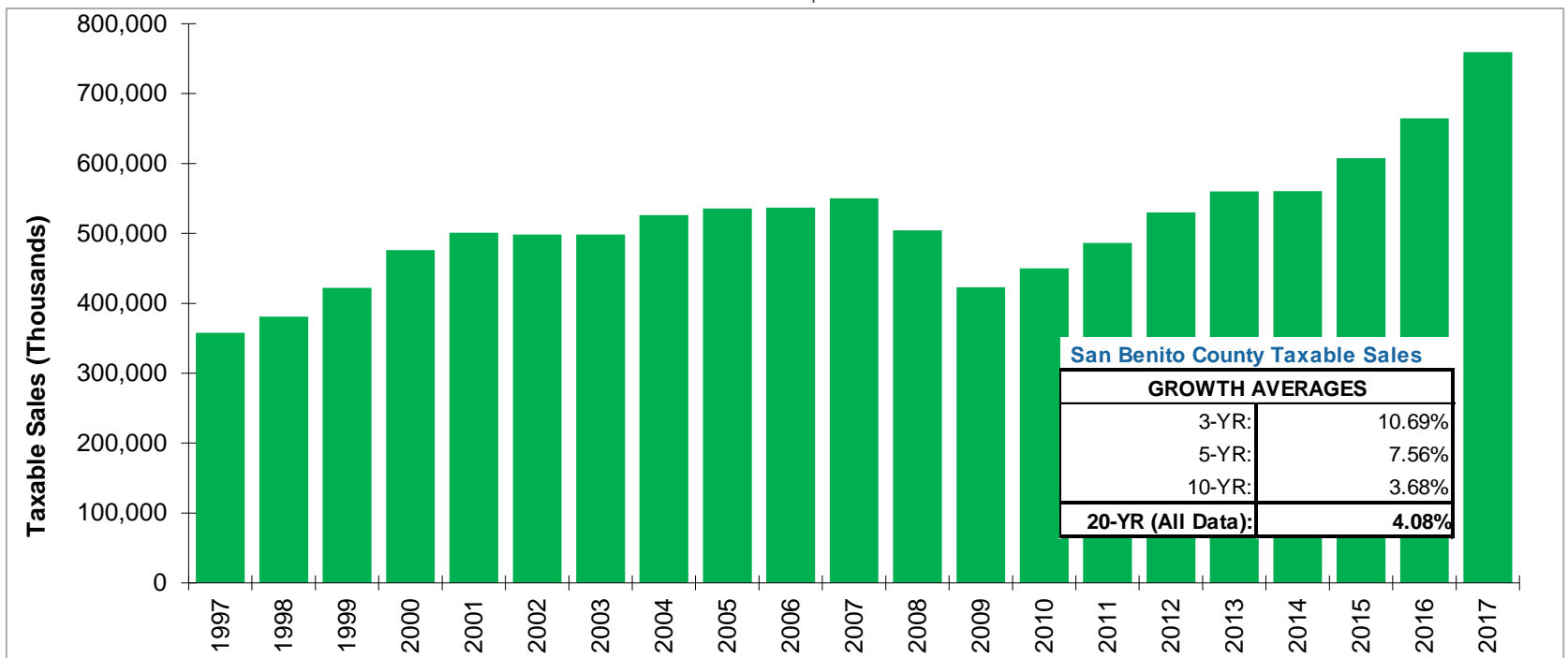
- Various data points can help determine: i) base revenue value and ii) long-term average growth

Historical San Benito County
Taxable Sales Data (Calendar Year)

San Benito County
1% Local Sales and Use Tax Funds

	2016	2017	2018
Hollister	3,378,036	4,466,653	4,634,303
San Juan Bautista	144,199	204,270	190,409
County Unincorporated	1,546,646	2,039,333	3,586,253
Total:	5,068,880	6,710,256	8,410,966
Yr/Yr % Change:		32%	25%

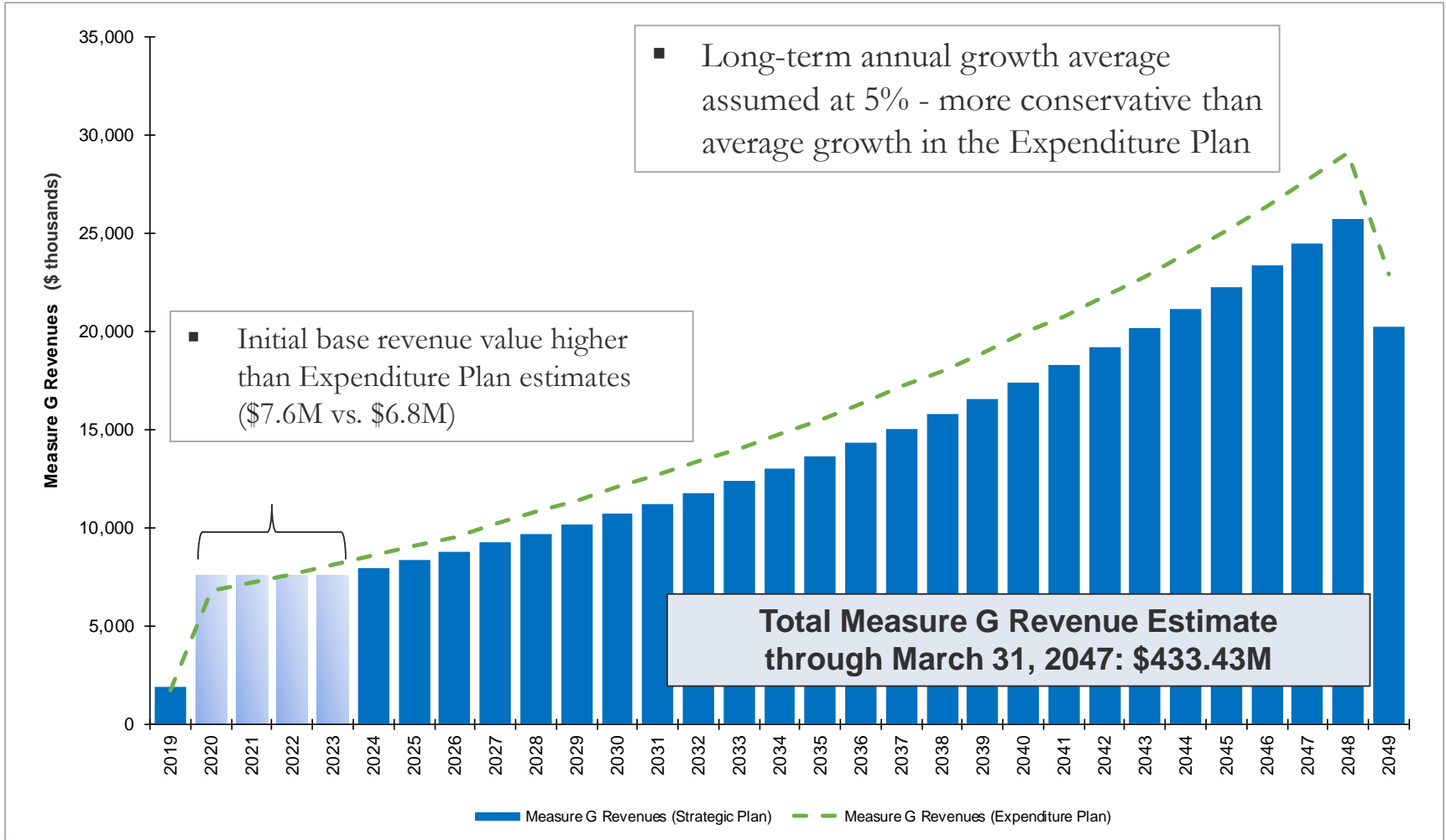
Source: CA Department of Tax and Fee Administration.



Source: CA Department of Tax and Fee Administration (2017); State Board of Equalization (1997 – 2016).

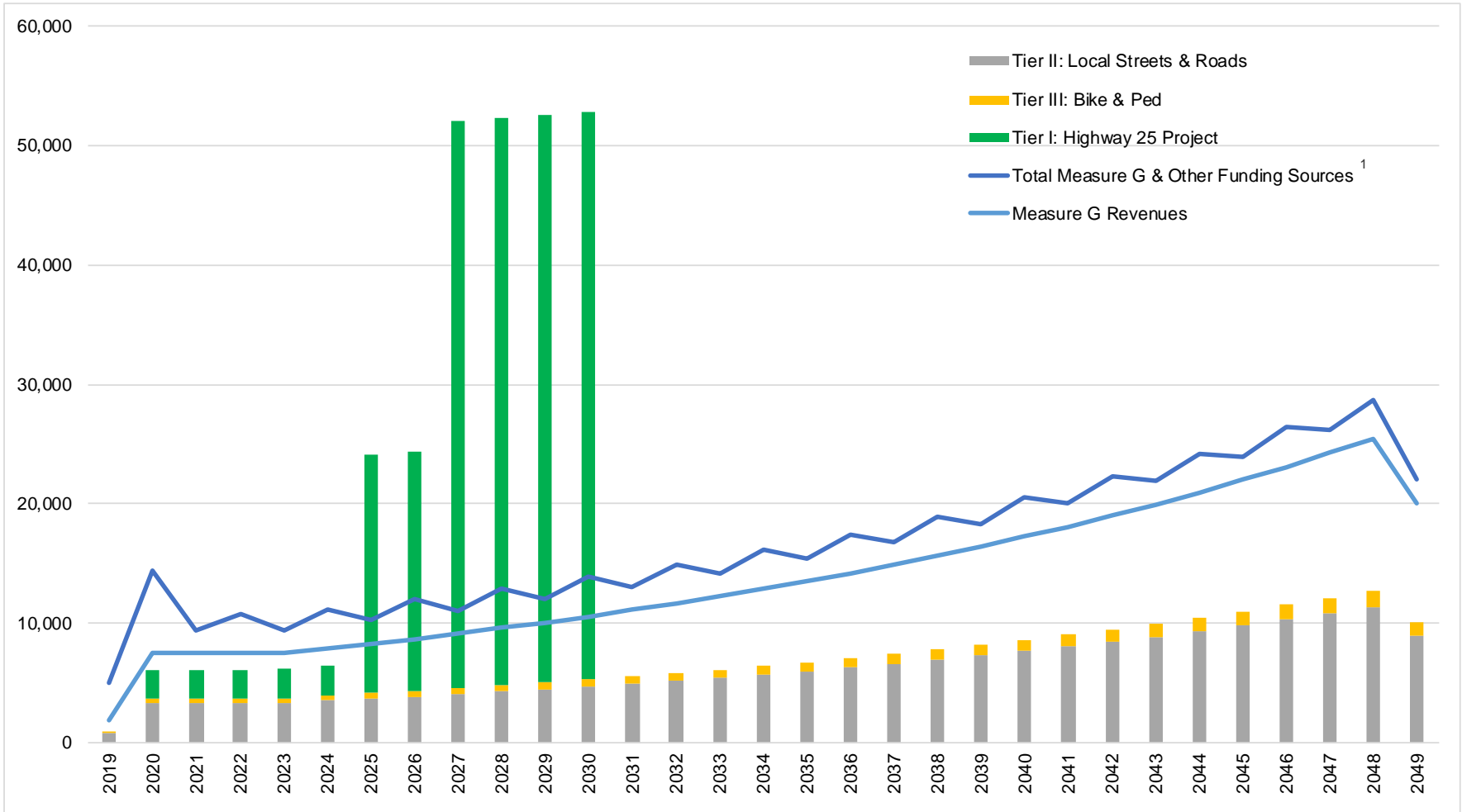
Measure G Revenue Projection: Strategic Plan Forecast

Projected Measure G Revenues (Fiscal Year)



Measure G Cash Flow Model Output: Revenues and Expenditures

San Benito COG Preliminary Cash Flow Analysis (\$ in thousands)



1. Includes TIF, RSTP, SB-1 annual allocations, and SB-1 grant funds.

Tier I Highway 25 Expressway

Project Elements:

- Expressway: 46-foot-wide median within a 342-foot-wide right-of-way & frontage roads
- Access Controlled
- Interchange to replace the State Route 25/State Route 156 at-grade intersection
- New bridges over the Pajaro River and Carnadero Creek
- New bridges at UPRR Crossings
- Intersection realignments (Shore, Bolsa)
- New frontage roads using the existing SR 25 roadway where feasible
- Floodplain mitigations

Tier I Highway 25 Project: Funding Approaches

1) Pay-Go: Measure Revenues or Cash Balances

- Requires ample cash balances and manageable capital program
- Does not allow for acceleration and delivery of larger projects

2) Borrow: Loans or Bonds

- Can accelerate delivery of “shovel-ready” projects
- May minimize rising infrastructure/construction costs

3) Matching Funds: Federal, State, & Local

- Aimed to reduce the burden of local funds and maximize the Measure G investment
- Directs excess funds to Tier II and Tier III project priorities

Highway 25 Allocated Revenues & Expenditures				
Fiscal Year	Measure G ¹ Tier I @ 50%	Tier I Revenues & Other Funding ²	Projected Expenditures	
2020	\$ 3,762	\$ 10,697	\$ 2,333	Environmental Phase I
2021	3,762	5,697	2,333	
2022	3,762	7,041	2,333	
2023	3,762	5,697	2,500	Environmental Phase II
2024	3,950	7,229	2,500	Right of Way
2025	4,148	6,083	20,000	
2026	4,355	7,634	20,000	
2027	4,573	6,508	47,500	Construction
2028	4,801	8,080	47,500	
2029	5,041	6,976	47,500	
2030	5,294	8,573	47,500	
TOTAL:	\$ 47,210	\$ 80,215	\$ 241,999	

1. Reflects forecasted Measure G revenues less administrative costs.

2. Includes TIF, RSTP, SB-1 annual allocations, and SB-1 grant funds.

Tier I Project Cash Flow with Bonding

San Benito COG Preliminary Cash Flow Analysis (\$ in thousands)

Row	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1 Fiscal Year Ending June 30,												
2 Sales Tax Year	1	2	3	4	5	6	7	8	9	10	11	12
3												
4 Revenues:												
5 Measure Sales Tax Revenues	1,900	7,600	7,600	7,600	7,600	7,980	8,379	8,798	9,238	9,700	10,185	10,694
6 Growth	N/A	N/A	0.00%	0.00%	0.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
7 Administration Costs	(19)	(76)	(76)	(76)	(76)	(80)	(84)	(88)	(92)	(97)	(102)	(107)
8 Net Revenues For Projects	1,881	7,524	7,524	7,524	7,524	7,900	8,295	8,710	9,145	9,603	10,083	10,587
9												
10 Tier I Project Cash Balance - With Debt												
11 Beginning Balance	0	4,085	12,510	16,061	21,010	24,522	29,619	16,146	4,023	20,190	-23,499	-68,595
12 Earnings on Cash Balance	0	61	188	241	315	368	444	242	60	303	0	0
13 Sales Tax Revenue Allocation	941	3,762	3,762	3,762	3,762	3,950	4,148	4,355	4,573	4,801	5,041	5,294
14 Project Expenditures (Highway 25)	0	(2,333)	(2,333)	(2,333)	(2,500)	(2,500)	(20,000)	(20,000)	(47,500)	(47,500)	(47,500)	(47,500)
15 Other Funding Sources	3,144	6,935	1,935	3,279	1,935	3,279	1,935	3,279	1,935	3,279	1,935	3,279
16 Bond #1 Proceeds									61,671			
17 Debt Service #1									(4,572)	(4,572)	(4,572)	(4,572)
18 Ending Balance	4,085	12,510	16,061	21,010	24,522	29,619	16,146	4,023	20,190	(23,499)	(68,595)	(112,094)
19												
20 Debt Service Coverage Ratio (Authority Wide): Total Measure Revenues / Total Debt Service									2.02x	2.12x	2.23x	2.34x
21 Debt Service Coverage Ratio (Regional Program): Tier I Measure Revenues / Total Debt Service									1.00x	1.05x	1.10x	1.16x

Alternative Strategies to Deliver the Tier I Highway 25 Project

1) Direct Greater Percentage of Measure Revenues to the Tier I Program Over the Peak Highway 25 Construction Period

- A greater share of sales tax revenues flow through to Tier II/Tier III in FY20 – FY24
- 100% of sales tax revenues are utilized for the Highway 25 project when project expenditures are the greatest (FY25 – FY30)
- Following Highway 25 project completion Measure G revenues would flow entirely to the Tier II / Tier III project categories – net of any debt service on bonds
- May allow for greater bonding capacity for Highway 25

2) Secure Additional Funding (i.e. Federal and State grant funds)

- Aimed to reduce the burden of local funds and maximize the Measure G investment
- SB-1: Solutions to Congested Corridors Program (SCCP)
- SB-1: Local Partnership Program (LPP)

3) Modify Highway 25 Project Approach

- Phased project implementation – delivery over a longer period
- Revised project scope and cost

Highway 25 Project Approach

1) Fully fund and deliver the 4-Lane Expressway project – estimated at \$240 million in the TSIP

- Caltrans has updated their cost estimates and project costs are likely to be higher (\$260 million)

2) Fund and build the Highway 25 project in 2 phases

- Phase I: San Felipe to Hudner Lane
- Phase II: Hudner Ln to the County Line

3) “Interim” Highway 25 Widening Project

- Identified in COG's 2016 Alternatives Analysis
- Builds two new lanes of highway along existing corridor
- Estimated Cost: \$135,000,000

Appendix

Cash Flow Model Inputs and Assumptions

Revenue Resources

Measure G Program Duration

- April 1, 2019 – March 31, 2049

Sales Tax Revenues

- Projection of annual sales tax revenues and assumptions for growth
- Methodology for sales tax revenue distribution

Other Revenue Sources

- Traffic Impact Fees: \$1.8 million annually
- STIP-RTIP: \$1.3 million bi-annually
- SB-1: Annual funding of \$135,000, secured grant funds of \$5M, future grant funds TBD

Expenditures

Project Priorities

- Tier I (50%): \$242 million (FY 2020 – FY 2030)
- Tier II / Tier III (50%): Allocated over the life of the tax

Constraints

Borrowing Capacity

- 1.50x debt service coverage ratio

Cash Balance Target

- \$2 Million

Limiting Conditions for Cash Flow Model

- Actual bonding capacity numbers will be based on actual sales tax revenue growth between the measure passing and date of issuance, interest rates at the time of issuance, ratings achieved on the bonds, timing of issuance and term of bonds, and market driven legal and credit constraints – all of which are subject to change
- Actual future sales tax revenues may be above or below forecasts
- Assumptions regarding project costs, delivery schedules, and availability of other funding sources have been provided by SBCOG staff