



AGENDA
REGULAR MEETING
SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

DATE: Thursday, August 20, 2020 6:00 P.M.
LOCATION: Board of Supervisors Chambers 481 Fourth Street, Hollister, CA 95023
DIRECTORS: Chair Ignacio Velazquez, Vice Chair Peter Hernandez, Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz

Attendance at the SAFE 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: 831-7532-2851

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.

6:00 P.M. CALL TO ORDER

- A. ACKNOWLEDGE Certificate of Posting
B. NOTICE OF TEMPORARY PROCEDURES FOR SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS BOARD MEETINGS: (Please see Zoom instructions at the end of the agenda)

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 SAFE Board are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

- C. PUBLIC COMMENT: (Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Sec. 54954.2. Speakers are limited to 3 minutes.)

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 Service Authority for Freeways and Expressways Draft Meeting Minutes Dated June 18, 2020 – Gomez

REGULAR AGENDA:

6:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)

2. **Fiscal Year 2020/2021 Service Authority for Freeways and Expressways Budget – Postigo**
 - a. **OPEN** Public Hearing
 - b. **RECEIVE** Presentation on the FY 2020/21 Service Authority for Freeways and Expressways Budget
 - c. **ACCEPT** Public Testimony
 - d. **CLOSE** Budget Hearing
 - e. Final Budget Deliberations
 - f. **ADOPT** Resolution 20-01, Adopting the FY 2020/2021 Service Authority for Freeways and Expressways Budget

ADJOURN TO MEETING OF THURSDAY SEPTEMBER 17, 2020. AGENDA DEADLINE IS SEPTEMBER 1, 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 Service Authority for Freeways and Expressways 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 Board'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.

ZOOM INSTRUCTIONS:

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. Service Authority for Freeways and Expressways 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**, 831-7532-2851, 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/2020/08/SAFE_Packet_082020.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**, 831-7532-2851, and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2020/08/SAFE_Packet_082020.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 Service Authority for Freeways and Expressways 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.

CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Service Authority for Freeways and Expressways on **August 20, 2020 at 6:00 P.M.** was posted at the following locations freely accessible to the public:

The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the 17th day of August 2020, on or before 6:00 P.M.

The meeting agenda was also posted on the Council of San Benito County Governments website, www.sanbenitocog.org, under Meetings, SAFE Board, Meeting Schedule

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY: _____


Monica Gomez
Secretary II

Council of San Benito County Governments

**SAN BENITO COUNTY
SERVICE AUTHORITY FOR FREEWAYS
AND EXPRESSWAYS (SAFE)
REGULAR MEETING
(Zoom Platform)**

June 18, 2020 6:00 P.M.

DRAFT MINUTES

MEMBERS PRESENT:

Chair, Ignacio Velazquez; Vice-Chair, Peter Hernandez; Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz

STAFF PRESENT:

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

CALL TO ORDER:

Director Velazquez called the meeting to order at 7:56 P.M.

A. Acknowledge Certificate of Posting

A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, the Directors acknowledged the Certificate of Posting. Vote: 5/0 motion passes.

B. Notice of Temporary procedures for Service Authority for Freeways and Expressways Meetings

Chair Velazquez reminded members of the public that an overview of temporary procedures (Zoom etiquette) for SAFE meetings was attached to the agenda.

C. PUBLIC COMMENT: NONE

CONSENT AGENDA:

- 1. Approve** Service Authority for Freeways and Expressways Draft Meeting Minutes Dated May 21, 2020 – Gomez
- 2. Receive** Service Authority for Freeways and Expressways FY 2019/20 Third Quarter Budget – Postigo
- 3. Approve** Use of Current FY 2019/2020 Budget as Expenditure Authority for FY 2020/2021 until the Approval of the Final 2020/2021 Budget – Postigo

A motion was made by Director De La Cruz, and seconded by Director Resendiz, the Directors approved Consent Agenda Items 1-3. Vote: 5/0 motion passes.

REGULAR AGENDA:

4. Receive FY 2020/21 Service Authority for Freeways and Expressways Draft Budget – Postigo

Deputy County Counsel, Shirley Murphy stated that in consultation with County Budget experts, there is a step that needs to be taken prior to June 30th pursuant to Government Code Section 29064 – SAFE needs to approve the recommended budget pursuant to that Government Code Section. This will not be the final adoption of the budget. It will go through the budget hearings at the next meeting in August and then come back for final adoption by resolution, however this allows for the expenditures going forward and it is part of the process.

Ms. Murphy stated that the SAFE Authority would need to amend the Agenda as an urgency item to include that as part of the action item that goes with this item, and it needs to happen under that Government Code Section 29064, it needs to be done before June 30 that is why it needs to be added as an urgency item.

The urgency piece is to amend Item 4 to add: “And APPROVE the Recommended Draft Budget pursuant to Government Code Section 29064”

A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, to amend the agenda to add “Approve recommended Draft Budget pursuant to Government Code Section 29064”, the Directors approved the amendment to Item 4. Vote: 5/0 motion passes unanimously.

Administrative Services Specialist Kathy Postigo provided a presentation on the FY 2020/21 Service Authority for Freeways and Expressways Draft Budget.

There was no further discussion or public comment.

A motion was made by Director De La Cruz, and seconded by Director Resendiz, to approve the recommended SAFE Draft Budget. Vote: 5/0 motion passes unanimously.

A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, the Directors unanimously adjourned the SAFE meeting at 8:00 p.m. Vote: 5/0 motion passes.

ADJOURN TO SAFE MEETING AUGUST 20, 2020.



Agenda Item: _____

Staff Report

To: Service Authority for Freeways and Expressways
From: Kathy Postigo, Administrative Services Specialist Telephone: (831) 637-7665
Date: August 20, 2020
Subject: Service Authority for Freeways and Expressways Budget – FY 2020/2021

Staff Recommendation:

ADOPT Resolution 20-01 Adopting the FY 2020/2021 Service Authority for Freeways and Expressways Annual Budget

Summary:

The Service Authority for Freeways and Expressways Budget – FY 2020/2021 has been prepared using revenue assumptions that match anticipated funding levels. The Budget is balanced. A second fiscal year is included in the Budget for financial planning purposes.

Financial Considerations:

The Service Authority for Freeways and Expressways' total budget for FY 2020/2021 is \$166,006. Overall, the Budget for FY 2020/2021 is 200 percent higher than the FY 2018/19 Budget due to new contracts.

Background:

The Service Authority for Freeways and Expressways receives funding from the Department of Motor Vehicles from vehicle registration fees. With this funding, the Service Authority for Freeways and Expressways maintains the emergency call box program for San Benito County.

The Authority maintains 40 call boxes: 8 located on Highway 25 north of Hollister, 6 along Highway 101, 17 along Highway 156, 5 along Highway 25 south of Hollister and 4 along Panoche Road.

The funds received from vehicle registration fees can only be used for Service Authority for Freeways and Expressways purposes.

Staff Analysis:

The Service Authority for Freeways and Expressways receives funding from the Department of Motor Vehicles from vehicle registration fees. The Budget includes 10.4 percent for Personnel, 21.8 percent for Services and Supplies including maintaining equipment, and 67.8 percent for contracts.

The Personnel and Services and Supplies line items both increased slightly. Contracts line item has increased due to a new contract with the California Highway Patrol for patrolling of Highway 25 and a contract to upgrade call boxes to 4G.

Executive Director Review: _____

Counsel Review: Yes

Attachment: Resolution 20-01



San Benito County

Service Authority for Freeways and Expressways

BEFORE THE SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

A RESOLUTION OF THE SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS ADOPTING THE 2020/2021 FISCAL YEAR ANNUAL BUDGET Resolution No. SAFE 20-01

WHEREAS, the Service Authority for Freeways and Expressways published and held a public hearing regarding the Authority's consideration of the of the annual budget for the Service Authority for Freeways and Expressways for Fiscal Year 2020-2021; and

WHEREAS, at the public hearing, the Service Authority for Freeways and Expressways heard and received all oral and written testimony and evidence that was made, presented, or filed, and all persons present at the hearing were given ample opportunity to hear and be heard with respect to any matter related to the budget for Fiscal Year 2020-2021; and

WHEREAS, said hearing has concluded, during which time all additions and deletions to the budget for Fiscal Year 2020-2021 were made or authorized; and

WHEREAS, the 2020-2021 Fiscal Year annual budget is a balanced budget.

NOW, THEREFORE, BE IT RESOLVED by the Service Authority for Freeways and Expressways that the Adopted Budget of the Service Authority for Freeways and Expressways for Fiscal Year 2020-2021, is hereby adopted by reference to the attached Adopted Budget.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS THIS 20TH DAY OF AUGUST, 2020 BY THE FOLLOWING VOTE:

- AYES:
NOES:
ABSTAINING:
ABSENT:

Ignacio Velazquez, Chair

APPROVED AS TO LEGAL FORM:
SAN BENITO COUNTY COUNSEL'S OFFICE

Dated: Aug. 14, 2020

By: Shirley L. Murphy
Shirley L. Murphy, Deputy County Counsel

ATTEST:
Mary Gilbert, Executive Director

Dated:

By:



San Benito County

**Service
Authority for
Freeways and
Expressways**

Service Authority for Freeways and Expressways

Final Budget Fiscal Year 2020/21

August 20, 2020

Prepared and Compiled by:
Kathy Postigo
Administrative Services Specialist

Contact Information:
330 Tres Pinos Road, Suite C7
Hollister, California 95023
(831) 637-7665

**SERVICE AUTHORITY FOR FREEWAYS AND
EXPRESSWAYS
FINAL BUDGET
FISCAL YEAR 2020/2021**

Published by Order of the:
Board of Directors

Jaime De La Cruz
County of San Benito

Peter Hernancez
County of San Benito

Ignacio Valazquez
City of Hollister

Rolan Resendiz
City of Hollister

Mary Vazquez Edge
City of San Juan Bautista

Executive Director
Mary Gilbert

*Prepared and
Compiled by:*
Kathy Postigo
Administrative Services Specialist

Approved: August 20, 2020
Contact Information:
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TABLE OF CONTENTS

SAFE EXECUTIVE SUMMARY	1
SAFE GOALS AND OBJECTIVES	1
SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS BUDGET	2-3
APPENDIX	
PURCHASING POLICIES FOR THE SERVICE AUTHORITY FOR FREEWAYS AND EXPRESS WAYS.....	4-9
POLICIES FOR AMENDING THE SAFE'S BUDGET.....	10
BUDGET ADJUSTMENT/TRANSFER FORM.....	11



San Benito County

**Service
Authority for
Freeways and
Expressways**

Executive Summary

The Service Authority for Freeways and Expressways operates and maintains the emergency motorist aid call boxes in San Benito County. The agency was formed in 1998 to implement a call box program on the State Highways within the County. There is a total of 40 call boxes installed on Highways 25, 101, 152, and 156.

The Department of Motor Vehicles collects \$1 per registered vehicle in San Benito County to fund the program. A Five-Year Strategic Plan was developed in 2009 to provide direction on the emergency motorist aid system for the next five years. Since that time, the Authority has been working on the implementation of the Strategic Plan. The Service Authority for Freeways and Expressways total budget for FY 2020/2021 is \$166,006.

There is an increase in the total amount of the Authority's budget from FY 2019/2020 to FY 2020/2021 due to the new a contract with the California Highway Patrol for patrolling of Highway 25 and a required upgrade on call boxes to 4G.

Goals and Objectives

The Service Authority for Freeways and Expressways goal is to ensure that existing emergency call boxes are maintained in proper working order. The Service Authority for Freeways and Expressways also works with Caltrans and the California Highway Patrol to continue call box operations.

**SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2020/21
EXPENDITURES**

EXPENDITURE DESCRIPTION		Adopted Budget FY 19/20	Estimated Actual to June 30, 2019	Proposed Budget FY 20/21	Budget Estimate for FY 21/20	Variance FY 19/20 FY 20/21
Personnel						
610.101	Salaries	17,170	16,955	17,286	18,550	116
619.226	Administrative Support	-	-	-	-	-
	Total	17,170	16,955	17,286	18,550	116
Services and Supplies						
619.126	Magazines and Subscriptions	-	-	-	-	-
619.132	Communications	3,570	3,500	3,570	3,800	-
619.138	Computer Maintenance	-	-	-	-	-
619.140	Computer Supplies	-	-	-	-	-
645.701	General Insurance	346	338	400	400	54
619.152	Maintenance of Equipment	32,000	30,000	32,000	32,500	-
619.154	Maintenance of Equipment - Oil and Gas	-	-	-	-	-
619.158	Maintenance of Structures and Grounds	-	-	-	-	-
619.280	Marketing	-	-	-	-	-
619.166	Membership Dues	-	-	-	-	-
619.166	Office Furniture under \$3,000	-	-	-	-	-
619.168	Office Equipment under \$3,000	-	-	-	-	-
619.176	Special Project Supplies - Supplies	-	-	-	-	-
619.174	Supplies	-	-	-	-	-
619.172	Postage and Delivery	-	-	-	-	-
619.210	Legal	50	50	50	50	-
619.222	Other Consultants	-	-	-	-	-
619.180	Public and Legal Notices	-	-	-	-	-
619.184	Rent Equipment	-	-	-	-	-
619.186	Rent Structures	-	-	-	-	-
619.190	Small Tools	-	-	-	-	-
619.268	Special Dept. Expense - Other	-	-	-	-	-
619.196	Travel Lodging	-	-	-	-	-
619.198	Travel Meals	50	-	50	50	-
619.194	Training	-	-	-	-	-
619.200	Travel Transportation	150	-	150	100	-
619.306	Utilities	-	-	-	-	-
	Total	36,166	33,888	36,220	36,900	54
Contracts						
619.250	Special Dept. Expense - Contracts	150	150	112,500	57,000	112,350
	Total	150	150	112,500	57,000	112,350
Capital						
650.304	Furniture and Fixtures	-	-	-	-	-
650.302	Equipment other than Computer	-	-	-	-	-
650.303	Computer Hardware	-	-	-	-	-
650.301	Automobiles, Trucks, Vans	-	-	-	-	-
	Total	-	-	-	-	-
Other						
640.320	OPEB	-	-	-	-	-
	Total	-	-	-	-	-
	TOTAL PROPOSED BUDGET	53,486	50,992	166,006	112,450	112,520

**SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2020/21
REVENUES AND EXPENDITURES VS REVENUES**

REVEUE DESCRIPTION		Adopted Budget FY 19/20	Estimated Actual to June 30, 2019*	Proposed Budget FY 20/21	Budget Estimate for FY 21/20	Variance FY 19/20 FY 20/21
550.109	Registered Vehicle Revenue	63,670	65,342	66,000	64,030	2,330
	Fund Balance(Carryover previous years)	198,000	203,452	220,000	122,200	22,000
541.001	Interest Revenue	2,000	4,000	3,500	3,000	1,500
TOTAL REVENUE		263,670	272,794	289,500	189,230	25,830

EXPENDITURES VS REVENUES		Adopted Budget FY 19/20	Estimated Actual to June 30, 2019*	Proposed Budget FY 20/21	Budget Estimate for FY 21/20	Variance FY 19/20 FY 20/21
EXPENDITURES						
	Personnel	17,170	16,955	17,286	18,550	116
	Services & Supplies	36,166	33,888	36,220	36,900	54
	Contracts	150	150	112,500	57,000	112,350
	Capital	-	-	-	-	-
	Other	-	-	-	-	-
TOTAL EXPENDITURES		53,486	50,992	166,006	112,450	112,520
REVENUES						
	Revenues	263,670	272,794	289,500	189,230	25,830
TOTAL REVENUE		263,670	272,794	289,500	189,230	25,830
TOTAL PROPOSED BUDGET		53,486	50,992	166,006	112,450	112,520

FUND BALANCE	123,494	
DESIGNATED FUND BALANCE	-	
UNDESIGNATED FUND BALANCE	123,494	Only available for SAFE projects

BUDGET NOTES

	Proposed Budget FY 20/21
Personnel Personnel includes salaries, administrative support, and professional services. These include regular staff salaries.	
Total	17,286
Services and Supplies Services and Supplies include regular budget items to support call box operations.	
Total	36,220
Contracts Contracts includes a contract with CHP for patrolling of Hwy25 and Upgrade Call Boxes to 4G.	
Total	112,500
Capital No Capital expenditures are proposed in this Budget.	
Total	-
Other SAFE share of OPEB costs.	
TOTAL PROPOSED BUDGET	166,006

APPENDIX

**SERVICE AUTHORITY FOR
FREEWAYS AND EXPRESSWAYS**

BUDGET

FISCAL YEAR 2020/2021

PURCHASING POLICES FOR SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

DEFINITIONS

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

- 1) Agency: Service Authority For Freeways and Expressways
- 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) Local Business: any person or entity that regularly maintains a place of business and transacts business in, or maintains an inventory of merchandise for sale in, the County of San Benito.
- 6) 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 SAFE 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.
- 7) 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 Service Authority For Freeways and Expressways.

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 SAFE 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 SAFE with or without furnishing of material where the aggregate cost does not exceed \$50,000. 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 SAFE 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 SAFE, contracts to lease or rent for the SAFE real property or storage space where funding has been approved by the SAFE 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 SAFE 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 SAFE where funding has been approved and budgeted by the Board unless specified otherwise in the SAFE 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 SAFE, contracts to lease or rent for SAFE 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.

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 SAFE 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 SAFE, or the necessary emergency repair of SAFE equipment.
13. When the product/services are needed by SAFE 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 SAFE 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

When all other factors are determined to be equal, preference shall be given to individuals or firms having a bona-fide place of business within the County of San Benito. Any

responsive, responsible bid, proposal or quote for materials and supplies from a local business which is within ten percent (10%) of the lowest responsive, responsible bid, proposal or quote for materials and supplies, shall be considered equal to the amount of the lowest responsive, responsible bid, proposal or quote. If the business has additional places of business located outside of the County of San Benito, the designated point of sale for all resulting purchases shall be the bona-fide place of business located within the County of San Benito.

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 SAFE;
3. in order to make necessary emergency repairs of SAFE equipment required to provide essential services or for the operation of SAFE; or
4. in order to avoid economic loss to SAFE.

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.

Policies for Amending the Service Authority for Freeways and Expressways' Budget

Periodically, it may be necessary for the Executive Director to take financial steps to support administrative functions. A transfer of funds from one item to another may sometimes be needed due to inadequate budget allocations or unforeseen circumstances. Below are the policies for amending the Service Authority for Freeways and Expressways' Budget.

1. BUDGET TRANSFER REQUEST FORM

- a. A Budget Adjustment/Transfer Form must be completed to initiate any budget transfer. (See Attachment 1)
- b. The Budget Adjustment/Transfer Form must be signed by the Executive Director and/or the Administrative Services Specialist.

2. EXECUTIVE DIRECTOR APPROVAL OF BUDGET TRANSFERS

- a. The following Budget Transfers may be made with prior approval of the Executive Director.

Interdepartmental transfers of less than \$50,000.

Interobject transfers of less than \$50,000.

Intraobject transfers of any amount.

3. BOARD APPROVAL OF BUDGET TRANSFERS

- a. The following Budget Transfers can only be made with prior approval of the Board of Directors.

Transfers of revenue increases.

Interdepartmental transfers of more than \$50,000.

Interobject transfers of more than \$50,000.

Note: Intraobject is within object titles example within Services and Supplies.
Interobject is between object titles example between Contracts and Personnn

