



AGENDA
REGULAR MEETING
SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

DATE: Thursday, June 17, 2021
4:00 P.M.

LOCATION: Via- Zoom
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 instructions provided at the end of the agenda:

Meeting ID: 873-9252-2437

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Mary Vazquez Edge
Rolan Resendiz, Bob Tiffany, and Peter Hernandez
Alternates: San Benito County: Kollin Kosmicki
City of San Juan Bautista: Scott Freels; City of Hollister: Rick Perez

Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the Public Comment portion of the agenda item will be closed. The opportunity to address the Board of Directors on items of interest not appearing on the agenda will be provided during Section C. Public Comment.

4:00 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 May 20, 2021 – Gomez

REGULAR AGENDA:

4:00 P.M. Public Hearing (Or As Soon Thereafter As the Matter May Be Heard)

2. Service Authority for Freeways and Expressways Budget – FY 2021/22 – Rivera
a. OPEN Public Hearing
b. RECEIVE Presentation on the FY 2021/22 Service Authority for Freeways and Expressways Budget

- c. **CLOSE** Budget Hearing
- d. **ADOPT** Resolution 21-02, Adopting the FY 2021/22 Service Authority for Freeways and Expressways Budget

ADJOURN TO MEETING OF THURSDAY AUGUST 19, 2021. AGENDA DEADLINE IS AUGUST 3, 2021

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 Secretary 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, 873-9252-2437** 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/2021/06/SAFE_Packet_061721.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,873-9252-2437**, and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2021/06/SAFE_Packet_061721.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 **June 17, 2021 at 4:00 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 **11th day of June 2021**, on or before **5:00 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
REGULAR MEETING
(Zoom Platform)**

May 20, 2021 4:00 P.M.

MINUTES

MEMBERS PRESENT:

Chair Ignacio Velazquez, Mary Vazquez Edge, Rolan Resendiz, Mark Medina, and Bob Tiffany

STAFF PRESENT:

Executive Director, Mary Gilbert; Transportation Planner Regina Valentine; Secretary, Monica Gomez; Administrative Services Specialist, Norma Rivera; Transportation Planner, Veronica Lezama; Office Assistant, Griselda Arevalo; Deputy County Counsel, Shirley Murphy

CALL TO ORDER:

Chair Velazquez called the meeting to order at 4:40 p.m.

A. CERTIFICATE OF POSTING

Motion made to acknowledge Certificate of Posting:

Motion: Bob Tiffany Second: Mary Vazquez Edge

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Tiffany voted yes, Chair Velazquez voted yes.

Motion carried: 4/0

Yes: Velazquez, Vazquez Edge, Tiffany, Resendiz

No: None

Recused: None

Abstention: None

Absent: Medina

B. NOTICE OF TEMPORARY PROCEDURES FOR SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS 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 SAFE Board can attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

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

Director Medina joined the SAFE meeting at 4:41 p.m.

CONSENT AGENDA:

1. **Approve** Service Authority for Freeways and Expressways Draft Meeting Minutes Dated March 18, 2021 – Gomez
2. **Approve** Cancellation of July 2021 SAFE Board Meeting – Gilbert
3. **Receive** Service Authority for Freeways and Expressways FY 2020/21 Third Quarter Budget Report – Rivera
4. **Receive** FY 2021/22 Service Authority for Freeways and Expressway Draft Budget – Rivera

There was no public comment on the Consent Agenda.

Motion made to approve the Consent Agenda:

Motion: Bob Tiffany Second: Mary Vazquez Edge

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Medina voted yes, Director Tiffany voted yes, Chair Velazquez voted yes.

Motion carried: 5/0

Yes: Vazquez Edge, Resendiz, Medina, Tiffany, Velazquez

No: None

Recused: None

Abstention: None

Absent: None

There being no further business to discuss, Director Vazquez Edge motioned to adjourn at 4:41 p.m.

Motion seconded by Director Tiffany.

Secretary Gomez called the roll call vote.

Director Vazquez Edge voted yes, Director Resendiz voted yes, Director Medina voted yes, Director Tiffany voted yes, Chair Velazquez voted yes.

Motion carried: 5/0

Yes: Velazquez, Vazquez Edge, Tiffany, Medina, Resendiz

No: None

Recused: None

Abstention: None

Absent: None

ADJOURN TO SAFE MEETING JUNE 17, 2021 AT 4:00 P.M.



Staff Report

To: Service Authority for Freeways and Expressways
From: Norma Rivera, Administrative Services Specialist Telephone: (831) 637-7665
Date: June 17, 2021
Subject: Service Authority for Freeways and Expressways Budget – FY 2021/22

Staff Recommendation:

ADOPT Resolution 21-02 Adopting the FY 2021/22 Service Authority for Freeways and Expressways Budget.

Summary:

The Service Authority for Freeways and Expressways Budget – FY 2021/22 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 2021/22 is \$121,462. Overall, the Budget for FY 2021/22 is approximately 27%, or \$44,921, lower than the FY 2020/21 Budget.

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: eight located on Highway 25 north of Hollister, six along Highway 101, 17 along Highway 156, five along Highway 25 south of Hollister and four 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 15.4% expenses for Personnel, 30.4% for Services and Supplies including maintaining equipment, and 54.2% for contracts.

The Personnel and Services and Supplies line items both increased slightly. The Contracts line item has decreased due to a cut back in additional patrol hours that the California Highway Patrol provides on Highway 25.

Executive Director Review: MG

Counsel Review: Yes

Supporting Attachment: 1. Resolution 21- 02

2. Service Authority for Freeways and Expressways Budget- FY 2021/22



BEFORE THE SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

A RESOLUTION OF THE SERVICE AUTHORITY FOR)
FREEWAYS AND EXPRESSWAYS ADOPTING THE) Resolution No. SAFE 21-02
2021/2022 FISCAL YEAR ANNUAL BUDGET)

WHEREAS, the Service Authority for Freeways and Expressways published and held a public hearing regarding the Authority’s consideration of the budget for the Service Authority for Freeways and Expressways for Fiscal Year 2021/2022; 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 2021/2022; and

WHEREAS, said hearing has concluded, during which time all additions and deletions to the budget for Fiscal Year 2021/2022 were made or authorized; and

WHEREAS, the 2021/2022 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 2021/2022, is hereby adopted by reference to the attached Adopted Budget.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS THIS 17TH DAY OF JUNE, 2021 BY THE FOLLOWING VOTE:

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

Ignacio Velazquez, Chair

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

Dated: June 9, 2021

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

Adopted Budget Fiscal Year 2021/22

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

Service Authority for Freeways and Expressways
Adopted Budget
Fiscal Year 2021 - 2022

Published by Order of the:
Board of Directors

Peter Hernandez
County of San Benito

Bob Tiffany
County of San Benito

Ignacio Velazquez
City of Hollister

Rolan Resendiz
City of Hollister

Mary Vazquez Edge
City of San Juan Bautista

Executive Director:
Mary Gilbert

Prepared and Compiled by:
Norma Rivera
Administrative Services Specialist

Adopted: June 17, 2021

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Executive Summary

San Benito County Service Authority for Freeways and Expressways (SAFE) administers a \$1 vehicle registration fee collected by the Department of Motor Vehicles (DMV) for maintaining an Emergency Motorist Aid Program in San Benito County. The program consists of the following programs:

Emergency Call Box Program - Through the Emergency Call Box Program, the San Benito SAFE ensures that motorists have direct access to emergency services along the state highway system and remote local roads in San Benito County. Call boxes are considered lifelines for accessing emergency services in remote areas of the County and along San Benito County Highways.

Call boxes are telephone boxes installed primarily along highways and local roads with high accident rates, high vehicular traffic, or remote locations with limited to no cellular coverage. Call boxes provide motorists direct access to the California Highway Patrol (CHP) for assistance in case of an emergency.

CHP Safety Patrol Program- San Benito SAFE has an agreement with the California Highway Patrol (CHP) for additional safety enforcement along Highway 25.

Goals and Objectives

The Service Authority for Freeways and Expressways goal is to continue implementation of Phase I and Phase II of the Emergency Motorist Aid System Strategic Plan which consists of the relocation of call boxes in the Highways 156 and Highway 25 region. The Service Authority for Freeways and Expressways will continue 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.

Budget Detail

The Service Authority for Freeways and Expressways total proposed budget for FY 2021/2022 is \$121,462. The FY 2021/2022 Budget reflects an overall decrease in expenditures. The Personnel line item will see a slight increase due to increased personnel time for the implementation of upcoming projects. The Services & Supplies line items will see a slight increase in spending due to an increase in costs of maintenance. The Contracts line item has decreased significantly as compared to FY 2020/2021 due to the decrease in availability of the California Highway Patrol for additional patrolling of Highway 25 as well as a one-time system upgrade expense that was completed in FY 2020/2021.

**SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2021/22
EXPENDITURES**

EXPENDITURE DESCRIPTION	Adopted Budget FY 20/21	Estimated Actual to June 30, 2021	Proposed Budget FY 21/22	Budget Estimate for FY 22/23	Variance FY 20/21 FY 21/22
Personnel					
610.101 Salaries	17,286	16,758	18,666	17,500	1,380
619.226 Administrative Support	-	-	-	-	-
Total	17,286	16,758	18,666	17,500	1,380
Services and Supplies					
619.126 Magazines and Subscriptions	-	-	-	-	-
619.132 Communications	3,570	3,514	3,570	3,600	-
619.138 Computer Maintenance	-	-	-	-	-
619.140 Computer Supplies	-	-	-	-	-
645.701 General Insurance	400	397	590	650	190
619.152 Maintenance of Equipment	32,000	31,920	32,000	32,000	-
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	1,500	500	500	450
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	150	-
619.306 Utilities	-	-	-	-	-
Total	36,220	37,331	36,860	36,950	640
Contracts					
619.250 Special Dept. Expense - Contracts	112,500	59,012	65,936	35,200	(46,564)
Total	112,500	59,012	65,936	35,200	(46,564)
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	166,006	113,101	121,462	89,650	(44,544)

**SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2021/22
REVENUES AND EXPENDITURES VS REVENUES**

REVEUE DESCRIPTION		Adopted Budget FY 20/21	Estimated Actual to June 30, 2021	Proposed Budget FY 21/22	Budget Estimate for FY 22/23	Variance FY 20/21 FY 21/22
550.109	Registered Vehicle Revenue	66,000	66,778	66,000	66,000	-
	Fund Balance(Carryover previous years)	220,000	220,877	107,776	54,514	(112,224)
541.001	Interest Revenue	3,500	2,464	2,200	1,500	(1,300)
TOTAL REVENUE		289,500	290,119	175,976	122,014	(113,524)

EXPENDITURES VS REVENUES		Adopted Budget FY 20/21	Estimated Actual to June 30, 2021	Proposed Budget FY 21/22	Budget Estimate for FY 22/23	Variance FY 20/21 FY 21/22
EXPENDITURES						
	Personnel	17,286	16,758	18,666	17,500	1,380
	Services & Supplies	36,220	37,331	36,860	36,950	640
	Contracts	112,500	59,012	65,936	35,200	(46,564)
	Capital	-	-	-	-	-
	Other	-	-	-	-	-
TOTAL EXPENDITURES		166,006	113,101	121,462	89,650	(44,544)
REVENUES						
	Revenues	289,500	290,119	175,976	122,014	(113,524)
TOTAL REVENUE		289,500	290,119	175,976	122,014	(113,524)
TOTAL PROPOSED BUDGET		166,006	113,101	121,462	89,650	(44,544)

FUND BALANCE	54,514	
DESIGNATED FUND BALANCE	-	
UNDESIGNATED FUND BALANCE	54,514	Only available for SAFE projects

BUDGET NOTES	Proposed Budget FY 21/22
Personnel Personnel includes salaries, administrative support, and professional services. These include regular staff salaries.	
Total	18,666
Services and Supplies Services and Supplies include regular budget items to support call box operations.	
Total	36,860
Contracts Contracts includes a contract with CHP for patrolling of Hwy25.	
Total	65,936
Capital No Capital expenditures are proposed in this Budget.	
Total	-
Other SAFE share of OPEB costs.	
Total	-
TOTAL PROPOSED BUDGET	121,462

APPENDIX

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

**Service Authority for Freeways and Expressways
BUDGET ADJUSTMENT/TRANSFER**

Please Indicate Type:

Fiscal Year: _____

Appropriation/Est. Revenue Increase
(Requires Board Approval)

Department: _____

Org Key: _____

**Interdepartmental Transfer or
Interobject Transfer >\$50,000**
(Requires Board Approval)

Interobject Transfer <\$50,000
(Requires Executive Director and Admin Ser Spe)

Intraobject Transfer
(Requires Executive Director)

<u>Org Key:</u>	<u>Object No:</u>	<u>Description</u>	<u>Decrease/ Rev. Increase</u>	<u>Increase</u>
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
_____	_____	_____	\$ -	\$ -
Total			\$ -	\$ -

Comments: _____

Submitted: _____ Date _____

Verification of Sufficient Funds: _____ Date _____
 Administrative Services Specialist

Approval: _____ Date _____
 Executive Director

Approval by COG Board _____ Date _____

Attested: _____
 Clerk of the Board: _____ Vote: _____ Yes _____ No