San Benito County
Service Authority for Freeways and Expressways

AGENDA
REGULAR MEETING
SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

DATE: Thursday, June 16, 2022
4:00 P.M.

LOCATION: **Via- Zoom**
Attendance at the SAFE meeting is closed to the public per Executive Order N-29-30 and Assembly Bill 361 (AB 361). The public may join meeting by Zoom: https://zoom.us/join per the instructions provided at the end of the agenda:

Meeting ID: 849-2215-1858

DIRECTORS: Chair Ignacio Velazquez, Vice Chair Kollin Kosmicki
Mary Vazquez Edge, Rolan Resendiz, and Peter Hernandez
Alternates: San Benito County: Betsy Dirks;
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, and Assembly Bill 361 (AB 361), relating to the convening of public meetings in response to the COVID-19 pandemic, attendance at the SAFE meeting is closed to the public. The public may join the meeting by Zoom: https:// per the instructions provided at the end of the agenda. 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. **ADOPT** Resolution 22-08 Authorizing Teleconferencing Options for the Service Authority for Freeways and Expressways Meetings for the Period of June 22, 2022, through July 21, 2022 – Rivera

REGULAR AGENDA:

2. **ADOPT** Resolution 22-07 Adopting FY 2022/23 Service Authority for Freeways and Expressways Budget - Rivera

ADJOURN TO MEETING OF THURSDAY JUNE 16, 2022. AGENDA DEADLINE IS MAY 31, 2022, 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 alternativ000000.0.e 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/detailsZid=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, 849-2215-1858** 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/2022/06/SAFE_Packet_061622.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, 849-2215-1858,** and include a name to join the meeting. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2022/06/SAFE_Packet_061622.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 16, 2022** 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 **13th day of June 2022,** on or before **4:00 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

Agenda Item: 1

Staff Report

To:	Service Authority for Freeways and Expressways	
From:	Norma Rivera, Administrative Services Specialist	**Telephone:** (831) 637-7665
Date:	June 16, 2022	
Subject:	Assembly Bill 361 Teleconferencing Options For SAFE	

Staff Recommendation:

ADOPT Resolution 22-08 Authorizing Teleconferencing Options for the Service Authority for Freeways and Expressways meetings for the Period of June 22, 2022, through July 21, 2022.

Summary:

On September 16, 2021, the Governor signed Assembly Bill (AB) 361, a bill that codifies certain teleconference procedures that local agencies have adopted in response to the Governor's Brown Act-related Executive Orders. Specifically, AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders under certain prescribed circumstances or when certain findings have been made and adopted by the local agency legislative body.

Financial Considerations:

None.

Discussion:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, amending his prior Executive Order N-29-20 and waiving certain provisions of the Brown Act relating to teleconferences/remote meetings by local agency legislative bodies. The Executive Order waived, among other things, the provisions of the Brown Act that otherwise required the physical presence of members of local agency legislative bodies or other personnel in a particular location as a condition of participation or as a quorum for a public meeting. These modifications remained in effect through September 30, 2021.

Under Assembly Bill (AB) 361, when the state of emergency lasts longer than 30 days, as is the case presently, the legislative body must make findings every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. AB 361 mandates that the legislative body must find that there is a continuing need for teleconferencing due to dangers posed by the ongoing state of emergency. This means that local agencies will have to put an item on the public meeting agenda at least every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law's teleconference provisions.

To continue to meet under those modified rules after July 21, 2022, the Board will again need to reconsider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Reducing the circumstances under which people come into close contact remains a vital component of the San Benito County and SAFES's COVID-19 response strategy. Local agency public meetings are an essential government function and the last 18 months have proven that the teleconferencing format protects public access while minimizing exposure to COVID-19.

The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html).

Staff Analysis:

Staff recommends that the Board adopt findings that conducting in-person meetings at the present time would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to return each 30 days to afford the Board the opportunity to reconsider such findings, is included herewith. If the Board adopts the proposed resolution, then it may continue to meet under the modified Brown Act teleconference rules of AB 361 through July 21, 2022.

Counsel Review: Yes

Supporting Attachment: 1. Resolution 22- 08
2. Letter from San Benito County Health Officer

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 AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE SAN BENITO COUNTY SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS PURSUANT TO AB 361	Resolution No. SAFE 22-08

WHEREAS, the San Benito County Service Authority for Freeways and Expressways is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, pursuant to his authority under the California Emergency Services Act, California Government Code section 8625; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting Law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and

WHEREAS, on June 4, 2021, Governor Newsom clarified that the "reopening" of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act,

provided the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

WHEREAS, California Department of Public Health ("CDPH") and the federal Centers for Disease Control and Prevention ("CDC") caution that the Omicron variant of COVID-19 is spreading quickly throughout the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html); and

WHEREAS, on September 30, 2021, Dr. Ghilarducci, Interim San Benito County Public Health Officer, issued a recommendation on Social Distancing at public meetings of legislative bodies within San Benito County; and

WHEREAS, on January 5, 2022, Dr. Gellert, San Benito County Public Health Officer, issued an updated recommendation on continued Social Distancing at public meetings of legislative bodies within San Benito County, attached hereto as Exhibit "A", and incorporated herein by this reference; and

WHEREAS, the San Benito County Service Authority for Freeways and Expressways is a joint powers authority formed under the joint exercise of powers provisions of California Government Code Sections 6500-6522 and the California Code of Civil Procedure section 1240.140, among the County of San Benito, a political subdivision of the State of California, and the Cities of Hollister and San Juan Bautista, municipal corporations located in San Benito County; and

WHEREAS, the San Benito County Board of Supervisors is empowered by Article XI, section 7 of the California Constitution to take actions necessary to protect public, health, welfare, and safety within the County of San Benito; and

WHEREAS, at its regular meetings on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 25, 2022, February 22, 2022, March 22, 2022, April 19, 2022, and May 24, 2022, the San Benito County Board of Supervisors considered all information related to this matter, as presented at the public meetings of the Board of Supervisors identified herein, including any supporting reports by County Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-128, 2021-140, 2021-148, 2021-160, 2022-04, 2202-21, 2202-38, 2022-47, and 2022-59, making the findings and determinations required by AB 361; and

WHEREAS, the San Benito County Service Authority for Freeways and Expressways has an important governmental interest in protecting the health, safety, and welfare of those who participate in meetings of the Local Transportation Authority; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Benito County Service Authority for Freeways and Expressways deems it necessary to find that a requirement to meet in person for meetings of the Service Authority for Freeways and Expressways would present imminent risks to the health or safety of attendees, and thus, intends to invoke the provisions of AB 361 related to teleconferencing; and

WHEREAS, at its regular meetings on October 21, 2021, November 18, 2021, and December 16, 2021, special meeting on January 11, 2022, and regular meetings on January 20, 2022, February 17, 2022, March 17, 2022, April 21, 2022, and May 19, 2022 the San Benito County Service Authority for Freeways and Expressways considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein, including any supporting reports by Service Authority for Freeways and Expressways' Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, and adopted Resolution Nos. 2021-03, 2021-04, 2021-05, 2022-01, 2022-02, 2022-03, 2022-04, 2022-05, and 2022-06 making the findings and determinations required by AB 361; and

WHEREAS, the San Benito County Service Authority for Freeways and Expressways has further considered all information related to this matter, as presented at the public meetings of the Board of Directors identified herein as of the date of this Resolution, including any supporting reports by Service Authority for Freeways and Expressways' Staff, and any information provided during public meetings, including but not limited to the current circumstances related to the state of emergency, which continues to remain in effect; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the California Legislature have exercised their respective powers, pursuant to California Government Code section 8629, to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature, and the proclaimed state of emergency remains in effect; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of public meetings; and

WHEREAS, the Board of Directors of the San Benito County Service Authority for Freeways and Expressways further finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Service Authority for Freeways and Expressways as follows:

1. Recitals. The Board of Directors hereby finds that the facts set forth in the Recitals to this Resolution are true and correct and are incorporated into this Resolution by this reference.

2. Proclamation of Local Emergency. The Board of Directors hereby proclaims that a local emergency continues to exist throughout the County, and social distancing orders are currently in place and needed to protect the health and safety of the citizens.

3. Consideration of Future Extensions of Resolution. As long as the State Emergency remains in effect or until directed otherwise by the Board of Directors, staff shall present to the Board at every meeting an item necessary to continue the findings required by AB 361.

4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Board of Directors adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Service Authority for Freeways and Expressways may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

5. Remote Teleconference Meetings. The staff and Counsel for the Service Authority for Freeways and Expressways are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS THIS 16TH DAY OF JUNE 2022 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

_____
Ignacio Velazquez, Chair

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

Dated: June 10, 2022

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

ATTEST:
COG Executive Director

Dated: _____

By: _____

EXHIBIT A

GEORGE GELLERT MD, MP, MPA
HEALTH OFFICER

TRACEY BELTON
AGENCY DIRECTOR

SAN BENITO COUNTY

HEALTH & HUMAN SERVICES AGENCY

PUBLIC HEALTH SERVICES
Healthy People in Healthy Communities

January 5, 2022

CAO Ray Espinosa
San Benito County Administration

Re: Recommendation on Social Distancing and Hybrid Meetings

Given the considerable impact on our community from the COVID-19 virus and the Delta and more recently the Omicron variant, I strongly urge all legislative bodies, including but not limited to the County, cities, and special districts, local commissions and committees, and subsidiary bodies, continue social distancing measures for public meetings, including offering, at the legislative body's discretion, a remote or hybrid format for public meetings. Social distancing and masking remain crucial strategies in our fight to prevent contagion. The conduct of public meetings in a remote or hybrid manner enables members of the community to participate from the comfort of their homes without having to risk contracting these viruses by attending in-person meetings.

In addition, these measures help contain the spread of the disease and protect the community. All events public gatherings, including public meetings, create environments where these virus variants can potentially spread among attendees and participants. However, when combined with social distancing and effective masking practices, along with continued efforts to increase vaccination uptake within San Benito County, a remote or hybrid format for meetings maximizes avenues for public access and input and minimizes the risk of infection for the public, agency staff, meeting presenters, and legislative body members as well.

If you have any questions regarding this recommendation, please do not hesitate to contact me.

George Gellert MD, MPH, MPA
Health Officer

PUBLIC HEALTH SERVICES
351Tres Pinos Road, Suite A-202
Hollister CA 95023
831-637-5367

ENVIRONMENTAL HEALTH
351Tres Pinos Road, Suite C-1
Hollister CA 95023
831-636-4035

MEDICAL THERAPY UNIT
761 South Street
Hollister CA 95023
831-637-1989

San Benito County
Service Authority for Freeways and Expressways

Agenda Item: 2

Staff Report

To:	Service Authority for Freeways and Expressways	
From:	Norma Rivera, Administrative Services Specialist	**Telephone:** (831) 637-7665
Date:	June 16, 2022	
Subject:	**Service Authority for Freeways and Expressways Budget – FY 2022/23**	

Staff Recommendation:

ADOPT Resolution 22-07 Adopting FY 2022/23 Service Authority for Freeways and Expressways Budget.

Summary:

The Service Authority for Freeways and Expressways Budget – FY 2022/23 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 2022/23 is $58,724. Overall, the Budget for FY 2022/23 is approximately 51%, or $62,738, lower than the FY 2021/22 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 40% expenses for Personnel and 61% for Services and Supplies which include the maintenance of the call box equipment. There are no contracts being proposed in this budget.

The budget is significantly lower than the prior year budget because of the elimination of a contract that was budgeted for in the prior year but was never realized. The budget is in line with the actual expenditures in FY 21/22.

Reviewed By: VR Counsel Review: N/A

Supporting Attachments:

1. Resolution 22-07
2. Service Authority for Freeways and Expressways Budget – FY 2022/23

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 2022/2023 FISCAL YEAR ANNUAL BUDGET

Resolution No. SAFE 22-07

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 2022/2023; and

WHEREAS, at the public hearing, the Service Authority for Freeways and Expressways Board of Directors 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 2022/2023; and

WHEREAS, said hearing has concluded, during which time all additions and deletions to the budget for Fiscal Year 2022/2023 were made or authorized; and

WHEREAS, the 2022/2023 fiscal year annual budget is a balanced budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Service Authority for Freeways and Expressways that the Adopted Budget of the Service Authority for Freeways and Expressways for Fiscal Year 2022/2023, is hereby adopted by reference to the attached Adopted Budget.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS THIS 16TH DAY OF JUNE, 2022 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

_____
Ignacio Velazquez, Chair

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

Dated: June 10, 2022

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

ATTEST:
Executive Director

Dated: _____

By: _____

San Benito County

Service Authority for Freeways and Expressways

Adopted Budget
Fiscal Year 2022/23

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

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San Benito County
Service Authority for Freeways and Expressways

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, San Benito SAFE ensures that motorist 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 motorist direct access to the California Highway Patrol (CHP) for assistance in case of an emergency.

Goals and Objectives

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 2022/2023 is $58,724. The FY 2022/2023 Budget reflects an overall 51% decreased in expenditures. The Personnel category will see an increase due to annual salary rate increases and a promotion from a Transportation Planner to Transportation Planning Manager. The Services & Supplies category has decreased due to a change in the phone line services. The Contracts line item has decrease significantly as compared to FY 2021/2022 due to the elimination of a California Highway Patrol contract that was not realized in FY 21/22.

The Service Authority for Freeways and Expressways budget is balanced and supports the policies of the Board of Directors.

SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2022/23
EXPENDITURES

EXPENDITURE DESCRIPTION		Adopted Budget FY 21/22	Estimated Actual to June 30, 2022	Proposed Budget FY 22/23	Budget Estimate for FY 23/24	Variance FY 21/22 FY 22/23
Personnel						
610.101	Salaries	18,666	19,144	**23,326**	22,915	4,660
619.226	Administrative Support	-	-	**-**	-	-
		-	-	**-**	-	-
	Total	**18,666**	**19,144**	**23,326**	**22,915**	**4,660**
Services and Supplies						
619.126	Magazines and Subscriptions	-	-	**-**	-	-
619.132	Communications	3,570	1,212	**1,500**	1,600	(2,070)
619.138	Computer Maintenance	-			-	-
619.140	Computer Supplies	-			-	-
645.701	General Insurance	698	543	**698**	600	-
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	500	800	**1,000**	1,000	500
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	**36,968**	**34,475**	**35,398**	**35,400**	**(1,570)**
Contracts						
619.250	Special Dept. Expense - Contracts	65,936	-	**-**	40,000	(65,936)
	Total	**65,936**	**-**	**-**	**40,000**	**(65,936)**
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	**121,570**	**53,619**	**58,724**	**98,315**	**(62,846)**

SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
BUDGET - FY 2022/23
REVENUES AND EXPENDITURES VS REVENUES

REVEUE DESCRIPTION		Adopted Budget FY 21/22	Estimated Actual to June 30, 2022	Proposed Budget FY 22/23	Budget Estimate for FY 23/24	Variance FY 21/22 FY 22/23
550.109	Registered Vehicle Revenue	66,000	70,709	**70,000**	**72,000**	4,000
	Fund Balance(Carryover previous years)	107,776	194,526	**212,062**	**223,778**	104,286
541.001	Interest Revenue	2,200	446	**440**	**450**	(1,760)
	TOTAL REVENUE	**175,976**	**265,681**	**282,502**	**296,228**	**106,526**

EXPENDITURES VS REVENUES	Adopted Budget FY 21/22	Estimated Actual to June 30, 2022	Proposed Budget FY 22/23	Budget Estimate for FY 23/24	Variance FY 21/22 FY 22/23
EXPENDITURES					
Personnel	18,666	19,144	**23,326**	22,915	4,660
Services & Supplies	36,968	34,475	**35,398**	35,400	(1,570)
Contracts	65,936	-	**-**	40,000	(65,936)
Capital	-	-	**-**	-	-
Other	-	-	-	-	-
TOTAL EXPENDITURES	**121,570**	**53,619**	**58,724**	**98,315**	**(62,846)**
REVENUES					
Revenues	175,976	265,681	**282,502**	296,228	106,526
	-	-	-		-
TOTAL REVENUE	**175,976**	**265,681**	**282,502**	**296,228**	**106,526**
TOTAL PROPOSED BUDGET	**121,570**	**53,619**	**58,724**	**98,315**	**(62,846)**

FUND BALANCE	**223,778**	
DESIGNATED FUND BALANCE	**-**	
UNDESIGNATED FUND BALANCE	**223,778**	Only available for SAFE projects

BUDGET NOTES		Proposed Budget FY 22/23
Personnel		
Personnel includes salaries, administrative support, and professional services.		
	Total	**23,326**
Services and Supplies		
Services and Supplies includes items to support call box operations.		
	Total	**35,398**
Contracts		
No contracts are proposed in this budget.		
	Total	**-**
Capital		
No Capital expenditures are proposed in this Budget.		
	Total	**-**
Other		
SAFE share of OPEB costs.		**-**
	TOTAL PROPOSED BUDGET	**58,724**

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. PURPPOSE 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 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 that 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 Personn

Service Authority for Freeways and Expressways
BUDGET ADJUSTMENT/TRANSFER

Please Indicate Type:

Fiscal Year: _____

Department: _____

Org Key: _____

☐ **Appropriation/Est. Revenue Increase**
(Requires Board Approval)

☐

☐ **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)

Org Key:	Object No:	Description	Decrease/ Rev. Increase	Increase
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
			$ -	$ -
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