



AGENDA REGULAR MEETING SAN BENITO COUNTY MEASURE A AUTHORITY

DATE: Thursday, June 19, 2014
3:00 P.M.

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

DIRECTORS: Chair Victor Gomez, Vice Chair Jerry Muenzer,
Anthony Botelho, Tony Boch, and Robert Scattini
Alternates: San Benito County: Jaime De La Cruz
City of Hollister: Pauline Valdivia; San Juan Bautista: Andy Moore

*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 B. Public Comment.***

3:00 P.M. CALL TO ORDER:

- A. ACKNOWLEDGE** Certificate of Posting
- B. 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** Measure A Authority Draft Meeting Minutes Dated April 17, 2014 – Gomez
- 2. APPROVE** FY 2014/15 Measure A Authority Final Budget – Postigo

ADJOURN TO MEETING OF THURSDAY JULY 17, 2014. AGENDA DEADLINE IS JULY 8, 2014 AT 12:00 P.M.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the 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.

**San Benito County
MEASURE A AUTHORITY
MEETING**

April 17, 2014 3:00 P.M.

DRAFT MINUTES

MEMBERS PRESENT:

Chair Pro-Tempore Boch, Director Botelho, and Director Muenzer

MEMBERS ABSENT:

Chair Gomez, Director Scattini

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Administrative Services Specialist, Kathy Postigo; Transportation Planner Veronica Lezama; Transportation Planner, Betty LiOwen; Transportation Intern, Regina Valentine; Secretary, Monica Gomez

CALL TO ORDER:

Chair Pro-Tempore Boch called the meeting to order at 4:59 P.M.

A. Certificate of Posting

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors unanimously acknowledged the Certificate of Posting.

B. Public Comment: None

CONSENT AGENDA:

- 1. Approve Measure A Authority Draft Meeting Minutes Dated February 20, 2014 – Gomez**
- 2. Approve Measure A Authority Transaction Report (Financial Claims) dated February through March 2014 – Postigo**
- 3. Receive Presentation of FY 204/15 Measure A Authority Draft Budget – Postigo**

There was no public comment on Consent Items.

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors unanimously approved Items 1- 3 from the Consent Agenda. Vote: 3/0 motion passes

Upon a motion duly made by Director Muenzer, and seconded by Director Botelho, the Directors adjourned the MEA Meeting at 5:00 p.m.

ADJOURN TO MEETING OF THURSDAY, MAY 15, 2014.



Agenda Item:_____

Staff Report

To: Measure A Authority
From: Kathy Postigo, Administrative Services Specialist **Telephone:** (831) 637-7665
Date: June 19, 2014
Subject: **Measure A Authority Final Budget – FY 2014/15**

Staff Recommendation:

APPROVE FY 2014/15 Measure A Authority Final Budget.

Summary:

The Measure A Authority Final Budget – FY 2014/15 has been prepared using revenue assumptions that match funding levels.

Financial Considerations:

The Measure A Authority's total Final Budget – FY 2014/15 is \$11,000. This Final Budget reflects costs associated with the route transfer of the Highway 25 Bypass Project.

Background:

The Measure A Authority was established to raise money for specific transportation projects in San Benito County. All of the transportation projects in the county have been completed. However, the route transfer to Caltrans is still pending and costs associated with that work will occur in FY 2014/15.

Staff Analysis:

Contracts represent 91% of expenditures. This expenditure is associated with costs that will occur with the route transfer to Caltrans. A small percentage is budgeted to Personnel for staff time needed to assist in the completion of the Highway 25 Bypass route transfer.

Executive Director Review:_____

Counsel Review: N/A

Attachment: Measure A Authority Final Budget – FY 2014/15

San Benito County Measure A Authority

Final Budget Fiscal Year 2014/15

June 19, 2014

Prepared and Compiled by:

Kathy Postigo
Administrative Services Specialist

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

MEASURE A AUTHORITY FINAL BUDGET FISCAL YEAR 2014/2015

Published by Order of the:
Board of Directors

Victor Gomez
City of Hollister

Jerry Muenzer
County of San Benito

Anthony Botelho
County of San Benito

Robert Scattini
City of Hollister

Tony Boch
City of San Juan Bautista

Executive Director
Lisa Rheinheimer

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

Approved:
Contact Information:
330 Tres Pinos Road, Suite C 7
Hollister, California 95023
(831) 637-7665

TABLE OF CONTENTS

<i>Measure A Authority Executive Summary</i>	<i>1</i>
<i>Measure A Authority Goals and Objectives</i>	<i>1</i>
<i>Measure A Authority Budget</i>	<i>2-5</i>
<i>Appendix</i>	
<i>Purchasing Policies for the Measure A Authority</i>	<i>6-11</i>
<i>Policies for Amending the Measure A Authority's Budget</i>	<i>12</i>
<i>Budget Adjustment/Transfer Form</i>	<i>13</i>

Executive Summary

The Measure A Authority (MEA) is the governing body for the ½ cent sales tax that was established in 1989 to raise money for specific transportation projects in San Benito County. The Authority has completed all of the transportation projects on the list. The final project was the Highway 25 Bypass.

The Measure A Authority's total budget for FY 2014/2015 is \$11,000. FY 2010/2011 was the final year of expenditures for

the Measure A Authority. However, the route transfer to Caltrans is still pending and costs associated with work that will occur in FY 14/15.

Goals and Objectives

The Measure A Authority's goals are to conclude the route transfer with Caltrans in fiscal year 2014/2015.

Measure A Final Budget - FY 2014/15

EXPENDITURE DESCRIPTION		Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
Personnel						
610101	Salaries	3,900	1,000	1,000	-	(2,900)
623510	Administrative Support	-	-	-	-	-
623508	Outside Labor	-	-	-	-	-
Total		3,900	1,000	1,000		(2,900)
Services and Supplies						
620202	Magazines and Subscriptions	-	-	-	-	-
620301	Clothing and Safety	-	-	-	-	-
620501	Communications	-	-	-	-	-
620701	Computer Maintenance	-	-	-	-	-
620702	Computer Supplies	-	-	-	-	-
640701	General Insurance	-	-	-	-	-
621501	Maintenance of Equipment	-	-	-	-	-
621502	Maintenance of Equipment - Oil and Gas	-	-	-	-	-
621503	Maintenance of Equipment - Auto	-	-	-	-	-
621701	Maintenance of Structures and Grounds	-	-	-	-	-
623619	Marketing	-	-	-	-	-
621901	Medical/Dental/Lab Supplies and Services	-	-	-	-	-
622101	Membership Dues	-	-	-	-	-
622501	Office Furniture under \$700	-	-	-	-	-
622502	Office Equipment under \$300	-	-	-	-	-
622505	Special Project Supplies - Printing	-	-	-	-	-
622504	Supplies	-	-	-	-	-
622503	Postage and Delivery	-	-	-	-	-
623501	Legal	-	-	-	-	-
623502	Accounting	-	-	-	-	-
623507	Other Consultants	-	-	-	-	-
622701	Public and Legal Notices	-	-	-	-	-
622901	Rent Equipment	-	-	-	-	-
622902	Rent Structures	-	-	-	-	-
622903	Rent Space	-	-	-	-	-
623101	Small Tools	-	-	-	-	-
623613	Special Dept Expense - Other	-	-	-	-	-
623302	Travel Lodging	-	-	-	-	-
623303	Travel Meals	-	-	-	-	-
623301	Training	-	-	-	-	-

Measure A Final Budget - FY 2014/15

EXPENDITURE DESCRIPTION CONT.

		Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
623304	Travel Transportation	-	-	-	-	-
623701	Utilities	-	-	-	-	-
	Total	-	-	-	-	-
Contracts						
623601	Special Dept Expense - Contracts	53,000	70,000	10,000	-	(43,000)
	Total	53,000	70,000	10,000	-	(43,000)
Capital						
650304	Furniture and Fixtures	-	-	-	-	-
650302	Equipment other than Computer	-	-	-	-	-
650303	Computer Hardware	-	-	-	-	-
650301	Automobiles, Trucks, Vans	-	-	-	-	-
	Total	-	-	-	-	-
Other						
640513	Operating Transfers	-	-	-	-	-
	Total	-	-	-	-	-
	TOTAL PROPOSED BUDGET	56,900	71,000	11,000	-	(45,900)

Measure A Final Budget - FY 2014/15

REVENUE DESCRIPTION

	Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
541001 Interest Income	-	1,000	-	-	-
564501 Copies	-	-	-	-	-
570011/17 City of Hollister & San Benito County	-	-	-	-	-
570017 Contributions	-	-	-	-	-
Balance	201,261	166,255	95,000	-	(106,261)
TOTAL REVENUE	201,261	167,255	95,000	-	(106,261)

EXPENDITURES VS REVENUES

	Adopted Budget FY 13/14	Estimated Actual to June 30, 2014	Proposed Budget FY 14/15	Budget Estimate for FY 15/16	Variance FY 13/14 FY 14/15
EXPENDITURES					
Personnel	3,900	1,000	1,000	-	(2,900)
Services & Supplies	-	-	-	-	-
Contracts	53,000	70,000	10,000	-	(43,000)
Capital	-	-	-	-	-
Other	-	-	-	-	-
TOTAL EXPENDITURES	56,900	71,000	11,000		(45,900)
REVENUES					
Revenues	201,261	167,255	95,000	-	(106,261)
TOTAL REVENUES	201,261	167,255	95,000	-	(106,261)
TOTAL PROPOSED BUDGET	56,900	71,000	11,000	-	(45,900)

FUND BALANCE	84,000
DESIGNATED FUND BALANCE	84,000
UNDESIGNATED FUND BALANCE	-

Measure A Final Budget - FY 2014/15

BUDGET NOTES

<p>Personnel Staff time associated with Highway 25 Bypass route transfer.</p>		
<p>Services and Supplies No Services and Supplies are proposed in this Budget.</p>	Total	1,000
<p>Contracts Contracts related to finalizing route transfer of Highway 25 Bypass.</p>	Total	-
<p>Capital No Capital expenditures are proposed in this Budget.</p>	Total	10,000
<p>Other No Other expenditures are proposed in this Budget.</p>	Total	-
TOTAL PROPOSED BUDGET		11,000

APPENDIX
MEASURE A AUTHORITY
BUDGET
FISCAL YEAR 2014/2015

PURCHASING POLICES FOR MEASURE A AUTHORITY

A. DEFINITIONS

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

- 1) Agency: Measure A Authority
- 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 MEA 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 Measure A Authority.

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

3. Renewal/Extension of Contracts – To renew or extend contracts for professional services that are critical to ongoing MEA 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 MEA, contracts to lease or rent for the MEA real property or storage space where funding has been approved by the MEA Board, with an annual rent not to exceed \$10,000.

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 MEA 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 MEA where funding has been approved and budgeted by the Board unless specified otherwise in the MEA 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 MEA, contracts to lease or rent for MEA 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 MEA 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 MEA, or the necessary emergency repair of MEA equipment.

13. When the product/services are needed by MEA 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 MEA 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 MEA;
3. in order to, make necessary emergency repairs of MEA equipment required to provide essential services or for the operation of MEA; or
4. in order to avoid economic loss to MEA.

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 Measure A Authority's 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 Measure A Authority's 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 \$10,000.
 - Interobject transfers of less than \$10,000.
 - 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 \$10,000.
 - Interobject transfers of more than \$10,000.

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

