



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.18

MEETING DATE: 05/20/2025

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: Barbara Thompson

DEPT HEAD/DIRECTOR: David Prentice

SUBJECT:

COUNTY COUNSEL- D. PRENTICE

Review purchasing policy last revised January 14, 2025 and make determination whether delegation of authority for purchases of food may be made to Department Heads at CAO's discretion, as the "CAO's designee", clarify the purchasing policy as it applies to section 12.1 "Food and Drinks", and direct staff to amend and disseminate the purchasing policy pursuant to the Board's direction.

SBC FILE NUMBER: 118

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The Board of Supervisors adopted the Purchasing Policy in January 2025.

The section regarding food and drinks is set forth below. At issue, a delegation of authority was made by the CAO to an Assistant Purchasing Agent (a department head), to act as the CAO's designee under section 12.1 up to the sum of \$5,000, which is within the APA's spending authority. The Auditor's Office believes the Board should clarify that this type of delegation is allowed under the current policy.

The Board is requested to:

a) Confirm the CAO's authority to delegate to her designees, including Department Heads, the ability to authorize purchases under 12.1, in such amount as may be determined by the CAO, up to the sum of

\$5,000, which may vary from department from department.

b) Consider changing this pre-authorization requirement for food purchases, such that the CAO only is required to approve expenditures greater than \$500, as approving multiple small expenditures is time consuming and not a good use of staff resources.

12.1 FOOD AND DRINKS

The County shall only allow the use of appropriated funds for purchase of food/drinks under the following circumstances :

1. **Board of Supervisors Meetings:** formal agendized meetings over meal hour, or when the Board takes a break of 30 minutes or less for lunch.
2. **Working lunch/Meetings:** Meetings with consultants or contractors over the meal hour and employees are not free to take the meals elsewhere without missing essential conference or meeting.**
3. **Participants and Volunteers:** Food may be provided to participants and volunteers of the County and other events hosted by the County Department or at awards ceremonies when it has been determined that such food would materially enhance the awards ceremony in furtherance of the objectives of the awards.**
4. **Workshop, Training, and County-Hosted Events:** Appropriated funds may be used to purchase food for official County activities. Departments can host departmental workshops or training and pay for facilities and food incurred for the staff or other attendees.**
5. **Emergencies:** There is a limited exception for extreme emergencies involving imminent danger to human life or the destruction of County property.
6. **Award Ceremonies and Employee Appreciation, Employee Recognition:** Authorizes appropriated funds to provide food, refreshments, and awards. This exception is available only in rare situations and heavily depends on the facts presented in a particular case.**
7. **Interview Panels:** Reimbursement may be received for the purchase of refreshments or lunch for participants of selection panels engaged in official County recruitment activities as approved by the Human Resources Department. The title of the job recruitment and the persons serving on the panel must be documented on the receipt.**
8. **Mutual Aid Events for Public Safety –** The County may be called upon to provide mutual aid to other public entities, or other public agencies may be called upon to provide assistance to our Food and drink may be authorized by the Department Head.

Additionally, departments may expend an amount which may be budgeted from year to year in a Department's budget for hospitality supplies, such as bottled water or coffee.

“When food/drink purchase is allowed, the County may reimburse up to the per diem rate for each attendee receiving food/drink”.

The Auditor’s office may implement purchasing policy guidelines to implement the above.

**** These purchases must be pre-approved by the CAO, or his/her designee.**

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

No

RFP AND BID HISTORY:

N/A

LAST CONTRACT AMOUNT OR N/A:

N/A

CONTRACT HISTORY (Describe all amendments and previous contracts):

The purchasing policy was adopted August 27, 2024, and had minor amendments to it adopted October 8, 2024. Its last formal amendment was January 14, 2025.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

No

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

The Board is requested to clarify the purchasing policy as it applies to section 12.1 "Food and Drinks."

Option 1: Confirm the CAO's authority to delegate to her designees, including Department Heads, the ability to authorize purchases under 12.1, as may be within her specific delegation, which may vary from department from department.

Option 2: Consider changing or eliminating this pre-authorization requirement for food purchases, such that the CAO only is required to approve expenditures greater than \$500, as approving multiple small expenditures is time consuming and not a good use of staff resources.

Direct staff to amend and disseminate the purchasing policy pursuant to the Board's direction.

ATTACHMENTS:

[Purchasing Policy adopted January 14 2025](#)