

COUNTY OF RIVERSIDE
BOARD OF SUPERVISORS POLICY

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Policy:

1. SUBMITTAL

- A. Items are placed on the Board of Supervisors' agenda only by a member of the Board or the County Executive Officer. The Clerk of the Board will coordinate with the County Executive Office for submittal of agenda items.
- B. All Supervisor-generated policy proposals shall be reviewed by the County Executive Office to determine potential costs or savings of implementation or to provide a cost/benefit analysis where appropriate. The financial information should include a thorough evaluation of the pros and cons of the proposed change(s) and where appropriate, provide its anticipated short-term and long-term impacts. To protect the independence of the Board, the information will be provided without a recommendation for or against the proposal. This provision does not apply to Board appointments or CID grant awards.
- C. Departments must route all requests for Board action through the County Executive Office for review and/or recommendation.
- D. It is the responsibility of the department submitting a request to ensure all pertinent information is included. Departments should follow the attached **ATTACHMENT I - "GUIDELINES FOR PREPARATION OF BOARD OF SUPERVISORS AGENDA ITEMS."** adhere to the policy below, and ensure that all necessary approvals have been obtained.
- E. It is the responsibility of the County Executive Office to ensure that all items placed on the agenda are complete, accurate, and conform to county policy. The County Executive Office will identify the policy impacts, verify the financial data, and make other recommendations as deemed necessary regarding proposed Board actions.

2. AGENDA REQUEST FORM

The Form 11 shall be used for all requests where practical. A default agenda item is available in MinuteTraq.

The County Executive Office will review and recommend action on the item, and forward the final version to the Clerk of the Board.

3. AGENDA ITEMS REQUIRING MORE THAN THREE VOTES

**COUNTY OF RIVERSIDE
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- A. Certain actions by the Board of Supervisors require more than three votes to pass. It is the responsibility of the Executive Office to be alert to such items and ensure that the Form 11 reflects that the item requires at least 4/5th's or unanimous vote to pass.
- B. **ATTACHMENT II – "VOTING REQUIREMENTS FOR THE BOARD OF SUPERVISORS"** is a list prepared by County Counsel of those matters requiring more than three votes for approval. It should be noted that where a statute requires a two-thirds vote, only a four-fifths vote satisfies this requirement with a five-member board. Use this list as a guide when reviewing agenda items. County Counsel is authorized and directed to periodically update this list as necessary and appropriate.

4. UPDATES TO ATTACHMENTS AND EXHIBITS

The County Executive Office will be responsible for updating the following attachments and exhibits as they pertain to Board of Supervisors Policy A-5. Any updates or revisions to these documents will not require the discretion of the Board of Supervisors.

ATTACHMENTS:

Attachment I - Guidelines for Preparation of Board of Supervisors Agenda Items

- Exhibit A - Examples of Budget Motion & Adjustments
- Exhibit B - Examples of Purchasing Motions
- Exhibit C - Other Sample Motions
- Exhibit D - Findings and Determinations That an Item May Be Subsequently Added to the Agenda of the Board of Supervisors

Attachment II – Voting Requirements for the Board of Supervisors

REFERENCE: Minute Order dated 02/29/72

Minute Order dated 01/28/75
Minute Order 6.7 of 01/13/81
Minute Order 3.7 of 10/18/83
Minute Order 11.0a of 12/15/86
Minute Order 3.19 of 09/05/89
Minute Order 3.8 of 10/15/91
Minute Order 3.1 of 12/03/02
Minute Order 3.7 of 11/07/06
Minute Order 3.4 of 05/22/07
Minute Order 3.7 of 09/15/09
Minute Order 3.4 of 05/22/18

ATTACHMENT I TO BOARD POLICY A-5

GUIDELINES FOR PREPARATION OF BOARD OF SUPERVISORS AGENDA ITEMS

GENERAL USE OF FORM 11:

Board of Supervisors' Policy No. A-5 requires the use of a Form 11 (staff report) to submit items for the Board of Supervisors. All items, including resolutions, ordinances, and public correspondence, will be attached to a Form 11 that details the recommended approval and/or adoption motions.

The Form 11 process is implemented through the MinuteTraq software platform. Documents are created within the software, and inter- and intra- departmental routing occurs electronically.

Information regarding the specific steps to use MinuteTraq, frequently asked questions (FAQ), and a shortcut/cheat sheet are available on the Clerk of the Board's website. You can access this information through the following process:

1. Go to www.rivcocob.org;
2. Select the "Agendas and Proceedings" tab;
3. Select the pull down option "IQM2;"
4. Select "MinuteTraq FAQ";

SPECIFIC INSTRUCTIONS FOR COMPLETION OF A FORM 11:

1. **FROM:** This should be the name of the department, agency, or office submitting the item. When additional stakeholder departments are referenced in the item, they should be included in the "Additional Departments" section on the MinuteTraq form.
2. **SUBMITTAL DATE:** The projected Board meeting date.
3. **SUBJECT:** The following steps will guide you in preparing the Subject section. The bullet is an example that will show you how each step should be displayed.
 - A. All subject sections should start with the department in all capitalized letters and a colon should be placed after the department title.
 - **EXECUTIVE OFFICE:**

- B. This summary statement should be brief; however, it should clearly state the action being proposed and end with a comma before the next step.
 - **EXECUTIVE OFFICE: 2018 Legislative Platform,**
- C. List the supervisorial district(s) in the subject line: District X or Districts X, Y, and Z. If the item applies to all districts, please indicate All Districts and end with a period.
 - **EXECUTIVE OFFICE: 2018 Legislative Platform, All Districts.**
- D. The cost in the subject line relates only to the Board's action and should mirror what is in the Financial Data box. This includes using percentage if there are multiple funding sources. Put [\$0], if the Board's action will not result in an increase of costs.
 - **EXECUTIVE OFFICE: 2018 Legislative Platform, All Districts. [\$0]**

Please note: If the item is a contract, please include the number of years within the brackets. Sole source should be stated in the subject, if applicable. Include the total or ongoing cost, and add the source of funds. If an internal funding source, include a fund number in addition to the fund name to match the chart of accounts. Source of funds can be abbreviated. For example, you can use "Local," "State," and/or "Federal" funding. This is only appropriate if spacing is an issue due to numerous funding sources or an extensive summary statement.

- E. Additional information such as companion items, setting public hearings, set for future dates, 4/5ths vote, clerk to advertise, or vote separately should be placed within parentheses.
 - **EXECUTIVE OFFICE: 2018 Legislative Platform, All Districts. [\$0] (Companion Item to MT 6105)**

Additional requirements and examples are listed below:

- Example: The County of Riverside is accepting a low bid from J Company to resurface a section of highway in lower Coachella Valley. Federal Highway Road Funding will pay for 80 percent, and 20 percent will be funded by Prop 1B.

TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION: Approval of Plans and Specifications, Acceptance of low Bid and Award of Contract to J Company for Resurfacing of Highway 123 in Lower Coachella Valley area, District 4. [\$800,000 - Federal Funds 80%, State Funds 20%]

In certain circumstances there may be a total cost and an ongoing obligation. Both amounts should be listed in the subject line identifying which amount is total and which amount is ongoing.

- Example: The County of Riverside is accepting Windmill Road into the County System and must provide immediate resurfacing work. There is an ongoing maintenance cost obligation.

TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION: Acceptance of Windmill Road into the County Road System, and Authorization for the Director of Transportation to Conduct Force Account Work for the Resurfacing of Windmill Road, District 1. [\$25,000 - Total Cost, \$2,000 ongoing - Local funds 100%]

Previously, long term agreements listed either a total amount or an annual cost amount. Both amounts should be listed in the subject line identifying which amount is total and which amount is annual. This is necessary as the annual cost for some long-term agreements may not include one-time/upfront costs, which means the total cost cannot be simply divided by the term of the agreement for the Impact to the county' on an annual basis.

Example: The County of Riverside is entering into a 10-year lease in Riverside for XYZ department. There are tenant improvements and IT costs that are going to be paid up front in the amount of \$200,000. The annual lease cost is \$1,000,000 per year. County General Fund will be paying 10 percent of the lease. The remaining 90 percent will be covered by federal Domestic Housing Grant dollars.

DEPARTMENT: Approval of Lease Agreement with Riverside Partners LLC for the Department of XYZ, Riverside, 10-year Lease, CEQA Exempt, District 1. [\$10,200,000 total - \$1,000,000 annually, 90% federal Grants, 10% County General Fund]

4. **RECOMMENDED MOTION:** The request or recommendation must be specific. It should take the form of a legislative motion, which is a statement of formal legislative action; therefore, the clarity and completeness of this section is extremely important. If the Board approves the item as recommended, the Clerk of the Board uses the recommended motion verbatim to prepare the minute order that permanently documents the Board's action. Examples of budget adjustments and motions are attached in the following exhibits:

- **Exhibit A:** Examples of Budget Motion & Adjustments;
- **Exhibit B:** Examples of Purchasing Motions;
- **Exhibit C:** Other Sample Motions;
- **Exhibit D:** Findings and Determination That an Item May be Subsequently Added to the Agenda of the Board of Supervisors

5. **BACKGROUND:** The information included in this section should be brief, detailed concise, and yet consistent with a clear explanation of the request. The following information in a Form 11 is mandatory:

- A. If the request is for approval of an agreement or contract, basic features of the document such as purpose, cost and term shall be included.
- B. Note any previous Board actions relating to the item in the background by referencing date and minute order number. This information shall also be listed after the background section, but before listing of attachments.
- C. Discuss relevance to current policy; i.e. Is it consistent with past actions, does it require an exception to Board policy, or is it a new issue before the Board?

6. FINANCIAL DATA:

Cost: Any information on this line should comprise all types of funding, including any general fund dollars, in-kind matches, and contingency funds. Please use whole numbers, separated by a comma. Do not use decimal points to indicate cents.

Net County Cost: Only general fund dollar amounts, including currently budgeted departmental funds, should be included on this line.

Current Fiscal Year: This column should include any amounts that will be expended in the first year the items terms.

Next Fiscal Year: This column should include all amounts for the following fiscal year.

Total Cost: This column should be filled out for projects or contracts that have a finite term, this total cost is the same amount that you will include in the subject line in brackets (See Subject Section for further detail). For amendments adding to an existing contract or agreement, departments should include prior minute orders and total costs, including contingency, of effort and background and additional fiscal information section.

Ongoing: This column is for any program that will require ongoing funding. Ongoing funding should be included in the subject line in brackets if there is no corresponding total cost (See Subject Section for further detail).

Policy /Consent: Please leave blank. This section will be filled out by the Executive Office.

Source of Funds: If an internal funding source, include a fund number in addition to the fund name to match the chart of accounts. If external, please be specific about the source. If there are multiple sources, please include the percentage of each source. If you do not have enough space to include all your funding sources, please insert asterisks (*) and continue listing in the Additional Fiscal information section on the second page.

Budget Adjustment: Please type in Yes or No, depending on whether an adjustment is necessary. Make sure that the fund name and fund number is verified by the chart of accounts and shall match the subject line. Chart of Accounts can be found here: <http://www.auditorcontroller.org/ReportsPublications.aspx>. Budget adjustments should be shown in Schedule A on the last page of the Form 11 after the Listed Attachments section or in a separate attachment.

Per Section 9C of Attachment 1 of Board Policy A-5: The Auditor Controller must sign off on the following:

- 1. A budget adjustment is requested (changes to estimated revenues, appropriations, and /or fund balance or net assets);*
- 2. New revised rates and fees are recommended;*
- 3. Request to establish/close funds, departments or accounts.*

For Fiscal Year: Insert the fiscal year that corresponds with the “current fiscal year” data. In most cases this is the current fiscal year; however, there are some circumstances where an item is taken to the Board of Supervisors for approval at the end of June, but will not begin until July. If the item will terminate in a future year, please list the beginning fiscal year date and the ending fiscal year date. For example, a contract that begins in FY 13/14 and concludes in FY 15/16, should be listed as 13/14 - 15/16. Please include the latest possible extension date on a contract if the extension will not be going to the Board of Supervisors for approval. Ensure that the year matches contract, agreement, resolution, etc., terms and period of performance.

The following are samples to follow based on common scenarios:

Scenario 1: The County of Riverside is entering into a contract for engineering services with ABC Engineering, the contract is for three years beginning in FY 14/15 with a possible one-year extension authorized by the department. The three- year contract is for \$300,000 and the one-year extension will be an additional \$100,000. Funding is Prop 1B Trade Corridor Improvement Fund 100%; therefore, no general funds will be spent on this contract.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 100,000	\$ 100,000	\$ 400,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Prop 1B Trade Corridor Improvement Funds			Budget Adjustment:	No
			For Fiscal Year:	14/15-16/17

Scenario 2: The County of Riverside is accepting funding for a new program for an indefinite period of time. The funding is AB 118 funds from the State of California and Inmate Welfare Funds in the amount of \$750,000 this fiscal year and each fiscal year thereafter. AB 118 funds will pay for 80 percent of the program. No general funds will be spent. A budget adjustment is required.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 750,000	\$ 0	\$ 750,000	\$ 0

NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: AB 118 State Funds 80% and Inmate Welfare Funds 20%			Budget Adjustment:	Yes
			For Fiscal Year:	13/14

Scenario 3: The County of Riverside entered into a two-year contract with a school district to provide patrol services. The original contract amount was of \$3,000,000 and is now being ratified and amended reducing the contract amount by \$700,000. As a result, expected costs for fiscal year 17/18 will reduce by \$300,000 and by \$400,000 in fiscal year 18/19.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ (300,000)	\$ (400,000)	\$ (700,000)	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: School Services Law Enforcement Revenue – 100%			Budget Adjustment:	Yes
			For Fiscal Year:	17/18-18/19

7. ADDITIONAL FISCAL INFORMATION:

This section is to include details about the amounts reported under the Financial Data. Details for partial payments, partial receivables, partial budgeted amounts, spending requirements of grants, or contracts beyond the current fiscal year could be briefly explained here.

For example: A 5-year contract would only reflect the costs of the current and next fiscal year under the Financial Data Box, therefore this section can be used to list the costs for each of the 5 years.

8. COMMENTS AND/OR CHANGES ON AGENDA ITEMS:

- A. If the County Executive Office recommendation differs from the departmental request, the County Executive Office analyst for the department will review the differences with the department head and/or his/her representative.
- B. As soon as possible, the department head will be given copies of all agenda items in which:
 - 1. The County Executive Office recommendation is different from the departmental request, and/or;
 - 2. The County Executive Office staff has added substantive written comments after consultation with the department.

9. AGENDA DEADLINES:

The Board of Supervisors Agenda schedule with deadlines for submittal to the County Executive Office can be found at: <https://www.rivcocob.org/wp-content/uploads/2018/05/2018-Board-Agenda-Schedule.pdf>

10. PRIOR APPROVALS:

Prior to submitting items to the County Executive Office, the agenda item must be complete with all attachments and routed for comment, review, approval as to form, and/or recommendation as may be appropriate by other departments. The reviewing departments' approval should appear on the workflow of the Form 11 prior to routing to the Executive Office. The following is a list of possible signatory departments and the rationale for the review and approval by same:

A. **County Counsel**

All items involving contracts, agreements, ordinances, resolutions, or any legal matter. In addition to the populated MinuteTraq signature, counsel signature shall appear on the signature page of each copy of a finalized contract, agreement, ordinance, or resolution. All contracts and agreements must have the signature of the vendor or contractor before the item is placed on the agenda for approval. An exception may be made if the other party to the agreement is a federal, state or local agency;

B. **Human Resources Director**

All items involving personnel such as positions and classifications;

C. **Auditor-Controller**

The Auditor Controller must sign off on the following:

- 1. A budget adjustment is requested (changes to estimated revenues, appropriations, and /or fund balance or net assets);*
- 2. New revised rates and fees are recommended;*
- 3. Request to establish/close funds, departments or accounts.*

D. **Capital Improvement Program Team**

All capital improvement items, leases, and real property transactions as specified in Board Policy B-22;

E. **Purchasing**

Items or services for which either Purchasing has conducted a competitive bid process or has approved the process utilized by the requesting department (includes sole source). All contracts and agreements must have the signature of the vendor or contractor before the item is placed on the agenda for approval;

F. **Information Technology**

All computer and communication systems or equipment, etc.

11. BOARD SCHEDULE:

The Board of Supervisors annual calendar shall be found at <http://www.rivcocob.org/board-calendar/>. The Board of Supervisors may choose in advance to alter the regular schedule during the summer months or when a quorum is not expected. The Board calendar should be monitored by departments when submitting time sensitive requests.

No action shall be taken by the Board on any item not appearing on the posted agenda at least 72 hours before a regular Board meeting except under the following conditions:

- A. Upon a determination by a majority vote of the Board that an emergency situation exists, as defined in Government Code Section 54956.5 as follows:
 - 1. Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.
 - 2. Crippling disaster, which severely impairs public health, safety, or both as determined by a majority of the members of the legislative body.
- B. Upon a determination by a 2/3 vote of the Board (4 votes), or if less than 2/3 of the members are present, by unanimous vote of those members present (minimum 3 votes), that there is a need to take immediate action and that a need to take action arose after the agenda had been posted by the Clerk of the Board. (Gov. Code 54954.2)
- C. The Board may hear any item that was posted on the agenda for a prior meeting of the Board occurring not more than five calendar days before, if at the prior meeting the item was continued to the meeting at which the Board acts on the item. (Gov. Code 54954.2)
- D. **EXHIBIT D - "FINDINGS & DETERMINATION THAT AN ITEM MAY BE SUBSEQUENTLY ADDED TO THE AGENDA OF THE BOARD OF SUPERVISORS"** shall be completed and shall accompany the Form 11 where practicable given the need to act quickly.

12. FORM 11 REVIEW BY THE EXECUTIVE OFFICE:

- A. **Basic Review** - It is the intent of the County Executive Office to facilitate placing routine Forms 11 on the Board's agenda provided:
 - 1. They are submitted by the appropriate deadline;
 - 2. Departmental recommendations and justifications are adequate;
 - 3. Are in compliance with Board policy;
 - 4. Include all attachments;
 - 5. And have the required approval of affected departments.
- B. **Consent Items:**
Consent items include, but are not limited to:

1. Proclamations;
2. Agreements between County departments and districts governed by the Board of Supervisors;
3. Canvass of Elections returns;
4. Requests to conduct/consolidate special elections;
5. Monthly Investment Transaction reports;
6. Quarterly Portfolio Disclosure reports;
7. Monthly Fund Statement reports;
8. Newspaper contracts for annual publication of published delinquent list;
9. Approval of public auction tax sale of tax defaulted property;
10. Reports of cash overages/shortages in county funds;
11. Appointment/reappointment of at-large members to advisory committees;
12. Approval for installation of traffic control devices, parking restrictions/prohibitions, curb loading zones, golf cart crossings, mid-block crosswalks, restriction of through trucks on local residential roads;
13. Adoption of 348 Ordinances relating to zone changes tentatively approved by the Board at a public hearing;
14. Approval of Findings of Facts for the abatement of nuisance cases approved by the Board at a public hearing.

C. Policy Items:

Items that are not characterized as consent will be placed on the policy calendar.

Certain policy issues may require more detailed analysis, including but not limited to, identification of funding source(s), collaboration with affected department heads, and/or coordination with outside agencies. These policy issues must be discussed with the Executive Office at least four weeks prior to taking it to the Board. Department Heads generally recognize which items potentially require this level of review.

In accordance with Board Policy A-29, the recommendation from the County Executive Office shall be the basis for Board action, unless otherwise indicated by the Board at the time the motion is made.

ATTACHMENT I - EXHIBIT A TO BOARD POLICY A-5

EXAMPLES OF BUDGET MOTION & ADJUSTMENTS

Motion in Form 11:

Approve and direct the Auditor-Controller to make the budget adjustments shown on Schedule A.

Notes:

Schedule A should list the budget adjustments referenced for approval in the motion and be included in the Supplemental section of MinuteTraq and not as a separate attachment. These entries should be complete and self-balancing, and should be grouped in the following order:

1. Type of Action (Examples: "Increase Estimated Revenues" or "Decrease Appropriations");
2. Fund;
3. Department Identification (Dept ID);
4. Account;
5. Account Description.

Make sure that the full accounting streams should be reflected at budget level 4 for estimated revenues and budget appropriations. For example, if a set of budget adjustments arranges a transfer between funds, all of the adjusting entries for one fund are grouped together, and all the adjusting entries for the other fund are grouped together. This enables quick and easy verification that all of the entries balance within each fund.

Next, within adjusting entries grouped by fund, like types of actions are grouped together. The four most commonly used types of actions are: increases in estimated revenue, decreases in estimated revenue, increases in appropriations, and decreases in appropriations. In addition, increases or decreases in designations or reserves of fund balance are also used. This grouping enables quick and easy verification of totals for increases and decreases in estimated revenues and appropriations, which are then in turn easily totaled to verify that the set of transactions balance. Within each of these groups, adjusting entries are grouped in ascending order by department identification (ID) number and account, for easy reference.

It is recommended that departments prepare Schedule A in a spreadsheet to better ensure the accuracy of the totals and balances. Following are examples of various configurations of adjusting budget entries. Note that in each case the net sum of all the adjusting entries within each example is zero, indicating that they balance.

EXAMPLES OF BUDGET ADJUSTMENTS

(SCHEDULE A)

Ex.) Adjusting Estimated Revenues And Appropriations:

Increase Estimated Revenues:		
XXXXX-XXXXXXXXXX-XXXXXX	Description of Revenue Account	\$75,000
Increase Appropriations:		
XXXXX-XXXXXXXXXX-XXXXXX	Description of Expense Account	75,000

Ex.) Adjusting Entries Involving Contingency:

Decrease Unassigned Fund Balance:		
XXXXX-XXXXXXXXXX-XXXXXX	Unassigned Fund Balance	\$1,000,000
Decrease Estimated Revenues:		
XXXXX-XXXXXXXXXX-XXXXXX	Description of Revenue Account	500,000
XXXXX-XXXXXXXXXX-XXXXXX	Description of Revenue Account	155,000
XXXXX-XXXXXXXXXX-XXXXXX	Description of Revenue Account	<u>45,000</u>
		700,000
Increase Appropriations:		
XXXXX-XXXXXXXXXX-XXXXXX	Description of Expense Account	100,000
XXXXX-XXXXXXXXXX-XXXXXX	Description of Expense Account	<u>200,000</u>
		300,000
Decrease Appropriations:		
10000-1109000000-581000	Appropriations for Contingency	1,000,000
Increase Unassigned Fund Balance:		
10000-1109000000-370100	Unassigned Fund Balance	1,000,000

Ex.) Adjusting Appropriations Between Funds:

Decrease Unassigned Fund Balance:		
10000-1101000000-370100	Unassigned Fund Balance	\$1,000,000
Increase Appropriations:		
10000-1101000000-551100	Contributions to Other Funds	1,000,000
Increase Estimated Revenues:		
4XXXX-XXXXXXXXXX-790600	Contribution from Other County Funds	1,000,000
Increase Unrestricted Net Assets:		
4XXXX-XXXXXXXXXX-XXXXXX	Unrestricted Net Assets	1,000,000

Ex.) Adjusting Appropriation 7:

Increase Appropriations:		
XXXXX-XXXXXXXXXX-527840	Training-Education/Tuition	\$2,125
XXXXX-XXXXXXXXXX-572200	Intra-Grant	(2,125)

ATTACHMENT I - EXHIBIT B TO BOARD POLICY A-5

EXAMPLES OF PURCHASING MOTIONS

Following are samples of standard Form 11 Subject Lines and sample motions. This is not an all-inclusive list and variations from these standard motions may be appropriate based on the specific circumstance. Text noted in red below, including parenthesis, are to be replaced with the appropriate information. As this is a “living document” changes may occur and new examples may be added. Watch for revisions numbers to ensure you are referring to the most recent version.

Notes:

Use the word “aggregate” when you want the flexibility to carry over unused funds into the next year, so that you can utilize the total spend, regardless of how much you spend each year.

We do not need a motion to indicate to “authorize the Chairman to sign the agreement” as the Chair acts on behalf of the Board of Supervisors. Because the motion seeks approval from the Board, the Chair will act on what the Board approves. If you want the Purchasing Agent to sign the agreement, then the motion will specifically need to authorize the Purchasing Agent to sign.

The Purchasing Agent does not have an automatic approval authority of 10% above a contract amount. If a department desires to have a 10% contingency or a different amount, then a motion to request this authority is required.

Agreements between grant partners, or MOUs with State agencies that do not involve a competitive process do not need Central Purchasing signoff. In the Form 11 a motion should be included to authorize the department head to administer the agreement (See Samples A and B).

Purchasing Related Sample Subject Lines and Motions

Following are samples of standard Form 11 Subject Lines and sample motions. The Form 11 subject line and motion examples have been reviewed and approved by County Counsel in an effort to establish consistency and streamline the Purchasing and County Counsel review of the Form 11. Changes you may make to the recommended text may delay approval time for your Form 11s and/or may be rejected. It is highly recommended to utilize the suggested text to streamline the review process. However, this is not an all-inclusive list for the various approvals submittals to the Board and variations from these standard motions may be appropriate. Consult with Counsel and Purchasing should you have a transaction that may not fall under an example provided below.

Brief Guides/Info:

- ❖ For motion #1, always include these eight items (The eighth item may be in a separate motion.):
 1. Activity (Approve, Ratify or Ratify and Approve)
 2. Reference to Agreement or Amendment
 3. The vendor name
 4. The service the vendor provides
 5. Cost
 6. The number of years: consecutive years, and/or options to renew
 7. The actual end date of the term
 8. Authorize the Chairman to sign
- ❖ As this is a “living document” changes may occur and new examples may be added. Watch for revisions numbers to ensure you are referring to the most recent version.
- ❖ The Purchasing Agent does not have an automatic approval authority of 10% above a contract amount. If a department desires to have a 10% contingency or a different amount, then a motion must specifically request this authority. This is also true for an additional amount that is not based on a percentage.
- ❖ Agreements between grant partners, or MOUs with State agencies do not involve a competitive process and therefore do not need Central Purchasing signoff. In the Form 11 a motion should be included to authorize the department head to administer the agreement (See Samples A and B at the very end of the document).
- ❖ All agreements must be reviewed/approved by County Counsel.

Scenarios:

- ❖ **Approve and Execute Standard Agreement – Page No. 2-4**
- ❖ **Without Seeking Competition Agreements – Page No. 4-6**
- ❖ **Award to Other Than Low Bid Agreements – Page No. 6-7**
- ❖ **Agreements That Include Financing – Page No. 8**
- ❖ **Contract Amendments – Page No. 8-9**
- ❖ **Second Motions – Page No. 10-11**

Approve and Execute Standard Agreements

Subject Line Text Sample

Approve the (Insert Name of Agreement) Agreement with (Insert Vendor) for (Insert Service or Commodity) for (Insert the number of years) [Insert District Numbers or "All Districts"], [Total Cost \$xxx,xxx] ___% Source of Funds

Name of Agreement: Do not use the generic "Agreement." Use "Professional Services Agreement" if you are using the standard Professional Services Agreement (PSA) template. If not, use the proper name of the agreement found on the title of the agreement. There are exceptions to this as departments may be required to utilize a state or federal standard format for amendments and must reference their name (and contract number if applicable) accordingly in the subject line and motion.

Optional text to add to subject line if requesting 10% (or another amount) of additional authority to spend: This is generally used for contingency if something needs to be added to the project, but is within scope. The language "up to \$XX in additional compensation" should be included after the total cost amount before the % for source of funds. The percentage is generally 5% or 10%, but departments should use reason to tailor the amount to the specific project. This is also the guide for a specific amount not related to a percentage. The department will need to justify the amount in the body of the Form 11. Specific language in the second motion is required if requesting potential additional spend. Please refer to the Second Motions section for examples.

Ratify: You are required to add in "Ratify" if the start date of the agreement has already passed. This means the vendor has already engaged in providing the services to the department. Including this example does not encourage this practice. See example.

Examples:

Standard:

Approve the Professional Services Agreement with ABC Vendor for consulting services for five years; All Districts [Total cost \$500,000] 100% State Funding

Request for potential additional spend (10% or a specific amount of \$50,000):

Approve the Professional Services Agreement with ABC Vendor for interpretation services for five years; All Districts [Total cost \$500,000; up to \$50,000 in additional compensation] 100% State Funding

Option to renew:

Approve the Professional Services Agreement with ABC Vendor for security services for one year in the annual amount of \$100,000 with the option to renew for four additional one year periods; All Districts [Total cost \$500,000] 100% State Funding

Ratify– insert "Ratify":

Ratify and Approve the Professional Services Agreement with ABC Vendor for consulting services for five years; All Districts [Total cost \$500,000; up to \$50,000 in additional compensation] 100% State Funding

Motion Text Sample

Requirements: Generally, the first motion must always include: name of vendor, service provided, cost, number of years, and end date of term. If not the first motion, this language must be in a motion for Purchasing related actions.

Note: Motions are where departments receive the authority from the Board of Supervisors with regard to the item before the Board. Simply including a request in the background or fiscal box does not render the request valid.

1. Approve the (Insert Name of Agreement) with (Insert Vendor) for (Insert Service or Commodity) for \$xxx,xxx (list the amount, or indicate annually, aggregate, or not to exceed) for (Insert the number of years, or option to renew XX years, if applicable) years; and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Name of Agreement: Do not use the generic "Agreement." Use "Professional Services Agreement" if you are using the standard PSA template. If not, use the proper name of the agreement found on the title of the agreement. There are exceptions to this as departments may be required to utilize a state or federal standard format for amendments and must reference their name accordingly in the subject line and motion.

Annual: This refers to a multi-year agreement. Use this term if there is a specific annual amount each year of the contract such as \$100,000 for a total of \$500,000 agreement. This means you cannot spend more than \$100,000 each year.

Aggregate: Using "aggregate" (see example below) means that you may spend different amounts each year of a multi-year contract. This gives you flexibility when working on a project that may have ebb and flows in timing, and/or if you pay by completion of milestones. Budget authority is required, so you will need to have some idea each year when you develop your budget of what you are going to spend in that fiscal year.

Not to exceed: This term can be used in both scenarios above. If this term is included in the compensation language in the agreement, then you should use it in the motion.

Option to renew: This language is included in the motion and the subject line when you are entering into an agreement with a vendor for a specific time and may want to extend the term, but you do not want to commit right now. Be specific about the maximum end date (Month and Day) and the total cost, so it is clear and understood what the total potential cost and the exact potential end date as date of execution is not always fiscal year beginning. You will need to include a second motion for the purchasing agent to sign the renewal agreements. See that section for examples. Also, the "option to renew" language must be in the agreement and must match what is provided in the motion. Conversely, if no "option to renew" is included in an agreement, then the motion to approve the agreement shall not include "option to renew" language.

Ratify: You are required to add in "Ratify" if the start date of the agreement has already passed. This means the vendor has already engaged in providing the services to the department. Including this example does not encourage this practice. See example.

Examples:

Standard:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services for an annual amount of \$100,000 for a total of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Aggregate:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services for a total aggregate amount of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Option to renew (With current year as 2019 and four additional years ends in 2023):

1. Approve the Professional Services Agreement with ABC Vendor for consulting services for an amount of \$100,000 for one year with the option to renew for four additional one-year periods for a total of \$500,000 through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Ratify – insert “Ratify” (Using an example with aggregate language and an end date of November 30, 2023):

1. Ratify and approve the Professional Services Agreement with ABC Vendor for consulting services for a total aggregate amount of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Note: Terms (period of performance and compensation) in the subject and motion must match the terms listed in the actual agreement. Be sure to select the appropriate motion option as terms in the agreement and motions must not conflict.

Without Seeking Competition Agreements (Sole and Single Source)

Note: There are specific and appropriate circumstances where the county enters into an agreement without seeking competitive bids. If you have any questions as to when this can occur, please reach out to the Purchasing Department. Awards without seeking competitive bids must provide sufficient details in the Form 11 background section to support and explain the sole source or single source award. This justification should match the justification in the SSJ Form approved by the Purchasing Agent.

Subject Line Text Sample

Approve the (Insert Name of) Agreement with (Insert Vendor) for (Insert Service or Commodity) without seeking competitive bids for (Insert the number of years) [Insert District Numbers or “All Districts”], [Total Cost ____];[\$____annually or ongoing]; ____% Source of Funds

Name of Agreement: Do not use the generic “Agreement.” Use “Professional Services Agreement” if you are using the standard PSA template. If not, use the proper name of the agreement found on the title of the agreement. There are exceptions to this as departments may be required to utilize a state or federal standard format for amendments and must reference their name accordingly in the subject line and motion.

Optional text to add to subject line if requesting 10% (or another amount) of additional authority to spend: This is generally used for contingency if something needs to be added to project, but is within scope. The language “up to \$XX in additional compensation” should be included after the total cost amount before the % for source of funds. The percentage is generally 5% or 10%, but departments should use reason to tailor the amount to the specific project. This is also the guide for a specific amount not related to a percentage. The department will need to justify the amount in the body of the Form 11. Specific language in the second motion is required if requesting potential additional spend. Please refer to the Second Motions section for examples.

Ratify: You are required to add in “Ratify” if the start date of the agreement has already passed. This means the vendor has already engaged in providing the services to the department. Including this example does not encourage this practice. See example.

Examples:

Standard:

Approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for five years; All Districts [Total cost \$500,000] 100% State Funding

Request for potential additional spend (10% or a specific amount):

Approve the Professional Services Agreement with ABC Vendor for interpretation services without seeking competitive bids for five years; All Districts [Total cost \$500,000; up to \$50,000 in additional compensation] 100% State Funding

Option to renew:

Approve the Professional Services Agreement with ABC Vendor for security services without seeking competitive bids for one year in the annual amount of \$100,000 with the option to renew for four additional one year periods; All Districts [Total cost \$500,000] 100% State Funding

Ratify – insert “Ratify”:

Ratify and Approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for five year; All Districts [Total cost \$500,000] 100% State Funding

Motion Text Sample

1. Approve the (Insert Name of) Agreement with (Insert Vendor) for (Insert Service or Commodity) without seeking competitive bids for \$xxx,xxx (list the amount, or indicate annually, or not to exceed) for (Insert the number of years, and option to renew for XX years, if applicable) years; and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Examples:

Standard:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for an annual amount of \$100,000 for a total of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Aggregate:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for a total aggregate amount of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Option to renew (With current year as 2019 and four additional years ends in 2023):

1. Approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for an amount of \$100,000 for one year with the option to renew for four additional one-year periods for a total of \$500,000 through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Ratify – insert “Ratify” (Using an example with aggregate language and an end date of November 30, 2023):

1. Ratify and approve the Professional Services Agreement with ABC Vendor for consulting services without seeking competitive bids for a total aggregate amount of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Note: Terms (period of performance and compensation) in the subject and motion must match the terms listed in the actual agreement. Be sure to select the appropriate motion option as terms in the agreement and motions must not conflict.

Award To Other Than Low Bid Agreements

Note: There are specific and appropriate circumstances where the county enters into an agreement with other than the lowest bidder. If you have any questions as to when this can occur, please reach out to the Purchasing Department. Awards to other than the low bidder must provide sufficient details in the Form 11 background section to support and explain award to other than the low bidder. For example, how did the low bidder fail to meet the RFP/Q requirements as compared to the awarded vendor?

Sample Subject Line Text

Approve the (Insert Name of) Agreement with (Insert Vendor) for (Insert Service or Commodity) from other than low bidder for (Insert the number of years) [Insert District Numbers or “All Districts”] [Total Cost \$ ____];[\$ ____ annually or ongoing]; ____% Source of Funds

Name of Agreement: Do not use the generic “Agreement.” Use “Professional Services Agreement” if you are using the standard PSA template. If not, use the proper name of the agreement found on the title of the agreement. There are exceptions to this as departments may be required to utilize a state or federal standard format for amendments and must reference their name accordingly in the subject line and motion.

Optional text to add to subject line if requesting 10% (or another amount) of additional authority to spend: This is generally used for contingency if something needs to be added to project, but is within scope. The language “up to \$XX in additional compensation” should be included after the total cost amount before the % for source of funds. The percentage is generally 5% or 10%, but departments should use reason to tailor the amount to the specific project. The department can also choose a specific amount that is not a percentage. Either way, the department will need to justify the amount in the body of Form 11. Specific language in the second motion is required if requesting potential additional spend. Please refer to the Second Motions section for examples

Ratify: You are required to add in “Ratify” if the start date of the agreement has already passed. This means the vendor has already engaged in providing the services to the department. Including this example does not encourage this practice. See example.

Examples:

Standard:

Approve the Professional Services Agreement with ABC Vendor for consulting services from other than low bidder for five years; All Districts [Total cost \$500,000] 100% State Funding

Request for potential additional spend (10% or a specific amount):

Approve the Professional Services Agreement with ABC Vendor for interpretation services from other than low bidder for five years; All Districts [Total cost \$500,000; up to \$50,000 in additional compensation] 100% State Funding

Request for potential additional spend (\$30,000):

Approve the Professional Services Agreement with ABC Vendor for interpretation services from other than low bidder for five years; All Districts [Total cost \$500,000; up to \$30,000 in additional compensation] 100% State Funding

Option to renew:

Approve the Professional Services Agreement with ABC Vendor for security services from other than low bidder for one year with the option to renew for four additional one year periods; All Districts [Total cost \$500,000] 100% State Funding

Motion Text Sample

1. Approve the (Insert Name of) Agreement with (Insert Vendor) for (Insert Service or Commodity) from other than low bidder for \$xxx,xxx (list the amount, or indicate annually, or not to exceed) for (Insert the number of years, and option to renew for XX years, if applicable); and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Examples:

Standard:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services from other than low bidder for an annual amount of \$100,000 for a total of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Aggregate:

1. Approve the Professional Services Agreement with ABC Vendor for consulting services from other than low bidder for a total aggregate amount of \$500,000 for five years through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Option to renew (With current year as 2019 and four additional years ends in 2023):

1. Approve the Professional Services Agreement with ABC Vendor for consulting services from other than low bidder for an annual amount of \$100,000 for one year with the option to renew for four additional one-year periods for a total of \$500,000 through November 30, 2023, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

Note: Terms (period of performance and compensation) in the subject and motion must match the terms listed in the actual agreement. Be sure to select the appropriate motion option as terms in the agreement and motions must not conflict.

Agreements That Include Financing

Sample Subject Line

Approval of the Master Lease/Purchase Agreement with _____ (insert Bank Name) for _____ (insert Service or Commodity), [Insert District Numbers or "All Districts"], [Total Cost \$_____];[\$_____annually]; _____% Source of Funds

Motion Text Sample:

Requirement for a Resolution: Some financing authorities (banks) may require a resolution by the Board of Supervisors, others are fine with the minute order. This should be communicated to you by the financing authority in advance. If a resolution is required, the subject line will then need to include language for adoption of a resolution. See Board Policy A-5 for examples.

Examples:

Standard:

1. Approve the Master Equipment Lease/Purchase Agreement No. _____ with _____(insert Bank Name) for _____ (Insert Service or Commodity); for the amount of \$_____, and authorize the Chairman of the Board to sign the Agreement on behalf of the County

If a financing authority requires a Resolution by the Board of Supervisors, also include the following as the second motion:

2. Adopt Resolution No. _____(insert number) to authorize the execution and delivery of a Master Equipment Lease/Purchase Agreement dated _____ and separate lease schedules.

Contract Amendments

Sample Subject Line

Approval of Amendment No. X to the (Insert name of Agreement) Agreement with (Insert vendor name) for (Insert Services or Commodity) (Insert District Numbers), [Total (Amendment) Cost \$xxx,xxx], _____% Source of Funds

Name of Agreement: Do not use the generic "Agreement." Use "Professional Services Agreement" if you are using the standard PSA template. If not, use the proper name of the agreement found on the title of the agreement. Reference amendments as Amendment No. 1, or 2, etc., when utilizing the standard amendment template. Do not note as First Amendment or Second Amendment as this name will not match the actual amendment document. There are exceptions to this as departments may be required to utilize a state or federal standard format for amendments and must reference their name accordingly in the subject line and motion.

Aggregate: Using "aggregate" (see example below) means that you will spend different amounts each year of a multi-year contract. This gives you flexibility when working on a project that may have ebb and flows in timing, and/or if you pay by completion of milestones. Budget authority is required, so you will need to have some idea each year when you develop your budget of what you are going to spend in that fiscal year.

Ratify: You are required to add in “Ratify” if the start date of the agreement has already passed. This means the vendor has already engaged in providing the services to the department. Including this example does not encourage this practice. See example.

Example:

Approval of Amendment No 1 to the Professional Services Agreement with ABC Vendor for consulting services; All Districts [Total Cost \$100,000] 100% State Funded

Motion Text Sample

Requirements: *Generally, the first motion must always include: name of vendor, service provided, cost, number of years, and end date of term. If not the first motion, this language must be in a motion for Purchasing related actions.*

Note: *Motions are where departments receive the authority from the Board of Supervisors with regard to the item before the Board. Simply including a request in the background or fiscal box does not render the request valid.*

Examples:

Standard – Increase in amount only:

1. Approve Amendment No. 1 to the Professional Services Agreement with ABC Vendor for Consulting Services to increase the annual contract amount by \$100,000 from \$150,000 to \$250,000 and authorize the Chairman of the Board to sign the Amendment on behalf of the County.

Aggregate – Increase in amount only; however, please still reference the original termination date:

1. Approve Amendment No. 1 to the Professional Services Agreement with ABC Vendor for Consulting Services to increase the total contract aggregate amount by \$100,000 from \$150,000 to \$250,000 through the current termination date of November 23, 2020, and authorize the Chairman of the Board to sign the Amendment on behalf of the County.

Standard – Increase in Period of Performance Only; however, please still include the original total contract amount. (Example for one additional year):

1. Approve Amendment No. 1 to the Professional Services Agreement with ABC Vendor for Consulting Services to extend the contract period for an additional one-year through November 23, 2020 with no change in the original contract amount of \$100,000, and authorize the Chairman of the Board to sign the Amendment on behalf of the County.

Increase in amount only, but by fiscal year:

1. Approve Amendment No. 1 to the Professional Services Agreement with ABC Vendor for Consulting Services to increase the Agreement as follows:
For FY18/19 increase the annual contract amount by \$25,000 from \$100,000 to \$125,000;
For FY19/20 increase the annual contract amount by \$50,000 from \$100,000 to \$150,000; and
2. Authorize the Chairman of the Board to sign the Amendment on behalf of the County.

Standard – Increase in amount and period of performance:

1. Approve Amendment No. 1 to the Professional Services Agreement with ABC Vendor for consulting services to increase the annual Agreement amount by \$25,000 from \$100,000 to \$125,000, extend the contract term for one additional year through June 30, 2020, and authorize the Chairman of the Board to sign the Amendment on behalf of the County.

Purchase Order Approval Request

The issuance of a Purchase Order (PO) occurs when a commodity is being purchased without the need for a contract. This is for limited circumstances and you should consult a county purchasing professional for guidance. If the Form 11 does not contain any other motions that require legal review, the Form 11 does not need to be routed to County Counsel as no agreement is involved. However, if there is an associated agreement required, such as for maintenance, then County Counsel will need to approve the agreement as to form and in Minute Traq.

Sample Subject Line

Authorize the Purchasing Agent to issue a Purchase Order to ABC Vendor for the purchase of a Power Angle Tilt Blade Bulldozer X1B for FY19/20 in the amount of \$100,000, All Districts [Total Cost \$100,000]
100% State Funded

Standard – Increase in amount and period of performance:

1. Authorize the Purchasing Agent to issue a Purchase Order to ABC Vendor for the Purchase of a Power Angle Tilt Blade Bulldozer X1B for FY 19/20 in the amount of \$100,000.

Second Motions

Following are samples of Motion No. 2's that are generally used to accompany the first motions in Form 11's. (All motions may end up being numbered differently, depending on how many other motions are involved in more complex Form 11s.) The first example is the most often utilized, however there may be situations related to multiple vendors, projects, etc., that require use of one of the variations provided below.

Examples:

Standard – Approving and Executing and Agreement:

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement.

Allocation of funds among multiple vendors:

Move Funds Example:

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: (a) sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement and move the allocated funds among the vendors.

Percentage Example (10%):

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: (a) sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; (b) move the allocated funds among the vendors; and (c) sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) of the total annual cost

of the contracts.

Specific Amount Example (\$50,000):

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: (a) sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; (b) move the allocated funds among the vendors; and (c) sign amendments to the compensation provisions that do not exceed the sum total of \$50,000 of the total annual cost of the contracts.

Second Motion for contract amendment with optional text to add if requesting 10% (or another amount) of additional authority to spend:

Percentage Example (10%):

2. Authorize Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; and sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) of the total annual cost of the contract.

Specific Amount Example (\$50,000):

2. Authorize Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; and sign amendments to the compensation provisions that do not exceed the sum total of \$50,000 of the total annual cost of the contract.

Second Motion for an agreement with "Not to Exceed" and optional text to add if requesting 10% (or another amount) of additional authority to spend:

Percentage Example (10%):

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; and sign amendments to the compensation provisions that do not exceed the sum total of ten percent (10%) annually.

Specific Amount Example (\$50,000):

2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to: sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; and sign amendments to the compensation provisions that do not exceed the sum total of \$50,000 annually.

Note: Samples A and B represent agreements between grant partners, or MOUs with State agencies that do not involve a competitive process and therefore do not need Central Purchasing signoff. In the Form 11 a motion should be included to authorize the department head to administer the agreement. All agreements must be reviewed/approved by County Counsel.

Sample A

449



**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Emergency Management Department

SUBMITTAL DATE:
January 5, 2016

SUBJECT: FY15 Emergency Management Performance Grant (EMPG) with dollar for dollar match. All Districts [\$251,640] Federal Funding 70.54%, General Fund 29.46%

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Ratify the FY15 Emergency Management Performance Grant (EMPG) funding in the amount of \$602,557 from the California Governor's Office of Emergency Services (CalOES), awarded to the Riverside County Operational Area (OA) with the Riverside County Emergency Management Department (EMD) as the lead agency, for the performance period from July 1, 2015 to June 30, 2016; and,
- 2) Authorize the Riverside County EMD Director, or her designee, to administer all actions necessary and sign all documents related to the administration of this grant; and,
- 3) Direct the Auditor-Controller to make the budget adjustment per the attached Schedule A.

BACKGROUND:

Summary

(Continued on page 2)

Kim Saruwatari

Kim Saruwatari, Director
Emergency Management
Department

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 251,640	\$ 0	\$ 251,640	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 101,963	\$ 0	\$ 101,963	\$ 0	
SOURCE OF FUNDS: Federal Funding 70.54%, General Fund 29.46%				Budget Adjustment: Yes	
				For Fiscal Year: 15/16	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Steven C. Horn
Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
DATE 1/12/16
BY: GREGORY P. PRIAMOS

FISCAL PROCEDURES APPROVED
PAUL ANGLIO, CPA, AUDITOR-CONTROLLER
DATE 1/13/16
BY: Susana Garcia-Bocanegra

Departmental Concurrence

Sample B

109



**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FORM APPROVED COUNTY COUNSEL
DATE 8/14/15
BY: GREGORY P. PRAMOS

FROM: Department of Public Health

SUBMITTAL DATE:
August 5, 2015

SUBJECT: Ratify Agreement Number 15-10442 between the California Department of Public Health (CDPH) and the County of Riverside Department of Public Health, Immunization Branch to provide mandated immunization activities for the period of July 1, 2015 to June 30, 2017. All Districts [\$965,604 - 100 % Federal Funding]

- RECOMMENDED MOTION:** That the Board of Supervisors:
1. Ratify Agreement Number 15-10442 between the California Department of Public Health (CDPH) and the County of Riverside, Department of Public Health, Immunization Branch in the amount of \$965,604 (\$482,802 per year) for the period of July 1, 2015 to June 30, 2017; and
 2. Authorize the Auditor Controller to adjust the FY15/16 budget as detailed in Schedule A; and
 3. Authorize the Chairperson to sign three (3) originals of said Agreement and two (2) copies of the Certification Regarding Lobbying on behalf of the County; and
 4. Authorize the Director of Public Health to sign subsequent amendments that do not change the substantive terms of the agreement nor exceed the approved amount of \$965,604.

BACKGROUND:
Summary (continued on page 2)

Susan D. Harrington
Susan D. Harrington, Director
Department of Public Health

FISCAL PROCEDURES APPROVED
PAUL ANGUILO, CPA - AUDITOR-CONTROLLER
BY: Susana Garcia-Bocanegra 8/12/15
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 482,802	\$ 482,802	\$ 965,604	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 00.00	\$ 00.00	\$ 00.00	\$ 0	
SOURCE OF FUNDS: 100% Federal Funding				Budget Adjustment: Yes	
				For Fiscal Year: 15/16-16/17	

C.E.O. RECOMMENDATION:

APPROVE
BY: *Christopher M. Hans*
Christopher M. Hans

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

ATTACHMENT I - EXHIBIT C TO BOARD POLICY A-5

OTHER SAMPLE MOTIONS

For approval and execution of a contract:

Approve the attached lease with XYZ Corporation for office space for the Community Health Agency in the City of Riverside and authorize the Chairman of the Board to sign the agreement.

For adoption of an ordinance not requiring a public hearing:

Introduce, adopt on successive weeks, and waive further reading of Ordinance No. _____.

For adoption of a resolution

Adopt Resolution No. _____ which finds that the _____.

ATTACHMENT I - EXHIBIT D TO BOARD POLICY A-5

FINDINGS AND DETERMINATION THAT AN ITEM MAY BE SUBSEQUENTLY ADDED TO THE AGENDA OF THE BOARD OF SUPERVISORS



MEETING DATE:

The BOARD OF SUPERVISORS of Riverside County hereby finds:

- That there is a need to place an item on the agenda for action by the Board of Supervisors.
 - An emergency situation exists as defined in Government Code Section 54956.5 in that:
 - (a) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.
 - (b) Crippling disaster which severely impairs public health, safety or both as determined by a majority of the members of the legislative body.
 - The item on which the action is to be taken came to the attention of the County subsequent to the agenda being posted and there is need to take immediate action on the item.
 - The item was continued for no more than five calendar days from a prior meeting for which the item was posted.

JUSTIFICATION:

ATTACHMENT II TO BOARD POLICY A-5

VOTING REQUIREMENTS FOR THE BOARD OF SUPERVISORS

SUBJECT	REQUIRED VOTE	CODE SECTION	DESCRIPTION
Agenda	Unanim.	Gov. Code § 54954.2, subd. (b)(2)	Take action on an item not appearing on the posted agenda. (Less than two-thirds of the Board of Supervisors ["Board"] present.) Where there are at least two-thirds of the Board members present, then only a two-thirds vote is required.
Airports	4/5	Gov. Code § 26021	Adopt a resolution that determines and extends aid for the acquisition by purchase, condemnation, lease or otherwise of real or personal property for the construction and completion of improvements necessary and convenient for: (a) the maintenance of airports owned and operated by cities; (b) the flying and landing of aircraft; and/or (c) the maintenance of hangars, mooring masts, flying fields, and places for flying, etc., together with signal lights, radio equipment, service shops, conveniences, appliances, works, structures, and other aircraft facilities now known or hereafter invented.
Airports	4/5	Gov. Code § 26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bridges	4/5	Pub. Contract Code § 20405	Bridge construction contracts, modification of contract or plans.
Budget	4/5	Gov. Code § 29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.
Budget	4/5	Gov. Code § 29130	Make available for appropriation any of the following: (a) Restricted, committed, assigned, and unassigned fund balances, excluding reserves and non-spendable fund balance. (b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Cemetery District	4/5	Health & Safety Code § 8963.6, 8963.8	Conveyance of cemetery by cemetery district to cemetery authority, resolution intention to concur and resolution concurring in conveyance.

SUBJECT	REQUIRED VOTE	CODE SECTION	DESCRIPTION
Collections	4/5	Gov. Code § 26220	Delinquent Accounts assignment to a collection agency.
Condemnation/Eminent Domain	4/5 *	Code of Civ. Proc. § 1245.240 (2/3 Statute)	Adopt a resolution of necessity prior to commencing an eminent domain proceeding (unless a greater vote is required by statute, charter or ordinance).
Contracts	4/5	Pub. Contract Code § 20137	Contracts, changes or alterations which increase costs over the maximum allowed without advertising but are less than 10% of the original contracts.
Contracts	4/5 *	Pub. Contract Code § 20135 (2/3 Statute)	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or other public structure, where such alteration or change increases cost.
Counsel	4/5 *	Gov. Code § 25203 (2/3 Statute)	Employ counsel to assist the district attorney, county counsel, or other counsel for the county or any public entity for which the Board is the governing body.
County Service Areas	4/5	Gov. Code § 25214.4, subd. (b)	Extends the repayment of a loan over a period not to exceed three years from the end of the fiscal year in which the loan was made.
County Service Areas	4/5	Gov. Code § 25214.4, subd. (c)	Waive in whole or in part the repayment of a loan to a county service area if the Board finds that the repayment may result in an economic or fiscal hardship to the property owners or residents of the county service area.
County Service Areas	4/5	Gov. Code § 25214.5, subd. (b)	Waive in whole or in part the reimbursement of the revolving fund if the Board finds that the reimbursement may result in an economic or fiscal hardship to the property owners or residents of the county service area.
Financial Affairs	4/5	Gov. Code § 53792	Incur all necessary expenses, expend public funds, and expend, use or permit the use of public property or personnel to meet a national or local emergency created by war, military, naval or sabotage or to provide for adequate national or local defense.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Forestry	4/5	Gov. Code § 25638	Adopt a resolution or ordinance repealing board of forestry.

SUBJECT	REQUIRED VOTE	CODE SECTION	DESCRIPTION
Hospital District	4/5	Gov. Code § 25369	Grant any money accumulated in a capital outlay fund to a local hospital district.
Planning	4/5	Gov. Code § 65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a four-fifths vote for adoption.
Planning	4/5	Pub. Util. Code § 21676	Adopt or amend a general plan element, zoning ordinance, building regulation or airport master plan that has been found by the Airport Land Use Commission to be inconsistent with the adopted Airport Land Use Plan.
Property	Unanim.	Gov. Code § 25363	Determine that certain property does not exceed in value the sum of \$500, or the monthly rental value is less than \$75, or that it is the product of the county farm.
Property	Unanim.	Gov. Code § 25368	Conveyance of real property to Hospital District.
Property	4/5	Gov. Code § 25368	Grant of capital outlay fund to Hospital District.
Property	Unanim.	Gov. Code § 25550	Convey, without consideration (other than the agreement of the city to establish and maintain a public park on the property), county-owned real property (located in any city) that is not used and not needed for any public purpose to a city for public park purposes.
Property	Unanim.	Gov. Code § 25550.5	Convey, without consideration (other than the agreement of the city to maintain such area as a public park, amusement or recreational area for the benefit and use of all residents of the county), county-owned real property (located in any city) that has been improved for use as a public park, amusement or recreational purposes to a city for these purposes upon the finding that the park, amusement or recreational area is local in character.
Property	Unanim.	Gov. Code § 25550.5	Convey, without consideration (other than the agreement of the city to maintain such personal property for use on that park, amusement or recreational facility), the personal property that was located on the park, amusement or recreation area at the time of transfer for the continued use on that park, amusement or recreational area.
Property	4/5	Gov. Code § 25553	County aid to cities for park purposes
Property	4/5	Gov. Code § 25560.4	Dedication of unused parklands

SUBJECT	REQUIRED VOTE	CODE SECTION	DESCRIPTION
Property	4/5	Gov. Code § 25363	Order sale or lease at public auction of county property not required for public use at a place other than the courthouse door.
Property	4/5	Gov. Code § 25365	Transfer of county-owned property to a public entity or exchange of county-owned real property with public or private party.
Property	4/5	Gov. Code § 25515.2, subd. (c)	Approve any sale, lease, lease with option to purchase, development, or contract agreement after a request for proposals.
Property	4/5	Gov. Code § 25600	Designate certain property as wild flower reserves.
Property	4/5	Gov. Code § 50332	Donate and convey for fairground or exposition, park, playground, or recreational purposes, to the State or to the district agricultural association of the agricultural district in which the local agency is situated, any land and buildings owned, held, or used by it.
Property	4/5 *	Gov. Code § 25526 (2/3 Statute)	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code § 25536	Lease of county-owned property devoted to or held for airport, vehicle parking, fairgrounds, park, amusement, recreation.
Property	Unanim.	Gov. Code § 25583	County-owned real property restricted by dedication or deed to park purposes, resolution of intention to abandon all or part of.
Public Health	4/5	Gov. Code § 25123 Election Code § 9141(a)(4)	Urgency ordinance for preservation of public peace, health or safety to become effective immediately.
Records Destruction	4/5	Gov. Code § 26202	Determine that the retention of any record, paper or document which is more than two years old, was prepared or received pursuant to state statute or county charter and which is not expressly required by law to be filed and preserved, is no longer necessary or required for county purposes.
Records Destruction	4/5	Gov. Code § 26202.5	Authorize the destruction of any record, paper, or document if the documents have been inadvertently exposed to asbestos fiber under certain circumstances.
Special Districts	Unanim.	Gov. Code § 26909 (b) & (c)	Replacement of annual audit for special districts.
Streets and Highways	4/5	Sts. & Hy. Code § 942	Road equipment, leasing of.

SUBJECT	REQUIRED VOTE	CODE SECTION	DESCRIPTION
Streets and Highways	4/5	Sts. & Hy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately owned road.
Streets and Highways	4/5	Sts. & Hy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highways	4/5	Sts. & Hy. Code § 1627	Adopt a resolution that establishes a "county highway right of way acquisition revolving fund" for acquiring rights of way for county highway purposes through purchase or condemnation.
Streets and Highways	4/5	Sts. & Hy. Code § 1680	Cooperation with cities in road work.
Streets and Highways	4/5	Sts. & Hy. Code § 1700	Adopt a resolution that declares any highway lying in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Streets and Highways	4/5	Sts. & Hy. Code § 2808	Adopt a resolution of necessity for construction of sewer and storm drain as exception to special assessment District proceedings

*** PLEASE NOTE: WHEN THE STATUTE REQUIRES A 2/3 VOTE. ONLY A 4/5 VOTE SATISFIES THIS REQUIREMENT WITH A FIVE-MEMBER BOARD.**