




Agenda Date: January 17, 2019  
Agenda Placement: Admin.  
Estimated Time: N/A  
Continued Item: No

## **Board Agenda Item**

TO: Air Pollution Control District Board

FROM: Aeron Arlin Genet, Air Pollution Control Officer 

CONTACT: Kristina Aguilar, Administrative Manager 805-961-8813

SUBJECT: Resolution for Delegating Authority to the Air Pollution Control Officer to Sign Certain Specified Legal Contracts

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### **RECOMMENDATION:**

Adopt the attached resolution delegating authority to the Air Pollution Control Officer to amend, enter into, and renew certain specified legal contracts, not to exceed \$3,500 each.

### **DISCUSSION:**

In the ordinary course of business, the District occasionally requires the need to enter into legal contracts with other entities for equipment, materials, supplies, and services (but not construction). There are multiple scenarios where certain specified legal contracts may be required to effectively conduct business. For example, one of the goals of our agency is to provide the public with information when an air quality issue arises. We do this in many ways, but one of the most effective is by holding public workshops. To help obtain the highest turnout possible, workshops are held in various locations throughout the county, often at no cost, however some venues require a signed event contract for the reservation. Alternately, a contractor conducting a staff training regarding a particular topic may require a signed legal contract.

Since your Board meets only seven times per year, staff is requesting that the Air Pollution Control Officer (Control Officer) be delegated the authority to amend, enter into, and renew certain specified legal contracts under \$3,500 each in order to ensure timely business needs can be met. This authority is only delegated within the parameters outlined in the attached resolution, namely the Board must have authorized an overall budget for certain specified legal contracts, the total dollar amount of all specified legal contracts entered into shall be within the

budget authorized by the Board, and the Control Officer shall provide an annual report to the Board on the contracts entered into under this delegated authority.

The types of specified legal contracts includes, but is not limited to:

- Meeting room rental and logistics;
- District staff training;
- Recruitment testing materials;
- Temporary employment agencies; and
- Equipment maintenance.

**FISCAL IMPACT:**

The Control Officer will carefully review all available options along with staff input, as well as legal counsel as needed, to ensure the best possible legal contracts are secured. Based on the Board approval of the Fiscal Year 2018-19 Budget, the total budgeted cost of the District's contribution toward these types of expenditures for FY2018-19 year will not exceed the following amounts:

- \$65,000 for Professional and Special Services; and
- \$12,500 for Special Department Expenses.

In future years, legal contracts entered into under this delegation will not exceed the total budgeted cost of the District's contribution toward these types of expenditures.

**ATTACHMENT:**

- A. Resolution – Delegating Authority to the Air Pollution Control Officer to Sign Certain Specified Legal Contracts

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT**

IN THE MATTER OF DELEGATING  
AUTHORITY TO THE AIR POLLUTION  
CONTROL OFFICER TO AMEND, ENTER  
INTO, AND RENEW CERTAIN  
SPECIFIED LEGAL CONTRACTS

APCD RESOLUTION NO. \_\_\_\_\_

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**RECITALS**

**WHEREAS**, the intent is to ensure legal contracts can be secured and District business is conducted in a timely manner; and

**WHEREAS**, the Board wishes to retain authority over legal contract fiscal allocations; and

**WHEREAS**, the Board wishes to delegate authority to the Control Officer to amend, enter into, and renew certain specified legal contracts within specified parameters.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, as follows:

1. That the Board hereby delegates authority to the Control Officer to amend, enter into, and renew legal contracts for equipment, materials, supplies, and services (but not construction) including, but not limited to, the following list of activities:
  - a. Meeting room rental and logistics;
  - b. District staff training;
  - c. Recruitment testing materials;
  - d. Temporary employment agencies; and
  - e. Equipment maintenance.
2. The fiscal parameters for legal contracts to be amended, entered into and renewed by the Control Officer shall not to exceed \$3,500 each.

APCD RESOLUTION IN THE MATTER OF DELEGATING AUTHORITY  
TO THE AIR POLLUTION CONTROL OFFICER TO AMEND, ENTER  
INTO, AND RENEW CERTAIN SPECIFIED LEGAL CONTRACTS

3. The total dollar amount of all legal contracts entered into each fiscal year shall be within the budget authorized by the Board.
4. The Control Officer shall provide an annual report to the Board on the contracts entered into under this delegated authority.

**PASSED, APPROVED AND ADOPTED** by the Air Pollution Control District Board of the Santa Barbara County, State of California, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT

**ATTEST:**

AERON ARLIN GENET  
Clerk of the Board

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Chair

Date \_\_\_\_\_

**APPROVED AS TO FORM:**

MICHAEL C. GHIZZONI  
Santa Barbara County Counsel

By Rachel Yan Mills  
Deputy

**APPROVED AS TO FORM:**

BETSY M. SHAFFER, CPA  
Auditor-Controller

By [Signature]  
Deputy