




Agenda Date: May 16, 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 Reaffirming the District’s Use of Specified County Services and Updating Purchasing Agent Authority

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### RECOMMENDATION:

Approve and adopt the attached Resolution reaffirming the District’s use of specified County services and updating Purchasing Agent authority.

### DISCUSSION:

On July 20, 1995, the District’s Board adopted a resolution authorizing the District to retain certain County services once it became an independent agency separate and apart from the County’s organizational structure. These services were negotiated in accordance with Health & Safety Code § 40101(b). The services include those from County Treasurer, Auditor-Controller, County Counsel, Risk Management, General Services (Purchasing), General Services (Facilities), and General Services (Vehicle Operations and Maintenance and Communication). The District is not proposing to change the use of any existing County services except to update Purchasing Agent authority due to a change in law discussed below. This resolution will replace the existing 1995 resolution that specifies use of certain County services. Thus, in addition to updating Purchasing Agent authority, the resolution will also be reaffirming the continued use of specified County services.

County Code §2-42 authorizes the County Purchasing Agent to engage independent contractors to perform services, with or without the furnishing of materials, within the limits provided by state law. CA Gov. Code §25502.5 limits the Purchasing Agent’s authority to executing contract(s) with a vendor where the annual aggregate cost does not exceed a certain amount. Effective January 1, 2019, an update to CA Gov. Code §25502.5 increased the Purchasing Agent’s authority limit from \$100,000 to \$200,000. The adoption of this updated resolution will

Aeron Arlin Genet, Air Pollution Control Officer

authorize Purchasing to approve service agreements below \$200,000. Any service contracts, either individual or an aggregate with one vendor, that exceed \$200,000 per year will be brought to your Board for approval before execution.

**FISCAL:**

Annually, the County develops a Cost Allocation Plan, which is then sent to the District in January of every year. The annual expenditure is included in the District's proposed budget that is brought to your board for review and approval in May and June, respectively. Once the new fiscal year starts, the District reimburses the County quarterly for the services rendered based on the allocation plan. Internal service fund charges (for vehicle and commutation services) are sent over monthly and are also included in the budget as separate line items every year. The only services that are reimbursed, to the extent they are used on an hourly basis, is Risk Management and County Counsel. Legal fees are a separate line item within the annual budget every year to capture these costs. There are no direct budget impacts due to the legislative change as all expenditures are included in the District's annual budget.

**ATTACHMENT:**

- A. Resolution – Reaffirming the District's Use of Specified County Services

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

IN THE MATTER OF REAFFIRMING  
THE DISTRICT'S USE OF SPECIFIED  
COUNTY SERVICES & UPDATING  
PURCHASING AGENT AUTHORITY

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

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**RECITALS**

**WHEREAS**, the Santa Barbara County Air Pollution Control District (District)'s mission is to protect the people and the environment of Santa Barbara County (County) from the effects of air pollution; and

**WHEREAS**, in 1995 when the District became an independent agency separate and apart from the County's organization structure it retained certain County services in accordance with Health & Safety Code § 40101(b); and

**WHEREAS**, today those County services include services provided by County Treasurer, Auditor-Controller, County Counsel, Risk Management, General Services (Purchasing), General Services (Facilities), and General Services (Vehicle Operations and Maintenance and Communications); and

**WHEREAS**, effective January 1, 2019, Government Code section 25502.5 was updated to allow the Purchasing Agent to authorize contracts up to \$200,000, rather than only \$100,000; and

**WHEREAS**, the District Board wishes to reaffirm the District's use of these specified services and update the delegation to the Purchasing Agent for contracts up to \$200,000.

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

1. The District Board hereby approves the District's continued use of specified services provided by the following County Departments:

APCD RESOLUTION IN THE MATTER OF REAFFIRMING  
THE DISTRICT'S USE OF SPECIFIED COUNTY SERVICES &  
UPDATING PURCHASING AGENT AUTHORITY

- a. County Treasurer – Trusts, collections, investment banking services
  - b. Auditor Controller – Financial accounting and customer support services  
(disbursement of funds, maintenance of accounting records, processing of  
financial documents, and operation of the financial information system)
  - c. County Counsel – Legal services
  - d. Risk Management – Risk management services
  - e. General Services (Purchasing) - The County Purchasing Agent is authorized to  
make purchases of goods and services on behalf of District in accordance with the  
requirements, including cost limitations, set forth in County Code Chapter 2,  
Article VI, as amended, and Government Code section 25502.5.
  - f. General Services (Facilities) – Mail courier, real property, and building  
maintenance
  - g. General Services (Vehicle Operations and Maintenance and Communication) -  
Vehicle maintenance, routine smog checks, production services, and telephone  
services.
2. The District's costs for these services will be included in the annual budget for Board approval and the amounts will come directly from the County's Cost Allocation Plan, internal service fund charges (for vehicle and communication services) or will be billed directly on an hourly basis for County Counsel and Risk Management.

**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:

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THE DISTRICT'S USE OF SPECIFIED COUNTY SERVICES &  
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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 Van Mullen*  
Deputy

**APPROVED AS TO FORM:**

RAY AROMATORIO, ARM, AIC  
Risk Manager

By *Ray Aromatorio*  
Risk Manager

**APPROVED AS TO FORM:**

BETSY M. SCHAFFER, CPA  
Auditor-Controller

By *Kyle Slattery*  
Deputy