

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 2/7/2012	(3) CONTACT/PHONE Jim Grant, County Administrator 781-5011	
(4) SUBJECT Request to approve minor revisions to the Memorandum of Understanding between the County and Air Pollution Control District for provision of services.			
(5) RECOMMENDED ACTION It is recommended that your Board approve the following actions: <ul style="list-style-type: none"> • Approve the revised MOU with the APCD for provision of services; and, • Authorize the County Administrative Officer to negotiate and execute future modifications to the MOU with the Air Pollution Control Officer. 			
(6) FUNDING SOURCE(S) APCD budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation (Time Est. _____) <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: May 17, 2011	
(18) ADMINISTRATIVE OFFICE REVIEW			
(19) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Administrative Office / Jim Grant, County Administrator
781-5011

DATE: 2/7/2012

SUBJECT: Request to approve minor revisions to the Memorandum of Understanding between the County and Air Pollution Control District for provision of services.

RECOMMENDATION

It is recommended that your Board approve the following actions:

- Approve the revised MOU with the APCD for provision of services; and,
- Authorize the County Administrative Officer to negotiate and execute future modifications to the MOU with the Air Pollution Control Officer.

DISCUSSION

The APCD seeks to revise the Memorandum of Understanding (MOU) between the District and the County of San Luis Obispo (County) to amend the services provided by the County Treasurer to include credit card processing and other County banking services. Additionally, it is requested that the County Administrative Officer be authorized to negotiate and execute future modifications to the MOU with the Air Pollution Control Officer.

On December 1, 2010, the APCD Board approved an MOU which continued the District's long-standing business and working relationship with the County. The MOU was subsequently approved by the County Board of Supervisors on May 17, 2011. The purpose of today's item is to make a minor revision to the MOU to amend the services provided by the County Treasurer to include credit card processing and other County banking services.

Currently, all payments for fees, penalties and services accepted by the APCD must be in the form of cash or check. The APCD wishes to pursue the option of accepting payments by credit card, and requires services available through the County Treasurer to proceed. This will require a small change to the District's current MOU with the County to include this additional service. A strikeout version of the listing of services provided by the County to the APCD is attached showing the desired changes, along with a final version.

The County has provided services to the District under an MOU since 1994, when the APCD was formally separated from the County organizational structure and its Board was expanded to include representatives from each incorporated city; APCD staff, however, remained County employees until recently. Thus, in addition to specifying services to be provided, previous MOUs also included several provisions relating to APCD staff, including adherence to County personnel policies and acceptance of County salaries and benefits changes for APCD staff. As such, it was important and appropriate for the Boards of both agencies to review and approve any changes to the MOU.

Following the formal separation of APCD staff from the County in December 2010, a new and substantially streamlined MOU was developed and approved by both Boards. This MOU is primarily a service agreement between the agencies that identifies specific operational services the County will provide to APCD to facilitate APCD's ability to conduct agency business. As demonstrated by today's action, slight modifications to the MOU may periodically be needed to

accommodate minor changes to the services provided by the County to APCD. Currently, any change to the MOU requires it first be approved by the APCD Board of Directors, and then separately approved by the County Board of Supervisors. This process involves considerable time, effort, and delay for APCD and County staff to prepare separate agenda items for their respective Boards to approve each and every change, no matter how minor.

Given that the MOU is now restricted to just the provision of business services, staff proposes your Board authorize the County Administrative Officer to negotiate and execute future modifications to the MOU directly with the Air Pollution Control Officer. Any changes in services that could result in significant budgetary will brought to your Board separately for specific action during the year.

OTHER AGENCY INVOLVEMENT/IMPACT

The County Administrative Office and APCD have agreed to the attached MOU. District Counsel and County Counsel have reviewed the attached MOU for form and content.

FINANCIAL CONSIDERATIONS

The APCD has paid approximately \$188,000 for County services in Fiscal Year (FY) 2010-2011. The APCD's Fiscal Year 2011-2012 Final Budget contains approximately \$200,000 budgeted for County services. We do not anticipate a significant change in the ongoing cost for County services as a direct result of the revised MOU. The APCD will continue to pay for County services provided under the MOU through the County Cost Allocation Plan or through direct payment where feasible.

RESULTS

Streamlining the process for making minor modifications to the MOU will improve efficiency in both the County and District's operations and reduce the delay between when a desired service from the County is identified and when the service can actually be provided.

ATTACHMENTS

1. Attachment 1 - APCD MOU - strikeout/add version
2. Attachment 2 - APCD MOU - clean version