

CONTRACT ROUTING SHEET

Date Prepared: 12/6/12

Need Date: RUSH

PROCESSING DEPARTMENT:

Department: Air Quality

Dept. Contact: Dave Johnston *aljk*

Phone #: 7578

Department

Head Signature: *aljk*

CONTRACTOR:

Name: _____

Address: _____

Phone: _____

CONTRACTING DEPARTMENT:

Service Requested: CC Review of Revised Mutual Settlement Program Procedures and Guidelines

Contract Term: _____ Contract Value: \$0.00

Compliance with Human Resources requirements? Yes: _____ No: _____

Compliance verified by: _____

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: Disapproved: _____ Date: 12/11/2012 By: K. Mackham

Approved: _____ Disapproved: _____ Date: _____ By: _____

*See changes (minor) to resolution
; typo in program guidelines*

EL DORADO COUNTY COUNSEL
2012 DEC 10 PM 1:30

PLEASE FORWARD TO RISK MANAGEMENT. THANKS!

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)

Approved: N/A Disapproved: _____ Date: _____ By: _____

Approved: _____ Disapproved: _____ Date: _____ By: _____

OTHER APPROVAL: (Specify department(s) participating or directly affected by this contract).

Departments: _____

Approved: _____ Disapproved: _____ Date: _____ By: _____

Approved: _____ Disapproved: _____ Date: _____ By: _____

**REQUEST TO COUNTY COUNSEL
FOR LEGAL SERVICES
(Please put on Lavender Paper)**

TO: COUNTY COUNSEL

DATE: 11/28/2012

FROM:


DEPARTMENT HEAD SIGNATURE
(Request must be approved by Dept. Head)

CONTACT PERSON: Dave Johnston

TELEPHONE: 7578

INDEX CODE: 433100 (If Index Code is blank we will assign to general index code for the department)

TYPE OF SERVICE REQUESTED: Review

(Advice, Opinion, Analysis, Review, Litigation, Personnel, Evaluation, Ordinance, Resolution, Approval, Subpoena Preparation and/or detail review of Contract/Agreement, etc.)

Note: Requesting department must make every effort to find out if this legal services request or a related request has been made in the past prior to making a new request thereby reducing duplicating research/review work. If a related request has been made, please advise below.

SUBJECT: Review of Revised Mutual Settlement Procedure

SPECIFIC LEGAL QUESTION(S)/LEGAL ACTION REQUESTED: (Please summarize request and include any attachments. Do not just say "see attached".

Is revised Mutual Settlement Procedure legally enforceable, practical and in accordance with Resolution 053-2000?

BACKGROUND/DISCUSSION: (Submit all relevant documents. Letter/Memo may be attached in lieu of written discussion.)

The Board approved a Mutual Settlement Procedure by Resolution in 2000. AQMD staff have revised procedure and incorporated compliance training course option for first time violators. AQMD requests County Counsel review to confirm legality of procedure. Significant changes are 1) text regarding monetary penalty for minor violations was removed because District Rule 517 states a Notice to Comply (warning) shall be the only method to address minor violations, 2) a compliance training class option that can be taken in lieu of a monetary penalty has been added to process, 3) additional CH&SC Sections have been added to the list of penalty sections, and 4) the process sequence has been revised to conform with current practice of routing all unresolved cases through CC's office.

RELATED MATTERS: _____

ANY HEARING/MEETING DEADLINE DATE TO BE MET: 12/11/2012

DATED: 11/28/2012