



**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: NON-FINANCIAL AGREEMENTS	Policy Number	Page Number: Page 1 of 2
	Date Adopted: TBD	Revised Date:

BACKGROUND:

As the governing body of the County of El Dorado, the Board of Supervisors has authority to execute agreements on behalf of the citizens of the County. The Board may delegate authority to execute certain types of agreements or MOU's to County Officers or employees.

Title III of the County ordinance code authorizes certain County officers and employees to contract for public works projects in accordance with California Public Contract Code and for special services in accordance with California Government Code. In addition, various Board Resolutions have delegated authority to specific County officers or employees to execute agreements or other documents which are not within the scope of authority provided in Title III.

The County is responsible for providing programs and services that are mandated by state or federal legislation. In the provision of such programs and services, it is often necessary to coordinate with other governmental or non-profit agencies. To ensure efficient and effective delivery of the programs or services, participating agencies often desire to document their respective roles and responsibilities through operational agreements or Memoranda of Understanding (MOU's). Departments may also need to coordinate with other governmental or non-profit agencies in the course of providing programs and services which the Board of Supervisors has sanctioned and determined to be in accordance with a department's mission through approval of that department's budget or other specific Board action.

It is the position of the Board of Supervisors that the execution of such operational, administrative, and cooperative agreements is a ministerial function and does not necessarily require action by the Board of Supervisors, the policy-making body of the County.



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POLICY:

The Chief Administrative Officer or designee shall have authority to execute operational, administrative, or cooperative agreements between a County department or departments and one or more governmental entities or non-profit organizations which are related to the provision of services or programs that are mandated by the state or federal government or that have been sanctioned and determined to be in accordance with a department's mission by the Board of Supervisors through approval of that department's budget or other specific Board action. Such agreements shall not provide for remuneration between the parties. Nor shall it provide for undue assumption of risk of liability, in the opinion of the Chief Administrative Officer or designee, beyond that which would normally be assumed in the performance of the services or programs (e.g. indemnification clauses agreeing to assume liabilities for which the County would not normally be responsible).

Departments submitting such agreements to the Chief Administrative Officer for execution must provide sufficient information to demonstrate compliance with this policy in the format prescribed by the Chief Administrative Office.

If the Chief Administrative Officer determines that a particular agreement may be in conflict with County policy or other stated objectives of the Board of Supervisors, or if the agreement provides for remuneration between the parties, such agreement shall be presented to the Board of Supervisors for review and appropriate action.

Primary Department: Chief Administrative Office

References: None