



## Legislation Text

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**File #:** 21-1786, **Version:** 1

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Clerk of the Board recommending the Board

- 1) Approve the continuation of perpetual agreement 509-S1711 (FENIX 944) with Municode LLC (formerly know as Municipal Code Corporation) for ongoing ordinance code codification services, the annual cost of which is estimated at \$16,000 and is wholly dependent upon the volume and length of ordinances to be codified throughout the year; and
- 2) Authorize the Purchasing Agent to execute Amendment I updating the change in entity to Municode, LLC with no change to compensation.

**FUNDING:** General Fund.

### **DISCUSSION / BACKGROUND**

On August 20, 2021, Municipal Code Corporation (MCC) converted to Municode LCC. Effective August 24, 2021, CivicPlus, LLC, wholly acquired all interest and ownership of Municode, LCC, formerly know as Municipal Code Corporation. This first amendment reflects that acquisition and confirms that Municode LCC assumes and fulfills the terms of this First Amendment and the original Agreement.

Ordinance Code codification is a vital component to governance by ensuring law enforcement, counsel, other county staff and the public at large have up to date, 24-hour access to Board adopted legislation. Municode LLC is a nationwide provider of codification services serving over 4,000 clients. El Dorado County has partnered with Municode LLC since 2011, first for the re-codification of the county ordinance code and in the ensuing years as ordinances have been adopted by the Board. The Clerk of the Board has developed a strong working relationship with representatives from Municode LLC and recommends approval of this perpetual agreement.

The Board approved and authorized the Chair to sign agreement 509-S1711 (FENIX 944) with Municode on June 20, 2017 for ongoing ordinance code codification services. This agreement has appeared before the Board annually for approval for continued use. As the agreement is perpetual in nature, Board Policy C-17, section 4.5 states departments must obtain annual authorization to continue utilizing vendor services when the agreement does not have a stated term. This agreement is referenced in the FENIX system as agreement number 944.

### **ALTERNATIVES**

The Board could choose not to approve the continued use of the perpetual agreement and direct staff to take other action.

### **PRIOR BOARD ACTION**

- 17-0620 - 06/20/2017 - Board approval and execution of Agreement 509-S1711.
- 18-0720 - 06/05/2018 - Board approval of the continuation of the agreement.
- 19-0659 - 06/04/2019 - Board approval of the continuation of the agreement.
- 20-0377 - 03/24/2020 - Board approval of the continuation of the agreement.
- 21-0151 - 02/09/2021 - Board approval of the continuation of the agreement.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

Pursuant to the agreement, ordinance code codification services have a base rate of \$18 per page, \$10 per image/graphic and \$35 per ordinance published to the county ordinance code website in between official supplement periods. No change to pricing is proposed, however Municode may increase the price based on the "Producer Price Index" as noted at the bottom of Exhibit A of the agreement. In addition, the agreement includes annual administrative fees in the amount of \$1,000 (\$500 for website hosting and \$500 for an administrative support fee). The annual estimated cost is \$16,000, however the number and length of ordinances adopted throughout each year is somewhat unpredictable and actual costs will vary over time. The actual and estimated costs for these services are included in the department's FY 2022-23 Budget request and will be included in the department's FY 2023-24 Budget request.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

Kim Dawson, Clerk of the Board