

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No. 20 -221

Authorize and approve the County Administrative Officer's recommendation to modify her delegation of purchasing functions to the Natividad Chief Executive Officer ("CEO") to increase the CEO's authority to sign service agreements where the aggregate cost does not exceed \$200,000.)

RECITALS:

WHEREAS, section 25500 of the California Government Code authorizes the Board of Supervisors to employ a Purchasing Agent and such assistants as are necessary for proper performance of the Purchasing Agent's duties, which are set forth in Government Code section §§ 25501, et seq.; and

WHEREAS, pursuant to section 2.32.010 of the Monterey County Code, the Monterey County Board of Supervisors appointed the County Administrative Officer or the designee of the County Administrative Officer as Monterey County's Purchasing Agent; and

WHEREAS, on October 16, 2007 the Monterey County Board of Supervisors approved the execution by the Chair of the Board of a Memorandum of Understanding ("MOU"), effective March 29, 2007, pursuant to which the CAO agreed to and designated the Natividad CEO as a Deputy Purchasing Agent for Natividad; and

WHEREAS, the MOU thereafter was executed by the Chair of the Board, the CAO, the Auditor-Controller, and the Natividad CEO; and

WHEREAS, the MOU provides that the Natividad CEO, as the Natividad Deputy Purchasing Agent, and his or her designee shall have the duties and powers prescribed by laws of the State of California relating to County Purchasing Agents, as limited or specifically authorized by Title 2, Monterey County Code Chapter 2.32 and the MOU; and

WHEREAS, the MOU provides that the intent of the delegation of purchasing functions from the CAO to the Natividad CEO as a Deputy Purchasing Agent for Natividad is to provide for improved responsiveness, efficiency and effectiveness in responding to Natividad's unique purchasing needs in compliance with applicable federal, state, and local laws; and

WHEREAS, at the time the MOU was executed, section 2.32.030 of the Monterey County Code authorized the County Purchasing Agent to engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the aggregate cost did not exceed \$100,000; and

WHEREAS, the MOU, consistent with the Monterey County Code, provided that the Board of Supervisors reserved to itself the approval of contracts for services greater than \$100,000; and

WHEREAS, effective January 13, 2023, section 2.32.030 of the Monterey County Code was amended to increase the County Purchasing Agent's authority to engage independent contractors to

perform services for the County and the offices thereof, with or without the furnishing of material, where the aggregate cost does not exceed \$200,000; and

WHEREAS, the County Administrative Officer recommends modification to her delegation of purchasing functions to the Natividad Chief Executive Officer (“CEO”) to increase the CEO’s authority to engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the aggregate cost does not exceed \$200,000, as limited or specifically authorized by the Monterey County Code; and

WHEREAS, the MOU remains in effect until modified by written agreement of all parties, or upon the decision of the CAO in consultation with the Board of Supervisors to modify or terminate the Agreement in whole or in part; and

NOW, THEREFORE,

BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

1. The above recitals are true and correct.
2. The County Administrative Officer’s recommendation to modify her delegation of purchasing functions to the Natividad Chief Executive Officer (“CEO”) to increase the CEO’s authority to engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the aggregate cost does not exceed \$200,000, as limited or specifically authorized by the Monterey County Code, is hereby authorized and approved by the Board of Supervisors of the County of Monterey.

PASSED AND ADOPTED on this 27th day of June 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

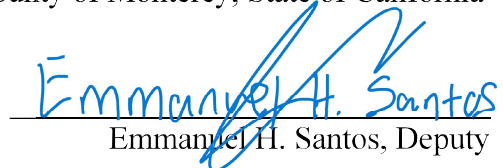
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on June 27, 2023.

Dated: June 29, 2023
File ID: A 23-299
Agenda Item No. 44

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy