



**GENERAL SERVICES AGENCY
PURCHASING
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: December 4, 2018 - **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Maria Benavides PHONE: 205-1124

SUBJECT: Amendments to Purchasing Ordinance

REQUEST(S):

That the Board of Supervisors:
On December 4, 2018

1. Introduce and waive the first reading of an ordinance amending the heading of, and amending or repealing various sections of, Article 7 of Chapter 3 of Part I of the Ordinance Code, pertaining to Purchasing.
2. Set the second reading for December 18, 2018.
3. Direct the Clerk to publish a summary of the ordinance before the second reading as required by law.

On December 18, 2018

4. Waive the second reading and adopt an ordinance amending the heading of, and amending or repealing various sections of, Article 7 of Chapter 3 of Part I of the Ordinance Code, pertaining to Purchasing.
5. Direct the Clerk to publish a summary of the ordinance and post a full copy of the ordinance after adoption as required by law.

SUMMARY:

In December 2017, the Board of Supervisors integrated Purchasing into the newly established General Services Agency (GSA), an action that consolidated many of the County's internal service functions into one Agency and provides additional support resources to the County's purchasing functions. As stated in that presentation, one of the primary objectives of the integration was to implement process improvements and business reforms in support of a new business

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paradigm referred to as the Customer Service Model. One facet of this model includes creating reasonable business flexibilities to optimize service delivery.

GSA Purchasing and Administration have worked closely with County Counsel to identify opportunities in County Ordinance to allow the Purchasing division reasonable business flexibilities that will alleviate workflow congestion, provide coverage of routine approvals, and ensure customers have the ability to procure goods and services in emergency situations. A draft of the proposed ordinance and a draft showing changes are included as **Attachments A and B**.

The proposed changes to the ordinance are as follows.

Services Contracts

Government Code section 25502.5, which allows the Board of Supervisors to delegate to the Purchasing Agent the authority to enter into services contracts where the annual aggregate cost does not exceed a certain amount, has been amended. This affects the ordinance in two ways.

First, the ordinance would be amended to allow the Purchasing Agent to enter into contracts for services for multiple years rather than a single year. While Government Code section 25502.5 was amended some years ago to allow multiple-year contracts, the ordinance was never updated to match. The amendment to the ordinance would make a policy choice to limit multi-year contracts for services to a maximum of three fiscal years.

Second, the maximum under Government Code section 25502.5 was amended in 2018 to double the limit for a services contract which may be delegated to the Purchasing Agent from an annual aggregate cost of no more than \$100,000 to an annual aggregate cost of no more than \$200,000. While the ordinance already automatically incorporates any changes in the dollar limit in section 25502.5, and thus Purchasing is already implementing the new limit for contracts to become effective in 2019, it is still useful to describe the actual dollar limit in the ordinance. Accordingly, the ordinance would be amended to list the new maximum of \$200,000.

Public Works Contracts

Tulare County has long followed the Uniform Public Construction Cost Accounting Act (Pub. Contract Code, § 22000 et seq.) The UPCCAA authorizes public agencies to increase the otherwise applicable statutory bid limits if the agency follows the rules under the Act.

The UPCCAA was amended in 2018 to increase the bid limits under the Act. The threshold for contracts which do not have to be bid at all was increased from no more than \$45,000 to no more than \$60,000, and the threshold for "informal contracts" for public works contracts by Purchasing was increased from not more

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than \$175,000 to not more than \$200,000. (Pub. Contract Code, § 22032.) (The only difference between “informal” and “formal” public works contract is that the “informal” ones may be approved by the Purchasing Agent; both go out for sealed bids by contractors.)

While the ordinance already automatically incorporates any changes in the dollar limits under the UPCCAA, and thus Purchasing is already implementing the new limits for contracts to become effective in 2019, it is helpful to describe the actual dollar limit in the ordinance. In addition, the ordinance is currently silent on the dividing line in the UPCCAA between a public works contract which need not be bid at all and one which may be awarded by Purchasing on an “informal bid” basis. The ordinance would therefore be amended both to list the \$200,000 limit, and to add a provision describing the \$60,000 limit.

Contracts for Supplies, Materials, and/or Equipment

The ordinance would be amended to double the threshold for bidding for supplies, materials, and/or equipment. The statutes allow each county to set its own rules for bidding for these items, and the ordinance currently sets the bidding requirement at \$50,000. The Purchasing staff often receives very few bids for contracts between \$50,000 and \$100,000, and believes more bidders would be encouraged to submit bids if the threshold was increased. Accordingly, the ordinance would be amended to increase the bidding threshold for supplies, materials, and/or equipment from \$50,000 to \$100,000.

Emergency Contracts

The rules for emergency purchases would be updated to add authority to make emergency purchases in situations which do not necessarily qualify as an emergency for purposes of civil defense or disaster.

Minor Changes

Minor changes would also be made. The amendments would correct some statutory references, update language to be gender neutral, and make other updates, such as changing references to the “County Administrative Officer” to the “General Services Agency Director,” and deleting obsolete provisions.

Conclusion

The recommended County Ordinance changes are a significant part of the Customer Service Model being implemented within Purchasing. The Customer Service Model is a new business paradigm for the County's procurement activities. These Ordinance changes reflect that new paradigm by creating reasonable business flexibilities for County customers and providing expanded opportunities for Purchasing staff to accommodate the customer's needs. Importantly, these proposed changes will create consistency with State law and continue to improve

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the procurement operations of the County.


FISCAL IMPACT/FINANCING:

The requested action has no Net County Cost to the General Fund

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

In accordance with the County's Strategic Business Plan Organizational Development Initiative, this action supports the continued internal growth and development of County departments and services.

ADMINISTRATIVE SIGN-OFF:

 11/21/18

John Hess
General Services Agency Director

cc: County Administrative Office

Attachment(s)

A – Proposed Ordinance Changes

B – Proposed Ordinance Changes, showing revisions

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDMENTS TO)
PURCHASING ORDINANCE) Resolution No. _____
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Introduced and waived the first reading of an ordinance amending the heading of, and amending or repealing various sections of, Article 7 of Chapter 3 of Part I of the Ordinance Code, pertaining to Purchasing.
2. Set the second reading for December 18, 2018.
3. Directed the Clerk to publish a summary of the ordinance before the second reading as required by law.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDMENTS TO)
PURCHASING ORDINANCE) Resolution No. _____
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

4. Waived the second reading and adopted an ordinance amending the heading of, and amending or repealing various sections of, Article 7 of Chapter 3 of Part I of the Ordinance Code, pertaining to Purchasing.
5. Directed the Clerk to publish a summary of the ordinance and post a full copy of the ordinance after adoption as required by law.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE HEADING OF AND AMENDING OR REPEALING VARIOUS SECTIONS IN ARTICLE 7 OF CHAPTER 3 OF PART I OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO PURCHASING.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. The heading of Article 7 of Chapter 3 of Part I is amended to read as follows:

PURCHASING AGENT.

Section 2. Section 1-03-1275 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1275. PURCHASING AGENT:

Pursuant to the provisions of section 25500 et seq. of the Government Code, the Board of Supervisors may employ a Purchasing Agent and such assistants as are necessary for him or her properly to fulfill his or her duties. Unless otherwise provided by resolution of the Board of Supervisors, the Director of the County's General Services Agency shall serve as the Purchasing Agent *ex-officio*. The Director of the General Services Agency may delegate such of the duties and powers of the Purchasing Agent as he or she deems appropriate to a purchasing manager or other subordinate employees of the General Services Agency.

Section 3. Section 1-03-1280 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1280. GENERAL DUTIES:

The Purchasing Agent shall have such duties and powers as are prescribed by the laws of the State of California relating to County purchasing agents, by this Article, and by resolutions of the Board of Supervisors. He or she shall be provided such staff support as is deemed necessary by the Board of Supervisors. He or she shall furnish the Board of Supervisors with such reports and information as the Board may from time to time require, and shall establish methods and

procedures necessary to carry out the Purchasing Agent's powers and duties in an efficient and economical manner.

Section 4. Section 1-03-1285 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1285. SPECIFIC DUTIES:

The Purchasing Agent shall perform the following duties:

(a) Negotiate for and purchase all supplies, materials, furnishings, equipment, livestock, and other personal property required by each and every department, officer, or employee of the County.

(b) Approve, without bidding, any contracts for public projects, as defined in Public Contract Code section 22002, which are not performed by employees of the County by force account, of no more than the maximum specified in Public Contract Code section 22032, as such statute may be amended from time to time (\$60,000 or less as of the date of amendment of this ordinance).

(c) Let informal contracts for public projects, as defined in Public Contract Code section 22002, which are greater than the maximum specified in subdivision (b) of this section, but not more than the maximum amount specified in Public Contract Code sections 22032 or 22034, or by the State Controller acting pursuant to Public Contract Code section 22020, as such statutes or directives may be amended from time to time (\$200,000 or less as of the date of amendment of this ordinance).

(d) When specifically authorized by law, purchase personal property for the Superintendent of Schools or any other public officer or agency.

(e) Rent for the County and its offices, furnishings, equipment, and livestock. However, County employees traveling outside the County on County business may enter into short-term rentals of automobiles.

(f) Negotiate and execute in the name of the County all lease-purchase agreements of personal property.

(g) Sell, lease, exchange, trade, or otherwise dispose of all personal property belonging to the County no longer needed for public use, in accordance with section 25503 et seq. of the Government Code.

(h) When specifically authorized by law, sell, lease, exchange, trade, or otherwise dispose of personal property no longer needed for public use belonging to the Superintendent of Schools

or any other public officer or agency, in accordance with section 25503 et seq. of the Government Code.

(i) Make application for and receive all license plates necessary for County equipment, and receive and file all certificates of ownership of said equipment.

(j) Perform such other services as the Board of Supervisors may require from time to time by resolution.

Section 5. Section 1-03-1290 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1290. INDEPENDENT CONTRACTORS: SERVICE TO COUNTY AND DEPARTMENTS:

(a) Except as otherwise provided below, the Purchasing Agent may engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the annual aggregate cost does not exceed the maximum amount for each project authorized by section 25502.5 of the Government Code (not more than \$200,000, as of the date of the ordinance codified in this section), as such statute is amended from time to time. For purposes of this section, “project” shall be defined to mean a specific, identifiable work of limited duration and scope, which may extend beyond one fiscal year, but not more than three fiscal years. Notwithstanding the foregoing, the Purchasing Agent may engage independent contractors to perform services which are not limited to a specific project, but which are to be provided on an on-call/as-needed basis, pursuant to an agreement which does not commit the County to pay for such services beyond three fiscal years.

(b) This section shall have no application either to work upon the public roads of the County or to projects under section 20121 et seq. or section 20150 et seq. of the Public Contract Code.

(c) Regardless of the provisions of subsection (a) of this section, certain departments shall have the right to engage contractors directly:

(1) The District Attorney, Public Defender, and County Counsel shall have the right to engage contractors directly, within the limits of their respective budgets, to print legal briefs, provide reporter’s services and transcripts, and to provide other expert services related to specific cases or matters as are required by such departments.

(2) Pursuant to Elections Code section 13001, the Registrar of Voters shall have the right to engage contractors directly in providing the materials required by Elections Code Division 13, entitled “Ballots, Sample Ballots, and Voter Pamphlets.”

(3) The Sheriff shall have the right to engage contractors directly, within the limits of his or her respective budgets, to provide coroner services, air support, fingerprinting services, search

and rescue, interpreter services, and training. The Sheriff shall also have the right to enter into contracts with the California Department of Corrections for State correctional services as authorized by Section 4007 of the Penal Code, within the limits of that department's budget.

(4) In addition, if some state law authorizes an officer or body to obtain services directly from independent contractors, this section is not intended to supersede such authority under state law.

Section 6. Section 1-03-1295 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1295. PERFORMANCE OF DUTIES:

No officer or employee of the County of Tulare shall attempt to coerce the Purchasing Agent in the performance of his or her duties.

Section 7. Section 1-03-1300 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1300. "LOWEST RESPONSIBLE BIDDER": DEFINITION:

"Lowest responsible bidder," as used in this Article, shall mean the vendor whose bid, and the article or service offered, are the most economical and advantageous to the County from the standpoint of suitability to purpose, quality, delivery and discount terms, service reputation of the vendor, and other information and data required to establish the bidder's responsibility.

Section 8. Section 1-03-1301 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1301. LOCAL PREFERENCE:

(a) Notwithstanding any other provision in this chapter to the contrary, whenever the County purchases supplies, materials, equipment or services for the County through the use of competitive bids, the County in evaluating the price for such supplies, materials, and/or equipment shall determine if the lowest responsible bidder is a local vendor as defined in this section; and, if so, the contract shall be awarded to such vendor. If the low bidder is not a local vendor, any local vendor who submitted a bid which was within five percent (5%) of the low bid announced by the County shall have the option of submitting a new bid within forty-eight (48) hours (not including weekends and holidays) of the time indicated in the bid documents for the opening bid. Such new bid must be in an amount less than or equal to the low bid announced by the County. If the County

receives any new bids from local vendors within said forty-eight (48) hour period, it shall award the contract to the local vendor submitting the lowest responsible bid. If no new bids are received within said forty-eight (48) hour period, the contract shall be awarded to the original low bidder as announced by the County.

(b) For purposes of this section, “local vendor” shall mean any business which:

(1) Has had a fixed office or distribution point located in and having a street address within the County for at least six (6) months immediately prior to the issuance of the request for bids by the County; and,

(2) Holds any required business license by the County or any city within the County; and,

(3) Employs at least one (1) full-time or two (2) part-time employees whose primary residence is located within the County, or if the business has no employees, shall be at least fifty percent (50%) owned by one or more persons whose primary residence is located within Tulare County.

(c) Any vendor claiming to be a local vendor as defined above shall so certify in writing to the Purchasing Agent. The Purchasing Agent shall not be required to verify the accuracy of any such certification, and shall have sole discretion to determine if a vendor meets the definition of a “local vendor.”

(d) Any person or business falsely claiming to be a local vendor under this section shall be ineligible to transact any business with the County for a period of not less than three (3) months nor more than twenty-four (24) months as determined in the sole discretion of the Purchasing Agent. The County shall also have the right to terminate all or any part of any contract entered into with such person or business.

(e) Prior to the County declaring any person or business not a “local vendor” or ineligible to transact business with the County, such person or business shall be entitled to a public hearing before the Board of Supervisors and to a five (5) day notice of the time and place thereof.

(f) This section shall not apply to contracts required by state or federal statutes or regulations to be awarded to the “lowest responsible bidder,” or otherwise exempted from local preferences.

Section 9. Section 1-03-1305 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1305. NECESSITY FOR BIDS:

Unless otherwise ordered by resolution of the Board of Supervisors, all supplies, materials, and equipment acquired by the Purchasing Agent shall be purchased from the lowest responsible

bidder after taking written bids if the estimated total cost of the commodities or services required from a class of vendors exceeds the sum of One Hundred Thousand Dollars (\$100,000). However, the Purchasing Agent is not required to call for bids for the following transactions:

(a) Purchase of proprietary drugs, library books, periodicals, standard school supplies, or repair parts for motor vehicles and construction equipment.

(b) Purchase of gasoline, diesel fuel, and other petroleum products used in and for motor vehicles.

(c) Purchase of services, with or without the furnishing of material, under sections 1-03-1285 and 1-03-1290 of this Code.

(d) Contracting for work and/or materials for County Road Projects of less than Twenty-Five Thousand Dollars (\$25,000) pursuant to Public Contract Code Section 20394.

(e) Purchase of personal property or services from price lists of other governmental entities or of associations of governmental entities where such price lists have been compiled in such a manner as to insure lowest prices available to the County.

Section 10. Section 1-03-1310 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1310. INVITATIONS FOR BIDS: FORM:

Written invitations for bids shall contain the date and hour of bid opening, the name of the department to be supplied, the requisition number, delivery date, quantities, and complete specifications or description of the items or service to be supplied. The Purchasing Agent shall provide an invitation for bid to any prospective bidder requesting the specific invitation, and it is desirable generally to seek bids from a reasonable number of prospective bidders. Copies of the written invitation for bids shall be posted on a bulletin board available to the public, and bids shall be opened and read in public on the date and hour specified in each invitation for bids.

Section 11. The heading of section 1-03-1315 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1315. REJECTION OF LOW BID:

Section 12. The heading of section 1-03-1320 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1320. DISPENSING WITH NECESSITY FOR BIDS

Section 13. Section 1-03-1325 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1325. RETENTION OF BIDS:

Bids shall be kept on file for the period of time specified in the County Records Retention/Destruction Policy, as such policy may be amended from time to time. Thereafter they may be destroyed.

Section 14. Section 1-03-1330 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1330. REQUISITION FOR PURCHASE:

(a) The Purchasing Agent shall supply the various offices, institutions, and departments of the County with forms, requisitions, and reports of goods received or services rendered, and the same shall be filled out with as many copies as may be deemed necessary by the Purchasing Agent.

(b) All request for purchases made through the Purchasing Agent shall be submitted on a requisition form. Such requisition shall specify the quantities desired, provide a complete description or specification of the item or service required, an explanation of usage, and shall be signed by the proper authority. Brand names are to be indicated on requisitions only to describe a standard quality or what has been formerly used; provided, however, that proprietary drugs when required shall be indicated as such.

(c) Upon receipt of a properly completed requisition, the Purchasing Agent shall initiate the acquisition process. If the Purchasing Agent refuses to act upon a requisition, the officer or employee requesting the expenditure may bring the matter before the Board of Supervisors for review.

(d) Written requisitions may be destroyed after the period of time specified in the County Records Retention/Destruction Policy, as such policy may be amended from time to time, and such requisitions need not be photographed, reproduced or microfilmed.

Section 15. The heading of section 1-03-1335 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1335. PURCHASE ORDERS:

Section 16. Section 1-03-1340 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1340. DECLARATION OF SURPLUS PROPERTY:

Personal property no longer needed for use by an office or department of the County shall be immediately declared as surplus by the using agency, and the Purchasing Agent shall supply property forms for such declaration. The form shall contain the quantity, description, serial number, date of purchase, and such other pertinent information as may be required by the Purchasing Agent, and shall be filed with the Purchasing Agent. If the personal property is to be sold or traded in as a credit for purchase, the procedure shall be in accordance with section 25503 et seq. of the Government Code.

Section 17. Section 1-03-1345 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1345. INTERDEPARTMENTAL TRANSFER OF PROPERTY:

Whenever any office or department of the County requires materials, supplies or equipment, or any personal property which has been declared to be surplus, a requisition in the same form and issued in the same manner as hereinbefore provided shall be presented to the Purchasing Agent. The Purchasing Agent may authorize the transfer, and the departmental inventories shall be adjusted accordingly.

Section 18. Section 1-03-1350 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1350. EXCEPTIONS TO PURCHASE ORDER PROCEDURE: ADVERTISING:

County departments may secure newspaper advertising of legal notices and other documents required to be published for the discharge of their duties without securing a purchasing order. The invoice from the newspaper shall be sent to the County Auditor for payment from funds budgeted for such advertising.

Section 19. Section 1-03-1360 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1360. EMERGENCY PURCHASES:

(a) In an emergency as defined in section 1-15-1005 of this Ordinance Code, the procedures in Chapter 15 of this Part, entitled “Civil Defense and Disaster,” shall be followed.

(b) In all other cases, an emergency shall be deemed to exist when the Purchasing Agent or any of his or her assistants cannot be contacted by telephone or radio, and materials, supplies, or rental equipment is immediately necessary for the preservation of life or property, or to prevent the breakdown of a county service at substantial expense to the County. Emergency purchases may be made by any employee or official authorized to sign requisitions. Each emergency purchase shall be reported to the Purchasing Agent within ten (10) calendar days after the purchase is made. Such emergency purchases may be subsequently ratified by the Purchasing Agent, or if he or she refuses such ratification, or if such ratification is beyond the authority of the Purchasing Agent, the Board of Supervisors may subsequently approve and ratify such purchase by a four-fifths (4/5) vote of the entire Board. Unless an emergency purchase is so approved and ratified by either the Purchasing Agent or the Board of Supervisors, the cost thereof shall not constitute a legal charge against the County, but shall constitute a charge against the person making the same. No purchase shall be approved or confirmed by the Purchasing Agent or by the Board of Supervisors under this section except upon an express finding by the Purchasing Agent or by the Board that an emergency actually existed at the time of the acquisition of such property.

Section 20. Section 1-03-1365 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1365. UNLAWFUL PURCHASES:

If any officer, employee or agent of the County makes a purchase or contracts for services contrary to the provisions of this Article, such order or contract shall be void and of no effect. The head of the department, office, or institution shall be personally liable for the amount of such purchase, order, or contract and, if already paid for out of County funds, the amount thereof may be recovered in the name of the County in an appropriate action therefor.

Section 21. Section 1-03-1395 of the Tulare County Ordinance Code, entitled “SAME: PURCHASE OF SUPPLIES AND MATERIALS,” is repealed.

Section 22. Section 1-03-1400 of the Tulare County Ordinance Code, entitled “SAME: ISSUE OF SUPPLIES AND MATERIALS TO DEPARTMENTS,” is repealed.

Section 23. Section 1-03-1405 of the Tulare County Ordinance Code, entitled “SAME: CONTROL LEDGER AND AUDIT,” is repealed.

Section 24. Section 1-03-1410 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1410. SURPLUS REAL PROPERTY: DELEGATION OF AUTHORITY:

In accordance with Government Code section 25526.5, the Board of Supervisors may determine that any real property or interest therein belonging to the County is no longer needed for County or other public purposes, and that the estimated value of the real property or interest therein does not exceed the maximum amount specified in Government Code section 25526.5, as such section may be amended from time to time (\$25,000 as of the date of amendment of this ordinance). If such a determination is made by the Board of Supervisors, the Board of Supervisors hereby designates the Purchasing Agent as the officer directed to sell, exchange, quitclaim, or convey the real property or interest therein upon such terms and conditions as the Purchasing Agent deems appropriate; provided, that notice of intention that the Purchasing Agent will execute the sale shall be posted in a public place for five working days prior to effecting the transfer.

Section 25. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in a newspaper of general circulation in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the _____ day of _____, 20___, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNTY OF TULARE

By: _____
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Approved as to Form:
County Counsel

By _____
Deputy
Matter No. 2018945

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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE HEADING OF AND AMENDING OR REPEALING VARIOUS SECTIONS IN ARTICLE 7 OF CHAPTER 3 OF PART I OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO PURCHASING.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. The heading of Article 7 of Chapter 3 of Part I is amended to read as follows:

~~PURCHASING DEPARTMENT~~ AGENT.

Section 2. Section 1-03-1275 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1275. PURCHASING AGENT:

Pursuant to the provisions of section ~~25550~~ 25500 et seq. of the Government Code of the State of California, the Board of Supervisors may employ a Purchasing Agent and such assistants as are necessary for him or her properly to fulfill his or her duties. Unless otherwise provided by resolution of the Board of Supervisors, the Director of the County's General Services Agency shall serve as the Purchasing Agent *ex-officio*. The Director of the General Services Agency may delegate such of the duties and powers of the Purchasing Agent as he or she deems appropriate to a purchasing manager or other subordinate employees of the General Services Agency.

Section 3. Section 1-03-1280 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1280. ~~SAME:~~ GENERAL DUTIES:

The Purchasing Agent shall have such duties and powers as are prescribed by the laws of the State of California relating to the County purchasing agents, by this Article, [comma added] and by resolutions of the Board of Supervisors. He or she shall be provided such staff support as is deemed necessary by the Board of Supervisors. He or she shall furnish the Board of Supervisors with such reports and information as the Board may from time to time require, [comma added] and

shall establish methods and procedures necessary to carry out the Purchasing Agent's powers and duties in an efficient and economical manner.

Section 4. Section 1-03-1285 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1285. ~~SAME:~~ SPECIFIC DUTIES:

The Purchasing Agent or his or her designees shall perform the following duties:

(a) Negotiate for and purchase all supplies, materials, furnishings, equipment, livestock, [comma added] and other personal property required by each and every department, officer, [comma added] or employee of the County.

~~(b) Fix the prices to be paid by the County to newspapers for advertising required by the County departments.~~ Approve, without bidding, any contracts for public projects, as defined in Public Contract Code section 22002, which are not performed by employees of the County by force account, of no more than the maximum specified in Public Contract Code section 22032, as such statute may be amended from time to time (\$60,000 or less as of the date of amendment of this ordinance).

(c) Let informal contracts for public projects, as defined in Public Contract Code section 22002, ~~of which are greater than the maximum specified in subdivision (b) of this section, but not more than the maximum amount specified Seventy Five Thousand Dollars (\$75,000) or such other amounts as may be established~~ in Public Contract Code sections 22032 or 22034, [comma added] or by the State Controller acting pursuant to Public Contract Code section 22020, as such statutes or directives may be amended from time to time (\$200,000 or less as of the date of amendment of this ordinance).

(d) When specifically authorized by law, purchase personal property for the Superintendent of Schools or any other public officer or agency.

(e) Rent for the County and its offices, furnishings, equipment, [comma added] and livestock. However, County employees traveling outside the County on County business may enter into short-term rentals of automobiles.

(f) Negotiate and execute in the name of the County all lease-purchase agreements of personal property ~~as authorized by the County Administrative Officer.~~

~~(g) When authorized by the Board of Supervisors, establish and maintain central stores for the keeping and issuing of general supplies and materials in frequent demand by the various County offices and institutions.~~

~~(h)~~ (g) Sell, lease, exchange, trade, [comma added] or otherwise, [comma deleted] dispose of all personal property belonging to the ~~county~~ County no longer needed for public use, in accordance with section 25503 et seq. of the Government Code ~~of the State of California~~.

(h) When specifically authorized by law, sell, lease, exchange, trade, or otherwise dispose of personal property no longer needed for public use belonging to the Superintendent of Schools or any other public officer or agency, in accordance with section 25503 et seq. of the Government Code.

(i) Make application for and receive all license plates necessary for County equipment, and receive and file all certificates of ownership of said equipment.

(j) Perform such other services as the Board of Supervisors may require from time to time by resolution.

Section 5. Section 1-03-1290 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1290. INDEPENDENT CONTRACTORS: SERVICE TO COUNTY AND DEPARTMENTS:

(a) Except as otherwise provided below, the Purchasing Agent may engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the annual aggregate cost does not exceed the maximum amount for each project authorized by section 25502.5 of the Government Code (not more than \$100,000 \$200,000, [comma added] as of the date of the ordinance codified in this section), as such ~~section~~ statute is amended from time to time. ~~If the Board of Supervisors has by resolution directed that the County Administrative Officer also approve said contracts, the contract must first be approved by the County Administrative Officer unless the County Administrative Officer has delegated such authority to the Purchasing Agent.~~ For purposes of this section, “project” shall be defined to mean a specific, identifiable work of limited duration and scope, which may ~~or may not~~ extend beyond one fiscal year, but not more than three fiscal years. Notwithstanding the foregoing, the Purchasing Agent may engage independent contractors to perform services which are not limited to a specific project, but which are to be provided on an on-call/as-needed basis, [comma added] pursuant to an agreement which does not commit the County to pay for such services beyond ~~one~~ three fiscal ~~year~~ years.

(b) This section shall have no application either to work upon the public roads of the County or to projects under section 20121 et seq. or section 20150 et seq. of the Public Contract Code ~~of the State of California~~.

(c) Regardless of the provisions of subsection (a) of this section, certain departments shall have the right to engage contractors directly: [¶ added]

(1) The District Attorney, Public Defender, and County Counsel shall have the right to engage contractors directly, within the limits of their respective budgets, to print legal briefs, provide reporter's services and transcripts, [comma added] and to provide other expert services related to specific cases or matters as are required by such departments. [¶ added]

(2) Pursuant to ~~California~~ Elections Code ~~Section~~ section 13001, the ~~Elections Official Registrar of Voters~~ shall have the right to engage contractors directly in providing the materials required by ~~California~~ Elections Code Division 13, entitled "Ballots, Sample Ballots, and Voter Pamphlets." [¶ added]

(3) The Sheriff shall have the right to engage contractors directly, within the limits of his or her respective budgets, to provide coroner services, air support, fingerprinting services, search and rescue, interpreter services, [comma added] and training. The Sheriff shall also have the right to enter into contracts with the California Department of Corrections for State correctional services as authorized by Section 4007 of the ~~Government~~ Penal Code, within the limits of that department's budget. [¶ added]

(4) In addition, if some ~~State~~ state law authorizes an officer or body to obtain services directly from independent contractors, this section is not intended to supersede such authority under ~~State~~ state law.

Section 6. Section 1-03-1295 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1295. ~~SAME:~~ PERFORMANCE OF DUTIES:

No officer or employee of the County of Tulare shall attempt to coerce the Purchasing Agent in the performance of his or her duties.

Section 7. Section 1-03-1300 of the Tulare County Ordinance Code is amended to read as follows:

**§ 1-03-1300. ~~ADMINISTRATIVE PROCEDURE REGULATIONS:~~
~~DEFINITIONS~~ "LOWEST RESPONSIBLE BIDDER":
DEFINITION:**

"Lowest responsible bidder," as used in this Article, shall mean the vendor whose bid, and the article or service offered, are the most economical and advantageous to the County from the standpoint of suitability to purpose, quality, delivery and discount terms, service reputation of the vendor, and other information and date required to establish ~~his~~ the bidder's responsibility.

Section 8. Section 1-03-1301 of the Tulare County Ordinance Code is amended to read

as follows:

§ 1-03-1301. LOCAL PREFERENCE:

(a) Notwithstanding any other provision in this chapter to the contrary, whenever the County purchases supplies, materials, equipment or services for the County through the use of competitive bids, the County in evaluating the price for such supplies, [comma added] materials, [comma added] and/or equipment shall determine if the lowest responsible bidder is a local vendor as defined in this section; and, if so, the contract shall be awarded to such vendor. If the low bidder is not a local vendor, any local vendor who submitted a bid which was within five percent (5%) of the low bid announced by the County shall have the option of submitting a new bid within forty-eight (48) hours (not including weekends and holidays) of the time indicated in the bid documents for the opening bid. Such new bid must be in an amount less than or equal to the low bid announced by the County. If the County receives any new bids from local vendors within said forty-eight (48) hour period, it shall award the contract to the local vendor submitting the lowest responsible bid. If no new bids are received within said forty-eight (48) hour period, the contract shall be awarded to the original low bidder as announced by the County.

(b) For purposes of this section, “local vendor” shall mean any business which:

(1) ~~has~~ Has had a fixed office or distribution point located in and having a street address within the County for at least six (6) months immediately prior to the issuance of the request for bids by the County; and,

(2) ~~holds~~ Holds any required business license by the County or any city within the County; and,

(3) ~~employs~~ Employs at least one (1) full-time or two (2) part-time employees whose primary residence is located within the County, or if the business has no employees, shall be at least fifty percent (50%) owned by one or more persons whose primary residence is located within Tulare County.

(c) Any vendor claiming to be a local vendor as defined above, [comma deleted] shall so certify in writing to the Purchasing Agent. The Purchasing Agent shall not be required to verify the accuracy of any such certification, and shall have sole discretion to determine if a vendor meets the definition of a “local vendor.”

(d) Any person or business falsely claiming to be a local vendor under this section shall be ineligible to transact any business with the County for a period of not less than three (3) months ~~or not~~ nor more than twenty-four (24) months as determined in the sole discretion of the Purchasing Agent. The County shall also have the right to terminate all ~~of~~ or any part of any contract entered into with such person or business.

(e) Prior to the County declaring any person or business not a “local vendor” ~~or ineligible to transact business not a “local vendor”~~ or ineligible to transact business with the County, such person or business shall be entitled to a public hearing before the Board of Supervisors and to a five (5) day notice of the time and place thereof.

(f) This section shall not apply to contracts required by state or federal statutes or regulations to be awarded to the “lowest responsible bidder,” or otherwise exempted from local preferences.

Section 9. Section 1-03-1305 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1305. ~~SAME:~~ NECESSITY FOR BIDS:

Unless otherwise ordered by resolution of the Board of Supervisors, all supplies, materials, and equipment ~~and services~~ acquired by the Purchasing Agent shall be purchased from the lowest responsible bidder after taking written bids if the estimated total cost of the commodities or services required from a class of vendors exceeds the sum of ~~Fifty~~ One Hundred Thousand Dollars (~~\$50,000~~ \$100,000). However, the Purchasing Agent is not required to call for bids for the following transactions:

(a) Purchase of proprietary drugs, library books, periodicals, standard school supplies, or repair parts for motor vehicles and construction equipment, ~~and~~ [period and ¶ added]

(b) Purchase of gasoline, diesel fuel, [comma added] and other petroleum products used in and for motor vehicles.

~~(b) Fixing the prices to be paid to newspapers for advertising.~~

(c) Purchase of services, with or without the furnishing of material, under ~~section~~ sections 1-03-1285 and 1-03-1290 of this Code.

(d) Contracting for work and/or materials for County Road Projects of less than Twenty-Five Thousand Dollars (\$25,000) pursuant to Public Contract Code Section 20394.

~~(e) Purchase of services, with or without the furnishing of material, under section 1-03-1285 of this Code.~~

~~(f)~~ (e) Purchase of personal property or services from price lists of other ~~State~~ governmental entities or of associations of ~~State~~ governmental entities where such price lists have been compiled in such a manner as to insure lowest prices available to the County.

Section 10. Section 1-03-1310 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1310. ~~SAME:~~ INVITATIONS FOR BIDS: FORM:

Written invitations for bids shall contain the date and hour of bid opening, the name of the department to be supplied, the requisition number, delivery date, quantities, [comma added] and complete specifications or description of the items or service to be supplied. The Purchasing Agent shall provide an invitation for bid to any prospective bidder requesting the specific invitation, and it is desirable generally to seek bids from a reasonable number of prospective bidders. Copies of the written invitation for bids shall be posted on a bulletin board available to the public, and bids shall be opened and read in public on the date and hour specified in each invitation for bids.

Section 11. The heading of section 1-03-1315 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1315. ~~SAME:~~ REJECTION OF LOW BID:

Section 12. The heading of section 1-03-1320 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1320. ~~SAME:~~ DISPENSING WITH NECESSITY FOR BIDS:

Section 13. Section 1-03-1325 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1325. ~~SAME:~~ RETENTION OF BIDS:

Bids shall be kept on file for a the period of four (4) years time specified in the County Records Retention/Destruction Policy, as such policy may be amended from time to time. Thereafter they may be destroyed.

Section 14. Section 1-03-1330 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1330. ~~SAME:~~ REQUISITION FOR PURCHASE:

(a) The Purchasing Agent shall supply the various offices, institutions, [comma added] and departments of the County with forms, requisitions, [comma added] and reports of goods received or services rendered, and the same shall be filled out with as many copies as may be deemed necessary by the Purchasing Agent.

(b) All request for purchases made through the Purchasing Agent shall be submitted on a requisition form. Such requisition shall specify the quantities desired, provide a complete description or specification of the item or service required, an explanation of usage, and shall be signed by the proper authority. Brand names are to be indicated on requisitions only to describe a standard quality or what has been formerly used; provided, however, that proprietary drugs when required shall be indicated as such.

(c) Upon receipt of a properly completed requisition, the Purchasing Agent shall initiate the acquisition process. If the Purchasing Agent refuses to act upon a requisition, the officer or employee requesting the expenditure may bring the matter before the Board of Supervisors for review.

(d) Written requisitions may be destroyed after ~~having retained on file for a~~ the period of three (3) years time specified in the County Records Retention/Destruction Policy, as such policy may be amended from time to time, and such requisitions need not be photographed, reproduced or microfilmed.

Section 15. The heading of section 1-03-1335 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1335. ~~SAME:~~ PURCHASE ORDERS

Section 16. Section 1-03-1340 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1340. ~~SAME:~~ DECLARATION OF SURPLUS PROPERTY:

Personal property no longer needed for use by an office or department of the County shall be immediately declared as surplus by the using agency, and the Purchasing Agent shall supply property forms for such declaration. The form shall contain the quantity, description, serial number, date of purchase, [comma added] and such other pertinent information as may be required by the Purchasing Agent, and shall be filed with the Purchasing Agent. If the personal property is to be sold or traded in as a credit for purchase, the procedure shall be in accordance with section 25503 et seq. of the Government Code of the State of California.

Section 17. Section 1-03-1345 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1345. ~~SAME:~~ INTERDEPARTMENTAL TRANSFER OF PROPERTY:

Whenever any office or department of the County requires materials, supplies or equipment, or any personal property which has been declared to be surplus, a requisition in the same form and issued in the same manner as hereinbefore provided shall be presented to the Purchasing Agent. The Purchasing Agent, ~~if the surplus item complies with the need and has been approved by the County Administrative Officer,~~ may authorize the transfer, and the departmental inventories shall be adjusted accordingly.

Section 18. Section 1-03-1350 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1350. EXCEPTIONS TO PURCHASE ORDER PROCEDURE: ADVERTISING:

County departments may secure newspaper advertising of legal notices and other documents required to be published for the discharge of their duties, ~~at a price no greater than that fixed by the Purchasing Agent,~~ without securing a purchasing order. The invoice from the newspaper shall be sent to the County Auditor for payment from funds budgeted for such advertising.

[No changes proposed to section 1-03-1355. EXCEPTIONS TO PURCHASE ORDER PROCEDURE: DIRECT PURCHASING]

Section 19. Section 1-03-1360 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1360. EMERGENCY PURCHASES:

(a) In an emergency as defined in section 1-15-1005 of this Ordinance Code, the procedures in Chapter 15 of this Part, entitled "Civil Defense and Disaster," shall be followed.

(b) In all other cases, an emergency shall be deemed to exist when either a breakdown in machinery or utilities occurs, provided that the Purchasing Agent or any of his or her assistants cannot be contacted by telephone or radio, or when a service, material and materials, supplies, or

rental equipment is immediately necessary for the preservation of life or property, or to prevent the breakdown of a county service at substantial expense to the County. Emergency purchases may be made by any employee or official authorized to sign requisitions. Each emergency purchase shall be reported to the Purchasing Agent within ten (10) calendar days after the purchase is made. Such emergency purchases may be subsequently ratified by the Purchasing Agent, or if he or she refuses such ratification, or if such ratification is beyond the authority of the Purchasing Agent, the Board of Supervisors may subsequently approve and ratify such purchase by a four-fifths (4/5) vote of the entire Board. Unless an emergency purchase is so approved and ratified by either the Purchasing Agent or the Board of Supervisors, the cost thereof shall not constitute a legal charge against the County of Tulare, but shall constitute a charge against the person making the same. No purchase shall be approved or confirmed by the Purchasing Agent or by the Board of Supervisors under this section except upon an express finding by the Purchasing Agent or by the Board that an emergency actually existed at the time of the acquisition of such property.

Section 20. Section 1-03-1365 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1365. UNLAWFUL PURCHASES:

If any officer, employee or agent of the County makes a purchase or contracts for services contrary to the provisions of this Article, such order or contract shall be void and of no effect. The head of the department, office, [comma added] or institution shall be personally liable for the amount of such purchase, order, [comma added] or contract and, if already paid for out of County funds, the amount thereof may be recovered in the name of the County in an appropriate action ~~therefore~~ therefor.

[No changes proposed to sections 1-03-1370 through 1-03-1385:]

[§ 1-03-1370. BOARD OF STANDARDIZATION]

[§ 1-03-1375. SAME: DUTIES]

[§ 1-03-1380. SAME: STANDARDIZATION OF PURCHASES]

[§ 1-03-1385. SAME: PURCHASING AGENT TO PERFORM DUTIES]

Section 21. Section 1-03-1395 of the Tulare County Ordinance Code is repealed.

~~**§ 1-03-1395 SAME: PURCHASE OF SUPPLIES AND MATERIALS:**~~

~~The Purchasing Agent shall purchase additional supplies and materials from time to time for use by the County and pay for them out of the unexpended funds in the Stores Account. He may also pay costs of transportation and other necessary and legal costs incidental to the purchase of such supplies and materials out of the available monies in the Stores Account. Purchases of supplies and materials for the Stores Account by the Purchasing Agent shall be made in compliance~~

~~with the provisions of this Article, which are applicable to the purchase of other supplies and materials by the Purchasing Agent.~~

Section 22. Section 1-03-1400 of the Tulare County Ordinance Code is repealed.

~~§ 1-03-1400. SAME: ISSUE OF SUPPLIES AND MATERIALS TO DEPARTMENTS:~~

~~The Purchasing Agent shall issue the supplies and materials in the Stores Account to the departments and offices of the County upon receipt of requisitions therefore in compliance with sections 1-03-1330 and 1-03-1335 of this Article. When supplies and materials are issued to a department or office of the County, the Stores Account shall be reimbursed for the total cost of such supplies and materials from the budgeted funds to the department or office requisitioning such supplies and materials. The County Auditor shall certify to the Purchasing Agent that funds are available in the appropriate budgetary account of the department or office before such supplies and materials are issued. Insofar as practical, County departments and offices shall order materials and supplies which are available in the Stores Account rather than requisitioning materials and supplies which will require a special purchase.~~

Section 23. Section 1-03-1405 of the Tulare County Ordinance Code is repealed.

~~§ 1-03-1405. SAME: CONTROL LEDGER AND AUDIT:~~

~~The Purchasing Agent shall establish and maintain a control ledger on the supplies and materials in the Stores Account so that the Stores Account can be audited or balanced at any time. Annually, at the end of each fiscal year, the Purchasing Agent shall prepare and file with the County Auditor a reconciliation sheet on the Stores Account showing the financial status of the Stores Account as of the end of the fiscal year. The Stores Account shall be audited and balanced at the end of each fiscal year and any surplus or deficit in the Stores Account shall be adjusted at that time.~~

Section 24. Section 1-03-1410 of the Tulare County Ordinance Code is amended to read as follows:

§ 1-03-1410. SURPLUS REAL PROPERTY: DELEGATION OF AUTHORITY:

In accordance with Government Code section 25526.5, ~~once a determination has been made~~ the Board of Supervisors may determine that ~~the~~ any real property or interest therein belonging to the County is no longer needed for County or other public purposes, ~~the Board of Supervisors hereby designates the Purchasing Agent to execute the sale of real property or interest therein belonging to the County with an~~ and that the estimated value ~~that~~ of the real property or interest therein does not exceed the maximum amount specified in Government Code section

25526.5, as such section may be amended from time to time (\$25,000 as of the date of amendment of this ordinance). If such a determination is made by the Board of Supervisors, the Board of Supervisors hereby designates the Purchasing Agent as the officer directed to ~~The designee may~~ sell, exchange, quitclaim, or convey the real property or interest therein upon such terms and conditions as the designee Purchasing Agent deems appropriate; provided, that notice of intention that the ~~designee~~ Purchasing Agent will execute the sale shall be posted in a public place for five working days prior to effecting the transfer.

Section 25. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in a newspaper of general circulation in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the ____ day of _____, 20__, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

COUNTY OF TULARE

By: _____
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Approved as to Form:
County Counsel

By _____
Deputy
Matter No. 2018945

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