



Resource Management Agency COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: June 30, 2020 – 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"/>
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: Celeste Perez PHONE: (559)624-7010

SUBJECT: Acceptance of Donation for Traffic Signal Equipment from Daly City's Public Works Department

REQUEST(S):

That the Board of Supervisors:

1. Accept the Donation of Fifteen (15)—210 Conflict Monitors and Fifteen (15)—170E Traffic Signal Controllers, with a total estimated donation value of \$3,000, from Daly City's Public Works Department to the County of Tulare; and
2. Authorize the Chair to sign the Letter of Release of Liability.

SUMMARY:

The County of Tulare currently owns and maintains a fleet of twenty-five (25) traffic signals located throughout the County. In the fleet, all the traffic signals use a 210 Conflict Monitor and a 170E Traffic Signal Controller. These components, the conflict monitor and traffic signal controller, are being phased out of production causing them to become increasingly difficult to purchase. The County has a limited surplus on hand of these components; therefore, staff would like to build reserves to ensure our signals will remain operational until such time upgrades are possible.

County staff became aware that Daly City was in the process of downsizing their excess signal equipment inventory. Daly City expressed their desire to donate to Resource Management Agency, Public Works division: fifteen (15)—210 Conflict Monitors and fifteen (15)—170E Traffic Signal Controllers. Staff recommends the County utilize this opportunity to increase current signal component inventory.

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Public Works Department
DATE: June 30, 2020

As such, when accepting donations, the County of Tulare must follow Administrative Regulation No.37: a policy to establish thresholds for accepting donations. In line with our policies, Daly City is requiring the County to sign a Release of Liability. In this Release of Liability, Tulare County would agree to release from liability, hold harmless and indemnify the City of Daly City from any claims, legal actions, losses, damages, and liabilities arising from the condition or subsequent use of the conflict monitors and controllers donated to the County. Therefore, we ask the Board to sign the Letter of Release of Liability from Daly City.

FISCAL IMPACT/FINANCING:

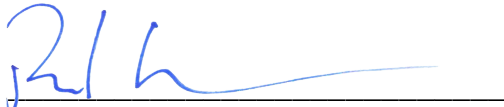
No Net County Cost to the General Fund.

Any costs associated with this donation will be covered by Local Roads funds.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Safety and Security and Economic Well Being – This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s) Attachment A –Draft Letter of Release of Liability

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

IN THE MATTER OF ACCEPTANCE OF)
DONATION FOR TRAFFIC SIGNAL) Resolution No. _____
EQUIPMENT FROM DALY CITY'S PUBLIC)
WORKS DEPARTMENT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 30, 2020, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

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

BY: _____
Deputy Clerk

* * * * *

1. Accepted the Donation of Fifteen (15)—210 Conflict Monitors and Fifteen (15)—170E Traffic Signal Controllers, with a total estimated donation value of \$3,000, from Daly City's Public Works Department to the County of Tulare; and
2. Authorized the Chair to sign the Letter of Release of Liability.

Attachment “A”

Draft Letter of Release of Liability

**Draft Release of Liability Letter
(On Board of Supervisors Letterhead)**

June 30, 2020

City of Daly City
Attn: Public Works Director
333 90th Street
Daly City, CA 94015

RE: Release of Liability—Traffic Signal Controllers

In consideration for receipt of fifteen (15) - 210 conflict monitors and fifteen (15) - 170E controllers given to Tulare County by the City of Daly City Public Works Department, it is hereby agreed:

Daly City Public Works Department is donating fifteen (15) - 210 conflict monitors and fifteen (15) - 170E controllers to Tulare County. Tulare County hereby agrees to release from liability, hold harmless and indemnify the City of Daly City and its employees, officers, and agents harmless from any and all claims, legal actions, losses, damages and liabilities, including attorney fees and costs of defense, arising from any contention or allegation, whether well founded or otherwise, that may arise from the condition or subsequent use of the fifteen (15) - 210 conflict monitors and fifteen (15) - 170E controllers donated to Tulare County.

This release from liability and hold harmless is authorized pursuant to California Government Code Section 895.4, and Tulare County expressly agrees that this release extends to direct, indirect, special or consequential losses or damages occasioned by the use of the fifteen (15) - 210 conflict monitors and fifteen (15) - 170E controllers.

Dated: _____

Pete Vander Poel
Chair
County of Tulare, Board of Supervisors