

FORM APPROVED COUNTY COUNSEL
BY: LARISA R-MCKENNA DATE: 11/24/10 ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

Consent ☐ Policy ☒
Consent ☐ Policy ☐

Dep't Recomm.:
Per Exec. Ofc.:



SUBMITTAL TO THE BOARD OF DIRECTORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Regional Park & Open-Space District

SUBMITTAL DATE:
11/10/2010

SUBJECT: Approval of Second Amendment to the Reserve Management Services Contract with the Western Riverside County Regional Conservation Authority – Districts I, II, III and V

RECOMMENDED MOTION: That the Board of Directors:

1. Approves the attached Second Amendment to the Reserve Management Services Contract with the Western Riverside County Regional Conservation Authority (RCA);
2. Authorizes the Chairman to sign and execute three (3) copies of the Second Amendment and instructs the Clerk of the Board to return two (2) copies of the Second Amendment to the Regional Park and Open-Space District (District) for transmittal and filing; and
3. Authorizes the General Manager of the District or his designee to take all actions necessary to administer the contract in compliance with its terms and conditions.

BACKGROUND: On January 31, 2006 by M.O. 13.2, your Board approved the initial Reserve Management Services Contract between RCA and the District. (Continued on page 2)

2011-011D-TN

T. Novak
Tracy Novak, Assistant Parks Director for
Scott Bangle, General Manager

FINANCIAL
DATA
N/A

Current F.Y. Total Cost: \$
Current F.Y. Net County Cost: \$
Annual Net County Cost: \$

In Current Year Budget:
Budget Adjustment:
For Fiscal Year:

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY: Alex Gann
Alex Gann

County Executive Office Signature

Prev. Agn. Ref.: 1/31/06, M.O. 13.2

District: I, II, III, V

Agenda Number:

13.1

SUBJECT: Approval of Second Amendment to the Reserve Management Services Contract with the Western Riverside County Regional Conservation Authority – Districts I, II, III and V

BACKGROUND: RCA contracted with the District to provide reserve management services including but not limited to administering, coordinating, and supervising reserve management activities of the RCA as set forth in the initial agreement.

On December 15, 2009, by M.O. 13.1, your Board took action by issuing a First Amendment to the contract, which reduced the general overhead fee, made necessary due to a decline in the local economy and resulting drop in tipping fees from the construction industry. This First Amendment reduced the general overhead fee from the rate at that time of 20 percent (20%) to 18 percent (18%). Over the last year since the Board took action, tipping fee revenues from the construction industry have continued to decline dramatically. Consequently, the RCA budget again needed to decrease in order to balance revenue and ongoing costs.

RCA and the District have agreed to a three percent (3%) total general overhead fee reduction in fiscal year 2010-11. The current rate is eighteen percent (18%) with a proposed reduction to fifteen (15%). This would result in a new general overhead fee for the balance of fiscal year 2010-11 of fifteen percent (15%) effective October 1, 2010.

As described in Section 4 of the Reserve Management Services Contract, the cost sums of overhead specified in Exhibit "B" shall be modified annually based on the acres of land managed, inflation and the RCA approved budget.

SECOND AMENDMENT TO THE RESERVE MANAGEMENT SERVICES CONTRACT
BETWEEN
THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY
AND
THE RIVERSIDE COUNTY REGIONAL PARK AND OPEN-SPACE DISTRICT

The Western Riverside County Regional Conservation Authority and the Riverside County Regional Park and Open-Space District have agreed to amend Exhibit B, Section 2 of The Reserve Management Services Contract, original dated January 31, 2006, and amended by First Amendment on October 29, 2010, as follows:

1. Section 2 of Exhibit "B" is amended to read as follows:

"2. A sum for general overhead expenses equal to fifteen percent (15%) of the total cost of salary and benefits paid pursuant to Section 1 of Exhibit "B" and including but not limited to the line items listed in Exhibit "C". The general overhead rate shall not apply to the cost for vehicles, equipment, and items classified as fixed assets (i.e., single purchase items with a value greater than \$5,000 and life expectancy of greater than one year)."

Except as hereby amended, all other provisions of the Agreement shall remain the same and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to the Contract to be executed the dates indicated below.

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Subject: Second Amendment to Contract between The Western Riverside County Regional Conservation Authority and The Riverside County Regional Park and Open-Space District

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**WESTERN RIVERSIDE COUNTY REGIONAL
CONSERVATION AUTHORITY**

By _____
Chairman of the Board

APPROVED AS TO FORM:

By _____
General Counsel

**RIVERSIDE COUNTY
REGIONAL PARK AND OPEN-SPACE DISTRICT**

By _____
Chairman, Board of Directors

ATTEST:
KECIA HARPER-IHEM, Clerk of the Board

By _____
Deputy

APPROVED AS TO FORM COUNTY COUNSEL
PAMELA J. WALLS, County Counsel

By *Pamela J. Walls* 11/24/10