



ADMINISTRATIVE PROCEDURES

Procedure Number: 4-1

Effective Date: 07/01/1998

Revision Date: 03/23/2015

County Administrator: *C. DeMullen*

SUBJECT: Board of Supervisors Agenda/Addendum Procedure

DEPARTMENT RESPONSIBLE: All County Departments

I. STATEMENT

To provide the general public and the Board of Supervisors with complete background material(s) and ensure uniformity in the submission/placement of agenda/addendum items for Board of Supervisors' meetings in compliance with the provisions of the Board of Supervisors' Policy, C 2.5.

II. AGENDA PROCEDURE

A. Deadline

Agenda materials are to be submitted to the Clerk of the Board not later than Wednesday, 5:00 p.m., thirteen (13) calendar days prior to the scheduled meeting date adopted by the Board of Supervisors.

B. Review by the County Administrator

1. Deputy County Administrators, direct report Department Directors, and other Appointing Authorities shall submit a completed Board of Supervisors Agenda Item Report (See Section VII) and all accompanying documentation to the County Administrator for all agenda items at least five (5) business days prior to the agenda deadline defined above.

Exceptions to this requirement are administrative consent calendar items, e.g., replacement warrants, precinct committeeman appointments, and department recommendations for appointment to boards, commissions and/or committees.

2. BOS Agenda Item Report forms may be executed by Deputy Directors in the absence of the Department Director.
3. If directed to amend the BOS Agenda Item Report, Deputy County Administrators/direct report Department Directors shall submit the finalized amended Report to the County Administrator's Office no later than noon, three (3) business days prior to the agenda deadline defined above.

4. If directed to provide additional information in a memorandum format, Deputy County Administrators/direct report Department Directors shall submit an edited, finalized draft memorandum conforming to the prescribed format (See Section VII) via email to the County Administrator's Office no later than noon, three (3) business days prior to the agenda deadline defined above.
5. Unless otherwise authorized, failure to provide materials to the County Administrator as defined will result in the item being delayed to a future Board meeting date.
6. Approved Board of Supervisors Agenda Item Reports will be returned to Deputy County Administrators/direct report Department Directors, and other Appointing Authorities for further processing and submission to the Clerk.
7. Executive Session items will be presented to the County Administrator by the Chief Civil Deputy County Attorney prior to submission to the Clerk of the Board.

C. Agenda Item Requirement - Contracts

An approved Board of Supervisors Agenda Item Report must accompany all contract documents for submission to Procurement.

D. Agenda Item Requirements for Submission to the Clerk of the Board

1. Submissions must contain a hard copy of the following:
 - A Board of Supervisors Agenda Item Report
 - One original document for matters requiring signature (including contracts)
 - Additional background information
 - Evidence of statutory legal advertising or website posting requirement, if applicable
2. Submissions must be accompanied by a single .pdf file which duplicates the hard copy and emailed to COB Mail@pima.gov. Exceptions will be addressed on an individual basis. Other specific electronic filing criteria may be established at the request of the Clerk of the Board.
3. Submissions relating to ordinances and resolutions must adhere to the guidelines established in *Procedures for Drafting Pima County Ordinances and Resolutions Manual* available on the Clerk of the Board webpage.
4. The Clerk of the Board reserves the right to return incomplete/inaccurate agenda items to the submitting department.

E. Posting of the Agenda and Supporting Documentation

1. The agenda is posted pursuant to the Disclosure Statement of the Board of Supervisors and/or the Board of Supervisors sitting as other Boards at the official posting locations in the Pima County Administration Building and on the County Website on the Wednesday, six (6) calendar days prior to the

Board of Supervisors' meeting. Should a holiday occur, the posting will automatically move back one day.

2. All supporting documentation for agenda items is posted to the Online Agenda if received by the Clerk of the Board before 4:00 p.m. on the day prior to the Board of Supervisors' meeting. Materials received after 4:00 p.m. are distributed via email and posted to the Online Agenda after the Board of Supervisors' meeting.

III. ADDENDUM PROCEDURE

A. Deadline

Addendum materials are to be submitted to the Clerk of the Board not later than Thursday, 5:00 p.m., five (5) calendar days prior to the Board Meeting. Should a holiday occur, the schedule will automatically move back one day.

B. Review by the County Administrator

1. Deputy County Administrators, direct report Department Directors, and other Appointing Authorities shall submit a completed Board of Supervisors Agenda Item Report (See Section VII) and all accompanying documentation to the County Administrator for all addendum items at least four (4) business days prior to the addendum deadline defined above.
2. If directed to amend the BOS Agenda Item Report, Deputy County Administrators/direct report Department Directors shall submit the finalized amended Report to the County Administrator's Office no later than noon, one (1) business day prior to the addendum deadline defined above.
3. BOS Agenda Item Report forms may be executed by Deputy Directors in the absence of the Department Director.
4. If directed to provide additional information in a memorandum format, Deputy County Administrators/direct report Department Directors shall submit an edited, finalized draft memorandum conforming to the prescribed format (See Section VII) via email to the County Administrator's Office no later than noon, one (1) business day prior to the addendum deadline defined above.
5. Unless otherwise authorized, failure to provide materials to the County Administrator as defined will result in the item being delayed to a future Board meeting date.
6. Approved Board of Supervisors Agenda Item Reports will be returned to Deputy County Administrators/direct report Department Directors, and other Appointing Authorities to accompany the addendum submission to the Clerk.

C. Addendum Item Requirement - Contracts

An approved Board of Supervisors Agenda Item Report must accompany all contract documents for submission to Procurement.

D. Addendum Item Requirements for Submission to the Clerk of the Board

1. Matters are placed on an addendum only by a member of the Board of Supervisors or with the express written approval of the County Administrator or his designee.
2. Submissions must contain a hard copy of the following:
 - A Board of Supervisors Agenda Item Report approved by County Administrator or designee.
 - One original document for matters requiring signature (including contracts)
 - Additional background information
 - Evidence of statutory legal advertising or website posting requirement, if applicable
3. Submissions must be accompanied by a single .pdf file which mirrors the hard copy and emailed to COB_Mail@pima.gov. Exceptions will be addressed on an individual basis. Other specific electronic filing criteria may be established at the request of the Clerk of the Board.
4. Submissions relating to resolutions must adhere to the guidelines established in *Procedures for Drafting Pima County Ordinances and Resolutions Manual* available on the Clerk of the Board webpage.
5. The Clerk of the Board may place continued items from prior Board of Supervisors' meetings on an addendum.
6. Matters which arise after the addendum deadline, with the exception of Executive Session items, require the approval of three (3) members of the Board of Supervisors.

Deputy County Administrators, direct report Department Directors, and other Appointing Authorities will obtain authorization from the County Administrator, or designee, to seek this approval.
7. The Clerk of the Board reserves the right to return incomplete/inaccurate addendum items to the submitting department.

E. Posting of the Addendum and Supporting Documentation

1. The addendum is posted pursuant to the Board of Supervisors and/or the Board of Supervisors sitting as other Boards Disclosure Statement at the official posting locations in the Pima County Administration Building and on the County Website on the Friday, four (4) calendar days prior to the Board of Supervisors' meeting. Should a holiday occur, the posting will automatically move back one day.
2. All supporting documentation for addendum items is posted to the Online Agenda if received by the Clerk of the Board before 4:00 p.m. on the day prior to the Board of Supervisors' meeting. Materials received after 4:00 p.m. are distributed via email and posted to the Online Agenda after the Board of Supervisors' meeting.

IV. ADDITIONAL MATERIAL

All material submitted as a supplement to agenda/addendum items must be labeled to identify who has made the submission.

V. CONTINUANCE OR REMOVAL FROM THE AGENDA

Requests for continuance or removal of agenda items must be made in writing, provide a reason for the request and emailed to COB_Mail@pima.gov.

VI. BOARD OF SUPERVISORS' MEETINGS

Departments are to be represented by their Deputy County Administrator/Department Director/or appropriate staff in the absence of the Director at all Board of Supervisors' meetings which contain matters relevant to their areas of responsibility.

VII. FORMS

The Board of Supervisors Agenda Item Report (BOS-AIR) Forms are attached to this procedure for informational purposes only. Departments are to use the electronic forms provided on the main County Intranet Page.

- A. BOS-AIR Form for Contracts/Awards/Grants
- B. BOS-AIR Form for all other matters
- C. Board of Supervisors Memorandum Guidelines

Deputy County Administrators, direct report Department Directors, and other Appointing Authorities shall submit the finalized draft memorandum template to the County Administrator's Office via email in Word.

Reference: Pima County Code Section 2.12.070(G)

Revision History: 4/5/06
4/10/09



**BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS**

Requested Board Meeting Date: _____
or Procurement Director Award

Contractor/Vendor Name (DBA): _____

Project Title/Description: _____

Purpose: _____

Procurement Method: _____

Program Goals/Predicted Outcomes: _____

Public Benefit: _____

Metrics Available to Measure Performance: _____

Retroactive: _____

Original Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____

Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

Expense Amount: \$ _____ Revenue Amount: \$ _____

Funding Source(s): _____

Cost to Pima County General Fund: _____

Contract is fully or partially funded with Federal Funds? Yes No Not Applicable to Grant Awards

Were insurance or indemnity clauses modified? Yes No Not Applicable to Grant Awards

Vendor is using a Social Security Number? Yes No Not Applicable to Grant Awards

If Yes, attach the required form per Administrative Procedure 22-73.

Amendment Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____

Amendment No.: _____ AMS Version No.: _____

Effective Date: _____ New Termination Date: _____

Expense Revenue Increase Decrease Amount This Amendment: \$ _____

Funding Source(s): _____

Cost to Pima County General Fund: _____

Contact: _____

Department: _____ Telephone: _____

Department Director Signature/Date: _____

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date:
(Required for Board Agenda/Addendum Items) _____



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: _____

Title:

Introduction/Background:

Discussion:

Conclusion:

Recommendation:

Fiscal Impact:

Board of Supervisor District:

1 2 3 4 5 All

Department: _____ Telephone: _____

Department Director Signature/Date: _____

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: _____

GUIDELINES FOR PREPARING AN EFFECTIVE BOARD OF SUPERVISORS MEMORANDUM

1. Always be cognizant of the audience for the memorandum. In addition to the Board of Supervisors, the memorandum will be read by interested citizens with varying levels of exposure to the intricacies of government operations, as well as members of the media.
2. The memorandum should be clear and concise and prepared in a manner that does not require the audience to be subject matter experts. Avoid the excessive use of jargon that may not be familiar to a typical reader.
3. If the action includes a monetary cost, all funding sources and the proportion of each should be identified in the memorandum. All budget impacts should also be discussed and justified.
4. If the subject matter does require an in-depth, complex discussion of the issue, such should be contained in a separate memorandum directed to the County Administrator by either the responsible Deputy County Administrator (DCA) or Department Director (DD).
5. All acronyms should be defined at the time of their first use.
6. All dollar amounts, percentages and other mathematical calculations should be double-checked, preferably by staff that did not perform the original calculation.
7. A critical component of a Board of Supervisors memorandum is a properly written recommendation. Prior to submittal to the County Administrator, the responsible DCA and/or DD should verify that the recommendation clearly and accurately describes the action being requested of the Board. The recommendation should include any applicable monetary amounts and funding sources, as well as other specific information that ensures the action to be taken is clear and correct.
8. Memoranda should be proofread, edited and formatted by staff qualified to perform such tasks. This responsibility is typically performed by the assistant to the Deputy County Administrator or the assistant to the Department Director.
9. If the memorandum includes reference to a Board of Supervisors resolution, such resolution should be provided, in pdf form, and include the County Attorney's signature approving as to form. The original hard copy resolution may also be included or may be transmitted directly to the Clerk of the Board.
10. All other attachments to the memorandum should be provided to the County Administrator in pdf format, and such attachments should be referenced within the memorandum.
11. Prior to transmittal of the draft Board memorandum to the responsible DCA (or directly to the County Administrator if the DD is a direct report), the DCA or DD should perform a general review of the draft and attachments to confirm they are accurate and appropriate. If such is not the case, documents should be returned to the responsible DD for correction and resubmittal.

Font is Arial 11 point. Margins are fully justified.

2"

January 20, 2015

Bold and Center

Ordinance Establishing a Deferred Prosecution Fund and Deferred Prosecution Fees

Background or "Introduction," as appropriate

1" ← → 1" → ←
The Pima County Attorney's Office maintains a Deferred Prosecution Program pursuant to A.R.S. sections 11-361 et seq. That program allows for certain nonviolent offenders to enter into the program as an alternative to prosecution. Upon successful completion of the program, the charges against the offender are dismissed.

In the 2014 legislative session, the Arizona Legislature added a new statute, A.R.S. section 11-363, authorizing the establishment of a Deferred Prosecution Fund consisting of county general fund monies, federal monies, and grants, gifts, devises or donations from any public or private source to be used at the discretion of the County Attorney for the administration of deferred prosecution programs pursuant to A.R.S. sections 11-361 et seq.

The Pima County Attorney is requesting the Board of Supervisors adopt the attached Ordinance No. 2015-_____ to establish the Deferred Prosecution Fund authorized by A.R.S. section 11-363 and adopt deferred prosecution fees pursuant to A.R.S. section 11-251.08 consisting of \$50 per month for felony, domestic violence or repeat offender cases; a \$185 one-time program fee for possession of marijuana cases; and a one-time program fee of \$80 for all other first-time offender, non-domestic violence misdemeanor cases.

These fees will be assessed against participants in the Deferred Prosecution Program and deposited into the Deferred Prosecution Fund to offset, in part, the costs of administering the Pima County Attorney's Office Deferred Prosecution Program. The proposed ordinance will also authorize the Pima County Attorney to assess the deferred prosecution fees and to direct, control and administer the Deferred Prosecution Fund to support the Pima County Attorney's Office Deferred Prosecution Program.

Benefits Use additional headings as needed for clarity

The Deferred Prosecution Program provides an opportunity for those charged with a crime to defer prosecution by meeting certain terms and conditions of deferral and then having the charges or violations of law dismissed by the County Attorney.

The Ordinance will reduce the overall cost of administering the criminal justice system by the County. The County Attorney will not have to incur the costs associated with prosecution; and more costly elements such as criminal defense, a trial and, if found guilty, a sentence resulting in confinement at the Pima County Adult Detention Center. There is an opportunity to realize significant cost savings as a result of implementation of this ordinance.

1" ↓



1" Header for two or more pages

The Honorable Chair and Members, Pima County Board of Supervisors
Re: **Deferred Prosecution Fee Ordinance** Should match title on Page 1 of memorandum
January 20, 2015 Date of Board Meeting
Page 2

Recommendation All Board Memoranda must include a recommendation

I recommend the Board of Supervisors adopt Ordinance No. 2015-_____ to establish the Deferred Prosecution Fund authorized by A.R.S. section 11-363 and adopt deferred prosecution fees pursuant to A.R.S. section 11-251.08 consisting of \$50 per month for felony, domestic violence or repeat offender cases; a \$185 one-time program fee for possession of marijuana cases; and a one-time program fee of \$80 for all other first-time offender, non-domestic violence misdemeanor cases.

Respectfully submitted,

← **Recommendation should be very specific regarding Board action requested.**

C.H. Huckelberry
County Administrator

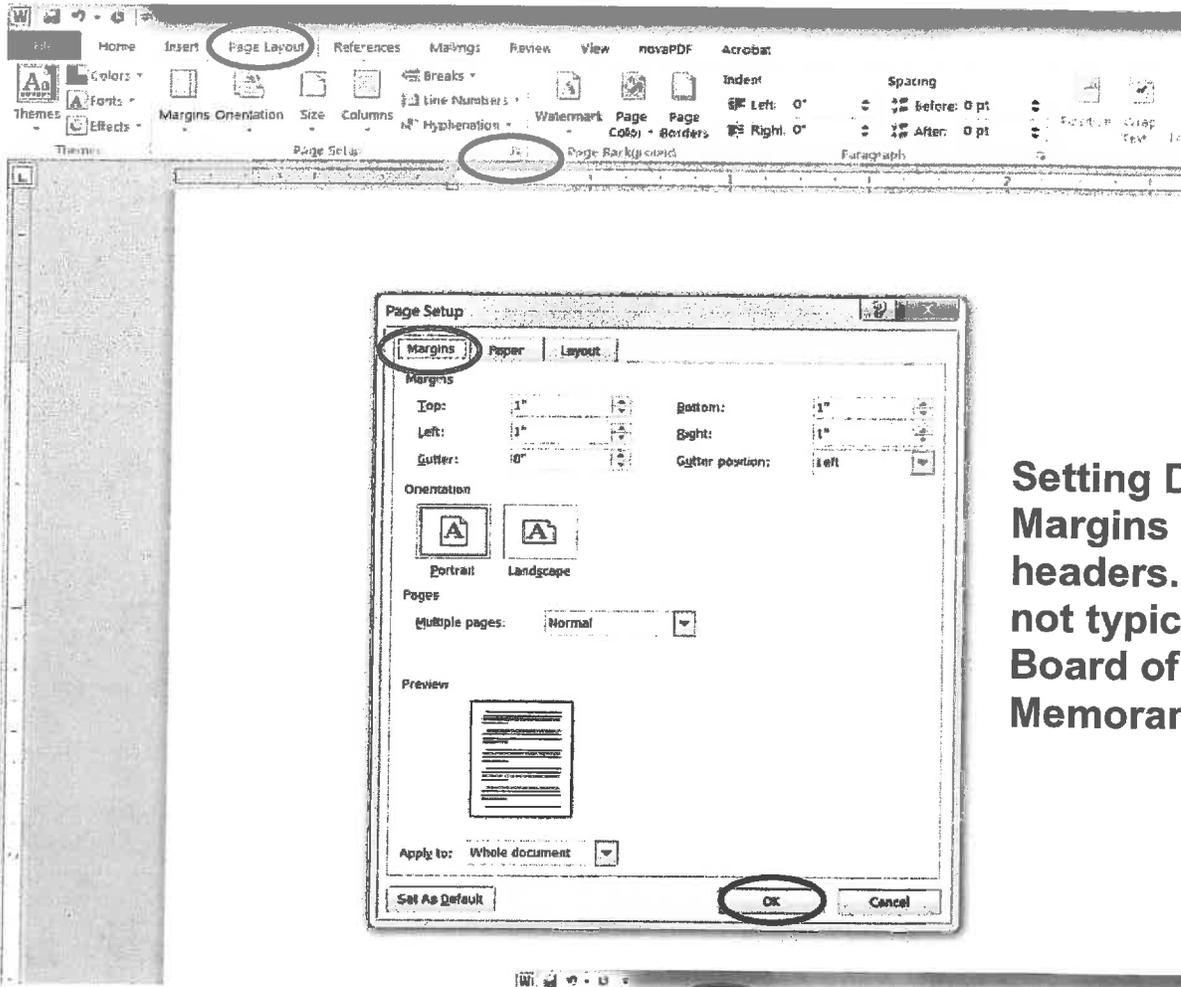
← **Date the memorandum is actually issued**

Previously used acronyms should always be spelled out in the recommendation.

CHH/anc – January 8, 2015

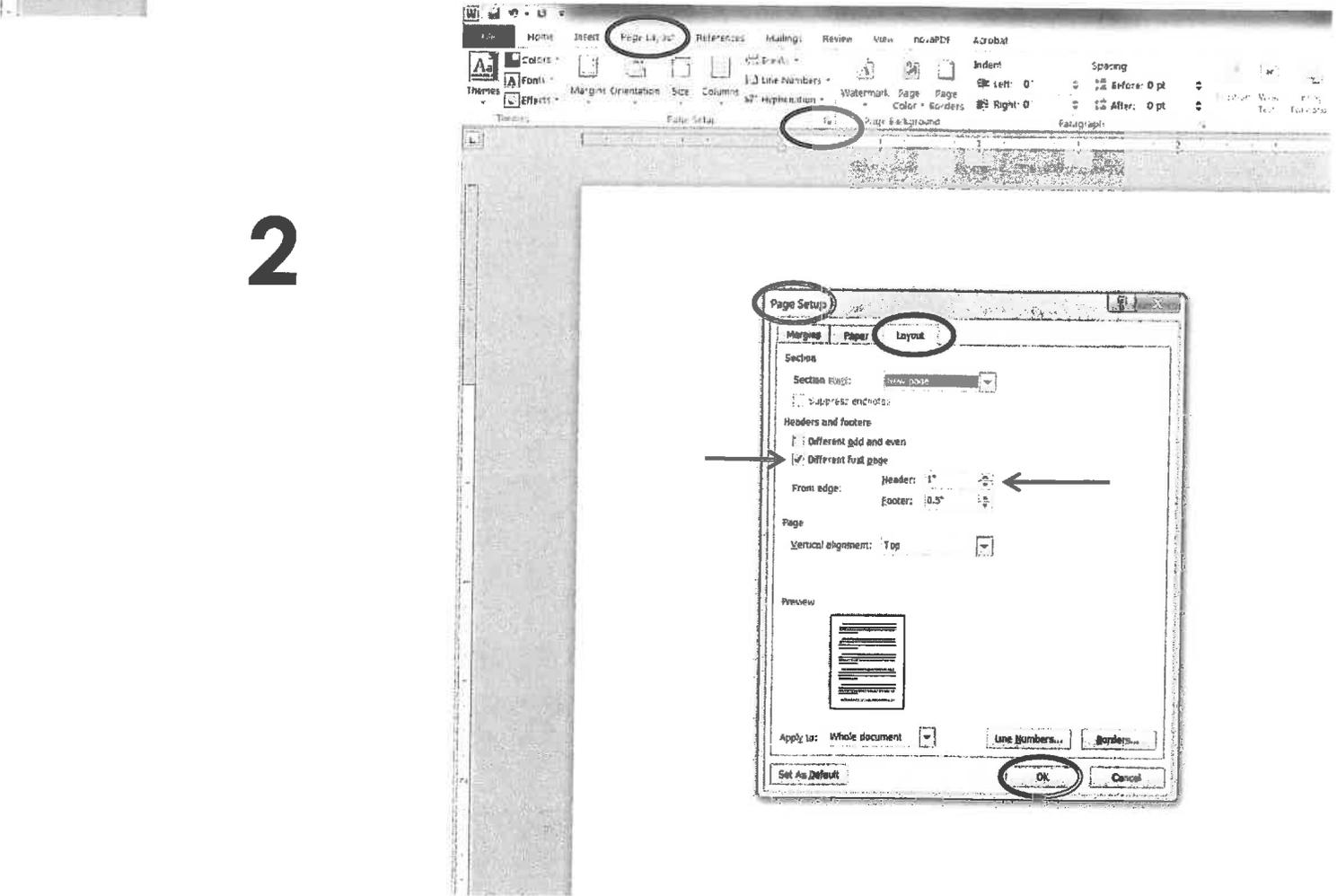
Attachment(s) ← **If applicable. County Administration should receive pdf files of all attachments.**

c: The Honorable Barbara LaWall, County Attorney
Chris Straub, Chief Civil Deputy County Attorney
Tobin Rosen, Deputy County Attorney



1

Setting Document Margins and margin for headers. (Footers are not typically used in a Board of Supervisors Memorandum.)



2