

MOTION BY SUPERVISOR GLORIA MOLINA

February 2, 2010

On January 12, 2010, the Board of Supervisors authorized the U.S. Census Bureau to use County facilities for “Be Counted Sites: and “Questionnaire Assistance Centers” based upon a case-by-case finding that the use could be accommodated without negatively impacting the main business of the facilities. The Bureau has now identified the need for additional space for training and testing of Bureau personnel and other Census-related uses.

In order to continue our strong partnership with the Bureau in ensuring the most complete Census count possible, We should expand this Board’s prior authorization in order to allow the Census Bureau to utilize County facilities for these additional purposes after receiving approval from the Chief Executive Office (CEO), in conjunction with the respective department/facility, that adequate space is available and that the Census use will not negatively impact the main business of the facility.

I, THEREFORE, MOVE THAT THE BOARD:

-MORE-

MOTION

Ridley-Thomas _____

Yaroslavsky _____

Knabe _____

Antonovich _____

Molina _____

1. Find that a portion of County-owned and County-leased facilities will not be needed exclusively for County use while the U.S. Census Bureau establishes Census personnel training and testing sites and other Census-related activities at various locations to be determined by the CEO in conjunction with the user department at those locations.
2. Find that the Census outreach effort, in the form of the proposed training, testing and other uses at County sites, provides a public service that benefits local communities and the County.
3. Authorize the Chief Executive Officer or his designee to execute the attached agreement provided by the U.S. Census Bureau which will allow Bureau personnel, without indemnification, using self-insurance, and on a gratis basis, to use County-owned and County-leased facilities through May 31, 2010, in order to pursue Census personnel training and testing and other Census-related activities to assist in Census outreach, once the CEO has determined the use will not negatively impact the main business of the selected facilities.

LO/ld



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Los Angeles Regional Census Center
Northridge, CA 91324

January 26, 2010

Name of Location
Address
City, State, Zip Code

Dear Name of Contact Representative,

Thank you for donating the space identified below for use in testing/training U.S. Census workers:

Date and time
Name of Location
Address
City, State, Zip

Sample

The Federal Government does not sign liability or "hold harmless" agreements. The United States, through its departments and agencies such as Commerce and NOAA, is prohibited by the Anti-Deficiency Act, 31 U.S.C. 1341, 1342 and 1517, from undertaking contingent and undetermined liability without funds being appropriated by Congress for such purpose.

The Government is self-insured and does not maintain general liability insurance. In lieu of any insurance, the Department's liability for negligence of its employees in performing their duties is governed exclusively by the provisions of the Federal Tort Claims Act. Therefore, please be informed of the following:

"Census agrees to promptly consider and adjudicate any and all claims which may arise out of use of subject donor's premises resulting from the actions of Census or duly authorized representatives or contractors of Census and to pay for any damage or injury as required by Federal law. Such adjudication will be made pursuant to the Federal Tort Claims Act, 28 U.S.C. 2671 et seq. or such other legal authority as may be pertinent.

We understand that we can use this space (rent free) for the period(s) indicated above. If this is not correct, please let us know.

Sincerely,

Name of AMR
Assistant Manager for Recruiting