

No Limitation on Law / Elected Officials

Nothing in this Addendum regulates or restricts statements by elected officials acting in their official capacities, nor limits the County's duties under public records or open meeting laws.

Notice & Opportunity to Confer (Before Staff Statements)

Except where immediate public notice is required by law or public safety, **before** the County issues any public communication or presents any allegation of Contractor non-performance or wrongdoing, the County will provide **written notice** of the concern. The parties will then **meet (in person or by video conference) as soon as practicable**, and in any case no later than 30 days, to discuss the allegations, provide the Contractor with a full understanding of the concern, and allow the Contractor to prepare and present its response, and discuss potential alternative resolutions. This process does not delay any emergency actions the County is legally required to take.

County-Managed Public Communications – Standing Disclaimer

When County staff either issues oral or written public communications about this Agreement or Contractor performance (e.g., oral statements in public meetings, press releases, website posts, newsletters, official social media), or places the Agreement or Contractor on any agenda item, the County will append a disclaimer onto any written minutes/meeting records or publications related to the Agreement, Contractor, and/or statements-made, in the following form:

“Disclaimer. Statements made by individual Supervisors during public meetings reflect the views of the individual speaker and do not constitute official County findings or policy unless adopted by vote of the Board or issued by authorized County staff. “

Record Clarification Procedure (Right of Reply)

If Contractor provides a written request to respond to any County-controlled communication or meeting record issued to the public, oral or written, the County will:

1. Allow the Contractor to provide a written response up to 250 words;

2. Add the Contractor's response to the agenda file/meeting record maintained by the Clerk, and to any written communication (e.g. Facebook page) where the original county statement is found;

3. Place a brief clarification-note on the same written communication(s), as follows.

“As of [date], the County has not made an official finding of wrongdoing regarding this contractor. Statements by individual Supervisors are their own unless adopted by the Board or issued by staff. “

This procedure applies to County-controlled channels only (e.g., Clerk’s records, County website/pages, official social feeds).

Payment Continuity

Retainer payments will **not** be withheld or delayed **solely** due to public allegations. Any withholding requires a **written non-compliance notice** under the Agreement identifying the specific basis and affected invoice lines and applies only to the impacted portion based on documented facts. **Undisputed amounts remain payable** per contract terms.