



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

VACANT
Fourth District

JIM DESMOND
Fifth District

DATE: December 5, 2023

19

TO: Board of Supervisors

SUBJECT

SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND COUNTY ADMINISTRATIVE CODE PROVISIONS ASSIGNED TO THE FINANCE AND GENERAL GOVERNMENT GROUP (11/7/23 – First Reading; 12/5/23 – Second Reading, unless the ordinances are modified on second reading) (DISTRICTS: ALL)

OVERVIEW

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Finance and General Government Group (“FG3”) periodically reviews certain Board Policies and provisions of the San Diego County Code of Administrative Ordinances (“Administrative Code”) to ensure that they reflect current Board of Supervisors (“Board”) standards and practices. FG3 also reviews for any changes in laws, policies or regulations that govern County departmental operations and services and recommends amendments accordingly.

On November 7, 2023 (21), the Board of Supervisors approved staff recommendations to: 1) determine that no amendments are necessary to certain policies and code provisions, 2) determine that amendments are necessary to certain policies and code provisions, 3) defer the sunset review of certain policies until December 31, 2024, and 4) repeal one Administrative Code provision.

Today’s requested action is to further consider and adopt the ordinances (second reading) that amend and repeal certain administrative codes, which the Board approved introduction (first reading) on November 7, 2023 (21). If the proposed ordinances are altered on December 5, 2023, then on that date a subsequent meeting date will be selected for the ordinances’ adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Submit the Ordinances for further Board consideration and adoption (Second Reading):

AN ORDINANCE AMENDING ARTICLE IX OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE OFFICE OF COUNTY COUNSEL

AN ORDINANCE AMENDING ARTICLE X OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO CLAIMS AGAINST THE COUNTY

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AN ORDINANCE AMENDING ARTICLE XII-F OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE COUNTY COMMUNICATIONS OFFICE

AN ORDINANCE REPEALING ARTICLE XXI OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO INTERGOVERNMENTAL REPRESENTATION

AN ORDINANCE AMENDING ARTICLE XXIIb OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE DEPARTMENT OF GENERAL SERVICES

AN ORDINANCE AMENDING ARTICLE XXVIe OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO REIMBURSEMENTS AND ALLOWANCES

AN ORDINANCE AMENDING ARTICLE XXVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO THE BOARD OF SUPERVISORS

2. Approve the sunset review date of December 31, 2030, for these ordinances.

EQUITY IMPACT STATEMENT

The County of San Diego's policies impact residents of the county. In the review of policies, staff considered and accounted for impacts to all communities. In addition, the recommended amendments to policies and code provisions before the Board ensure the use of inclusive pronouns, and the incorporation of new roles created to increase accessibility to County programs and services.

SUSTAINABILITY IMPACT STATEMENT

County of San Diego (County) staff reviewed and, where necessary, is recommending amendments to existing policies and code provisions in alignment with our current County sustainability goals and practices. The recommendations before the Board include updates to Board Policies that incorporate the goal of meeting high standards of sustainability and environmental design recognized by Leadership in Energy and Environmental Design (LEED) Gold building certification as a baseline for any new construction at County facilities. Additionally, the recommendations include updates that promote economic sustainability.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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ADVISORY BOARD STATEMENT

N/A

BACKGROUND

In accordance with Board Policy A-76, Sunset Review Process, the Finance and General Government Group (“FG3”) periodically reviews certain Board Policies and provisions of the San Administrative Code (“Administrative Code”) to ensure that they reflect current Board of Supervisors (“Board”) standards and practices. FG3 also reviews for any changes in laws, policies or regulations that govern County departmental operations and services and recommends amendments accordingly.

County staff have reviewed and recommended changes to the below listed Administrative Code provisions. On November 7, 2023 (21), the Board approved the introduction and first reading of the ordinances amending these code provisions. Today’s action is the second reading and further consideration of the ordinances, as well as a consideration of a sunset review date of December 31, 2030, for these code provisions.

a. Administrative Code Article IX – Office of County Counsel

Changes are recommended to clarify County Counsel representation includes representation before administrative bodies, other tribunals, as well as courts. Additional recommended changes include extending the authority for County Counsel to file claims with Commission on State Mandates for reimbursement from the State for costs the County incurred due to new programs or higher levels of service on existing programs. Changes are also recommended to add authority to enforce, pursue, or protect the County's rights by filing appeals or writs in court and to increase County Counsel’s authority from \$25,000 to \$100,000 to settle claims or lawsuits brought by the County against third parties for damages accruing to the County. This authority amount has not been increased in over 20 years. The increase recognizes the impact of inflation as well as the nature of claims and lawsuits brought by a county of the County’s size.

b. Administrative Code Article X – Claims Against the County

Changes are recommended to increase the amount County Counsel is authorized to settle claims against the County where a lawsuit is not filed from \$25,000 to \$50,000. The changes are also recommended to increase the amount County Counsel is authorized to settle lawsuits brought by third parties against the County from \$25,000 to \$100,000. The authority amounts have not increased in over 20 years. The increases recognize the impact of inflation as well as the nature of claims and lawsuits brought against a county of the County’s size.

c. Administrative Code Article XII-F – County Communications Office

Changes are recommended to clarify County Communications Office’s primary function of serving as an advisor to the Chief Administrative Officer and providing centralized

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management, coordination, and support of public affairs activities to all County groups, departments, offices, and programs. Changes are also recommended to clarify functions of the department to include community engagement, public outreach, language services, and coordination with the Department of Human Resources for the structure of existing and new job classifications and descriptions in support of public affairs functions.

d. Administrative Code Article XXI - Intergovernmental Representation

It is recommended that Article XXI of the Administrative Code be repealed as it was authored in the late 1960s and was last updated more than 20 years ago. The provisions within this article are superseded by current laws and policies, specifically the Political Reform Act of 1974 and its various amendments, that govern advocacy and appropriate use of taxpayer dollars in the area of intergovernmental representation.

e. Administrative Code Article XXII-b - Department of General Services

Minor changes are recommended for general clarity and alignment with the functions of the Department of General Services.

f. Administrative Code Article XXVIe – Reimbursements and Allowances

Minor changes are recommended to update pronouns and name of classifications regarding reimbursement for required membership in the California Bar.


g. Administrative Code XXVII – Board of Supervisors

In addition to minor changes recommended to update pronoun references and department names, changes are recommended to update the definition of a “Tuesday session” to “Legislative session” for clarity. Also, changes are recommended to add language that encourages the use of the County’s standard procurement methods before seeking reimbursement and to eliminate reference to an annual reimbursement limit before Board approval is needed, since there is already a limit that is established per event.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Approval of these recommended actions will support the Strategic Initiatives of Sustainability, Equity, Empower, Community, and Justice in the County of San Diego’s 2023-2028 Strategic Plan.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Interim Chief Administrative Officer

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ATTACHMENT(S)

Attachment A – Ordinance - Article IX Office of County Counsel (Clean)
Attachment B – Ordinance - Article IX Office of County Counsel (Info)
Attachment C – Ordinance - Article X Claims Against the County (Clean)
Attachment D – Ordinance - Article X Claims Against the County (Info)
Attachment E – Ordinance - Article XII-F County Communications Office (Clean)
Attachment F – Ordinance - Article XII-F County Communications Office (Info)
Attachment G – Ordinance – Article XXI Intergovernmental Representation (Clean)
Attachment H – Ordinance – Article XXI Intergovernmental Representation (Info)
Attachment I – Ordinance - Article XXIIb Department of General Services (Clean)
Attachment J – Ordinance - Article XXIIb Department of General Services (Info)
Attachment K – Ordinance - Article XXVIe Reimbursements and Allowances (Clean)
Attachment L – Ordinance – Article XXVIe Reimbursements and Allowances (Info)
Attachment M – Ordinance – Article XXVII Board of Supervisors (Clean)
Attachment N – Ordinance – Article XXVII Board of Supervisors (Info)
Attachment O – Summary of Proposed Ordinances