

JUNE 3, 1998

ORDINANCE NO. 8915 (NEW SERIES)

AN ORDINANCE REPEALING AND AMENDING SECTIONS OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE CONCERNING THE CHIEF ADMINISTRATIVE OFFICER, THE DEPARTMENT OF HUMAN RESCOURCES, THE EQUAL OPPORTUNITY MANAGEMENT OFFICE, THE DEPARTMENT OF GENERAL SERVICES AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 26.02 of Article II of the San Diego County Administrative Code regarding a definition concerning the Equal Opportunity Management Office is repealed.

Section 2. Section 84.1, subsection (o), of Article IIIk of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"(o) Director means the Director of the Department of General Services of the County of San Diego or staff designee."

Section 3. Section 84.2 of Article IIIk of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"SEC 84.2. GOALS.

The Director, shall establish goals for vendor employment of handicapped persons, with such goals being the proportion of handicapped persons in the local labor market of the County of San Diego based on the current Federal census."

Section 4. Section 84.9, subsection (c), of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"(c) The vendor shall notify the Director when the union or unions with whom the vendor has a collective bargaining agreement have not referred to the vendor a handicapped worker sent for by the vendor or the vendor has other information that the union referral process has impeded the vendor's effort to meet the established goals."

Section 5. Section 84.10, subsection (a), of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"(a) Any vendor may submit to the Director for review and approval a written Affirmative Action Plan developed by the vendor in lieu of adopting the County's Affirmative Action Program."

Section 6. Section 84.13 of Article III of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"SEC 84.13. CORRECTING VIOLATIONS.

After a finding by the Director that a vendor or subcontractor has failed to file with the County all forms or reports required by this Article while operating under a County contract or has committed a violation of any applicable State or Federal law concerning equal employment practices, the Director shall serve written notice of such violation on the vendor. The vendor shall be responsible for notifying any subcontractor involved in such violation. Upon request by the Director, the vendor found to be in violation shall meet with the Director in order to determine a method of correcting the violation and the time period within which such remedy shall be effected. If the remedy is not agreed upon within ten (10) days of the above notice, the Director shall prescribe the method by which the violation shall be corrected and shall notify the vendor in writing of such method. The vendor shall be responsible that said vendor's subcontractors correct their violations.

"If the vendor has not corrected the violation in the manner prescribed by such notice, unless an extended period is permitted in writing by the Director, the Director shall make a finding that the vendor is in violation of this Article and shall impose one or more of the sanctions provided in this Article."

Section 7. Section 84.16 of Article IIIk of the San Diego County Administrative Code regarding "Affirmative Action Program for Vendors" is amended to read as follows:

"SEC 84.16. NOTICE OF VIOLATION AND IMPOSITION OF SANCTIONS.

In any case where the Director has made a finding that a vendor is in violation of this Article and has imposed any of the sanctions authorized by this Article, the Director shall mail or deliver to the vendor affected at least ten (10) days prior to the effective date of such sanction, a written notice which includes a statement of the action, a concise explanation of the reasons for such action, the basis relied upon for such action and an explanation of the vendor's right to appeal such action to the Board of Supervisors before the effective date of such action. A copy of the notice shall also be sent to any subcontractor of the vendor if the Director has made a finding that such subcontractor is in violation of the provisions of this Article."

Section 8. Section 122 of Article VIII of the San Diego County Administrative Code regarding the Office of the Chief Administrative Officer is amended to read:

"SEC. 122. CHIEF ADMINISTRATIVE OFFICER'S IMMEDIATE OFFICE.

There shall be in the office of the Chief Administrative Officer the position of Assistant Chief Administrative Officer, who shall be the principal assistant to the Chief Administrative Officer, positions of Deputy Chief Administrative Officer and positions of CAO Project Manager. The Assistant Chief Administrative Officer, the Deputy Chief Administrative Officers and the CAO Project Managers shall be in the Unclassified Service. Said positions shall be filled by appointment by the Chief Administrative Officer in accordance with County Charter, Rules for the Unclassified Service and County ordinances.

"The Assistant Chief Administrative Officer and the Deputy Chief Administrative Officers shall oversee, on behalf of the Chief Administrative Officer, and participate in

the development and implementation of policies and programs for groupings of County departments; advise the Chief Administrative Officer on such policies and programs within such departmental groups; direct major or complex special projects; evaluate the performance of department and program heads; serve as liaison between departmental groupings; provide direction and review of departmental budget; review department items of broad significance to go before the Board of Supervisors; represent the County and the Chief Administrative Officer in meetings with community agencies, commissions, committees and other public groups; appoint authorized Office or Group personnel in accordance with the County Charter, Rules for the Unclassified Service, Civil Service Rules and County ordinances; and perform related functions assigned by the Chief Administrative Officer.

"The CAO Project Managers shall, under the administrative direction of the Chief Administrative Officer, be responsible for providing administrative coordination, including planning and support, for highly complex special projects of a temporary nature in the Chief Administrative Office. Additionally, the CAO Project Manager assigned to the Office of Internal Affairs shall be responsible to receive and investigate complaints of discrimination on the basis of race, color, religion, national origin, sex or other prohibited discriminatory acts under Federal or State law or County ordinances and policies, make appropriate recommendations, establish a written procedure which shall govern such complaints and be responsible to perform such other duties as the Chief Administrative officer may from time to time assign."

Section 9. Section 122.1 of Article VIII of the San Diego County Administrative Code regarding the appointment of personnel of the Chief Administrative officer is amended to read:

"SEC. 122.1 APPOINTMENT AND EMPLOYMENT OF PERSONNEL.

The Chief Administrative Officer shall appoint and employ such personnel as may be necessary to carry out the duties of the Office of the Chief Administrative Officer, except the personnel allocated to the Assistant Chief Administrative Officer and Deputy Chief Administrative Officers who shall be appointed and employed by the Assistant Chief Administrative Officer or Deputy Chief Administrative Officer of said Office or Group. All appointments and employments made by the Chief Administrative Officer shall be in accordance with the provisions of the County Charter, Rules of the Unclassified Service, Civil Service Rules and County ordinances."

Section 10. Section 125 of Article VII of the San Diego County Administrative Code regarding C.A.O. Staff Offices is amended to read:

"SECTION 125. C.A.O. STAFF OFFICES.

(a) There shall be in the Office of the Chief Administrative Officer the following Staff Offices:

- (1) Office of Strategy and Intergovernmental Affairs;
- (2) Office of Disaster Preparedness.

"The Chief Administrative Officer shall exercise general supervision of said staff offices.

"(b) The Chief Administrative Officer shall be the appointing authority of the Directors of the Office of Strategy and Intergovernmental Affairs, and the Office of Disaster Preparedness each of whom shall be in the Unclassified Service of the County. Such appointments shall be in accordance with the County Charter, Rules for the Unclassified Service and County ordinances.

Section 11. Section 200.4, subsection (b) of Article XII-D of the San Diego County Administrative Code regarding the Department of Human Resources is amended to read:

"(b) Administer the personnel program including recruitment and examination, position classification, wage and salary determination, diversity plan, in-service training and employee development, performance appraisals, career counseling, employee incentives, leaves of absence, and maintenance and development of various other personnel programs and standards."

Section 12. Sections 305 through 308 inclusive of Article XVII-C of the San Diego County Administrative Code regarding the Equal Opportunity Management Office are repealed.

Section 13. Section 725, subsection (5), of Article XXXIX of the San Diego County Administrative Code regarding the Department of Housing and Community Development is amended to read:

"(5) Prepare and implement plans and programs necessary to provide adequate housing and community development activities for the County's very low, low, and moderate-income families and to coordinate and monitor the affirmative fair housing marketing plan."

Section 14. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

Section 15. Operative Date. This ordinance shall become operative on July 3, 1998.

PASSED, APPROVED and ADOPTED this 3rd day of June, 1998.