

ORDINANCE NO. 9059 (NEW SERIES)

AN ORDINANCE AMENDING SECTIONS 398.4, 398.5, 398.10, 398.10.3, 398.14, 398.16 AND 398.17.1 TO THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO IMPLEMENTATION OF INTERNAL SERVICE FUNDS FOR THE DEPARTMENT OF GENERAL SERVICES

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

Section 1. The Board of Supervisors finds and determines that changes to the Administrative Code are necessary to allow implementation of Internal Service Funds. The amendments made by this ordinance are intended to allow such implementation.

Section 2. Section 398.4 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.4. DIRECTOR TO PREPARE SPENDING PLAN AND SUPERVISE EXPENDITURES.

The Director shall prepare and file the required annual itemized estimates of expenditures and revenues for the Department in accordance with State Law and this Code. The Director shall supervise the expenditures of all funds earned by or allocated to Internal Service Funds within the Department.

Section 3. Section 398.5 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.5. FUNCTIONS OF DEPARTMENT.

The Department shall perform such functions as may be assigned to it, including the following:

- (a) Provide facilities management, including development, implementation, cost management and programming responsibilities of the County's annual Capital Improvement Program.
- (b) With regard to County Facilities.
 - (1) Provide project management, plans and specifications for the construction, alterations or repair of County buildings, structures, improvements, and equipment.
 - (2) Inspect and supervise the construction, alteration and repair work on all County Facilities whether such work is performed by County forces and equipment or under contract. In the case of contracted construction or repair work, the Director shall require the work to be done in accordance with the plans and specifications filed with the Board, when required by

State Statutes, and from time to time as the Board may direct, report to the Board regarding the progress and cost of all such work.

- (3) Develop standards for the construction of County facilities.
 - (4) Adhere to County-adopted standards for the utilization of space within County facilities.
 - (5) Maintain a record of the drawings and plans for all construction, alterations and repair of County facilities.
- (c) Exercise responsibility for the lease of real property for County use, the management and monitoring of such leases and the termination, extension or renewal of lease agreements.
 - (d) The real property lease functions of the Department shall apply to all real property owned by or leased by or to the County, except such property acquired by the County for public road, highway or bridge construction, flood control, solid waste disposal, open space, airport and park purposes, and land leased by the County for exclusive use of the Department of Public Works for rock quarries, sand and gravel pits or borrow pits.
 - (e) Operate and maintain County facilities including the structural, mechanical, electrical, plumbing and lighting systems, and the adjoining grounds and parking lots.
 - (f) Provide custodial and trash removal services required for County facilities.
 - (g) Provide security protection services for County facilities and property.
 - (h) Acquire, maintain and operate the County's automotive and construction equipment and machinery except such equipment purchased out of special district or other limited purposes funds.
 - (i) Manage the County's blanket purchase order for off-site records storage and provide microfilming, imaging, microfilm vault storage and reference services to County departments.
 - (j) Administer a uniform Records Management Program encompassing all County departments and offices.
 - (k) Control and manage the inter-office and related mail services for County departments.
 - (l) Budget for, manage and monitor the County's utilities, with the exception of voice, data, and video communications, consumption and related costs.

- (m) Exercise responsibility for the appraisal, acquisition, leasing and disposal of all real property owned by the County including easements, right-of-way, permits and concessions; except as otherwise provided in this Code. Where a lessee of County property, in accordance with provisions of the lease, desires to sublease all or a portion of the leased premises for purposes permitted by the lease terms, and where the sublease is subordinate to the master lease in all respects, and where there is no anticipated diminution in rent to the County or service to the public, the Director is hereby authorized on behalf of the County as lessor to consent to such subleases.
- (n) Operate a relocation assistance program, pursuant to rules and regulations established by the Board of Supervisors, to assist persons, businesses or farm operations required to relocate because of the acquisition of real property by the County.
- (o) Establish and maintain a Real Property inventory of all land and improvements owned by the County, except public streets and highways.
- (p) Manage the County's copy center, and provide central duplicating services including printing/reproduction services to County departments and to other public agencies as may be directed by the Board.
- (q) Direct and administer a budget unit which is responsible for the management of rents and leases, County-wide automotive and construction equipment and machinery and major maintenance funded projects.

Section 4. Section 398.10 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.10. COUNTY AUTOMOTIVE EQUIPMENT.

It is the purpose of this section to provide for the assignment, inventory and maintenance of County-owned automotive equipment and to prohibit the use of County-owned automotive equipment for other than official County business.

- (a) All County-owned automotive equipment, except the automotive equipment of the Department of Public Works and automotive equipment purchased out of special district or limited purpose funds, shall be assigned to the Director. Such equipment may be allocated to the various departments of the County by the Director to meet their specific needs and this allocation may be modified or terminated as necessary to insure the most cost-effective utilization of all County-owned automotive equipment. Equipment acquired by and placed in the Fleet Services Internal Service Fund will be allocated to the department acquiring such equipment through the Fund.
- (b) All automotive equipment owned by the County, except such equipment of the Department of Public Works and automotive equipment purchased out of special

district or limited purpose funds, shall be listed on an inventory to be maintained and accounted for by the Director. The Department shall be responsible for the maintenance and repair of all County vehicles.

- (c) The Department Head to which automotive equipment is allocated by the Director shall be responsible to the County for the proper use of such equipment. This responsibility may be delegated to the officer or employee in charge of any subordinate organization unit, or to an individual employee to whom the equipment is exclusively assigned. Any operator of a County-owned motor vehicle is responsible for its safe operation in compliance with the California Vehicle Code.
- (d) The use of County-owned automotive equipment for other than official County business is prohibited. Official County business shall include the operation of a County-owned or County leased vehicle as a commute vehicle in a car pool program authorized by the Board. The use of County-owned automotive equipment contrary to the provisions of this section may subject the person so using the equipment to disciplinary action or to an action to recover the value of such use, or both.
- (e) For the purpose of this Article, automotive equipment is defined as motorized and self-propelled on and off highway vehicles and maintenance equipment and related towed equipment such as trailers and trailer mounted power units.
- (f) Any employee of the County may be authorized to operate a County-owned motor vehicle provided the following qualifications are met:
 - (1) Must possess a valid California driver's license appropriate to the class of vehicle being operated.
 - (2) Must bear a written authorization from his/her department head to use a County-owned vehicle.
 - (3) Must be eighteen years of age or older.
- (g) The department shall provide administrative support to the Department of Public Works, Internal Service Fund.

SEC. 398.10.3. FLEET SERVICES INTERNAL SERVICE FUND.

- (a) There is in the Department a Fleet Services Internal Service Fund under the administration and control of the Director. All vehicles, and vehicles purchased as replacement for vehicles in the General Fund Vehicle Fleet, will be placed in the Internal Service Fund.

- (b) Revenue and expenses incident to the acquisition, operation, maintenance, repair and depreciation of General Fund vehicles used by the County departments shall be expended and accounted for through this fund, and shall include:
 - (1) Acquisition of new and replacement vehicles;
 - (2) Procurement of necessary supplies, parts and services;
 - (3) Payment of allocated department personnel salaries and benefits; and
 - (4) Vehicle rental and replacement receipts, for accumulated depreciation, interest on the Fund, and for such other revenue that may be advanced or due, in support of the Internal Service Fund which shall serve as the depository for such receipts.

Section 5. Section 398.14 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.14. LICENSES AND PERMITS FOR ACTIVITIES OTHER THAN COMMERCIAL MOTION PICTURE FILMING.

Each year a number of requests are received from both public and private interests for use of County property and facilities. It is the purpose of this Ordinance to establish a single point of contact for consideration of and action on applications for licenses and/or permits for such use of County property and facilities for purposes other than commercial motion picture, television or video filming, and to delegate limited responsibility to the Director of General Services to enable processing of and action upon such requests to be carried out in a uniform, timely manner. Such requests shall be acted upon as follows:

- (a) Except as provided in paragraph 2 below, and in Section 398.15, hereof, all requests and applications of persons, firms, and public agencies to use County property and/or facilities, other than County roads and County Parks, for routine activities for private or commercial purposes shall be directed to the Director of General Services for investigation and coordination with affected County agencies and departments, and issuance or denial of licenses or permits as applicable.
- (b) This section shall not apply to any application or request for issuance of a license or permit for a single use in excess of five (5) years or for a single use wherein the cost to the County is estimated by the Director of General Services to exceed \$5,000. Such application or request shall, after investigation by the Director of General Services, be forwarded to the Board of Supervisors with a recommendation for Board action.
- (c) Full County costs, including indirect costs, shall be determined by the Director of General Services for any use of County property or facilities under this section and shall be charged to the applicant in accordance with Board of Supervisors Policy

B-29; “Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery.” The Director of General Services shall require from the applicant, prior to issuance of the license or permit, payment of an amount sufficient to cover such costs, and if such costs exceed that amount shall bill the applicant for such excess costs. Where the Director determines that the cost of any use is negligible and the Director further determines that the public benefit would be served thereby, the Director shall waive such cost.

- (d) The license or permit issued by the Director of General Services under this section shall be embodied in a form which shall be sufficiently flexible to allow individual treatment of extraordinary circumstances surrounding the use involved.
- (e) The form of license or permit shall contain the following:
 - (1) Identification of the applicant, the location and time of use and the type of use involved.
 - (2) Restrictions against impeding the flow of vehicular traffic and public access to or from County property or facilities.
 - (3) A hold harmless clause, insurance provisions and performance bond provisions sufficient to ensure protection of the County’s interest.
 - (4) A specific statement of the fee or other consideration for the use of the County property or facilities.
 - (5) A statement of the County’s absolute discretion to terminate the license or permit at any time.
 - (6) Such other provisions as may be required by law.
- (f) Each license or permit shall be approved as to form by County Counsel prior to issuance.
- (g) A copy of each license or permit issued under this section shall be filed with the Clerk of the Board of Supervisors.
- (h) No license or permit issued hereunder shall be construed for any purpose as constituting a lease of County property or facilities.

Section 6. Section 398.16 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.16 INTERNAL SERVICE FUNDS.

The Director of the Department of General Services shall administer Internal Service Funds for (1) Document Services, (2) Facilities Management, and (3) Purchasing and Contracting.

- (a) The Internal Service_ Funds may finance (1) equipment, (2) materials, (3) supplies, (4) services, and (5) labor expenses, and (6)_all other expenses incurred in establishing and operating the service activities.

- (b) The Director may provide for the fixing and collection of charges from the recipients of activities financed by the Internal Service Funds, and such charges may include all expenses in providing the service activity, including operational costs, depreciation and acquisition of new and replacement equipment.
- (c) The Internal Service Funds shall be accounted for as prescribed by the Auditor and Controller.

Section 7. Section 398.17.1 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 398.17.1 PROCUREMENT.

- (a) The Director of General Services has the authority to contract or modify any contract, purchase, rent or lease for the County any insurance, supplies, furnishings, equipment, computer hardware and software systems or other personal property, and to engage independent contractors to perform services for the County in accordance with the provisions of this section. The Director of General Services may contract for, or purchase, lease, or rent these items, without obtaining approval of the Board of Supervisors, if the amount does not exceed \$100,000; if formal competitive bidding is employed; or if the Board of Supervisors has adopted a written policy exempting specific classes of procurement from the requirements.
- (b) The Director of General Services is authorized to enter into public works contracts (as described in Section 20121 of the Public Contract Code.) The Director of General Services may enter into these contracts, without obtaining approval of the Board of Supervisors, if the estimated cost of the work is less than the amounts prescribed by the Public Contract Code.
- (c) The Director of General Services is authorized to enter into highway contracts (as described in Section 20390 of the Public Contract Code.) The Director of General Services may enter into these contracts, without obtaining approval of the Board of Supervisors, if the Director, Department of Public Works, estimates the cost at less than the amount prescribed by the Public Contract below which threshold the requirements of the Public Contract Code for contracting are inapplicable.

Section 8. 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.

PASSED, APPROVED AND ADOPTED this 29th day of June, 1999.