

ORDINANCE NO. 9239 (NEW SERIES)

AN ORDINANCE ADDING THE SAN DIEGO COUNTY BUSINESS PRACTICES REVIEW COMMITTEE IN THE ADMINISTRATIVE CODE

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

Section 1. Article IIIq (commencing with Section 84.200) of the County of San Diego Administrative Code is hereby amended to read as follows:

SEC. 84.200. SAN DIEGO COUNTY BUSINESS PRACTICES REVIEW COMMITTEE.

There is hereby created and established the San Diego County Business Practices Review Committee (Committee). The Committee is established to provide external business expertise in reviewing and evaluating contracting and business policies, procedures, practices and performance to protect the financial and service interests of San Diego County residents.

SEC. 84.201. MEMBERSHIP AND SELECTION.

The Committee shall consist of six members, appointed as follows:

(a) Each member of the Board of Supervisors shall recruit, select and appoint one member of the public to be a volunteer member.

(b) The Chief Administrative Officer (CAO) shall be a standing member of the Committee.

SEC. 84.202. APPOINTMENTS.

To be eligible to be appointed to the Committee, an individual must:

(a) Be a resident of San Diego County; and

(b) Demonstrate a professional knowledge of large scale contracting and business management issues in the private and/or public sectors; including risk assessment, project management and contract administration. Prior experience on a corporate audit committee is desirable.

SEC. 84.203. TERM OF OFFICE.

Members will serve a term of one year and may be reappointed by the appointing Supervisor. Members will continue to serve until reappointment or a new appointment is made.

SEC. 84.204. VACANCIES.

A vacancy on the Committee will be filled by the respective appointing authority

SEC. 84.205. ORGANIZATION.

(a) Chair. The Committee will be chaired by the Chief Administrative Officer.

(b) Quorum. A quorum of three of the Board appointed members must be present in order for the

Committee to conduct business.

(c) Meetings. The Committee shall establish a regular meeting schedule and shall give public notice of the time and place of meetings in compliance with the requirements of the Brown Act. All meetings of the Committee shall be open to the public.

SEC. 84.206. STAFF SUPPORT.

The Chief Administrative Officer will appoint staff to provide support to the committee. Appointees will include representatives of the offices of the Chief Administrative Officer, County Counsel, Chief Financial Officer/Auditor and Controller, and the Department of General Services.

SEC. 84.207. COMPENSATION AND EXPENSES.

Members of the Committee shall serve without compensation and shall not be reimbursed for expenses.

SEC. 84.208. DUTIES AND RESPONSIBILITIES.

The Committee shall have the following duties and responsibilities:

(a) Review the following key areas in contract performance:

- (1) High visibility/risk projects;
- (2) Contract performance measures;
- (3) Program management training.

(b) Review County contracting policies, procedures and practices to develop a better understanding and assist in strengthening, monitoring and improving:

- (1) Contracting roles and responsibilities across the County;
- (2) Procurement process improvement initiatives;
- (3) Ongoing policy review;
- (4) New contracting methodologies;
- (5) Purchasing and Contracting performance measures;
- (6) Enterprise Resource Planning implementation.

(c) Ensure that the financial and service interests of County residents are being met by reviewing:

- (1) County fiscal reports:
 - (a) Operating Plan;
 - (b) Strategic Plan;
 - (c) Quarterly reports to the Board of Supervisors;
 - (d) Reserves status;

- (e) Bond ratings;
 - (f) Audit reports.
- (2) Managed Competition and Reengineering:
 - (a) Identification of new opportunities;
 - (b) Participation on source selection committees;
 - (c) Guide updates;
 - (d) Quarterly review of results;
 - (e) Implementation of new ERP modules.
 - (3) Financial Reporting Process and Internal Control Structures
 - (4) Annual Report on Countywide Customer Satisfaction Survey
- (d) Provide hands on support by:
- (1) Attending monthly Committee meetings;
 - (2) Attending Contract Business Plan Review/Project Management Reviews (CBPR/PMR) as needed;
 - (3) Participating on Source Selection Committees;
 - (4) Attending Board of Supervisors meetings on relevant agenda items;
 - (5) Promoting County initiatives within the community;
 - (6) Participating in special activities as needed.
- (e) Facilitate regular communication with Board members regarding the committee's activities and recommendations.

SEC. 84.209. CONFLICT OF INTEREST.

(a) The California Political Reform Act states that officers or employees of the County, consultants, or private individuals in certain circumstances are deemed to be public officials. The Political Reform Act applies to such public officials when they are advising the County in a course of action to take. Section 87100 of the Political Reform Act prohibits public officials from participating in making, or in any way attempting to use their position to influence a governmental decision in which the public officials and/or their immediate family know or have reason to know that they have a financial or other undisclosed interest. In addition, Government Code Section 1090 prohibits County officials from being financially interested in any contract made by them or by any committee of which they are members.

(b) Individual Committee members shall seek guidance from the Office of County Counsel prior to taking any action which could result in a conflict of interest or the appearance of such a conflict.

SEC. 84.210. REPORT.

A final report shall be submitted to the Board of Supervisors prior to the sunset date.

SEC. 84.211. SUNSET.

This article of the San Diego County Administrative Code shall be repealed effective July 25, 2002, unless the extended by the Board of Supervisors prior to that date.

Section 2. Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 1st day of August, 2000.