

ORDINANCE NO. 10442 (N.S.)
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE
OF ADMINISTRATIVE ORDINANCES ARTICLE V-A RELATING
TO PROCESSING AND CERTIFICATION OF ROUTINE CLAIMS

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

Section 1. Section 95.1 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

SEC. 95.1. PROCESSING ROUTINE CLAIMS FOR PAYMENT.

Routine claims for payment shall be presented as specified in subsections (a) through (l) below. Unless otherwise specified in this Article or in the form provided by the Auditor, the terms “certified” and “certification,” refer to a signature that serves to authorize, approve or attest to the validity of the claim presented.

(a) Claims for salaries and wages of County officers and employees shall be presented to the Auditor on forms prescribed by the Auditor. The claim shall be certified by the department that is charged with the expenditure.

(b) Claims for mileage, travel and other expenses of County employees shall be presented to the Auditor on forms prescribed by the Auditor. The claim shall be signed by the claimant and certified by the department that is charged with the expenditure.

(c) Claims for transportation of County officers or employees, wards, prisoners or other authorized persons, payable to public carriers, shall be presented to the Auditor on forms prescribed by the Auditor. The claim shall be certified by the department that is charged with the expenditure.

(d) Claims for public assistance under any law pursuant to which the County administers such assistance shall be presented to the Auditor on forms prescribed by the Auditor. (The Auditor may prescribe a procedure eliminating the filing of claims for routine or repetitive public assistance benefits.) The claim shall be certified by the department that is charged with the expenditure. Where the form or forms prescribed by the Auditor require the signature of the claimant and/or the recipient, either or both signatures may be waived at the discretion of the Auditor.

(e) Claims under Penal Code Section 987, subdivision (a) or other statute providing for counsel for persons not financially able to employ counsel shall be presented to the Auditor on forms prescribed by the Auditor. The claim shall be signed by the claimant, and a judge of the court in which the services were performed shall certify that payment was authorized by that court.

(f) Claims for principal or interest shall be presented to the Auditor on forms prescribed by the Auditor, and shall be based solely upon presentation of the matured bond, interest coupon, or other evidences of indebtedness.

(g) Claims by the State or a department or agency thereof or by another public entity shall be presented to the Auditor on forms prescribed by the Auditor. The Auditor shall secure certification of the claim from the County department that is charged with the expenditure.

(h) Claims for money or benefits under the Workers' Compensation Law (Division 4, commencing with Section 3200 of the Labor Code) that have been processed in accordance with Section 200.8 of this Code shall be presented by the Department of Human Resources to the Auditor on forms prescribed by the Auditor. The claim shall be certified by the Department of Human Resources.

(i) Claims for materials or services furnished in compliance with purchase orders issued by the County shall be presented as follows: The claimant shall present one copy of the invoice to the ordering department, unless an alternate procedure is provided by the Auditor. The invoice shall reflect the claimant's company name and/or logo, office address or post office box and a contact person and phone number. The invoice shall also include (1) the date service was rendered or materials furnished; (2) the purchase order reference under which the materials or services were furnished; (3) the claimant's name, address or post office box to which the remittance is to be mailed; (4) a detail of the items invoiced, the unit price, shipping, handling, sales tax where applicable, and the total amount claimed, and (5) the County department, the contact person and phone number, and the department address with whom the claimant is providing the materials or services for (ship to address). A claim will not be deemed presented until it is actually received by the Auditor. The Auditor shall, prior to payment of the invoice, secure certification from the ordering department that goods or services were received in compliance with the purchase order.

(j) Claims based upon an agreement other than a purchase order shall be presented to the Auditor by the department that is charged with responsibility for administering the agreement on forms prescribed by the Auditor. A claim will not be deemed presented until it is actually received by the Auditor. The Auditor shall, prior to payment of the claim, secure certification from the department that payment is based upon a legally binding agreement, is due under the terms of the agreement and has a valid payment authority.

(k) Claims valued at \$2500 or less for loss or damage to personal property entrusted to the care and custody of a County officer or employee as a result of such claimant's confinement in any County facility shall be presented to the Auditor. The Auditor shall, prior to payment of the claim, obtain certification that the loss occurred from the department that is charged with the expenditure. However, the Auditor shall not act on any claim valued in excess of \$2500 but shall refer such claims to County Counsel for action.

(l) All other claims for payment authorized under Government Code Section 29741 shall be presented to the Auditor on forms prescribed by the Auditor. The claim shall be certified by the department that is charged with the expenditure.

Meeting Date: 11/15/16 (31)

(Added by Ord. No. 9386 (N.S.), effective 10-25-01; amended by Ord. No. 10027 (N.S.), effective 2-11-10)

Section 2. Section 95.2 of the San Diego County Code of Administrative Ordinances is amended to read as follows:

SEC. 95.2. CERTIFICATION OF ROUTINE CLAIMS FOR PAYMENT.

(a) Whenever Section 95.1 requires certification of a claim by a department, the certification shall be made by the head of the department or by any authorized designee. Whenever the claimant is required to obtain certification prior to presenting a claim to the Auditor, the claimant shall present the claim to the department for certification before presentation to the Auditor. If within 10 days after presentation, the department refuses to certify the claim, the claimant may present the uncertified claim to the Auditor. The claim shall include an appropriate notation showing presentation to the department, and failure or refusal to certify.

(b) Whenever Section 95.1 requires certification of a claim for salaries and wages of County officers and employees, and a state of emergency exists as defined in Chapter 1 (commencing with Section 31.101) of Division 1, Title 3 of the San Diego County Code, it shall be presumed, unless the Auditor receives information to the contrary, that County officers and employees have performed work during normal working hours. In such event, the salaries and wages of such County officers and employees may be paid without the certification required by Section 95.1. Any amounts paid in excess of salaries and wages actually due and owing shall be recovered by the County from such County officers and employees in the same manner as other over-payments for salaries and wages are recovered.

(c) Whenever Section 95.1 requires certification of a claim for public assistance, and a state of emergency exists as defined in Chapter 1 (commencing with Section 31.101) of Division 1, Title 3 of the San Diego County Code, it will be presumed, unless the Auditor receives information to the contrary, that no change in status of routine or repetitive public assistance benefits has occurred. Such routine or repetitive public assistance benefits are presumed to be the same as those paid for the period immediately preceding the state of emergency. In such event, routine or repetitive public assistance benefits may be paid without a certification of a claim. Any amounts paid in excess of the public assistance benefits actually due and owing shall be recovered from the persons receiving such benefits in accordance with the County and California Department of Social Services rules and regulations regarding overpayment of public assistance.

Section 3. 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 a newspaper of general circulation published in the County of San Diego.

Meeting Date: 11/15/16 (31)

APPROVED AS TO FORM AND LEGALITY
THOMAS E. MONTGOMERY, COUNTY COUNSEL

BY: Rachel H. Witt, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 15th day of November, 2016.



RON ROBERTS
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 15th day of November, 2016.



DAVID HALL
Clerk of the Board of Supervisors

By D. Lopez
Diana Lopez, Deputy

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11/15/16 (31)