

El Dorado County Grand Jury 2011-2012

El Dorado County Policies and Procedures Case Number GJ-11-001

Reason for Report

A recommendation was made by the 2010-2011 El Dorado County Grand Jury that the 2011-2012 El Dorado County Grand Jury consider investigating El Dorado County Counsel's preparation of contracts entered into by the Board of Supervisors.

Background

The Board of Supervisors considers many contracts in the course of the year. Each contract is negotiated by the respective department with the party or parties involved. County Counsel is not engaged in the negotiation and/or preparation of contracts that do not directly affect their department; however, they are asked to review all contracts before the Board acts on them. County Counsel does not format or pass judgment on the content of contracts or their reasonableness, only on their legal structure. The Grand Jury broadened its inquiry into the contract negotiation and acceptance of policies for all county departments.

Methodology

Documents reviewed:

- El Dorado County Board of Supervisors Policy C-1
- El Dorado County Board of Supervisors Policy C-17 ([Attachment 1](#))
- El Dorado County Departmental responses – 11/20/11
- El Dorado County Grand Jury Department Head Letter ([Attachment 4](#))
- El Dorado County Procurements and Contracts
- Government Code §31100 ([Attachment 2](#))
- Government Code §54202 ([Attachment 3](#))
- Health Services Department Policy/Procedure # II-G-0-007

Interviews:

- El Dorado County Chief Administrative Office
- El Dorado County Counsel
- El Dorado County Department of Transportation
- El Dorado County District Attorney's Office
- El Dorado County Health Services

Facts/Findings

1. C-17: Government Code §54202 requires the Board to adopt policies and procedures governing purchases of supplies and equipment.
2. C-1: This policy, which covers purchasing, has subsequently been deleted.
3. El Dorado County Department of Agriculture
Policies and procedures manuals for compliance with safety law, resolutions, directives by the Board of Supervisors.
Does not utilize Policy C-17.
4. El Dorado County Assessor's Office
Uses a multitude of policies and procedures manuals.
5. El Dorado County Auditor/Controller's Office
No response to Grand Jury letter.
6. El Dorado County Board of Supervisors
Utilizes Policy C-17.
7. El Dorado County Chief Administrative Office
Helped coordinate responses.
No response to Grand Jury letter.
8. El Dorado County Department of Child Support Services
Has developed and adheres to a number of policies and procedures manuals, as well as to the Code of Federal Regulations and California Family Code.
Utilizes Policy C-17.
9. El Dorado County Counsel's Office
No response to Grand Jury letter.
10. El Dorado County Department of Transportation
Contract Services Unit Procedures Manual.
Utilizes Policy C-17.
11. El Dorado County Development Services
Utilizes Environmental Department Administration Division for processing contracts.
Utilizes Policy C-17.
12. El Dorado County District Attorney's Office

No response to Grand Jury letter.

13. El Dorado County Elections Department
Utilizes Policy C-17.
14. El Dorado County Environmental Management
Uses Environmental Management Request Form for initiation of a new contract.
Utilizes Policy C-17.
15. El Dorado County Health Services
Public Health and Mental Health maintains policies and procedures manuals.
16. El Dorado County Human Resources
Follows guidelines of Government Code §31100, El Dorado County Charter, Personnel Management Resolutions, and Compensation Resolution.
17. El Dorado County Department of Human Services
Utilizes Policy C-17.
18. El Dorado County Information Technologies
No response to Grand Jury letter.
19. El Dorado County Library Department
No letter was sent to this department.
Voluntary response.
20. El Dorado County Probation Department
No response to Grand Jury letter.
21. El Dorado County Procurement and Support Services
No response to Grand Jury letter.
22. El Dorado County Public Defender
No response to Grand Jury letter.
23. El Dorado County Recorder Clerk's Office
Utilizes Policy C-17.
24. El Dorado County Sheriff's Department
No response to Grand Jury letter.
25. El Dorado County Surveyor's Office
Utilizes Policy C-17.

26. El Dorado County Treasurer/Tax Collector
Procurement and Contracts division.
27. University of California Cooperative Extension
This department is appointed by the State, therefore no letter was sent.
28. El Dorado County Veterans Affairs
Utilizes Policy C-17.

Recommendations

1. The Grand Jury recommends that the El Dorado County Auditor/Controller's office respond to our letter dated September 20, 2011.
2. The Grand Jury recommends that the El Dorado County Chief Administrative Office respond to our letter dated September 20, 2011.
3. The Grand Jury recommends that the El Dorado County Assessor's Office outline their policies and procedures.
4. The Grand Jury recommends that the El Dorado County Counsel's Office respond to our letter dated September 20, 2011.
5. The Grand Jury recommends that the El Dorado County District Attorney's Office respond to our letter dated September 20, 2011.
6. The Grand Jury recommends that the El Dorado County Information Technologies respond to our letter dated September 20, 2011.
7. The Grand Jury recommends that the El Dorado County Probation Department respond to our letter dated September 20, 2011.
8. The Grand Jury recommends that the El Dorado County Procurement and Support Services respond to our letter dated September 20, 2011.
9. The Grand Jury recommends that the El Dorado County Public Defender respond to our letter dated September 20, 2011.
10. The Grand Jury recommends that the El Dorado County Sheriff's Department respond to our letter dated September 20, 2011.

Responses

Responses to both the findings and recommendations in this report are required by law in accordance with California Penal Code §933 and §933.05. Address responses to: The Honorable Suzanne N. Kingsbury, Presiding Judge of the El Dorado County Superior Court, 1354 Johnson Blvd., South Lake Tahoe, CA 96150.

This report has been provided to:

El Dorado County Auditor/Controller
El Dorado County Assessor
El Dorado County Board of Supervisors
El Dorado County Chief Administrative Office
El Dorado County Counsel's Office
El Dorado County District Attorney's Office
El Dorado County Information Technologies
El Dorado County Probation Department
El Dorado County Procurement and Support Services
El Dorado County Public Defender
El Dorado County Sheriff's Department

**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: PROCUREMENT POLICY	Policy Number C-17	Page Number: 1 of 1
	Date Adopted: 10/11/2006	Revised Date: 2/5/2008

BACKGROUND:

Government Code Section 54202 requires the Board to adopt policies and procedures governing purchases of supplies and equipment.

POLICY:

The Purchasing Agent, as the County's procurement expert, shall:

- Prepare policies and procedures governing procurement activity of the County for adoption by the Board of Supervisors.
- Review such policies and procedures on an annual basis and submit policy updates and revisions to the Board of Supervisors for adoption as necessary.
- Educate and train department staff regarding the policies and procedures
- Interpret and apply policies and procedures related to procurement of goods and services
- Monitor compliance with policies and procedures

Upon adoption by the Board of Supervisors, such procurement policies and procedures shall be attached hereto and referred to as Exhibit 'A'.

Primary Department: Chief Administrative Office, Procurement and Contracts Division

References: Government Code 54202
County Ordinance Code Chapter 3.12

(Attachment 2)

California Government Code Section 31100

This part may be cited as the County Civil Service Enabling Law.

(Attachment 3)

California Government Code Section 54202

Every local agency shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency. Purchases of supplies and equipment by the local agency shall be in accordance with said duly adopted policies and in accordance with all provisions of law governing same. No policy, procedure, or regulation shall be adopted which is inconsistent or in conflict with statute.



GRAND JURY
El Dorado County

P.O. Box 472
Placerville, California 95667
(530) 621-7477 Fax: (530) 295-0763
gjone@edcgov.us

September 20, 2011

Attention El Dorado County Department Heads: Agriculture, Assessor, Auditor-Controller, CAO, Child Support Services, Clerk of the Board, County Counsel, Transportation, Development Services, District Attorney, Elections, Recorder Clerk, Veterans Services, Environmental Management, Health Services, Human Resources, Human Services, Information Technologies, Probation, Procurement/Support Services, Public Defender, Sheriff/Coroner, Surveyor, Treasurer/Tax Collector,

Subject: Request for Policies and Procedures manuals

We are examining the County's Policies and Procedures. Toward that end, does your department have a current Policies and Procedures Manual? If so, does it cover writing of contracts? Please provide us with a copy.

Please reply by Thursday, October 6, 2011, or as soon as possible.

Sincerely,

Ted Long
Grand Jury Foreman
El Dorado County Grand Jury 2011-2012
PO Box 472
Placerville, CA 95667
(530) 621-7477