

**ORDINANCE NO. NS-300.968**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA  
AMENDING CERTAIN SECTIONS OF DIVISIONS A14, A15, A18, AND A20 OF TITLE  
A OF THE COUNTY OF SANTA CLARA ORDINANCE CODE RELATING TO THE  
RENAMING OF THE SANTA CLARA VALLEY HEALTH AND HOSPITAL SYSTEM  
AND COUNTY HOSPITALS AND CLINICS**

**Summary**

This Ordinance amends sections of Divisions A14, A15, A18, and A20 to update Santa Clara Valley Health and Hospital System (SCVHHS) to County of Santa Clara Health System (CSCHS), update Santa Clara Valley Medical Center (SCVMC) to Santa Clara Valley Healthcare (SCVH), Mental Health Department to Behavioral Health Services Department, add reference to O'Connor Hospital and St. Louise Regional Hospital, and update to the current title of the Chief Executive Officer for Santa Clara Valley Healthcare.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

SECTION 1. Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Santa Clara Valley Health and Hospital System is hereby amended to be titled as follows:

**CHAPTER I.  
COUNTY OF SANTA CLARA HEALTH SYSTEM**

SECTION 2. Article I of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Organization is hereby amended to read as follows:

**Sec. A18-1. Agency recognized.**

There is in the County the County of Santa Clara Health System, hereafter referred to in this chapter as the CSCHS.

**Sec. A18-2. Executive Director.**

There is in the CSCHS the position of Executive Director. The Executive Director shall be appointed by and supervised by the County Executive in accordance with the provisions of the County Charter and this Code. The Executive Director is the executive officer of the CSCHS.

**Sec. A18-3. Executive Director’s authority over personnel.**

Subject to the provisions of the Charter and this Code, the Executive Director shall have the power to appoint, supervise, suspend, or remove all assistants, deputies, clerks, and other employees in the CSCHS.

**Sec. A18-4. Administrative powers and duties.**

The Executive Director shall have administrative control over CSCHS. The Executive Director shall be responsible for coordinating and administering the various departments within CSCHS and ensuring that proper personnel, equipment, supplies, and facilities are provided to carry out the functions of CSCHS. The Executive Director shall determine and transmit the needs of CSCHS to the County Executive. The Executive Director shall also be responsible for the collection of all accounts within CSCHS.

**Sec. A18-5. Fixing rates.**

Inpatient hospital room rate charges shall be established by resolution of the Board of Supervisors upon recommendations by the Executive Director of CSCHS to the County Executive. The recommendations shall be based upon operating costs of Santa Clara Valley Healthcare. The Executive Director shall establish rates for other CSCHS services in accordance with statutory requirements, Board of Supervisors’ policy, and costs and/or rates charged by community hospitals. The Executive Director may enter into agreements with purchasers of health care for patient services in accordance with policies established by resolution of the Board of Supervisors.

**Sec. A18-6. Fees for services.**

All persons shall be charged for services received from CSCHS, and are legally obligated to pay for services received except when Board of Supervisors’ policy, this Code, state law, federal law, or court order provides otherwise.

**Sec. A18-7. Reserved.**

SECTION 3. Article 2 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Santa Clara Valley Mental Health Department is hereby amended to be titled and to read as follows:

**ARTICLE 2.**

**COUNTY OF SANTA CLARA BEHAVIORAL HEALTH SERVICES DEPARTMENT**

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SECTION 4. Section A18-8 of Article 2 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Recognition of the Santa Clara Valley Mental Health Department and the Director of Mental Health is hereby amended to be titled and to read as follows:

**Sec. A18-8. Recognition of the County of Santa Clara Behavioral Health Services Department and the Director of Behavioral Health Services.**

There is in the CSCHS the County of Santa Clara Behavioral Health Services Department and the position of Director of Behavioral Health Services. The Director of Behavioral Health Services is appointed by and supervised by the County Executive in accordance with the provisions of the Charter and this Code.

SECTION 5. Section A18-9 of Article 2 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Powers and duties of Director of Mental Health Services is hereby amended to be titled and to read as follows:

**Sec. A18-9. Powers and duties of Director of Behavioral Health Services.**

The Director of Behavioral Health shall be responsible for the delivery of mental health and substance use services for those served by the County and shall perform such other duties as set forth in state and federal law and as authorized by the Executive Director. The Director is expected to assure that proper personnel, equipment, supplies, and facilities are provided to carry out these prescribed functions. The Director shall determine and transmit the needs of the Department to the Executive Director of CSCHS and the County Executive.

SECTION 6. Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Santa Clara Valley Medical Center and Ambulatory Care Clinics is hereby amended to be titled and to read as follows:

**ARTICLE 3.  
SANTA CLARA VALLEY HEALTHCARE**

SECTION 7. Section A18-15 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Recognition of Santa Clara Valley Medical Center and the Director of Santa Clara County Valley Medical Center is hereby amended to be titled and to read as follows:

**Sec. A18-15. Recognition of Santa Clara Valley Healthcare and the Chief Executive Officer of Santa Clara Valley Healthcare.**

There is in the CSCHS a Department of Santa Clara Valley Healthcare, which is comprised of Santa Clara Valley Medical Center, O'Connor Hospital, St. Louise Regional Hospital, and Ambulatory Care Clinics hereafter referred to in this chapter as SCVH. The Chief

Executive Officer of SCVH shall be appointed by and supervised by the County Executive in accordance with the provisions of the Charter and this Code.

SECTION 8. Section A18-16 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Powers and duties of Director is hereby amended to be titled and to read as follows:

**Sec. A18-16. Powers and duties of Chief Executive Officer.**

The Chief Executive Officer shall be responsible for the administration and professional activities of SCVH and shall provide patients with a safe environment in which to receive medical care. The Chief Executive Officer is expected to assure that proper personnel, equipment, supplies, and facilities are provided to carry out these prescribed functions. The Chief Executive Officer shall determine and transmit the needs of SCVH to the Executive Director of CSCHS.

SECTION 9. Section A18-17 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Director responsible for professional care of patients is hereby amended to be titled and to read as follows:

**Sec. A18-17. Chief Executive Officer responsible for professional care of patients.**

The professional care of patients is the responsibility of the Chief Executive Officer. The Chief Executive Officer shall coordinate the activities of the medical, dental, and nursing staffs with the technical, paraprofessional, and supporting services to provide for optimum care of patients. The Chief Executive Officer may limit the individuals who practice or treat patients in SCVH.

SECTION 10. Section A18-20 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Director responsible for professional training program is hereby amended to be titled and to read as follows:

**Sec. A18-20. Chief Executive Officer responsible for professional training program.**

The Chief Executive Officer is responsible for the organization and the conduct of the professional training program at SCVH.

SECTION 11. Section A18-21 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Medical Staff is hereby amended to read as follows:

**Sec. A18-21. Medical staff.**

The Enterprise Medical Staff of Santa Clara Valley Medical Center, O'Connor Hospital, and St. Louise Regional Hospital shall be composed of the employed staff and the non-employed staff who shall be supervised in accordance with the Medical Staff Bylaws and, for employed

staff, the County Charter and this Code. The medical staff shall adopt such rules and regulations for its own internal organization except that nothing therein shall affect or in any way alter the terms or provisions of this Code or any directive of the Chief Executive Officer for the internal operation of SCVH. The Chief Executive Officer of SCVH shall be an ex officio member of all committees of the medical staff.

SECTION 12. Section A18-22 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Persons eligible for admission to the Santa Clara Valley Medical Center is hereby amended to be titled and to read as follows:

**Sec. A18-22. Persons eligible for admission to SCVH.**

Any sick, disabled, or injured person may be admitted to SCVH as an inpatient or outpatient in accordance with state and federal law and regulations. The following classes of patients shall be admitted to SCVH:

- (1) Inmates confined in County penal institutions in need of hospital or medical care.
- (2) Wards and dependent children of the Juvenile Court in need of hospital or medical care, upon request of the Juvenile Probation Officer.
- (3) Persons admitted pursuant to the provisions of Part 1 of Division 5 of the Welfare and Institutions Code (Welfare and Institutions Code § 5000 et seq.).
- (4) Prospective County employees examined at the request of the Director of Personnel of the County. The Chief Executive Officer shall report in writing to the Director of Personnel the physical fitness of the applicant for the particular position applied for.
- (5) Persons in any way connected with alleged crimes, as victims, witnesses or otherwise, if the said persons are referred by any law enforcement agency for medical examinations. These examinations shall be made regardless of whether the person is an adult or a minor.

SECTION 13. Section A18-24 of Article 3 of Chapter I of Division A18 of the Ordinance Code of the County of Santa Clara relating to Compromising claims is hereby amended to read as follows:

**Sec. A18-24. Compromising claims.**

The Chief Executive Officer, personally or through an assistant or employee so designated, is authorized to recommend to the County Executive compromising claims for services received from SCVH, and may recommend agreements with patients or their legally responsible relatives or executors or administrators for the payment of less than the amount owed where full payment would result in hardship or indigency for the spouse or minor child or children of the patient; provided, however, that in recommending compromising any such

claims, said Chief Executive Officer shall give precedence to hospital care, treatment, and supplies over medical services rendered in prescribing payment requirements. Final authority to compromise any such claim rests with the Board of Supervisors.

SECTION 14. Section A18-77 of Chapter V of Division A18 of the Ordinance Code of the County of Santa Clara relating to FIRST 5 Santa Clara County Membership is hereby amended to read as follows:

**Sec. A18-77. Membership.**

- (a) *Composition.* The Commission shall be composed of nine members appointed by the Board of Supervisors. The membership shall include the following:
- (b) *Permanent members:*
  - (1) One member of the Board of Supervisors who shall be selected at the beginning of each calendar year by the Chairperson of the Board.
  - (2) The Director of the County of Santa Clara Health System or designee who shall be knowledgeable about children's health and medical issues.
  - (3) The Director of the Social Services Agency or designee.
- (c) *Members appointed by the Board of Supervisors:*
  - (1) A member who shall be nominated by the Santa Clara County Local Child Care Planning Council and who shall be a member of the Santa Clara County Local Child Care Planning Council.
  - (2) Five members, with each member of the Board of Supervisors allocated one appointment from the following groups, with the intent that representatives from as many groups as possible will serve on the Commission:
    - (i) Recipients of project services as set forth in the Commission strategic plan;
    - (ii) Educators specializing in early childhood development;
    - (iii) Representatives of a local group for prevention or early intervention for families at risk;
    - (iv) Representatives of community based organizations that have a goal of promoting and nurturing early childhood development;
    - (v) Representatives of local school districts;
    - (vi) Representatives of local medical, pediatric, or obstetric associations or societies.
- (d) *Term of appointment:* Members appointed pursuant to subsection (c) above shall have a term of two years and until a successor is appointed, except the term of the first

appointees shall be staggered so that three members have a one-year term, and the remaining three members have a two-year term. The length of each member's initial term is to be decided by lots drawn at the first meeting of the Commission. Members appointed pursuant to subsection (c) shall serve at the pleasure of the Board.

- (e) *Ex-officio members.* The Commission may appoint by majority vote, non-voting, ex-officio members, as they deem appropriate to assist the Commission in fulfilling their responsibilities. An ex-officio member shall be appointed for a term of two years and shall serve at the pleasure of the Commission.

SECTION 15. Section A18-343 of Chapter XXI of Division A18 of the Ordinance Code of the County of Santa Clara relating to Establishment of procedures and protocols is hereby amended to read as follows:

**Sec. A18-343. Establishment of procedures and protocols.**

- (a) *Required procedures and protocols.* Prior to commencing a voluntary drug repository and distributor program, the County of Santa Clara Health System Director of Pharmacy Services shall establish procedures and protocols that ensure compliance with Health and Safety Code Division 116 "Surplus Medication Collection and Distribution," section 150200 et seq. and any amendments thereto. These procedures and protocols shall address, at a minimum, all of the following:

- (1) Establishing eligibility for medically indigent patients who may participate in the program.
- (2) Ensuring that patients eligible for the program shall not be charged for any medications provided under the program.
- (3) Developing a formulary of medications appropriate for the repository and distribution program.
- (4) Ensuring proper safety and management of any medications collected by and maintained under the authority of a County-owned or County-contracted, licensed pharmacy.
- (5) Ensuring the privacy of individuals for whom the medication was originally prescribed.
- (6) Ensuring that medication donated to the repository and distribution program shall comply with the requirements specified in Health and Safety Code Division 116 shall meet all of the following criteria:
  - (i) The medication shall not be a controlled substance,
  - (ii) The medication shall not have been adulterated, misbranded, or stored

under conditions contrary to standards set by the United States Pharmacopoeia (USP) or the product manufacturer,

- (iii) The medication shall not have been in the possession of a patient or any individual member of the public, and in the case of medications donated by a skilled nursing facility, shall have been under the control of staff of the skilled nursing facility.
- (7) Ensuring that only medication that is eligible for donation is donated. The medication must be in unopened, tamper-evident packaging or modified unit dose containers that meet USP standards and provided lot numbers and expiration dates are affixed;
  - (8) Ensuring that pharmacists use their professional judgment in determining whether donated medication meets the standards of this division before accepting or dispensing any medication under the repository and distribution program;
  - (9) Ensuring that pharmacists adhere to standard pharmacy practices, as required by state and federal law, when dispensing all medications;
  - (10) Ensuring that medication that is donated to the repository and distribution program shall be handled in any of the following ways:
    - (i) Dispensed to an eligible patient,
    - (ii) Destroyed,
    - (iii) Returned to a reverse distributor.
  - (11) Ensuring medication that is donated to the repository and distribution program that does not meet the requirements of Health and Safety Code Division 116 shall not be distributed under the program and shall be either destroyed or returned to a reverse distributor. This medication shall not be sold, dispensed, or otherwise transferred to any other entity;
  - (12) Ensuring that medication donated to the repository and distribution program shall be maintained in the donated packaging units until dispensed to an eligible patient under the program, who presents a valid prescription;
  - (13) Ensuring that medication that is dispensed to an eligible patient is in a new and properly labeled container, specific to the eligible patient and ensuring the privacy of the individuals for whom the medication was initially dispensed;
  - (14) Ensuring that expired medication is not dispensed;
  - (15) Ensuring that medication donated to the repository and distribution program is

segregated from the pharmacy's other drug stock by physical means, for purposes including, but not limited to, inventory, accounting and inspection;

- (16) Ensuring that the pharmacy keeps complete records of the acquisition and disposition of medication donated to and dispensed under the repository and distribution program. These records shall be kept separate from the pharmacy's other acquisition and disposition records and shall conform to the Pharmacy Law contained in Chapter 9 commencing with section 4000, of Division 2 of the Business and Professions Code and any amendments thereto, including being readily retrievable.
- (b) Protocols established pursuant to this chapter shall conform to the Pharmacy Law regarding packaging, transporting, storing, and dispensing all medications.

SECTION 16. Section A14-14 of Chapter II of Division A14 of the Ordinance Code of the County of Santa Clara relating to Exemptions to Fees and Charges is hereby amended to read as follows:

**Sec. A14-14. Exemptions.**

- (a) The County Executive may exempt any governmental entities from the charges set forth in this chapter.
- (b) There shall be no charge to physicians or medical institutions requesting, on behalf of their patients, copies of records of the County of Santa Clara Health System or Santa Clara Valley Healthcare pertaining to patient care.

SECTION 17. Section A15-17 of Article 3 of Chapter I of Division A15 of the Ordinance Code of the County of Santa Clara relating to Direct payment list is hereby amended to read as follows:

**Sec. A15-17. Direct payment list.**

- (a) *Purpose.*
  - (1) The Board adopts this section to approve a list of goods and services which may be directly acquired by County agencies and departments (the "Direct Payment List").
  - (2) The Board has the authority to purchase goods and services on behalf of the County and has authorized the County's Director of Procurement (the County's purchasing agent) to acquire goods and certain services for the County in accordance with Chapter IV of Division A34. The Direct Payment List constitutes a delegation of the Board's and the Director of Procurement's authority.
  - (3) This section replaces repealed Ordinance No. NS-3.44, an uncodified ordinance

adopted by the County on September 13, 2005.

- (4) Some codes on the Direct Payment List have been eliminated. As a result, the numbers are not consecutive. To allow for historical tracking, the codes have not been renumbered.
  - (5) The goods and services described on the Direct Payment List are those for which a formal procurement process is either impracticable or would not offer a benefit to the County commensurate with the cost of such process.
- (b) *Direct payment list.* Direct payment shall not be used by County departments and agencies to pay for any goods or services or to make any disbursements that are not identified below. The following goods, services, and disbursements shall be paid for directly by County departments and agencies only if there is no existing County contract for the goods, services, or disbursements:
- A. BOARD APPROVED PAYMENTS:
    1. Payments approved by the Board as evidenced in an approved Board agenda.
  - B. PAYMENTS AUTHORIZED PURSUANT TO STATUTE:
    2. Election expenses (Elections Code Sections 13001 and 14100). Restricted for use by the Registrar of Voters.
    3. Expenses of the Sheriff, Corrections, District Attorney, County Counsel, and Public Defender departments (not including general office supplies, books, educational expenses) under Gov. Code Sections 27642, 29601, and 29602 including, but not limited to, the following:
      - a. Expenses of Laboratory Criminalistics for outside lab work.
      - b. Investigative expenses.
      - c. Pre-booking medical care expenses.
    7. Publication of legal notices (Gov. Code Sections 6060, 25124). Legal notice includes official advertising, resolutions, orders, ordinances, and other matters that are required by law or regulation to be published in a newspaper of general circulation under these statutes or any others.
    8. Public Guardian/Administrator expenses for support and care of conservatees (Gov. Code Section 27435).
    12. Non-recurring expenses incurred to adopt children eligible for Adoption Assistance Program (W & I Code Section 16120.1).
    16. Rewards authorized by law to be given to persons for providing vital information (Gov. Code Section 26207 and any other applicable statute or ordinance).
    18. Towing, storage and other costs related to: 1) impoundment and forfeiture

of towed vehicles; 2) vehicles confiscated for evidence purposes or as necessary to motor vehicles in accordance with Vehicle Code Section 14607.6; 3) improper compliance with law.

19. Payment by SSA Adult Protective Services Division on behalf of elder and dependent adults as required by Welfare and Institutions Code Section 15763.

C. PAYMENTS REQUIRED BY COURT ORDER:

2. Reporter and transcript fees (Gov. Code Section 69952).
3. All other payments ordered by court.

D. PAYMENTS AUTHORIZED BY THE BOARD OF SUPERVISORS THROUGH OTHER ACTIONS:

1. ESA Insurance Payments - Board granted approval authority up to \$7,500.00 by individual adjuster, up to \$20,000.00 by Insurance Claims Supervisor and up to \$50,000.00 by Director of Employee Services Agency.
2. California Children Services.
9. Housing and Community Development loans and grants approved by the Housing Loan Committee as designated by the County Executive.

E. UTILITY PAYMENTS FOR COUNTY FACILITIES OR COUNTY BUSINESS:

1. County bills for electricity, natural gas, water, telephone usage, internet connection, garbage (wet) and rubbish (dry). Special hauling jobs are excluded from this category.

F. PAYMENTS AUTHORIZED BY ORDINANCE:

1. Travel, lodging, or meal expenses incurred by any person, group, appointive board or commission providing services to the County without compensation or by any representative designated by the Board to maintain Sacramento or Washington offices in accordance with Ordinance Code Section A31, the Travel Policy Desk Reference Manual, and other applicable Board policies. Restricted for use by the Controller-Treasurer and SSA.

G. PAYMENTS PURSUANT TO LABOR AGREEMENTS:

1. Arbitration expenses, hearing officer expenses.
3. Tuition reimbursement.
4. State Bar Association dues. Restricted for use by the County Counsel, Public Defender, District Attorney, and Department of Child Support

Services.

H. APPROVED BY BOARD OF SUPERVISORS BY DIRECT PAYMENT LIST:

1. Advertising, in any media, for the recruitment of personnel, volunteers, and foster parents not to exceed \$5,000.00 per occurrence.
7. Fees for participation in fairs and exhibitions if (1) the participation relates directly to the duties or functions of the County department or agency and (2) the fee has been approved by the Department Head or designee and the Chief Operating Officer.
8. ESA payment of insurance premium up to \$200,000.00 and insurance legal and adjusting payments up to \$25,000.00 per fiscal year per vendor.
9. Individual, department, or agency membership in any professional organization if (1) the membership assists the individual, department, or agency in performing their County duties or functions; (2) the membership is approved by the Department Head or designee; and (3) the County Procurement Card cannot be used.
10. Labor contract negotiation expenses not to exceed \$1,000.00 per occurrence. Expenses over \$1,000.00 per occurrence must be approved by the Department Head or designee. Restricted for use by ESA,
12. Reissue stale dated or missing warrant/check.
13. Mandatory payments to other government agencies.
15. Non-mandatory payments to other governmental agencies for goods or services provided directly to the County that do not exceed \$2,500.00 per occurrence.
16. Recruitment Oral Board expenses, including facility related charges, such as room rental charges and refreshments; and travel expenses of oral board members who are not county employees.
18. Payroll related payments - PERS (Public Employees Retirement System), Credit Union, Insurance, etc. Restricted for use by the Controller-Treasurer and ESA.
19. Property tax and assessments apportionments - mandatory payments per laws and regulations. Restricted for use by the Controller-Treasurer.
20. Postage when the County Procurement-Card cannot be utilized. For e.g., replenish postage meters.
22. Revenue refunds, reimbursements of deposits from third parties that do not require appropriations, and disbursements of funds of a County-commission managed by a County department.
26. Transportation (non-travel) for use by employees, clients or volunteers as required by law or labor agreement. Restricted for use by CSCHS, SSA, Department of Correction and Probation only.
27. Worker's Compensation Medical Expenses, including mileage reimbursements, medical supplies, pharmacy bills, durable medical equipment, etc., as required by Labor Code section 4600.
28. Worker's Compensation Disability Payments - Disability payments to

- claimants and settlements to claimant attorney.
29. Valley Health Plan payment to providers for medical services. Notwithstanding the language in subsection (b) above, this provision applies despite the existence of a contract.
  32. SCVH - Hospital Council of Northern California - goods and services other than membership fees.
  33. Procurement of mother's milk and body tissues from the Institute for Medical Research (CSCHS only).
  34. SCVH - Joint Commission on Accreditation of Hospitals expense.
  38. Worker's Compensation legal fees less than \$25,000.00 per vendor per fiscal year.
  39. Payment of incentive by SSA to clients (seniors, Foster Care youths, etc.) for program accomplishments not to exceed \$1,000.00 per occurrence. Payments over \$1,000.00 per occurrence must be approved by the Department Head or designee.
  42. Payments to child care providers covered by the Child Development Program (a public assistance program).
  43. Payments to legal counsel pursuant to Ordinance Code sections A18-70—A18-72. Restricted for use by SSA only.
  46. Payment of bank charges or fees incurred by the County for banking or financial services (i.e. bank service charges, merchant's credit card fees, etc.).
  47. Per diem for attendance of board, commission, grand jury and similar meetings pursuant to Board policy.
  48. Payments for services provided through the California State Association of Counties (CSAC).
  49. Payment to outside providers for non-recurring medically necessary services provided to SCVH patients of up to \$50,000.
  50. Payments to interpreters/translators for Social Services Agency where services required by federal law or court.
  51. Rent and respite payments incurred for the Family Preservation Program.
  52. Debt service payments, issuance and administrative costs, and incidental fees associated with Board approved indebtedness. Restricted for use by the County Executive and the Controller-Treasurer.
  54. Settlement of disputed employee disciplinary action when authorized by Labor Relations if the settlement does not exceed \$50,000.00.
  55. Payments covered under the "AFDC-FC 5% Augmentation Program."
  57. Medical examination expenses related to assessment of employee's fitness to return to duty (ESA only).
  59. Temporary housing of tuberculosis clients in residential care facilities.
  61. Purchase of books, magazines, periodicals, and subscriptions in paper, online or electronic format with suppliers and publishers who do not accept the County Procurement Card. (Not to be used for Software license subscription purchase). Purchases exceeding \$5,000.00 per occurrence must be approved by the Department Head or designee.

62. Registration fees and seminar (e.g., webinars) when travel is not involved, if (1) the County Procurement Card cannot be used, and (2) the fee is approved by the Department Head or designee.
63. Employee reimbursement related to County operations not exceeding \$300.00 per transaction, excluding travel, mileage, services, and petty cash replenishment. If the employee reimbursement exceeds \$300.00 per transaction, then the reimbursement must be approved by the Department Head or designee and the Chief Operating Officer.
64. Reimburse employees for payments authorized by MOUs and agreements with labor organizations and individual employee contracts.
65. Valley Health Plan payment to brokers for the sale of Valley Health Plan Covered California and Individual and Family Plans. Notwithstanding the language in subsection (b) above, this provision applies despite the existence of a contract.

I. NON-COUNTY DISBURSEMENT.

1. All non-county government payments from or on behalf of the Santa Clara County Library District, the Santa Clara County Office of Education, fire districts, special districts, joint powers authorities or other California government agencies.

SECTION 18. Section A20-63 of Chapter V of Division A20 of the Ordinance Code of the County of Santa Clara relating to Duties of Office of Correction and Law Enforcement Monitoring is hereby amended to read as follows:

**Sec. A20-63. Duties.**

- (a) Consistent with the Board of Supervisors' authority to supervise the official conduct of the Sheriff and Chief of Correction under Government Code § 25303, the Office is created to promote the common interest of the Board of Supervisors and the Sheriff in efficient, lawful, and effective policing, and to facilitate the Board of Supervisors' responsibility without interfering with the Sheriff's investigative functions. The Office shall focus on matters relevant to Sheriff's Office policies and procedures and shall not interfere with criminal, personnel, and other investigations by the Sheriff.
- (b) The Office shall provide independent monitoring of, and reporting about, the Sheriff's Office, the Department of Correction, and other agencies/departments related to law enforcement, jail operations, jail facilities, and the employees and contractors involved with law enforcement and jail operations, including the provision of health services in the jails, as set forth in this Chapter.
- (c) To the maximum extent allowed by law, the Office shall be responsible for:
  - (1) Monitoring the Sheriff's Office and Department of Correction's jail and law enforcement operations, the conditions of confinement in the jails, the provision

of health services in the jails, the use of force in the jails and in law enforcement operations, compliance with civil rights laws, and the Sheriff's Office and Department of Correction's response to inmate and public complaints related to law enforcement, jail operations, or conditions of confinement, including the provision of services to inmates and the conduct of employees, contractors, volunteers, and others who provide such services.

- (2) Monitoring that includes matters relevant to Custody Health Services policies and procedures, as well as policies of Santa Clara Valley Healthcare and the Behavioral Health Services Department, that directly affect the medical and behavioral assessment and treatment of inmates. Such monitoring may also include examination of the timeliness of all business operations that have a direct impact on the operations of the jails provided by other County departments.
- (3) Consistent with Government Code section 25303, reviewing and making recommendations regarding policies and best practices of the Office of the District Attorney and the Office of the Public Defender that have an impact on jail or law enforcement operations. Such monitoring may include, but is not limited to, the effect of District Attorney and Public Defender policies and practices on the timeliness of criminal proceedings and the population of the jails. At no time shall the Office interfere with the independent investigatory or prosecutorial authority of the District Attorney or the duties of the Public Defender imposed by the rules of professional conduct.
- (4) Regularly conducting research and making policy recommendations to the Board of Supervisors, the Sheriff, and the County Executive as determined by a Board-approved work plan.
- (5) Periodically reviewing the Sheriff's Office and Department of Correction's use of force patterns, trends, and statistics, the Sheriff's investigations of use of force incidents and allegations of misconduct, and the Sheriff's Office and Department of Correction's disciplinary decisions. As it pertains to uniformed personnel, the Office shall monitor and review investigations of incidents involving, but not limited to: any shooting involving uniformed personnel, whether duty-related or not; any in-custody death; any duty-related incident during which, or as a result of which, a person dies or suffers serious bodily injury; any incident, whether or not duty-related, in which uniformed personnel are under investigation for, or charged with, homicide, assault, kidnapping, or unlawful sexual behavior; or any incident, whether duty-related or not, in which uniformed personnel are under investigation for, or are charged by any jurisdiction with, a crime or violation in which a use of force or threatened use of force is an element of the offense.
- (6) As it pertains to Custody Health Services, the Office shall monitor and review investigations of incidents involving: any in-custody death; any duty-related incident during which, or as a result of which, anyone dies or suffers serious bodily injury; or any serious neglect of inmates as it pertains to their mental and

physical health.

- (7) Reviewing the quality of audits and inspections conducted by the Sheriff's Office and the Department of Correction, and conducting its own periodic audits and inspections of the Sheriff's Office and the Department of Correction consistent with professional guidelines for the conduct of such audits. It is the intent of the Board that the Office should supplement, not supplant, internal auditing and monitoring conducted by the Sheriff's Office and Department of Correction.
- (8) Regularly communicating with the public, the Board of Supervisors, the Sheriff's Office, the Department of Correction, the District Attorney, the Public Defender, and the County Executive regarding the operations of the Sheriff's Office and the Department of Correction. The Office shall make regular, public reports to each of these entities.

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- (9) Investigating specific incidents involving Sheriff's Office and Department of Correction personnel when requested by, or with the authorization of, the Sheriff or the Chief of Correction.
- (10) Investigating specific incidents involving Custody Health Services consistent with the Board-approved work plan when requested by the Board or the County Executive.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California, on DEC 06 2022 by the following vote:

AYES: CHAVEZ, ELLENBERG, LEE  
SIMITIAN, WASSERMAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

  
\_\_\_\_\_  
MIKE WASSERMAN, President  
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

ATTEST:

  
\_\_\_\_\_  
TIFFANY LENNEAR  
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
THERESA J. FUENTES  
Lead Deputy County Counsel

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