

ANALYSIS

This ordinance amends Title 2 – Administration of the Los Angeles County Code by adding Chapter 2.213 Business Utilization Goals to set a twenty-five percent (25%) annual utilization goal for local small business enterprises (LSBEs) and a three percent (3%) annual utilization goal for disabled veteran business enterprises (DVBES) for the County.

DAWYN R. HARRISON
Interim County Counsel

By 
SAYUJ PANICKER
Deputy County Counsel
Government Services Division

SP:bk

Requested: 09/22/22
Revised: 12/20/22

ORDINANCE NO. 2023-0011

An ordinance amending Title 2 – Administration of the Los Angeles County Code by adding Chapter 2.213 Business Utilization Goals to set a twenty-five percent (25%) annual utilization goal for local small business enterprises (LSBE) and a three percent (3%) annual utilization goal for disabled veteran business enterprises (DVBE) for the County.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 2.213 is hereby added to read as follows:

CHAPTER 2.213 – BUSINESS UTILIZATION GOALS

2.213.010 Introduction.

2.213.020 Purpose.

2.213.030 Administration.

2.213.040 Definitions.

2.213.050 Business Utilization Goals.

2.213.060 Reporting.

2.213.070 No Private Right of Action.

2.213.080 Severability.

2.213.010 Introduction

The Board of Supervisors finds that it benefits the County of Los Angeles to increase opportunities and participation in County contracting for all businesses. Further, it is the policy of the Board that the County aid and support, to the maximum extent possible, small local businesses and disabled veteran enterprises to ensure a more inclusive procurement environment.

2.213.020 Purpose

The purpose of this ordinance is to increase participation in County contracting to attain the procurement utilization goals set for local small business and disabled veteran enterprises.

2.213.030 Administration

The Department of Economic Opportunity (DEO) shall be responsible for the administration of this Chapter, which shall include, but is not limited to, interpreting the provisions of this Chapter and promulgating written instructions and implementation guidelines. Such instructions and guidelines may provide for the delegation of functions to other Departments.

2.213.040 Definitions

The terms below have the following meanings:

- A. "Chapter" means a Chapter of this Title.
- B. "Code" means the Los Angeles County Code.
- C. "County" means the County of Los Angeles.
- D. "Department" means the largest organizational unit of County government, and also includes boards, commissions, and districts.
- E. "Disabled Veteran Business Enterprise" or "DVBE" means a business as defined in Chapter 2.211 of the Code.
- F. "Local Small Business Enterprise" or "LSBE" means a business as defined in Chapter 2.204 of the Code.

2.213.050 Business Utilization Goals

- A. The County shall attain an annual utilization goal of at least twenty-five percent (25%) for LSBEs.
- B. The County shall attain an annual utilization goal of at least three percent (3%) for DVBES.
- C. Utilization rates are based on the total pool of eligible procurement dollars. The total pool of eligible procurement dollars is determined on a departmental basis by conducting an assessment to determine the awards that could feasibly be awarded to LSBEs or DVBES and by excluding awards that cannot be awarded to LSBEs or DVBES. Utilization goals will be established on an individual contract basis, based on program participant availability and capacity in each specific contracting area.

2.213.060 Reporting

All County Departments are required to share data collected related to LSBE and DVBE utilization in their respective contracts with the DEO and report the data on a quarterly basis in a manner determined by the DEO. Each quarter, DEO shall make available County utilization data.

2.213.070 No Private Right of Action

Nothing in this Chapter is intended to, nor does it, create a private right of action or create any claim or defense against the County or any Department based upon compliance or noncompliance with its provisions.

2.213.080 Severability

Should any provision of this Chapter, or its application or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, that determination will not affect any other provision of this Chapter or the application of this Chapter to any other circumstance and, to that end, the provisions hereof are severable.

[CH2213SPCC]

SECTION 2 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Chair

ATTEST:

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of February 7, 2023 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Hilda L. Solis
Holly J. Mitchell
Lindsey P. Horvath
Janice Hahn
Kathryn Barger

Noes

Supervisors None

Effective Date: March 9, 2023

~~Operative Date:~~ _____

Celia Zavala
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles



APPROVED AS TO FORM:
DAWYN R. HARRISON
Interim County Counsel

By _____
Nicole Davis Tinkham
Chief Deputy County Counsel