

CURRENT CLAIMS PROCEDURES ORDINANCE

CHAPTER 3.16. - CLAIMS PROCEDURES

FOOTNOTE(S):

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State Law reference— Claims for money or damages against counties, Government Code § 29700 et seq.

Sec. 3.16.010. - Title.

This chapter shall be known and may be referred to in all proceedings as the County Claim Ordinance.

(Prior Code, § 5201; Code 1997, § 3.16.010)

Sec. 3.16.020. - Purpose.

The purpose of this chapter is to adopt a different method for the submission, allowance and payment of claims against the County than that set forth in the Government Code, as authorized by Government Code § 29705.

(Prior Code, § 5202; Code 1997, § 3.16.020)

Sec. 3.16.030. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

County officer means those officers enumerated in Government Code § 24000.

Department or department of the County means any of the offices, departments or other organizational units of County government.

Department head means the officer in charge of the department.

(Prior Code, § 5203; Code 1997, § 3.16.030)

Sec. 3.16.040. - Purchase orders.

All purchases of personal property by or on behalf of the County shall be initiated by delivery of a purchase order to the vendor signed by a person authorized to make the purchases. Two copies of the purchase order shall be retained by the department authorizing the purchase. The vendor shall claim payment by delivering the invoice, bill or other sales document to the department authorizing the purchase when the merchandise is delivered. On receipt of the merchandise, the person authorizing the purchase shall sign the receipt attached to a copy of the purchase order and deliver it with the invoice, bill or other sales documents attached thereto to the County Auditor for allowance and payment, as provided by this chapter. The purchase order and receipt shall be made upon one document in the form specified by the County Auditor. No payment for the purchase of

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any personal property shall be made from County funds unless or until a properly executed purchase order and receipt therefor has been filed with the County Auditor.

(Prior Code, § 5204; Code 1997, § 3.16.040)

Sec. 3.16.050. - Contractual obligations.

Persons seeking payment for goods or services furnished to the County pursuant to written contract therefor executed by the Board of Supervisors shall claim payment by filing a verified claim in the form specified by the County Auditor with the County Auditor, stating the date of the contract and the nature and extent of performance thereunder by claimant entitling him or her to payment under the terms of the contract. Continuing periodic payments for the purchase or lease of property, the possession of which has been delivered to the County pursuant to a written contract executed by the Board of Supervisors, shall be paid by warrant of the County Auditor after allowance of a single claim for all such payments when due under the contract without further claim, until the Board of Supervisors, by minute order, orders further payments under such contract terminated. Before any claim for payment of contractual obligations pursuant to this section may be filed with the County Auditor, it must contain thereon a certificate stating that the property has been delivered and the services performed as provided in the contract signed by the department head in charge of the work, or whose department received the benefit of the performance of the contract. No payments for contractual obligations incurred by the County shall be made until a claim therefor has been filed with the County Auditor as required by this section.

(Prior Code, § 5205; Code 1997, § 3.16.050)

Sec. 3.16.060. - Utilities.

All bills for the payment of electricity, telephone service, water, gas, sewage disposal service, garbage disposal service and other utilities furnished to the County shall be delivered to the County Auditor. The bills shall constitute a claim against the County for the amount thereof, and shall be paid by warrant of the County Auditor when due without the filing of any further claim therefor.

(Prior Code, § 5206; Code 1997, § 3.16.060)

Sec. 3.16.070. - Expenses.

Persons incurring travel and other necessary expense on behalf of the County for which reimbursement by the County is authorized by State law, County ordinance or resolution shall claim reimbursement from the County by filing a verified claim therefor with the County Auditor on a form approved by the Board of Supervisors.

(Prior Code, § 5207; Code 1997, § 3.16.070)

Sec. 3.16.080. - Salaries.

Pursuant to Government Code § 28001 and Section 2.15.110, warrants of the County Auditor for the payment of salaries and wages due all County officers and employees shall be prepared for delivery on the fifth day of each month for salaries and wages earned during the next preceding calendar month without written claim therefor; provided, however, that the County Auditor may

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withhold delivery of the salary warrants for the officers and employees of any department for which a monthly salary report has not been filed prior to the end of the first working day following the close of the reported calendar month for the payment of the salary of a County officer shall be delivered until the affidavit reporting collection of fees as required by Government Code § 24353 has been filed with the County Auditor.

(Prior Code, § 5208; Code 1997, § 3.16.080)

Sec. 3.16.090. - Tort claims.

Claims for the payment of tort claims against the County shall be filed, audited, allowed or rejected as provided by the Government Code.

(Prior Code, § 5209; Code 1997, § 3.16.090)

Sec. 3.16.100. - Welfare payments.

Welfare payments shall include, but not be limited to, old age security, aid to needy children, needy blind and needy disabled, indigent aid and other forms of assistance or payments authorized by the Welfare and Institutions Code and this Code. For the purposes of this section, a warrant may be considered lost, pursuant to Government Code § 29853, if it has been mailed and has not been received by the addressee within seven days after the date of mailing.

(Prior Code, § 5210; Code 1997, § 3.16.100)

Sec. 3.16.110. - Auditor approval.

The County Auditor shall audit and approve all legal claims filed in his or her office and shall draw and deliver his or her warrant in the form specified by the County Auditor in payment of the same. Before delivery of a warrant, the County Auditor shall endorse upon the claim in support thereof, his or her certificate that the computations made on the claim are correct, his or her approval of the claims, and the date of allowance by the Board of Supervisors as it appears on the allowance book.

(Prior Code, § 5211; Code 1997, § 3.16.110)

Sec. 3.16.120. - Partial approval.

If the County Auditor finds that any claim filed in his or her office is a proper charge against the County, but is greater in amount than is justly due, he or she may approve the claim in part and shall issue his or her warrant for the portion approved in the manner provided in this chapter. Partially allowed claims shall be included on the claim list submitted to the Board of Supervisors for the amount approved by the County Auditor. The County Auditor shall, when possible, notify the claimant of the partial approval, the amount approved and the date the claim will be presented to the Board of Supervisors on the claim list for allowance.

(Prior Code, § 5212; Code 1997, § 3.16.120)

Sec. 3.16.130. - Allowance by Board.

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Before delivering the warrants in payment of claims, the County Auditor shall prepare a list of the claims approved by him or her each calendar week, and present it to the Board of Supervisors at its next regular meeting, for allowance by the Board, together with such of the claims and supporting documents as the Board may request. The claims list shall be submitted in duplicate, shall show as to each claim the name of the claimant, the amount allowed and the date of allowance, and shall be certified to the Board by the County Auditor or his or her deputy or assistant as a true list of claims properly and regularly coming before the Board. Upon allowance of the claims contained in the claims list, the claims list shall be amended, if necessary, to conform to the allowance made by the Board, and the Clerk of the Board shall sign a certificate on each copy of the claims list, as amended, certifying that the list is a correct list of claims allowed by the Board and specifying the date of the allowance. One copy of the claims list, so allowed and certified, shall be filed in the office of the County Auditor and shall constitute the allowance book. The other copy of the claims list, so allowed and certified, shall be filed in the office of the Clerk of the Board and shall constitute the warrant book.

(Prior Code, § 5213; Code 1997, § 3.16.130)

Sec. 3.16.140. - Rejection.

If the County Auditor finds that any claim filed in his or her office is not a proper charge against the County, he or she shall reject the claim and endorse his or her rejection thereon. Each month, the County Auditor shall transmit to the Board of Supervisors a report of all claims rejected by him or her filed during the preceding calendar month showing, as to each claim: the date the claim was filed with the auditor, the name of the claimant, the amount of the claim and the reason for the rejection.

(Prior Code, § 5214; Code 1997, § 3.16.140)