



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

Controller

**DATE:** March 22, 2004

**BOARD MEETING DATE:** April 6, 2004

**TO:** Honorable Board of Supervisors  
**FROM:** Tom Huening, County Controller  
**SUBJECT:** Introduction of a Whistleblower Ordinance

**Recommendation**

1. Introduce a whistleblower ordinance as Chapter 2.206 of the Ordinance Code and waive reading of the ordinance in its entirety.
2. Continue the consideration of the ordinance to the Board's next meeting for final adoption.

**Background**

The San Mateo County Civil Grand Jury 2002-03 Final Report recommended that your Board establish a "whistleblower" process whereby individuals could anonymously identify inefficiencies and waste in governmental operations. In response to the Grand Jury's recommendation, I noted that citizens and employees currently report instances of inefficiency and waste to your Board and to the Controller's Office; however, I agreed that the process could be improved and that I would recommend an improved process to your Board for formal action.

**Discussion**

The proposed ordinance would add Chapter 2.206, entitled "Reporting of Improper Governmental Activity," to the County's Ordinance Code. This ordinance would establish a process whereby any person could report improper *financial* activity to the Controller's Office or any other improper activity to the District Attorney or County Counsel. The proposed ordinance would also provide that if a complaint concerns improper activity relating to the office designated to receive the complaint, the complainant would then be authorized to submit his or her report to one of the other offices.

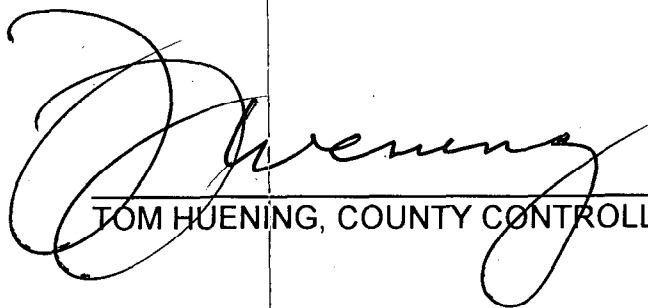
Upon receipt of a complaint, the appropriate office would be required to conduct a confidential investigation of the matter and to notify the other offices and the Board of Supervisors as appropriate. Information relating to the complaint and investigation would be treated as confidential and would only be disclosed to the extent necessary to conduct the investigation or as otherwise required by law. In addition, the proposed ordinance strictly prohibits retaliation or reprisal by any County officer or employee against any complainant or informant.

**Vision Alignment**

The proposed ordinance promotes responsive, effective and collaborative government and vision statement #21: County employees understand, support and integrate the County vision and goals into their delivery of services.

**Fiscal Impact**

None



TOM HUENING, COUNTY CONTROLLER

cc: John Maltbie, County Manager  
Thomas F. Casey, III, County Counsel

RECOMMENDED  
  
COUNTY MANAGER