



Board of Supervisors

Memorandum

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CLERK OF THE BOARD
COUNTY OF ORANGE
BOARD OF SUPERVISORS
November 13, 2024

To: Robin Steiler, Clerk of the Board
From: Supervisor Vicente Sarmiento, 2nd District

Subject: Addition of Supplemental Item to the November 19, 2024, Board Meeting Agenda

Following the revelations regarding former Supervisor Andrew Do, the Board has directed several reforms in contracting and procurement that are currently being implemented. These reforms are intended to help remedy the causes which resulted in the investigation, guilty plea and resignation on the conspiracy to commit bribery charge of the former Supervisor. To rebuild public trust and ensure accountability moving forward, a comprehensive independent external audit, along with enhanced transparency and accountability measures, is essential.

I ask that the Board of Supervisors approve the following recommended actions during the November 19, 2024, meeting:

1. Direct the County Executive Office, the County Purchasing Office, and the Internal Audit Department to hire an independent external audit firm to conduct a forensic audit and investigation of all contracts directed or influenced by former Supervisor Andrew Do. The firm should be selected following a competitive solicitation and the scope of the review should include all aspects of the contracting process including:
 - Vendor selection process and whether competitive solicitations were conducted, and proposers were appropriately evaluated.
 - Contract management process, ensuring compliance with fiscal, programmatic, and administrative oversight to verify that services were delivered as agreed and payments were made appropriately based on the services provided.
 - Review of current procurement and compliance policies / procedures and reform efforts and benchmark against industry best practices.

After the report has been completed, the selected firm shall present findings and recommendations publicly at a Board of Supervisors meeting or public forum.

2. Direct County Counsel and County CEO to review and confirm that our current Orange County Fraud Hotline is utilizing the best industry practices regarding whistleblower programs and come back to the Board with recommendations, if necessary, on how to expand the current program or create a new program that includes:

- Best practices related to effective reporting mechanisms, safeguarding confidentiality, protecting whistleblowers and investigation of complaints.
 - Expanded anti-retaliation policy.
 - Training and awareness of the new or expanded program.
3. Direct Office of Campaign, Finance and Ethics Commission to research industry best practices for the implementation of an expanded Code of Ethics for Supervisors with potential enforcement mechanisms and provide recommendations to the Board for adoption.