

# **The 2013/14 Grand Jury recommends the El Dorado County Charter be amended as follows:**

## ***Section 204 should be amended to read:***

### ***204. Duties.***

Except as provided for in subsection (c) herein below, the Board of Supervisors shall have all the powers and shall perform all the duties vested in it by the Constitution, general law, and this charter.

a. The Board shall:

- (1) Adopt a statement of the goals of the county reflecting the quality and direction of the activities of county government for the enhancement of human and physical resources of the county. At least annually, prior to the end of the first quarter of the calendar year, the Board shall review the adopted goals and modify them as necessary.
- (2) Appoint or remove the Chief Administrative Officer. At least once each year, the Board shall review and evaluate the Chief Administrative Officer's performance. ~~The Board shall (1) review, and (2) accept, reject or modify all performance evaluations performed by the Chief Administrative Officer pursuant to section 304(h) of this charter.~~
- (3) Appoint or remove members of boards and commissions. Except as otherwise provided for herein, or by superseding federal or state law, the members of all county boards and commissions shall serve at the pleasure of the Board of Supervisors. ~~Except as otherwise provided for herein, non-elected department heads shall serve at the pleasure of the Board of Supervisors. Appoint, suspend, or remove all department heads except those for whose election or appointment this charter makes other provision. Appointments shall be made on the basis of executive and administrative qualifications as determined by screening and selection procedures comparable to those used for classified management personnel.~~
- (4) Adopt the annual budget.
- (5) Provide for the number, ~~powers and duties~~ of all appointed officers and employees.
- (6) Establish by ordinance or resolution the compensation of other officers and employees.
- (7) Provide for publication of the powers, duties, procedures and rules of operation of all county offices and departments and for public access to such publications.
- (8) Take such measures as may be necessary to implement this charter.
- (9) Adopt a uniform format that, as a minimum, shall provide for responses to findings and recommendations of reports of the Grand Jury pursuant to Section 933 et seq. of the Penal Code.
- (10) Adopt a policy as to financial participation paid by the county for its officers and employees in noncounty organizations, and require public disclosure of the cost to the county of such participation.
- (11) At least once each year, the Board shall review and evaluate the County Counsel's performance.
- (12) The Board of Supervisors shall adopt a policy and procedures for wide distribution of the Grand Jury Final Report and the Board of Supervisors Response to the Final Report

(b)The Board may:

- (1) ~~Create, abolish, consolidate, segregate, assign or transfer the powers and duties of any appointive office, department, division, board or commission to the extent not in conflict with this charter.~~

- (2) Consolidate, segregate, assign or transfer the powers and duties of any elective office or division thereof to the extent authorized by general law and not in conflict with this charter.
- (3) Appoint, suspend and remove a Clerk of the Board of Supervisors.
- (4) Require periodic or special report of expenditures and costs of operation, examine all records and accounts and inquire into the conduct of any office, commission, department or other entity to which the county contributes funds.
- (5) ~~Require the attendance of any officer or employee of the county at~~ Direct the Chief Administrative Officer to attend or assign specific staff to attend any meeting of the Board for the purpose of information, advice and assistance.
- (6) Enter into contracts for the performance of work when the Board of Supervisors, or other awarding authority designated in accordance with statutory authority, finds that independent contractors can more economically and feasibly perform work than County employees, or that specially skills are not expressly identified in County classifications, or that the ongoing aggregate of work to be performed is not sufficient to warrant addition of permanent staff.

Notwithstanding the provisions of this section, the County may enter into any contract or agreement in cases of emergency; or with or among any other governmental entities or agencies; or contracts which, by legislative authority, mandate the service be performed by independent contractors; or contracts necessary to protect against conflicts of interest or ensure independent, unbiased findings.

The Board of Supervisors shall adopt an ordinance specifying criteria for entering into such contracts, and specify when competitive bidding procedures for the award of such contracts shall be required.

c. Increases to current benefit assessments on real property, or the imposition of any benefit assessment not previously imposed on real property shall not be effective unless and until approved by a majority of the voters voting in the geographic area in which the assessment will be imposed. A continuation of a previous benefit assessment in the same or lower amount is not covered by this section. This requirement does not apply to special taxes, any assessments imposed by a special district, or any assessments required to pay bonded indebtedness. The voting requirements shall only apply to County benefit assessments on real property, and shall not apply to taxes imposed by any special district. The requirements of this section shall not apply to any increase to any current benefit assessment, nor to the imposition of any new benefit assessment, which is subject to the property owner balloting and majority protest procedures established by Section 4 of Article XIII D of the California Constitution.

The Board, commencing with the fiscal year 1996-1997, shall annually budget and allocate from the County General Fund for the operation of the County library system, an amount equal to 80% of annually collected assessments for those zones receiving a majority voter approval on November 7, 1995. Such amounts shall be in addition to the debt service incurred for the Cameron Park Branch Library.

This provision shall be effective only for a period of ten (10) years and shall thereafter be repealed without further amendment of this Charter.

***Section 211 should be amended to read:  
211. Communications with Employees***

Board of Supervisors' directions, recommendations or instructions to boards, commissions, ~~department heads, or officers~~ elected officials shall be by formal Board action. This section does not limit an individual Supervisor's right to obtain information or request advice or assistance in accordance with normal operating policies.

**Section 304 should be amended to read:**

**304. Duties**

The Chief Administrative Officer shall be responsible to the Board of Supervisors for the proper and efficient administration of such of the affairs of the county ~~as are or hereafter may be placed in the charge of the Chief Administrative Officer, or under the jurisdiction or control of the Chief Administrative Officer,~~ pursuant to the provisions of this Charter, or of any ordinance, resolution or order of the Board of Supervisors. In addition to other powers and duties herein provided, the Chief Administrative Officer shall have the duty and power to:

- a. ~~Coordinate~~Direct the work of all offices and departments, both elective and appointive, and devise ways and means to achieve efficiency and economy in all county operations.
- b. Formulate and present to the Board plans to implement policies and accomplish goals established by the Board.
- c. Recommend an annual budget after reviewing requests of all departments and agencies for which the Board is responsible or which request county funds.
- d. Have responsibility for the administration of the budget after its adoption by the Board.
- e. Provide for in-depth analysis and review of all county programs on a regular basis in such a manner that the Board may make policy decisions.
- f. Provide and implement systems of adequate checks and controls to safeguard county money and property.
- g. Work with all other government entities, federal, state, regional and local, in the best interest of the entire county.
- h. On at least an annual basis, review and appraise the performance of all appointed department heads, except County Counsel, and submit the appraisal to the Board of Supervisors.
- i. Coordinate the review and publication of a county long-range fiscal plan and the annual statement of goals as adopted by the Board of Supervisors.

**Section 401 should be amended to read:**

**401. Powers and Duties**

The Chief Administrative Officer shall appoint, suspend, or remove all department heads except those for whose election or appointment this charter makes other provision. Appointments shall be made on the basis of executive and administrative qualifications as determined by screening and selection procedures comparable to those used for classified management personnel.

Department heads, boards and commissions shall have all the powers and shall perform all the duties vested in them by this charter, by ordinance, and by general law when not in conflict with this charter or with ordinances adopted pursuant to this charter. All elected department heads and officers of the county, ~~both elected and appointed,~~ shall cooperate with the Chief Administrative Officer so that the Chief Administrative Officer may achieve complete coordination of all county activities.

**Section 402 shall be amended to read:**

**402. Elected Department Heads.**

The following department heads shall be elected:

- a. Assessor
- b. ~~Auditor/Controller~~
- c. District Attorney
- d. ~~Recorder/Clerk~~
- e. Sheriff/Coroner/Public Administrator
- f. ~~Surveyor~~

g. ~~Treasurer/Tax Collector~~

The term of office of all elected officers is four years. The elected officers shall serve until their successors are qualified unless sooner removed as provided by this charter.

***Section 404 is amended to read:***

***404. Appointed Department Heads.***

The position of department head shall be designated by ordinance ~~the Chief Administrative Officer~~. Department heads serve at the pleasure of ~~their appointing authority, the Board of Supervisors~~ the Chief Administrative Officer. Department heads shall have and may delegate the power to appoint, supervise, suspend and remove all persons employed in their departments subject to the provisions of Article V of this charter.