

El Dorado County Board of Supervisors
Response to the
2021-2022 El Dorado County Grand Jury Reports

Case 21-02: Analysis of County Employee Timekeeping

Case 21-05: County Staffing Challenges

Case 21-06: Hotel Emergency Housing for Homeless Western Slope

Case 21-09: Ordinance 5101 – Vegetation Management and Defensible Space

Case 21-02: Analysis of County Employee Timekeeping

The Grand Jury has requested responses from the Board of Supervisors to Finding 1 and to Recommendation 1. The Chief Administrative Officer was asked to respond to Finding 6 and Recommendation 6. The Auditor-Controller was also asked to prepare a response to this report.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County's response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board's consideration.

FINDINGS

- F1. Daily time entry, as required by County Policy E-1, is routinely ignored by employees and management.

The Board of Supervisors disagrees partially with the finding.

The Board has no data to substantiate this statement. While the County's timekeeping system allows for reporting of when an employee approves their timecard for a particular pay period, there is no mechanism that allows for the reporting of when individual time entries are added. Verification of daily time entry would require supervisors and managers to review each of their employees' time entry on a daily basis. For large departments this could amount to hours of time, which is simply not practical or efficient. Further, there are instances where it is not feasible for staff to enter their time on a daily basis, such as a first responder, social worker, or other positions where emergencies make it unpractical to enter time every day.

- F6 Our interviews revealed that there is a weak working relationship or lack of understanding between Payroll and other departments.

The Board of Supervisors disagrees partially with the finding.

The Board of Supervisors agrees that the working relationship between Payroll and other County departments could be improved but disagrees that there is a fundamental weak working relationship or lack of understanding.

RECOMMENDATIONS

- R1. The Grand Jury recommends that the Board of Supervisors reaffirm their commitment to the policy regarding daily time entry. The Board of Supervisors should also communicate this requirement to the Chief Administrative Officer (CAO) and the elected heads of the departments within 90 days of the date of this report.

Recommendation has not been implemented but will be implemented no later than October 15, 2022.

The Board agrees with the importance of daily time entry, while also recognizing there are some cases in which daily time entry is not feasible. The Chief Administrative Office will send written direction to all County department heads that Board Policy E-1 should be followed to the maximum extent practicable.

- R6. Chief Administrative Officer and Auditor-Controller co-sponsor a committee to improve communication between the Auditor-Controller Payroll department and their counterparts in other County departments within 90 days of the date of this report.

The recommendation will not be implemented because it is not warranted.

Working relationships between County departments can always be improved. Pursuant to the El Dorado County Charter Article III, Section 304(a), the Chief Administrative Office continually strives to coordinate the work of all departments, thus improving communication and relationships. The Chief Administrative Officer and Auditor-Controller meet regularly and will continue to work together to improve the communication between Payroll and their counterparts in other County departments.

Case 21-05: County Staffing Challenges

The Grand Jury has requested responses from the Board of Supervisors to Findings 1 - 4 and 8 and to Recommendations 1 – 4 and 8. The Chief Administrative Officer was asked to respond to Findings 1 – 4 and 7 – 8 and Recommendations 1 – 4 and 7 - 8. The Human Resources Director was also asked to respond to Findings 5 – 6 and Recommendations 5 – 6.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County’s response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board’s consideration.

FINDINGS

F1. The County has historically set pay levels below the median of other counties, based on compensation studies; as of April 19, 2022, they have adjusted this upward to meet the median.

The Board of Supervisors agrees with the finding.

F2. The comparative compensation levels determined by the County include other California counties and the State of California, but do not include local private industry.

The Board of Supervisors agrees with the finding.

F3. Many employees see the County as a place to develop their skills and then leave for higher-paying positions in other counties or private industry, resulting in the County paying for training for which it does not receive the ongoing benefit.

The Board of Supervisors agrees with the finding.

F4. The County does not have knowledge of the cost of hiring a new individual, including the recruitment process, County training, and learning the role, duties, and responsibilities.

The Board of Supervisors disagrees partially with the finding.

The Board is aware of various studies identifying the cost of turnover but does not have costs for each position/job classification in the county which would differ significantly depending on the role.

- F5. Due to the length of time required to complete the recruitment process, departments have lost potential candidates.

The Board of Supervisors disagrees partially with the finding.

There are exceptional situations where a recruitment has experienced significant delays, and a candidate has accepted another offer from a competing employer in the meantime. Most recruitments take approximately two months to complete (including the recruitment posting and application acceptance phase). There are several factors that may cause delays that are beyond the control of Human Resources, including delays in applicant response times, pre-employment medical exams, and background checks.

- F6. If there are not enough acceptable applicants for a position, the hiring department and the Human Resources Department can rewrite the specifications and advertise a revised position listing to attract more potential recruits.

The Board of Supervisors disagrees partially with the finding.

The hiring department and the Human Resources Department can rewrite job specifications with Board of Supervisors approval and then advertise a revised position listing to attract more potential recruits; however, job specifications and, specifically, Minimum Qualifications are already inherently developed to create a baseline to screen for qualified applicants. Lowering the Minimum Qualifications solely to increase the number of applicants is not a good practice and creates risks, including attracting applicants who may not possess the required knowledge, skills, and abilities to successfully perform the job. This could have a negative effect on the level of service that the public expects from the County, in addition to contributing to excessive turnover.

- F7. With the pandemic, the County is attempting to become more telework-friendly by allowing certain staff to work from home. This tends to be on a hybrid schedule, as determined by an employee's manager.

The Board of Supervisors agrees with this finding.

While some departments may have delegated authority to the employee's manager to determine if an employee can telework, the Department Head is ultimately responsible for the final decision.

- F8. Many managers expressed that there is a lack of morale among staff due to low staffing levels contributing to burnout and more staff attrition.

The Board of Supervisors disagrees partially with this finding.

The Board of Supervisors agrees we have lower staffing levels per capita than other counties in our region as published in the Recommended Budget book on an annual basis. The Board of Supervisors also agrees this is likely a contributing factor to burnout and more staff attrition; however, there are many factors that are in the control of the employee's manager that can be taken to improve morale.

RECOMMENDATIONS

- R1. The Board of Supervisors should direct the Chief Administrative Officer to provide an annual recommendation to maintain, at a minimum, pay levels in the County at the calculated median total compensation, based on comparative analysis.

The recommendation should not be implemented because it is not warranted or is not reasonable.

The Chief Administrative Officer regularly provides recommendations to the Board of Supervisors relative to compensation for all employees during labor negotiations with each of the bargaining units in order to achieve the Board's stated compensation philosophy. As a result, in 2022, the County was successful in reaching the median for most job classifications.

- R2. The Board of Supervisors should ensure that future compensation studies include pay levels only from Sacramento and Placer Counties and, where appropriate, similar classifications in local private industries.

The recommendation requires further analysis and staff should make a recommendation to the Board of Supervisors no later than December 2022.

The County's Labor Management Committee is currently discussing changes to the compensation philosophy, one of which is to include pay levels only from Sacramento and Placer counties. Upon completing their analysis, a recommendation will be made to the Board of Supervisors for approval prior to December 2022.

- R3. The Board of Supervisors should direct staff to develop and implement policies that focus on employee retention as a priority within one year of the date of issue of this report.

This recommendation should not be implemented because it is not warranted or is not reasonable.

The County regularly reviews various policies and practices that focus on employee retention, and topics such as these are discussed with the Labor Management Committee. One such example of a policy to improve retention is the County's telework program.

- R4. The Board of Supervisors should commission a study into the true cost of recruiting and training new hires within one year of the date of issue of this report.

This recommendation should not be implemented because it is not warranted or is not reasonable.

The Board of Supervisors agrees there is a cost associated with recruiting and training new staff and should do everything reasonable to reduce turnover. However, those costs will be different depending on the job classification and duties and using taxpayer dollars to pay for this study is not a wise use of funds that could be better spent in other areas

- R5. The Human Resources Department should maintain ongoing lists of potential candidates for all positions to decrease time to bring in new employees and keep the application process for lower-level positions open on a continuous basis, within 90 days of the date of issue of this report.

This recommendation should not be implemented because it is not warranted or is not reasonable.

The County currently has just over 450 job classifications. Of those, 425 are currently allocated for use in Fiscal Year 2022-23. The Human Resources Department is not adequately resourced to run recruitments for all positions within 90 days and then maintain that many eligibility lists on an ongoing basis. Further, it is unclear what is intended by the term "lower-level position" or how it is defined.

The County's Personnel Rules currently allow difficult-to-fill positions to be recruited on a continuous basis, and Human Resources does that as necessary. Not every position is difficult-to-fill and running continuous recruitments for those that are not provides no benefit or advantage for the County or the applicants. While continuous recruitments may offer flexibility in referring qualified applicants to hiring departments as they come in,

continuous recruitments can also have a detrimental impact on internet advertising. Most job searches occur via the internet. The County currently advertises its open job postings on one of the largest government job websites, GovernmentJobs.com. Whenever a new job is posted, not only does it appear on Government Jobs, but several other web crawlers, such as Monster, Indeed and LinkedIn, pick up those new postings as well, exponentially increasing the number of views. Jobs that are posted continuously tend to drop off those web crawlers in favor of newer, fresher postings, thereby decreasing the views on continuous, or “stale,” postings and negatively impacting the number of potential applicants.

The County’s Personnel Rules currently allow an eligibility list to be used for 3 months, with an opportunity to extend the life of the list upon request by an appointing authority for up to one year.

Human Resources strives to have a current list available for those job classifications that are used broadly across all departments and frequently recruited, such as the Office Assistant series, Administrative Technician, and Administrative Analyst, to name a few. This is done so hiring departments will have a list of candidates at the ready as unanticipated vacancies arise in these commonly used classifications. The promulgation and expiration of these lists are managed according to the County’s Personnel Rules.

- R6. The Human Resources Department, in conjunction with County departments, should review that job descriptions are written to the lowest possible level for the position (especially recurring) to ensure the largest selection for that role, completed within 180 days of the date of issue of this report.

The recommendation has been implemented.

Human Resources already performs this function on an ongoing basis. There is currently a process in place that triggers a subsequent review and analysis of the entire job specification, including the Minimum Qualifications. The Minimum Qualifications are just that, the minimum qualifications based on the knowledge, skills and abilities required to perform the work. Human Resources regularly solicits input from department heads and hiring managers to ensure the job specifications align with the actual work performed, including the appropriate combination of education and experience delineated in the Minimum Qualifications section of the job specification.

Human Resources recognizes that in some circumstances it is appropriate to utilize substitution patterns when determining whether a candidate possesses the education and experience to be minimally qualified, which is referenced on our job specifications. When submitting a recruitment requisition to Human Resources, the hiring manager is proactively asked to confirm that the current job specification is accurate. If not, Human

Resources works with the manager to update and make any necessary changes before ultimately going to the Board for approval of any revisions. Further, it should be noted that the compensation structure of classifications is directly aligned with the knowledge, skills and abilities required to perform the job, which are obtained through combinations of education and experience identified in the Minimum Qualifications, in combination with several other factors.

- R7. The Chief Administrative Officer, in conjunction with the Human Resources Department, should expand the option of the hybrid telework model to as many positions as are practical within 180 days of the date of issue of this report.

This recommendation should not be implemented because it is not warranted or is not reasonable.

Telework opportunities are encouraged and available to all staff based on the determination of the Department Head. It is the responsibility of the Department Head, upon consideration of a number of factors associated with each position and employee, to determine if telework opportunities should be expanded or reduced in order to best meet the customer service needs of the department.

- R8. The Board of Supervisors should direct the Human Resources Department and elected department heads to implement a program to foster teamwork and morale-building throughout the organization within 180 days of the date of issue of this report.

This recommendation should not be implemented because it is not warranted or is not reasonable.

Asking the Human Resources Department to convene a meeting only with elected departments heads fails to receive input from more than half of the department heads who manage the majority of county employees. The County, through the executive leadership team of all department heads, will discuss and identify ways to foster teamwork and morale-building through the organization while recognizing it is ultimately the responsibility of each department head, both elected and appointed, to ensure their staff work in a manner consistent with the County's Core Value of collaboration.

Case 21-06: Hotel Emergency Housing for Homeless Western Slope

The Grand Jury has requested responses from the Chief Administrative Officer to Findings 1, 3, and 5, and to Recommendations 1, 3, and 5. The Probation Department was asked to respond to Findings 1 and 3, and Recommendations 1 and 3. The Health and Human Services Agency (HHSA) was also asked to respond to Findings 1 and 3, and Recommendations 1 and 3. County Counsel was asked to respond to Finding 5 and Recommendation 5. The Auditor-Controller was also asked to prepare a response to this report.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County's response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board's consideration.

FINDINGS

- F1. Probation and HHSA have a limited number of hotels available to them, resulting in both departments using the Quality Inn at a disproportionately higher rate than other hotels.

The Board of Supervisors disagrees partially with this finding.

The Board of Supervisors acknowledges there are a limited number of hotels available within the County; however, based on the Grand Jury's report, there is insufficient information to draw the conclusion that Probation and HHSA are using the Quality Inn at a disproportionately higher rate than other hotels. Further, Probation has responded they do not prioritize the Quality Inn location above any other beyond the hotel's proximity to Probation's main office, and the use of this location as an effective strategy for supporting supervision practices meant to enhance public safety. HHSA has verified that for HHSA programs that allow for hotels to be utilized on a temporary basis, Clients, not staff, select the locations.

- F3. The Grand Jury found examples that HHSA did not follow its written procedures for invoice approval.

The Board of Supervisors disagrees partially with this finding.

The Board of Supervisors finds it difficult to respond to this finding due to the absence of documentation supporting the examples found by the Grand Jury.

F5. There are no formal contracts in place between the County and hotel vendors.

The Board of Supervisors agrees with this finding.

RECOMMENDATIONS

R1. The CAO should direct County departments to coordinate housing stays and work to use an expanded list of hotels, as appropriate, for emergency housing of their clients on the Western Slope. This directive should be given by September 30, 2022.

The recommendation will not be implemented because it is not warranted or is not reasonable. HHSA has verified that for HHSA programs that allow hotels to be utilized on a temporary basis, clients, not staff, select the locations, therefore, there is no need for County departments to coordinate housing stays. However, Probation will contact other hotels in El Dorado County to assess their interest in serving their clientele in an effort to establish an expanded list of hotels for emergency housing for their clients on the Western Slope and report back to the CAO no later than January 31, 2023.

R3. Probation and HHSA management should send a monthly report to the CAO demonstrating they are consistently following their internal written procedures for processing hotel vendor invoices, from receipt through fiscal oversight, until it is sent to the Auditor-Controller's Office. This monthly reporting process should begin by September 30, 2022.

The recommendation will not be implemented because it is not warranted or is not reasonable.

This recommendation would create an increased and unreasonable workload. If it is determined the departments are not following their internal written procedures, the appropriate staff should be held accountable by their supervisor.

R5. The CAO should direct County Counsel to determine whether contracts should be in place with hotels that are used by the County departments for emergency housing hotel stays. The County Counsel should respond to the CAO by November 30, 2022.

The recommendation requires further analysis.

County Counsel reports directly to the Board of Supervisors and, as such, is not subject to the direction of the CAO. Moreover, whether contracts should be in place with hotels that are used by County departments for emergency housing hotel stays is a policy matter beyond the purview of the County Counsel. Nevertheless, in response to this recommendation, the CAO will confer with the County Counsel prior to November 30,

2022, to assess whether there are any legal requirements impacting how the County secures emergency housing hotel stays on the western slope.

Case 21-09: Ordinance 5101 – Vegetation Management and Defensible Space

The Grand Jury has requested responses from the Board of Supervisors to Findings 1 - 7 and Recommendations 1 – 5.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County’s response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board’s consideration.

FINDINGS

F1. The Vegetation Management Office, tasked with the implementation and management of County Ordinance 5101, lacked expertise and adequate resources to meet the objectives of the Ordinance.

The Board of Supervisors disagrees wholly with the finding.

It is unclear what the Grand Jury views as the “objectives of the ordinance;” however, the ordinance implementation plan presented by program staff to the Board of Supervisors on February 11, 2020 identified the program focus areas as outreach and education, with systematic inspections of hazard areas identified by CAL FIRE (County Emphasis Areas, or “CEAs”). In the first two years of the program, 1,147 inspections were completed and compliance among properties inspected increased during this period. In 2020, compliance in the CEAs was approximately 35% on first inspection, increased to 64% by December of that year. In the Rescue CEA in 2021, compliance increased from 50% to 80%. In addition, 10 public meetings were held during this period. In year one of the program, Defensible Space Inspectors with experience in code compliance and defensible space inspections were hired by the County and were provided with additional training by CAL FIRE. These inspectors conducted inspections in the CEAs and responded to complaints. In addition, staff from local fire districts assisted with complaint investigations. In year two of the program, the County contracted with El Dorado Hills Fire Department to conduct CEA inspections. El Dorado Hills Fire Department has a Community Risk Reduction Division with trained inspectors.

With regard to resources, while the County program had sufficient resources to conduct the inspections identified in each of the first two years, the resources needed for property owners to reach compliance are another story. One of the reasons the County’s focus is on

outreach and education is our awareness of the fact that many homeowners will struggle with finding the financial resources to comply. The program staff has, and will continue, to work with the Fire Safe Council to link homeowners with assistance programs to improve their defensible space, but these programs are grant-funded and often run out of funding before meeting all needs.

- F2. As of May 2022, the County's Vegetation Management Office has transitioned under the new Wildfire Resiliency Office.

The Board of Supervisors agrees with the finding.

- F3. There has been no comprehensive County plan to implement Ordinance 5101, which includes defensible space inspections.

The Board of Supervisors disagrees wholly with the finding.

As stated above, the County's plan was to focus on outreach and education and conduct systematic inspections in CEAs.

- F4. The new Wildfire Resiliency Office has been given the responsibility to develop a comprehensive County plan.

The Board of Supervisors disagrees partially with the finding.

The Grand Jury appears to be conflating the Countywide Wildfire Protection Strategy, identified in the County's Strategic Plan in March, with the Vegetation Management Program. While the Vegetation Management Program is under the Office of Wildfire Preparedness and Resilience, and the Vegetation Management Ordinance is one tool to be used to meet the County's Strategic Plan goal to "Lead and facilitate the creation and maintenance of fire-adapted communities," it is important to note that the scope of the plan with which the Office of Wildfire Preparedness and Resilience encompasses much more than the Vegetation Management Program.

The Office has already begun reviewing the Vegetation Management Program and will be reaching out to stakeholders for suggestions on potential revisions to the ordinance and ways to structure the program to more fully support the County's Strategic Plan goal.

- F5. The enforcement component of Ordinance 5101 has not been implemented.

The Board of Supervisors disagrees wholly with the finding.

As stated above, 1,147 inspections have been conducted, 10 community workshops have been held, and notices have gone out to homeowners making them aware of their duty to comply with the ordinance. While no fines have been levied, fining is not the only measure of enforcement, and has not been the goal of the County program. As previously stated, the program's focus has been on encouraging voluntary compliance through outreach, education, and inspections that serve to inform homeowners of the importance of compliance, what they need to do to bring their properties into compliance, and where possible, link them with additional resources.

F6. There are County properties in violation of its own Ordinance 5101.

The Board of Supervisors agrees with the finding.

F7. Availability and affordability of fire insurance is an ongoing issue in the County.

The Board of Supervisors agrees with the finding.

RECOMMENDATIONS

R1. The BOS should provide the new Wildfire Resiliency Office with appropriate staffing, resources, and funding, to meet its goals by December 31, 2022.

The recommendation has been implemented.

When the Board approved the concept of the Office of Wildfire Preparedness and Resilience, it was understood that the Office would begin with limited staff, which would likely need to be augmented depending upon the determination of the full workplan and needs of the Office. The Board remains committed to hearing the recommendations of the CAO with regards to the needs of the office and prioritizing those needs.

R2. The BOS should follow up with the newly formed Wildfire Resiliency Office and receive updates on a quarterly basis from the CAO by December 31, 2022.

The recommendation requires further analysis.

The CAO will direct the Office of Wildfire Preparedness and Resilience to provide another update to the Board before December 31, 2022. At that point the Board will determine how often it would like to receive reports from the Office and whether a regular reporting schedule is necessary.

- R3. The BOS should direct appropriate County departments to comply with Ordinance 5101 by clearing County properties that violate the Ordinance by June 30, 2023.

The recommendation has not been implemented but will be implemented in the future.

The CAO has already begun the process of identifying the barriers that have prevented some County properties from becoming compliant with the ordinance. A plan for ensuring compliance of County properties will be developed no later than June 30, 2023.

- R4. The BOS should decide whether the enforcement component of Ordinance 5101 needs to be amended by December 31, 2022.

The recommendation will not be implemented because it is not feasible.

The Board of Supervisors looks forward to considering any recommendations from the Office of Wildfire Preparedness and Resilience with regard to the Vegetation Management Program; however, it is not feasible at this point for the Board to set a time frame for one specific aspect of the program.

- R5. The BOS should send a letter by December 31, 2022, to the State Insurance Commissioner advocating that insurance companies provide or continue to provide insurance for rural areas.

The recommendation has not been implemented but will be implemented by December 31, 2022.