



County of El Dorado

Chief Administrative Office

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TO: Honorable Board of Supervisors

FROM: Tiffany Schmid
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SUBJECT: Charter Review Committee Recommendations

The Charter Review Committee met monthly over a one-year period. The members of the Charter Review Committee should be commended for their dedication to this committee. These volunteer committee members spent hours carefully reviewing the Charter and proposed amendments. They not only invited public participation, but actively provided outreach to the community. Staff from the Chief Administrative Office and Clerk of the Board's Office supported the committee through research and attended every meeting with support from County Counsel's Office as needed.

County Ordinance Code Section 2.13.50 outlines that the Chief Administrative Office shall make recommendations on each agenda item brought to the Board except for items from individual Board members or items scheduled for public hearing through the Planning Commission. To comply with 2.13.50, the Chief Administrative Officer is providing the following recommendations to the Board regarding the Charter Review Committee's suggested Charter revisions.

When considering the approval of a ballot measure for a Charter revision, the Board must consider the fiscal impact. Preparing a measure requires staff time in addition to the cost of placing the measure on the ballot. A countywide ballot measure during a general election currently costs around \$70,000. The cost of a measure varies as the cost of an election is spread across the items being brought to the electorate. So, a countywide ballot measure brought during an election with a lot of measures will cost less.

The following four Charter Review Committee recommendations are being presented for the Board's consideration:

Revision to Charter Section 202 – Term of Offices for the Board of Supervisors

Charter Review Committee Recommendation

The Charter Review Committee is recommending an amendment to Charter Section 202 that would allow for Board members to complete three full terms and remove the language allowing a Board member to return after a break from consecutive terms. This would mean that any Board member can only serve three full terms and would limit the ability of any past Board members to return to the Board if they are seeking more than a third term.

Staff Recommendation and Board Options

In 2018, when a similar Charter revision was proposed, the Chief Administrative Office did a comprehensive analysis of terms limits. That analysis is attached to this item. The Chief Administrative Office does not anticipate any fiscal impacts beyond the cost of the ballot measure. There is a significant investment of staff time to help new members of the Board of Supervisors to get acclimated to their office and this revision, if passed, might reduce the frequency of new members to the Board of Supervisors, saving staff time. The Chief Administrative Office recommends the Board provide direction on this revision and does not have any operational objections to the revision.

Revision to Charter Section 205 – Setting of Meetings

Charter Review Committee Recommendation

The Charter Review Committee is recommending an amendment to Charter Section 205 that would require a meeting be held in a specified supervisorial district if requested by a Board member before the Board calendar is adopted.

Staff Recommendation and Board Options

The Board currently has the authority to request that a meeting be held in a specified supervisorial district, provided the location has the internet bandwidth, technological capabilities, and space needed to hold a meeting of the Board of Supervisors in the required digital and in-person hybrid format. In fact, in 2024, the Clerk is currently planning to hold two meetings in the Tahoe area. Due to the \$70,000 cost of putting a ballot measure to the voters and the fact that the Board currently has already has this authority, the Chief Administrative Office does not recommend that the Board move this recommended revision forward. If in the future this becomes an issue, then this Charter revision could be considered.

Revision to Charter Section 401 – Powers and Duties

Charter Review Committee Recommendation

The Charter Review Committee is recommending an amendment to Charter Section 401 that would require all Department Heads to annually submit to the Board of Supervisors at a public meeting an updated strategic plan for their department. The revision further allows the Board to specifically exempt a department head from publicly presenting an update that they provided.

Staff Recommendation and Board Options

It is a current practice of the Chief Administrative Office to ask all department heads to present an update on their departments at the end of January including any performance measures and upcoming policy issues.

These annual updates were not conducted in January 2022, due to coronavirus pandemic outbreaks at multiple County facilities and that we did not have new members of the Board of Supervisors. The annual presentations were resumed in 2023.

One of the reasons this revision was proposed is that it would require all department heads to submit this report to the Board. Charter Section 201(b)(5) states that the Board may “require the attendance of any officer or employee of the county at any meeting of the Board for the purpose of information, advice and assistance.” This current provision of the Charter gives the Board the authority to require any department head to attend a Board meeting and provide information.

The revision to Charter Section 401 as written would require these annual reports to the Board without any discretion of the Board to not require these reports. As evidenced by the coronavirus pandemic, Caldor Fire, Mosquito Fire, and Winter 2022-23 Storms, the County had to be agile in responding to emergencies. These emergencies resulted in staff being reassigned and department heads changing focus to respond and recover from these emergencies. It is in the best interest of the Board to maintain their discretion when possible, so County resources are not devoted to non-essential activities during times of emergencies. The Board has directed that these annual presentations continue, and the Chief Administrative Office has no plans to discontinue these annual presentations.

The Chief Administrative Office does not recommend that the Board move this revision to Charter Section 401 forward, as the Board currently has the authority to require these presentations and should keep the discretion to cancel these presentations.

Recommendation on Charter Section 504 – Sheriff’s Salary Limitation

Charter Review Committee Recommendation

The Charter Review Committee is recommending the Board of Supervisors engage County resources to review the three comparator agencies and determine if those comparator agencies remain the appropriate agencies for Charter Section 504.

Staff Recommendation and Board Options

Charter Section 504 (504) has been in place since the Charter was adopted in 1994. Due to this Charter provision, in recent years Human Resources has not conducted compensation studies for the classifications named in Charter Section 504 outside of the annual studies required by 504.

The County is currently, or will soon be, in negotiations with most of the County’s ten represented bargaining units to secure successor Memoranda of Understanding (MOUs). Due to the timing of these labor negotiations, the County will not have available resources to conduct a thorough analysis of 504 classifications prior to a possible 2024 ballot measure. Therefore, the Chief Administrative Office recommends that the Board direct staff to return to the Board when there are available resources to conduct an analysis of Charter Section 504 comparator agencies and request the Board provide direction on the focus and scope of this analysis. It is likely this would occur in early 2025.