

## **Title 2 ADMINISTRATION AND PERSONNEL**

### ***CHAPTER 2.01. OFFICE HOURS<sup>1</sup>***

#### **Sec. 2.01.010. Office hours.**

All County officers shall keep their offices open for the transaction of business continuously from 8:00 a.m. until 5:00 p.m. every day, except Saturdays, Sundays and holidays.

- A. Provided, however, subject to prior approval from the Chief Administrative Officer, a department head may, on a temporary as required basis, alter the hours a County office shall be open to the public; and
- B. Provided, further, that the office of the County Recorder may limit the acceptance of documents for recording purposes to the hours of 8:00 a.m. until 4:00 p.m. and documents received between the hours of 4:00 p.m. and 5:00 p.m. shall be recorded on the next business day in the order in which they were received on the previous day.

(Prior Code, § 3202; Code 1997, § 2.48.020; Ord. No. 4230, 1992; Ord. No. 4304, 1993)

### ***CHAPTER 2.02. BONDS OF OFFICERS<sup>2</sup>***

#### **Sec. 2.02.010. Designated.**

The principal amounts of the official bonds of the following County officers are fixed pursuant to Government Code §§ 24150, 24152 and 24153 as follows:

- A. Superintendent of Schools, \$2,000.00.

(Code 1997, § 2.51.010; Ord. No. 4547, 1-4-2000)

### ***CHAPTER 2.03. BOARD OF SUPERVISORS<sup>3</sup>***

#### **Sec. 2.03.010. Purpose.**

The purpose of this chapter is to provide rules for the conduct of meetings of the Board of Supervisors of the County.

(Prior Code, § 1101; Code 1997, § 2.03.010)

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<sup>1</sup>State law reference(s)—Board of Supervisors to fix business hours of County offices, Government Code § 24260.

<sup>2</sup>State law reference(s)—Bonds of County officials, Government Code § 24150 et seq.

<sup>3</sup>State law reference(s)—Board of Supervisors generally, Government Code § 25000 et seq.

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### **Sec. 2.03.020. Time, date and location.**

The times, dates and locations of all regular meetings of the Board of Supervisors shall be set, and, if necessary, subsequently changed, by resolution of the Board. Special meetings shall be set in accordance with Government Code § 54956 and emergency meetings shall be set in accordance with Government Code § 54956.5. In accordance with El Dorado County Charter Section 205, the Board will endeavor to hold one meeting per calendar year in each supervisorial district.

(Prior Code, § 1102; Code 1997, § 2.03.020; Ord. No. 3630, § 1, 1986; Ord. No. 4197, § 1, 1991; Ord. No. 4358, 1995; Ord. No. 5029, § 1, 12-8-2015)

State law reference(s)—Meetings of the Board of Supervisors, Government Code § 25080 et seq.

### **Sec. 2.03.021. Reserved.**

### **Sec. 2.03.030. Adjourned meetings.**

The Board of Supervisors may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Clerk of the Board may declare the meeting adjourned to a stated time and place, and shall cause a written notice of the adjournment to be given in the same manner provided in this chapter for special meetings, unless the notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the chambers or place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for a regular meeting.

(Prior Code, § 1103; Code 1997, § 2.03.030)

### **Sec. 2.03.040. Special meetings.**

An emergency or special meeting may be called at any time by the Chair of the Board, or by a majority of the members of the Board, by delivering personally or by mail with notice to each member and to each local newspaper of general circulation, radio or television station requesting notice in writing. The notice must be delivered personally or by mail at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at the meetings by the Board. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Clerk of the Board a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(Prior Code, § 1104; Code 1997, § 2.03.040)

### **Sec. 2.03.050. Election of Chair.**

The Board of Supervisors shall, as the first order of business at the first regular meeting after a change in Board membership, or at the first regular meeting of a new calendar year, elect by and from the Board membership the Chair who shall serve at the pleasure of the Board.

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(Prior Code, § 1105; Code 1997, § 2.03.050)

State law reference(s)—Chair of Board of Supervisors, Government Code § 25020 et seq.

### **Sec. 2.03.060. Vice-Chairs.**

First and second Vice-Chairs shall be elected by and from the membership of the Board to serve at the pleasure of the Board. Election of Vice-Chairs shall be considered each time there is an election of a Chair; however, election of new Vice-Chairs may take place at any time the Board desires.

(Prior Code, § 1106; Code 1997, § 2.03.060)

### **Sec. 2.03.070. Designation of presiding officer.**

The Chair shall preside at meetings of the Board. The first Vice-Chair shall preside at all meetings of the Board in the absence of the Chair. The second Vice-Chair shall preside in the absence of the Chair and the first Vice-Chair.

(Prior Code, § 1107; Code 1997, § 2.03.070)

### **Sec. 2.03.080. Duties of presiding officer.**

The presiding officer of the Board shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

(Prior Code, § 1108; Code 1997, § 2.03.080)

### **Sec. 2.03.090. Duties of Clerk.**

The Clerk of the Board of Supervisors shall keep accurate written minutes of all proceedings of the Board.

(Prior Code, § 1109; Code 1997, § 2.03.090; Ord. No. 4098, § 2, 1990)

State law reference(s)—Clerk of the Board, Government Code § 25100 et seq.

### **Sec. 2.03.100. Open meetings.**

All meetings of the Board of Supervisors shall be open and public and all persons shall be permitted to attend any meeting of the Board, except as otherwise provided in this chapter.

(Prior Code, § 1110; Code 1997, § 2.03.100)

### **Sec. 2.03.110. Closed sessions.**

The Board may hold closed sessions during regular or special meetings to consider matters as allowed by applicable State law, as from time to time amended.

(Prior Code, § 1111; Code 1997, § 2.03.110; Ord. No. 4197, § 2, 1991)

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**Sec. 2.03.120. Action and decisions.**

No action or decision of the Board shall be valid or binding unless a majority of all the members are present and concur therein, and the action or decision is made at a regular or special meeting.

(Prior Code, § 1112; Code 1997, § 2.03.120)

**Sec. 2.03.130. Reserved.****Sec. 2.03.140. Reconsideration.**

- A. The Board of Supervisors may, at any time, reconsider any action previously taken provided the Board finds that substantial new evidence exists which was not considered at the time the previous action was taken.
- B. A motion to reconsider may only be made by a Board member who had voted in the majority in the previous action. If a majority of the Board votes to reconsider, the matter shall be placed on the agenda for reconsideration.
- C. Those actions which are judicial or quasi-judicial in nature and which are governed by the provisions of Chapter 2.09 are exempted from this section.

(Prior Code, § 1114; Code 1997, § 2.03.140)

**Sec. 2.03.150. Supervisor-elect; training and orientation funding.**

- A. Upon request of a supervisor-elect, County general fund moneys may be used prior to the assumption of office by that supervisor-elect, for the training and orientation of that supervisor-elect, including the payment of course fees, travel and per diem expense, course materials, and consultant fees.
- B. Such training and orientation programs, and expenses therefor, shall be those the Board deems proper and beneficial to the exercise of supervisorial duties by newly elected supervisors.
- C. In order to receive training and orientation funds, the supervisor-elect shall:
  - 1. Make a formal request of the Board of Supervisors;
  - 2. Be subject to the same procedures as other members of the Board of Supervisors in office at that time.

(Prior Code, § 1115; Code 1997, § 2.03.150; Ord. No. 3244, § 1, 1982)

State law reference(s)—Authority of Board of Supervisors to provide for expenditure of County funds for the training and orientation of persons elected to, but who have not yet assumed office as, members of the Board, Government Code § 25208.4.

***CHAPTER 2.06. BOARD OF SUPERVISORS—CONDUCT OF BUSINESS,  
COMPENSATION<sup>4</sup>***

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<sup>4</sup>Editor's note(s)—Ord. No. 5069, § 2, adopted Nov. 14, 2017, amended Ch. 2.06 in its entirety to read as herein set out. Former Ch. 2.06, §§ 2.06.010—2.06.100, pertained to Board of Supervisors—Conduct of Business, and

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derived from Prior Code, §§ 1201, 1203, 1204, 1206—1210; Code 1997, §§ 2.06.010, 2.06.030—2.06.090; Ord. No. 4317, adopted 1993; and Ord. No. 4359, adopted 1995.

State law reference(s)—Authority of Board of Supervisors to establish rules for the preservation of order and the transaction of business, Government Code § 25003.

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(Supp. No. 12, Update 4)

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### **Sec. 2.06.010. Purpose.**

The purpose of this chapter is to provide the rules for the conduct of all business, except judicial and quasi-judicial hearings, of the Board of Supervisors of the County to the end that matters can be effectively, fairly and expeditiously processed; and to establish the compensation for members of the Board of Supervisors.

(Ord. No. 5069, § 2, 11-14-2017)

### **Sec. 2.06.020. Board of Supervisors salary provisions.**

A. Members of the board of supervisors shall receive the monthly salary as set forth below:

Board of Supervisors (5)—\$6,908.66.

B. Members of the Board of Supervisors shall receive the following benefits:

1. *Optional benefit credits:* A contribution of \$6,000.00 per fiscal year, prorated over 24 pay periods, toward the purchase of benefits included within the County's Optional Benefit Plan (OBP).
2. *Health/dental/vision plan:*
  - a. *Coverage:* Board members and their families are eligible for the benefits specified in the governing plan document, as approved by the Board of Supervisors, to the extent that such document does not conflict with state or federal law.
  - b. *Contributions:* Health plan premiums are established by the Board of Supervisors annually for each plan year, which runs on a calendar year basis (January 1—December 31). Premiums are based on total program costs, including vendor premiums and County costs for administering the program. Published rates for each year shall become effective the first paycheck issued in December preceding the plan year.

The County shall pay 65 percent of the premium for the health/dental/vision plan chosen by a Board member. The member shall pay the remaining 35 percent of the premium. Member contributions are deducted over 24 pay periods. No regular contributions are deducted from the third paycheck issued in any month. The member's contribution may be offset in whole or in part, by the Optional Benefit credits described above, in accordance with the terms of the OBP.

3. *Life insurance:* The County shall provide a group term life insurance plan for each Board member in the amount of \$60,000.00. Accidental death and dismemberment coverage is included in this plan. Members may purchase additional life insurance at their own cost, subject to the provisions of the Optional Benefits Plan and respective life insurance plans.
4. *Employee Assistance Plan (EAP):* Members shall be eligible for the benefits available to all employees through the EAP.
5. *Deferred compensation contribution:* The County will contribute two and one-half percent of base salary in each pay period to deferred compensation (457 Plan) accounts on behalf of participating Board members. Contributions will be made prospectively in each pay period and no retroactive contributions will be made.
6. *CalPERS (PERS) retirement plan benefits:* Board members who choose to participate in PERS shall be eligible for the following:
  - a. *Non-Safety Tier 1—Retirement benefits* for Classic member employees hired prior to October 5, 2012, shall be calculated using the retirement formula of two percent at age 55 with single-highest year final compensation (as determined by CalPERS).

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- b. Non-Safety Tier 2—Retirement benefits for Classic member employees hired on or after October 5, 2012 shall be calculated using the retirement formula of two percent at 60, with average of three-year final compensation (as determined by CalPERS).
  - c. Non-Safety Tier 3—New members to the CalPERS system hired on or after January 1, 2013, shall have retirement benefits calculated using the retirement formula of two percent at age 62, with average of three-year final compensation (as determined by CalPERS).
7. *CalPERS Contribution:*
- a. Board members subject to Tier 1 and 2 shall pay the entire seven percent employee portion of the CalPERS contribution.
  - b. Board members subject to Tier 3 shall pay 50 percent of the total normal cost rate of their pension benefits, as determined by CalPERS and required by law.
- The County agrees to continue the employer pick-up of the employee portion of the CalPERS contribution pursuant to provisions contained in Section 414(h)(2) of the Internal Revenue Code concerning the tax treatment of employee retirement contributions to CalPERS.
8. *Survivor benefits:* The County will provide the "Level III" tier of the 1959 Survivors' Benefits Board Members shall contribute \$0.93 per pay period plus any additional employee contribution required by CalPERS regulations.
- B. Members of the Board of Supervisors shall not be eligible for the following benefits (as defined in the Personnel Rules and the Salary and Benefits Resolution for Unrepresented Employees):
- 1. State disability insurance.
  - 2. Long term disability.
  - 3. Floating holiday, sick leave, or vacation accruals.
  - 4. Management leave.
  - 5. Longevity pay.
  - 6. CPA differential.
  - 7. Tahoe differential.
  - 8. Bi-lingual pay.
  - 9. POSTPay.

(Ord. No. 5069, § 2, 11-14-2017; Ord. No. 5153, § 2, 12-7-2021)

#### **Sec. 2.06.025. Expenses reimbursement for members of the Board of Supervisors.**

The reimbursement of travel and other expenses incurred by the members of the Board of Supervisors in the conduct of the official business of the County shall be governed by policies adopted by the Board of Supervisors.

(Ord. No. 5069, § 2, 11-14-2017)

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**Sec. 2.06.030. Agenda items in writing.**

Agenda items shall be in writing and shall specifically set forth both the matter to be discussed and the action requested of the Board, along with copies of the request and documentary information or supporting material.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.040. Approval by County Counsel.**

All contracts, proposed ordinances and resolutions not prepared by the County Counsel's office shall be referred to that office for approval as to form.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.050. Order of business.**

The regular order of business of the Board shall be:

- A. Approval of minutes of previous meeting;
- B. Agenda of the Board;
- C. Adjournment.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.060. Addressing the Board.**

Any person desiring to address the Board shall, when recognized by the Chair, step to the podium and give his or her name to the Clerk. The Chair may, in the interest of facilitating the business of the Board, and avoidance of repetition, limit the amount of time which a person may use in addressing the Board.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.070. Referrals.**

Any matter coming before the Board may, if deemed necessary, be referred to the officer, department or agency concerned therewith. Such referrals may be placed on a succeeding agenda and responsible officers, agents or department heads will respond to those matters in accordance with the direction provided by the Board.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.080. Appointive positions.**

The Chair shall, with the consent of the Board, appoint fellow members to those committees, commissions, agencies, associations, districts, boards, councils or other organizations on which the Board desires representation or which is required by law.

(Ord. No. 5069, § 2, 11-14-2017)



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**Sec. 2.06.090. Voting.**

Unless otherwise required by law, all votes upon any measure before the Board of Supervisors may be by simultaneous voice voting at the discretion of the Chair, unless any member of the Board calls for a roll call vote, in which case a roll call vote will be taken. Every Board member present shall vote for or against any measure put before it unless that member has declared a possible conflict of interest or abstains from voting. The Clerk shall announce the results of the vote. A roll call vote shall be taken by the Clerk of the Board upon the request of a Board member and the presiding officer shall vote last unless a random vote is called. Any member of the Board may call for a random vote. When a call for a random vote is made, the Clerk shall first determine the order in which the members of the Board who are present shall vote by lot, and then proceed to call for the vote of each Board member present in the order so determined. The manner in which each member voted on each measure voted upon shall be recorded in the minutes of the Board. Except as otherwise provided by law, three votes of the Board members present and constituting a quorum shall be sufficient for the adoption of any measure.

(Ord. No. 5069, § 2, 11-14-2017)

**Sec. 2.06.100. Request for advance copies of agendas.**

- A. Any person may submit a written request to the Clerk of the Board to receive advance copies for agendas for all regular meetings and all special meetings which are called at least one week prior to the hearing date. These agendas may be mailed, emailed or otherwise transmitted in accordance with the parties' written request.
- B. The Board may, by resolution, establish a fee for transmittal of these advance copies not to exceed the actual cost of providing them.

(Ord. No. 5069, § 2, 11-14-2017)

## ***CHAPTER 2.09. BOARD OF SUPERVISORS—JUDICIAL AND QUASI-JUDICIAL HEARINGS***

**Sec. 2.09.010. Purpose.**

The purpose of this chapter is to provide rules for the conduct of judicial and quasi-judicial hearings before the Board of Supervisors of the County to the end that matters can be expeditiously processed and that when a hearing is required by law, the parties will have notice of the hearing and an opportunity to appear before the Board and present evidence.

(Prior Code, § 1301; Code 1997, § 2.09.010)

**Sec. 2.09.020. Reserved.****Sec. 2.09.030. Applicability.**

- A. Unless otherwise provided by law or by rules and regulations of limited application adopted by the Board of Supervisors, this chapter shall govern all judicial or quasi-judicial proceedings before the Board of Supervisors of the County, including appeals taken from decisions and rulings of the Planning Commission and excepting hearing before the Board sitting as a Board of Equalization.

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- B. Where an appeal is taken from a decision or ruling of the Planning Commission or Zoning Administrator, the Board may sustain or overrule the action of the Planning Commission or Zoning Administrator, or may modify conditions attached thereto, or may substitute its own determination upon a hearing de novo. In granting an appeal, the Board shall make the finding that it is in conformity with the intent of this chapter and not detrimental to the public health, safety and welfare, or injurious to the neighborhood. The decision of the Board shall be final in all matters. If the vote is a tie or a decision cannot be reached at the hearing, the permit or authorization that is the subject of the appeal shall be denied.

(Prior Code, § 1303; Code 1997, § 2.09.030)

#### **Sec. 2.09.040. Appeals.**

Appeals shall be initiated by written application. The application shall be filed with the Clerk of the Board of Supervisors. The application shall set forth specific facts of the matter in sufficient detail to notify the parties of the nature of the proceedings, to place the parties upon notice as to how any proposed action may affect their interest so that they may formulate their defense or opposition without being subjected to surprise. The application shall contain the name and address of the applicant and to the extent known by the applicant, of all parties.

(Prior Code, § 1304; Code 1997, § 2.09.040)

#### **Sec. 2.09.045. Appeals initiated.**

Unless otherwise stated in this Code, appeal proceedings shall be initiated by written application within ten working days of the aggrieved action. In all other respects, appeals shall be treated like all other judicial or quasi-judicial proceedings before the Board of Supervisors of the County and shall be governed by this chapter.

#### **Sec. 2.09.050. Notice.**

After filing of a complete written application or appeal the Clerk of the Board shall notify the applicant or appellant and all parties listed in the application or appeal of the hearing date for the application or appeal. The hearing shall commence within 30 days of receipt of the completed application or appeal.

(Prior Code, § 1306; Code 1997, § 2.09.050)

#### **Sec. 2.09.060. Default.**

When notice of hearing has been given in accordance with this chapter, a hearing may proceed in the absence of any party and the Board may decide the matter.

(Prior Code, § 1307; Code 1997, § 2.09.060)

#### **Sec. 2.09.070. Hearings.**

- A. *Fairness.* All hearings shall be full and fair in a substantial sense, so that all necessary parties shall be afforded ample opportunity to make a showing fairly adequate to establish the propriety or impropriety, from a standpoint of justice and law, of the action proposed to be taken, giving the parties an opportunity to present in a deliberate, regular and orderly manner issues of law and fact.
- B. *Disqualification.*

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1. Unless a quorum is broken thereby, any member of the Board of Supervisors who has a personal interest or a bias in the matter shall disqualify himself or herself.
  2. Unless a quorum is broken thereby, upon a showing of personal interest or bias, the Board shall order disqualification of a member.
  3. Only members of the Board of Supervisors who have heard the whole matter may participate in the decision.
- C. *Record.*
1. The Clerk of the Board of Supervisors shall cause all testimony to be summarized and shall receive all exhibits and mark them in evidence.
  2. Any party may provide and pay the compensation for a shorthand reporter. A transcript of testimony taken by a certified shorthand reporter so provided shall constitute the official record of testimony.
- D. *Continuances.* The Board of Supervisors may order the hearing continued from time to time without notice.
- (Prior Code, § 1307; Code 1997, § 2.09.070)

### **Sec. 2.09.080. Evidence.**

- A. *Basic standard.* All relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in a civil action.
- B. *Hearsay evidence.* In a contested hearing, incompetent hearsay evidence may be used for the purpose of supplementing or explaining any other evidence, but shall not be sufficient in itself to support a finding.
- C. *Privilege.* The rules of privilege shall be effective to the same extent as they are now or hereafter may be recognized in civil action.
- D. *Burden of proof.* The burden of proof rests upon the party asserting the affirmative of an issue.
- E. *Inferences and presumption.* Rules regarding inferences and presumptions in civil actions shall obtain.
- F. *Rebuttal.* Each party shall have the right to rebut evidence against him or her.
- (Prior Code, §1308; Code 1997, § 2.09.080)

### **Sec. 2.09.090. Witnesses.**

- A. *Oath.* The Chair of the Board may require that witnesses testify under oath.
- B. *Exclusion.* The Board may exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the Board.
- (Prior Code, § 1309; Code 1997, § 2.09.090)

### **Sec. 2.09.100. Objection.**

Unless timely objection is made to the Board, error is waived.

(Prior Code, § 1310; Code 1997, § 2.09.100)

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**Sec. 2.09.110. Decision.**

- A. *Basic standard.* The decision of the Board of Supervisors shall be rendered at the conclusion of the hearings, or rendered at a subsequent meeting of the Board of Supervisors within 45 days, unless it is stipulated by the parties that the matter may be submitted for a later decision upon a certain date. The decision shall be in the form of ~~a resolution~~ written findings.
- B. *Contents.* The decision shall set forth the following:
1. The action taken by the Board;
  2. The findings of fact with sufficient particularity to make possible an intelligent review by the court and to apprise the parties of the basis for the action taken.

(Prior Code, § 1311; Code 1997, § 2.09.110)

## ***CHAPTER 2.12. CREATION AND CONSOLIDATION OF OFFICES<sup>5</sup>***

**Sec. 2.12.010. Offices segregated unless expressly consolidated.**

Except as otherwise provided in this chapter or the Government Code, none of the County officers designated in Government Code § 24000 are consolidated with each other.

(Prior Code, § 3101; Code 1997, § 2.12.010)

**Sec. 2.12.020. Sheriff, Coroner and Public Administrator.**

The offices of Sheriff, Coroner and Public Administrator are consolidated.

(Prior Code, § 3102; Code 1997, § 2.12.020; Ord. No. 3163, § 2, 1981)

**Sec. 2.12.030. Agricultural Commissioner and Sealer.**

The office of Agricultural Commissioner is consolidated with the office of Sealer of Weights and Measures.

(Prior Code, § 3103; Code 1997, § 2.12.030)

**Sec. 2.12.040. Treasurer and Tax Collector.**

The office of Treasurer is consolidated with the office of Tax Collector.

- A. *Eligibility qualification standards.* The County hereby adopts the provisions of Government Code § 27000.7 as set forth at the time of adoption of the ordinance from which this chapter is derived and as may be subsequently amended regarding eligibility criteria for the office of Treasurer-Tax Collector. If any new or renumbered Government Code statute replacing in whole or in part the aforementioned Section 27000.7 is subsequently enacted, the terms of that new or renumbered statute shall govern pursuant to this section.

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<sup>5</sup>State law reference(s)—Consolidation of County offices, Government Code § 24300 et seq.

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- B. *Verification of candidate qualifications.* The County Registrar of Voters shall verify that all declared candidates for the office of County Treasurer-Tax Collector qualify pursuant to the provisions of this section. All candidates shall submit a letter signed and executed under penalty of perjury listing the one or more candidate eligibility criteria of this chapter that they possess along with the other necessary candidate filings.

(Prior Code, § 3104; Code 1997, § 2.12.040; Ord. No. 4518, 1998)

#### **Sec. 2.12.050. Public Guardian.**

The office of Public Guardian for the County is created pursuant to Government Code § 27430. The Board hereby delegates its authority to appoint the Public Guardian to the Director of the Health and Human Services Agency.

(Prior Code, § 3501; Code 1997, § 2.12.050; Ord. No. 4333)

#### **Sec. 2.12.060. County Counsel.**

The office of County Counsel is created pursuant to Government Code § 27640 et seq.

(Prior Code, § 3502; Code 1997, § 2.12.060)

#### **Sec. 2.12.070. Transfer of Road Commissioner duties.**

Pursuant to Streets and Highways Code § 2006.1, the office of Road Commissioner is abolished and all duties of the Road Commissioner are transferred to the Director of Transportation.

(Code 1997, § 2.12.070; Ord. No. 3695, § 2, 1987; Ord. No. 3973, § 8, 1988; Ord. No. 5051, § 3, 4-18-2017)

#### **Sec. 2.12.080. Department of Civil Defense and Air Pollution Control.**

The office of Civil Defense and Air Pollution Control is created.

(Prior Code, § 3504; Code 1997, § 2.12.080)

#### **Sec. 2.12.090. County Auditor and Property Officer.**

The County Auditor is appointed Property Officer and shall perform the duties of Property Officer. The provisions of Article 4 (commencing with Section 26945) of Chapter 4, Division 2, Title 3 of the Government Code relating to qualifying for office, are made effective for the office of the County Auditor.

(Prior Code, § 3505; Code 1997, § 2.12.090; Ord. No. 3163, § 3, 1981; Ord. No. 3188, § 1, 1981; Ord. No. 4515, 1998)

#### **Sec. 2.12.100. Reserved.**

#### **Sec. 2.12.110. Recorder and County Clerk.**

The office of County Clerk is consolidated with the office of Recorder.

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(Code 1997, § 2.12.110; Ord. No. 4085, § 1, 1989)

**Sec. 2.12.120. Clerk of the Board of Supervisors.**

- A. The office of Clerk of the Board of Supervisors is created.
- B. The Clerk of the Board of Supervisors shall perform those duties prescribed by law for the County Clerk as ex officio clerk of the Board of Supervisors and such additional duties as the Board of Supervisors shall from time to time prescribe by ordinance.

(Code 1997, § 2.12.090; Ord. No. 4098, § 1, 1990)

***CHAPTER 2.13. CHIEF ADMINISTRATIVE OFFICER***

**Sec. 2.13.005. Statement of intent.**

- 1. It is the intent of the Board of Supervisors of the County that the Chief Administrative Officer exercise overall responsibility for the coordination of department activities to ensure the sound and effective management of County government, pursuant to Board policy and adopted budget. The Board fully intends to assign to the Chief Administrative Officer more clear and direct management authority and responsibility, and to hold him or her specifically accountable, although nothing in this chapter should be interpreted to preclude direct communication and interaction between department heads and the Board of Supervisors.
- 2. The County organizational culture, structure and management systems have changed to reflect that:
  - A. The Board of Supervisors acts primarily on establishing a strategic vision, goals, policies and budgets to meet legal mandates and the needs of County residents; on carrying out its legislative and decision-making responsibilities; and on communicating with and serving the citizens of the County;
  - B. The Chief Administrative Officer acts primarily on effective overall management of County resources; long-range financial and organizational planning; ensuring that County departments are producing services and results in accordance with Board goals, policies and budgets; improving management and information systems to ensure the most effective use of County personnel, money, facilities and equipment; and other specific duties assigned by the Board of Supervisors;
  - C. The Board of Supervisors continues the historic direct relationship with department heads on matters of policy, and encourages them to work closely with the Board and the Chief Administrative Officer in recommending and implementing effective policy. The Chief Administrative Officer shall act as an advisor to the Board of Supervisors to provide objective commentary on policy considerations;
  - D. The Chief Administrative Officer acts as the Board's representative on matters of management. The Board provides department heads with the policy direction authority and resources to carry out their budgeted programs. The Chief Administrative Officer is charged with evaluating the effective management of all County resources, and holding appointed department heads accountable for results in accordance with Board goals, policies and budget allocations. Well-coordinated executive management should be encouraged by the Chief Administrative Officer. The Board and Administrator recognize the unique legal responsibilities and voter accountability of independently elected County executives. The Chief Administrative Officer is responsible for working with elected officials to ensure management accountability for the resources allocated to them by the Board of Supervisors.

(Code 1997, § 2.13.005; Ord. No. 4196, § 1, 1991)

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**Sec. 2.13.010. Position created; extent of powers.**

- A. As enumerated in Government Code § 24000 there is created the position of Chief Administrative Officer. The Chief Administrative Officer is a County officer and not subject to the County civil service system. No provision of State or Federal law is intended to, nor shall it vest in the Chief Administrative Officer any right, duty, or responsibility now conferred by law on any other officer, department head, or employee of the County.
- B. Except as provided herein, no provision of this chapter shall be construed to delegate to the Chief Administrative Officer any authority required by statute to be performed by another designated County official.

(Code 1997, § 2.13.010; Ord. No. 3966, § 1(part), 1988; Ord. No. 4196, § 2, 1991)

**Sec. 2.13.020. Appointment and removal.**

The Chief Administrative Officer shall:

- A. Be chosen upon the basis of knowledge and skills in public administration, business administration, demonstrated administrative ability, and knowledge of public agency budgeting, personnel, finance and organization. This requirement may be met by a combination of education and experience in these fields as may be acceptable to the Board of Supervisors.
- B. Be appointed by, and serve at the pleasure of, the Board of Supervisors. The Chief Administrative Officer may be removed from office by majority vote of the Board of Supervisors at any time.

(Code 1997, § 2.13.020; Ord. No. 3966, § 1(part), 1988)

**Sec. 2.13.025. Employment agreements.**

All other provisions of this chapter notwithstanding, the Board of Supervisors may, at its discretion, enter into a written agreement with the Chief Administrative Officer which governs the terms and conditions of employment including compensation, benefits and removal from office.

(Code 1997, § 2.13.025; Ord. No. 4196, § 3, 1991)

**Sec. 2.13.030. Salary and benefits.**

The compensation of the Chief Administrative Officer shall be established by resolution of the Board of Supervisors.

(Code 1997, § 2.13.030; Ord. No. 3966, § 1(part), 1988)

**Sec. 2.13.040. Administrative powers and duties.**

The Chief Administrative Officer shall advise, assist, and act as the agent for and be responsible to the Board of Supervisors for the administration of the affairs of the County as directed by the Board, and shall enforce ordinances, orders, policies, or regulations as directed by the Board.

(Code 1997, § 2.13.040; Ord. No. 3966, § 1(part), 1988)

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**Sec. 2.13.050. General administration.**

The Chief Administrative Officer shall:

- A. Represent the Board of Supervisors in the County's intergovernmental relationships in accordance with Board policies and instructions; and when so directed, represent the Board in dealing with individuals or groups concerned with County affairs;
- B. Attend all meetings of the Board of Supervisors, except when excused; and when directed by the Board, attend meetings of commissions and committees established by the Board of Supervisors;
- C. Evaluate departmental and other requests of the Board of Supervisors, and make recommendations on each agenda item except for items from individual Board members or items scheduled for public hearing through the Planning Commission;
- D. Administer and enforce policies established by the Board of Supervisors by issuing procedures, standard practices, rules and regulations as needed;
- E. Assist the Board of Supervisors in the recruitment and appointment of department heads in accordance with County personnel ordinances, resolutions and policies and procedures;
- F. Conduct research, as authorized by the Board, in administrative practices and prepare recommendations to bring about greater efficiency and economy in County government; develop and make recommendations on long-range plans and programs to prepare for future growth and development;
- G. Analyze and make recommendations on proposed State and Federal legislation affecting the County when requested to do so by the Board.

(Code 1997, § 2.13.050; Ord. No. 3966, § 1(part), 1988; Ord. No. 4155, § 1, 1991; Ord. No. 4196, § 4, 1991; Ord. No. 4346, 1994)

**Sec. 2.13.060. Budgetary matters.**

The Chief Administrative Officer shall:

- A. Recommend to the Board of Supervisors an annual executive budget containing recommendations on department operations, revenue and financing projections, proposed goals, objectives, and work programs for all activities under the control of the Board of Supervisors;
- B. Develop budget policies and issue instructions to guide departments in budget preparation;
- C. Report periodically to the Board of Supervisors on the status of expenditures and revenues based on budget control systems established by the Auditor-Controller and recommend procedures to control expenditures when required to stay within the Board's approved annual budget;
- D. Recommend to the Board regarding requests for unforeseen and unbudgeted expenditures; approve budget transfers and revisions within appropriations, including additional fixed assets; and make recommendations on transfer requests which require Board action.

(Code 1997, § 2.13.060; Ord. No. 3966, § 1(part), 1988)

**Sec. 2.13.070. Departmental supervision.**

The Chief Administrative Officer shall:



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- A. Monitor the overall performance of departments and review methods and procedures and formulate recommendations to the Board for increased efficiency;
  - B. Evaluate existing and proposed programs as directed by the Board and make recommendations for improved effectiveness;
  - C. Evaluate departmental organizations, when directed by the Board, and recommend any needed changes in organization, structure, duties or responsibilities;
  - D. Authorize budgeted travel and business expense in accordance with rules, regulations, and policies established by the Board;
  - E. Assist, as directed by the Board, in the administration of the department head performance pay program;
  - F. Assist department heads in solving problems which inhibit efficient operation within a department or require coordination between departments;
  - G. Promote the development of team management systems within the County organizations to develop leadership opportunities among department heads to build a County management team that can plan for and meet future challenges;
  - H. Develop and recommend new programs, management policies and procedures for consideration by the Board of Supervisors;
  - I. Carry out all responsibilities in a manner which recognizes the basic responsibility and authority of the Board of Supervisors to determine County policy and department heads to communicate directly with the Board of Supervisors on issues of policy.

(Code 1997, § 2.13.070; Ord. No. 3966, § 1(part), 1988; Ord. No. 4196, § 5, 1991)

#### **Sec. 2.13.080. Employment policies and practices.**

The Chief Administrative Officer shall:

- A. Through the coordinating of the personnel activities, and subject to the limitations of the civil service regulations set forth in Chapter 2.16 and adopted memorandums of understanding, administer the County's labor relations program and the personnel system;
- B. Assist the Board, as directed, in the filling of vacant department head positions;
- C. Represent the Board of Supervisors by coordinating the process of negotiating contracts (memorandum of understanding) with the representatives of employee organizations and with unrepresented employees in compliance with the Board's instructions and authorizations;
- D. Prepare recommendations on all departmental organizations changes which result in a change in the number, classification or pay for employees.

(Code 1997, § 2.13.080; Ord. No. 3966, § 1(part), 1988; Ord. No. 4196, § 6, 1991)

### ***CHAPTER 2.14. APPOINTED OFFICERS AND DEPARTMENT HEADS<sup>6</sup>***

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<sup>6</sup>State law reference(s)—Duration of term for County officers, Government Code § 24201.

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**Sec. 2.14.010. Designation of appointed department heads.**

- A. The following appointed positions are hereby designated as department heads pursuant to Section 404 of the County Charter:
1. Clerk of the Board of Supervisors.
  2. Director of Child Support Services.
  3. Director of Environmental Management.
  4. Health and Human Services Agency Director.
  5. Director of Human Resources.
  6. Director of Information Technologies.
  7. Director of Library Services.
  8. Director of Planning and Building.
  9. Public Defender.
  10. Director of Transportation.
  11. Registrar of Voters.
  12. Public Health Officer.
- B. The positions of Chief Administrative Officer, County Counsel, Agricultural Commissioner/Sealer of Weights and Measures, and Chief Probation Officer are not designated as department heads under this section, although they do direct departments, because they are specifically provided for elsewhere in the County Charter. Similarly, elected officers of the County are provided for elsewhere in the County Charter.
- C. Any reference in this Code to the Director of the Area Agency on Aging, the Director of Community Services, the Director of Social Services or the Director of Welfare, shall be understood to refer to the Health and Human Services Agency Director or his or her qualified designated representative.

(Ord. No. 4995, § 2, 4-30-2013; Ord. No. 5051, § 3, 4-18-2017; Ord. No. 5065, § 1, 10-10-2017; Ord. No. 5215, § 2, 12-3-2024)

***CHAPTER 2.15. RESERVED<sup>7</sup>******CHAPTER 2.16. CIVIL SERVICE SYSTEM<sup>8</sup>***

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<sup>7</sup>Editor's note(s)—Ord. No. 5069, § 3, adopted Nov. 14, 2017, repealed Ch. 2.15, §§ 2.15.010—2.15.140, which pertained to personnel and salary regulations and derived from Prior Code, §§ 3401, 4101, 4102, 4123.5, 4123.6, 4124, 4129, 4131, 4400, 25,701—25,703; Code 1997, §§ 2.57.010—2.57.030, 2.57.030(C); 2.57.040, 2.57.210, 2.57.230—2.57.250, 2.57.310—2.57.330, 2.57.370, 2.57.390; Ord. No. 3238, § 2, adopted 1982; and Ord. No. 4675.

Cross reference(s)—Similar provisions can be found at §§ 2.06.020 and 2.06.025.

<sup>8</sup>Editor's note(s)—Ord. No. 5069, § 7, adopted Nov. 14, 2017, amended Ch. 2.16 in its entirety to read as herein set out. Former Ch. 2.16, §§ 2.16.010—2.16.060, 2.16.065, 2.16.070—2.16.130, pertained to similar subject

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matter and derived from Prior Code, §§ 4201—4206, 4208, 4211—4213; Ord. No. 3807, § 1, adopted 1988; Code 1997, §§ 2.60.010—2.60.060, 2.60.065, 2.60.080, 2.60.110—2.60.130; Ord. No. 4549, adopted Feb. 1, 2000; Ord. No. 4562, adopted Aug. 22, 2000; and Ord. No. 4996, § 2(2.60.060), adopted Apr. 30, 2013.

State law reference(s)—County Civil Service Enabling Law, Government Code § 31100 et seq.; civil service system generally, Government Code § 45000 et seq.

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**Sec. 2.16.010. Title.**

This chapter shall be known and may be referred to in all proceedings as the County Civil Service Ordinance.  
(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.020. Purpose.**

The ordinance from which this chapter is derived is enacted pursuant to the provisions of the County Civil Service Enabling Law (Government Code § 31100 et seq.) for the purpose of enacting a limited civil service system for the County.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.025. Application of chapter.**

This chapter shall apply to all positions within the classified service, as defined in the Charter or by the Board of Supervisors consistent with the Charter.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.030. Commission—Established.**

There is established a Civil Service Commission (hereafter "Commission") for the County. The Commission shall consist of five members appointed by the Board of Supervisors from among those qualified electors of the County who are not employees or officers of the County.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.040. Same—Meetings and compensation.**

- A. The Commission may for organizational purposes during the first quarter of each year, and shall meet at such times as shall be necessary to conduct hearings required by Section 2.16.080, and shall hold meetings as may be determined by the Commission and the Department of Human Resources. The Commission shall recommend for adoption by the Board of Supervisors such rules of procedure as it deems advisable for the orderly conduct of its business.
- B. Members of the Commission shall receive the sum of \$100.00 per meeting attended in person, and \$25.00 for meetings attended by telephone. Members shall also be provided lunch for meetings that are scheduled over the normal lunch period. Members shall also be reimbursed for reasonable traveling expenses from their place of residence to the place of meeting of the Commission and return, upon submission of such documentation as may be reasonably required by the County Auditor's office.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.050. Length of service required to qualify.**

Civil service status shall not attach to any County employee with respect to any particular classification unless or until he or she has been continuously employed for the total period of time equal to the probationary period specified in the applicable memorandum of understanding or Board-approved resolution for the

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employee's original classification. In the event a County employee is promoted, voluntarily demotes, or voluntarily transfers to a related classification, his or her civil service status shall attach to his or her original classification when he or she has been continuously employed in the original classification and the subsequent classification for the total period of time equal to the probationary period specified in the applicable memorandum of understanding or Board-approved resolution for the employee's original classification.

(Ord. No. 5069, § 7, 11-14-2017)

#### **Sec. 2.16.060. Exclusions.**

Except as otherwise provided by law, the following persons are part of the unclassified service and are not subject to the provisions of this chapter:

- A. Elected County officers;
- B. Appointed department heads;
- C. All appointed boards, committees, and commissions;
- D. All persons serving without compensation;
- E. Casual patient and inmate employees at County institutions;
- F. The Undersheriff, provided that employees in this position who have previously held classified positions in the Sheriffs Department with the County have the right to return to the classified service as provided by Article V, Section 502.1 of the County Charter;
- G. Any person holding a confidential position to each member of the Board of Supervisors;
- H. Persons employed to render professional, scientific, technical or expert services on a temporary basis for a specific project;
- I. Persons covered under state merit systems;
- J. Persons employed as independent contractors;
- K. Persons otherwise excluded by operation of law.

(Ord. No. 5069, § 7, 11-14-2017)

#### **Sec. 2.16.065. Return to civil service status; Undersheriff.**

- A. An employee in the classified service who is appointed to the exempt position of Undersheriff shall, in the event the current Sheriff at such time leaves office or determines the services of the incumbent no longer meets the need of the department, have a right of return to the classified service subject to the following:
  - 1. A request for return to a former classified civil service position must be made in writing to the Chief Administrative Officer within 15 regular County business days from the date the Sheriff leaves office or determines the services of the incumbent no longer meets the needs of the department. If no timely written request is made, the right to return is lost and the employee shall be separated from service.
  - 2. The right to return shall be to the same department and to the same classification from which the employee was promoted.
- B. Nothing in this section modifies or alters the power of the appointing authority to terminate an employee from the position of Undersheriff at any time with or without notice or cause as an "at-will employee."

(Ord. No. 5069, § 7, 11-14-2017)

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**Sec. 2.16.070. Hiring procedures.**

Procedures for hiring County employees and for review of their qualifications shall be as set forth in personnel rules adopted by the Board of Supervisors.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.080. Dismissal, suspension and demotion procedures.**

- A. Any officer or employee in the classified civil service may be dismissed, suspended without pay or reduced in rank or compensation by the appointing authority after appointment or promotion is completed by giving notice and proceeding in accordance with the provisions of this section.
- B. The officer or employee shall be provided a written notice not less than ten working days prior to the effective date of the intended action notifying the officer or employee of the proposed action and the effective date thereof, stating specifically the reasons for the action and advising the employee the location of all written materials, reports, and documents relating to the matter, and that the documents are available to the employee or his or her representative for inspection. Within the ten-day period, the employee has the right to respond to the department head about the allegations contained in the notice.
- C. After the ten-day period provided in Subsection B of this section, if the employee has failed to respond, or if the department head determines to proceed with the intended action or some further action, after having considered the response by the employee, the department head shall issue an order sustaining the action to be taken and the specific reasons therefor. The order may refer to the notice of intended action. The order shall be filed with the Director of Human Resources and a copy thereof shall be provided to the person subject to the action.
- D. Within ten working days after presentation of the order to the officer or employee, the officer or employee may appeal from the order through the Director of Human Resources to the Civil Service Commission. Upon the filing of the appeal, the Director of Human Resources shall forthwith transmit the order and appeal to the Civil Service Commission for hearing.
- E. Within 20 days from the filing of the appeal, the Commission shall commence a hearing and either affirm, modify or revoke the order. The appellant may appear personally, produce evidence and have counsel. The appellant may have a public hearing.
- F. The findings and decision of the Commission shall be certified to the department head or officer whose action was the subject of the hearing and forthwith enforced and followed by him or her.
- G. When a department head determines that an act or omission of an employee warrants immediate removal of the employee from his or her assigned duties, the employee may be suspended immediately and without pay for three working days or less according to the provisions of this section, except that the written notice required in Subsection B of this section shall be provided during the suspension or within five working days thereafter. Otherwise, all provisions of this section shall apply.

(Ord. No. 5069, § 7, 11-14-2017)

**Secs. 2.16.090, 2.16.100. Reserved.**

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**Sec. 2.16.110. Amendment and repeal.**

No ordinance repealing or amending this chapter which nullifies the basic principles of the civil service system contemplated by this chapter and the County Civil Service Enabling Law shall be effective unless a proposition of such repeal or amendment shall have been submitted to an election and approved by a majority vote of the electors voting on the proposition.

(Ord. No. 5069, § 7, 11-14-2017)

**Sec. 2.16.120. Subpoenas.**

- A. The Commission shall have the power to issue subpoenas and subpoenas duces tecum and compensate persons subpoenaed.
- B. This power shall be exercised and enforced in the same manner as the power granted in Article 9 of Chapter 1 of Part 2 of Division 2 of the Government Code (Government Code § 25170 et seq.), except that the power shall extend only to matters within the Commission's lawful jurisdiction, and that committees of the Commission shall not have this power.
- C. Witnesses subpoenaed by the Commission shall be paid fees in the same amount and in the same manner as provided for in Government Code § 68094.
- D. Subpoenas shall be signed by the Chair or Secretary of the Commission.
- E. Any member of the Commission or any member otherwise so empowered may administer oaths to, or take affirmations from, witnesses before the Commission.

(Ord. No. 5069, § 7, 11-14-2017)

## ***CHAPTER 2.17. HEALTH AND HUMAN SERVICES AGENCY***

**Sec. 2.17.010. Agency establishment—Consolidation of departments.**

Pursuant to California Government Code § 33200 and Welfare and Institutions Code § 18986.86, there is hereby established the El Dorado County Health and Human Services Agency to consolidate the former departments of Health Services and Human Services.

Any reference in this code to the Health Department, Department of Human Services, Welfare Department, Department of Mental Health, Department of Community Services, Public Health Department, or Department of Social Services, shall be understood to refer to the Health and Human Services Agency.

(Ord. No. 5011, § 2, 9-23-2014)

**Sec. 2.17.020. Purpose.**

The Health and Human Services Agency is created for the delivery of services through an integrated and comprehensive county health and human services system.

(Ord. No. 5011, § 2, 9-23-2014)

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**Sec. 2.17.030. Divisions.**

Within the Health and Human Services Agency there shall be created divisions known as Administration and Finance, Community Services, Mental Health, Public Health and Social Services.

(Ord. No. 5011, § 2, 9-23-2014)

**Sec. 2.17.040. Director of the Health and Human Services Agency.**

Under the general direction of the County Administrative Officer and the Board of Supervisors, the Director of the Health and Human Services Agency shall plan, organize, and direct all activities of the Agency in accordance with applicable federal, state, and local laws and regulations. The Director of the Health and Human Services Agency shall be appointed and serve at the will of the Board of Supervisors pursuant to Section 404 of the charter of El Dorado County.

Any reference in this code to the director of the area agency on aging, director of community services, the director of health services, the director of human services, the director of public health, the director of social services, or the director of welfare, shall be understood to refer to the Director of the Health and Human Services Agency, or his/her qualified designated representative.

(Ord. No. 5011, § 2, 9-23-2014)

**Sec. 2.17.050. Consolidation of positions under the Director of the Health and Human Services Agency.**

- A. The person appointed by the Board of Supervisors to the position of Director of the Health and Human Services Agency is hereby deemed the county director of public social services in accordance with Welfare and Institutions Code § 10801.
- B. In accordance with Welfare and Institutions Code § 5607 and § 5608, local mental health services are to be administered by a local director of mental health services who is appointed by the governing body and meets standards of training and experience required by regulation. The position of local director of mental health may be consolidated with the position of Director of the Health and Human Services Agency, provided the Director of the Health and Human Services Agency possesses the particular qualifications required by statute and regulation or is otherwise approved for the position by the State Department of Health Care Services.
- C. In the event the Director of the Health and Human Services Agency does not possess the particular qualifications required by statute and regulation of the local director of mental health or is not approved for the position by the State Department of Health Care Services, section 2.17.050(B) of this code shall not apply. A director of mental health separate from the Director of the Health and Human Services Agency shall be appointed by the Board of Supervisors.
- D. In accordance with Health and Safety Code § 101000 et seq., the local health officer shall be appointed by the Board of Supervisors. The position of local health officer may be consolidated with the position of Director of the Health and Human Services Agency, provided the Director of the Health and Human Services Agency possesses the particular qualifications required by statute and regulation.
- E. In the event the Director of the Health and Human Services Agency does not possess the particular qualifications required by statute and regulation of the local health officer, section 2.17.050(D) of this code shall not apply. A local health officer separate from the Director of the Health and Human Services Agency shall be appointed by the Board of Supervisors. The Board of Supervisors shall ensure the local health officer



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who is not the Director of the Health and Human Services Agency has the authority and resources necessary to carry out duties as required by law.

(Ord. No. 5011, § 2, 9-23-2014)

#### **Sec. 2.17.060. Duties and responsibilities.**

The Health and Human Services Agency shall be responsible for the administration of the various functions and services concerning public health, mental health, social services, and community services provided to the residents of El Dorado County as designated by the Board of Supervisors and in accordance with federal and state law and local ordinance.

(Ord. No. 5011, § 2, 9-23-2014)

#### **Sec. 2.17.070. Organization of the Health and Human Services Agency.**

- A. The Director of the Health and Human Services Agency shall have the discretion to organize and administer functions within the Agency to ensure services and benefits are provided to the public through an integrated and comprehensive health and human services system.
- B. Such discretion shall be exercised in accordance with then existing laws, as well as County policies established by ordinance or resolution concerning any reorganization or restructuring of the functions and operations of a county department or division of a county department.
- C. If the director of mental health is separate from the Director of the Health and Human Services Agency, pursuant to section 2.17.050(C) of this code, such discretion may not be used to impede the director of mental health from carrying out duties, services, or functions as required by law.
- D. If the local health officer is separate from the Director of the Health and Human Services Agency, pursuant to section 2.17.050(E) of this code, such discretion may not be used to impede the local health officer from carrying out duties, services, or functions as required by law.
- E. The Director of the Health and Human Services Agency shall direct and administer public health functions, pursuant to Government Code § 33201.

(Ord. No. 5011, § 2, 9-23-2014)

### ***CHAPTER 2.18. COMMUNITY DEVELOPMENT SERVICES<sup>9</sup>***

#### **Sec. 2.18.010. Purpose.**

The purpose of Community Development Services is to consolidate the Department of Planning and Building, Environmental Management Department and Department of Transportation under a shared services model while retaining the independent functions of the departments.

(Ord. No. 5051, § 3, 4-18-2017)

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<sup>9</sup>Editor's note(s)—Ord. No. 5051, § 3, adopted Apr. 18, 2017, changed the title of ch. 2.18 from "Community Development Agency" to "Community Development Services."

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Editor's note(s)—Ord. No. 5051, § 3, adopted Apr. 18, 2017, repealed § 2.18.010 which pertained to establishment; consolidation of departments, and renumbered former §§ 2.18.020 and 2.18.030, purpose and divisions, as §§ 2.18.010, purpose, and 2.18.020, departments, which derived from Code 1997, §§ 2.30.020, 2.30.030; Ord. No. 3513, § 1 (part), adopted 1985; Ord. No. 4097, §§ 2, 3, adopted 1990; and Ord. No. 4996, §§ 2(2.30.020), 2(2.30.030), adopted Apr. 30, 2013.

### **Sec. 2.18.020. Departments.**

Within Community Development Services, there shall be created a Planning and Building Department, Environmental Management Department, and Department of Transportation.

- A. *Director of Planning and Building.* The Planning and Building Department shall be administered by a county officer to be known as the Director of Planning and Building, who shall be appointed by the Board of Supervisors and shall hold office at the pleasure of the Board of Supervisors. Where referenced in State statute or elsewhere in this Code, the Director of Planning and Building or his/her designated representative shall serve as the Planning Director, Zoning Administrator, and Executive Secretary to the Planning Commission.
- B. *Director of Transportation.* The Department of Transportation shall be administered by a County officer to be known as the Director of Transportation, who shall be appointed by the Board of Supervisors and shall hold office at the pleasure of the Board of Supervisors. Where referenced in State statute or elsewhere in this Code, the Director of Transportation or his/her designated representative shall serve as the Road Commissioner.

(Ord. No. 5051, § 3, 4-18-2017)

Note(s)—See note at § 2.18.010.

### **Sec. 2.18.030. Reserved.**

### **Sec. 2.18.040. Building Official.**

Where used in this Code or in the California Building, Plumbing, Mechanical and Housing Codes and the National Electrical Code, the term "Building Official" means the Chief Building Inspector, who shall serve as the supervisor of the Building Safety Division. The Chief Building Inspector shall serve under the administrative authority of the Director of Planning and Building, but shall have the primary responsibility for interpreting and administering the California Building Standards Code as the Building Official.

(Code 1997, § 2.30.060; Ord. No. 4948, 10-19-2010; Ord. No. 4996, § 2(2.30.060), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### **Sec. 2.18.050. Powers and duties of Chief Building Inspector.**

The powers and duties of the Chief Building Inspector shall be as follows:

- A. To enforce all the provisions of law, this Code, and the other rules and regulations pertaining to the installation, erection, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of structures and systems identified in the California Building Standards Code. The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety, as they apply to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building Standards Code, are delegated to the Chief Building Inspector of the County;

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- B. To review applications for construction permits, issue permits, collect fees therefor, make inspections, issue certificates of occupancy and such other functions as are imposed on the Chief Building Inspector by the codes referenced in this chapter, either in person or by such assistants, deputies, or employees authorized by the Department of Planning and Building;
  - C. To inspect the installation of manufactured homes for compliance with applicable State and local laws and ordinances;
  - D. To collect and deposit fees as directed by County ordinance;
  - E. To perform such other duties as may be assigned by the Director of Planning and Building.

(Code 1997, § 2.30.061; Ord. No. 4948, 10-19-2010; Ord. No. 4996, § 2(2.30.061), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

#### **Sec. 2.18.060. Purpose.**

The purpose of the building code and the implementation by the Chief Building Inspector is to provide minimum standards to safeguard life or limb, health, property or public welfare by regulating and controlling the design, construction, quality of material, use and occupancy, location, the installation and maintenance of electrical installations, plumbing installations, and heating and mechanical installations of all buildings and structures and certain equipment specifically regulated in this chapter and to provide for their enforcement by the Building Inspection Division.

(Code 1997, § 2.30.062; Ord. No. 3513, § 1(part), 1985; Ord. No. 4996, § 2(2.30.062), 4-30-2013)

#### **Sec. 2.18.070. Coordination of Health Department and Environmental Health Division.**

The Board of Supervisors directs the Chief Administrative Officer or his or her designee to ensure that the Environmental Health Division of the Environmental Management Department and the Health Services Division of the Health and Human Services Agency maintain close communication and effective coordination of operations in order to ensure an efficient and adequate overall public health program in the County.

(Code 1997, § 2.30.075; Ord. No. 3513, § 1(part), 1985; Ord. No. 4996, § 2(2.30.075), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### ***CHAPTER 2.19. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT<sup>10</sup>***

#### **Sec. 2.19.010. Establishment.**

There is established an Environmental Management Department consisting of vector control (CSA) and environmental health and waste materials management programs. Any reference in this Code to Environmental Health Department or Vector Control Department shall be understood to refer to the Environmental Management Department.

(Ord. No. 5051, § 3, 4-18-2017)

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<sup>10</sup>Editor's note(s)—Ord. No. 5051, § 3, adopted Apr. 18, 2017, changed the title of ch. 2.19 from "Environmental Management Division" to "Department of Environmental Management."

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Editor's note(s)—Ord. No. 5051, § 3, adopted Apr. 18, 2017, repealed the former § 2.19.010 and enacted a new § 2.19.010 as set out herein. The former § 2.19.010 pertained to establishment; consolidation of Division and derived from Code 1997, § 2.31.010; Ord. No. 4097, § 10(part), adopted 1990; and Ord. No. 4996, § 2(2.31.010), adopted Apr. 30, 2013.

### **Sec. 2.19.020. Divisions.**

In order to better coordinate environmental management issues and services, the Environmental Management Department will maintain all environmental health services and programs at a level equal to those provided under the existing program plan submitted to the State Department of Health Services.

(Code 1997, § 2.31.030; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.030), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### **Sec. 2.19.030. Environmental Management Director.**

The Environmental Management Department shall be administered by a County officer to be known as the Environmental Management Director, who shall be appointed by the Board of Supervisors and shall hold office at the pleasure of the Board of Supervisors, and possess a valid certificate as a registered environmental health specialist.

(Code 1997, § 2.31.040; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.040), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### **Sec. 2.19.040. Definition of titles.**

Where referenced in State statute or elsewhere in this Code, the Environmental Management Director or his or her designated representative shall serve as the Environmental Health Director, Vector Control Director, and Waste Materials Management Director.

(Code 1997, § 2.31.050; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.050), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### **Sec. 2.19.050. Environmental Health Director; Deputy Health Officer.**

The Environmental Health Division shall be administered by a County officer, known as the Environmental Health Director, who shall be appointed by the Director of Environmental Management. The Environmental Health Director shall possess a valid certificate as a registered environmental health specialist in the State and shall have substantial experience in public health, as established by the Board of Supervisors for the position.

(Code 1997, § 2.31.090; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.090), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

State law reference(s)—Registered environmental health specialist generally, Health and Safety Code § 106600 et seq.

### **Sec. 2.19.060. Deputization.**

The Environmental Health Director shall function as Deputy Health Officer in the fields of food and water sanitation control, occupational health, vector control, noise sanitation, solid and liquid waste, and other

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environmentally based public health programs as identified in "Services in a Local Environmental Health and Sanitation Program" by the State Health Department.

(Code 1997, § 2.31.100; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.100), 4-30-2013)

#### **Sec. 2.19.070. State of emergency.**

Nothing contained in this chapter shall be interpreted as abridging or otherwise limiting the authority of the County Health Officer during a state of emergency. A state of emergency exists when declared by the Health Officer who shall retain all powers, duties, and responsibilities relating to the protection of public health as set forth in Section 452 of the Health and Safety Code of the state. The declaration of emergency shall be confirmed by the Board of Supervisors if the state of emergency exceeds seven days.

(Code 1997, § 2.31.110; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.110), 4-30-2013)

#### **Sec. 2.19.080. Level of staffing.**

The Environmental Management Department shall supervise a staff of registered sanitarians meeting the qualifications established by the State Department of Health pursuant to the provisions of the Health and Safety Code. The level of staffing and other support personnel shall be adequate to implement mandated services and programs as determined appropriate by the Board of Supervisors.

(Code 1997, § 2.31.120; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.120), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

#### **Sec. 2.19.090. Laboratory services.**

All necessary microbiology laboratory services shall be provided to the Environmental Health Division by the Health and Human Services Agency, Division of Health Services, laboratory or equivalent State-certified laboratory.

(Code 1997, § 2.31.130; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.130), 4-30-2013)

#### **Sec. 2.19.100. Coordination of Health Department and Environmental Health Division.**

The Environmental Health Director shall ensure that the Environmental Health Division of the Environmental Management Department and the Health Services Division of the Health and Human Services Agency maintain close communication and effective coordination of operations in order to ensure an efficient and adequate overall public health program in the County.

(Code 1997, § 2.31.140; Ord. No. 4097, § 10(part), 1990; Ord. No. 4996, § 2(2.31.140), 4-30-2013; Ord. No. 5051, § 3, 4-18-2017)

### ***CHAPTER 2.20. COUNTY BOARDS, COMMITTEES, AND COMMISSIONS***

#### ***ARTICLE I. IN GENERAL***

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**Sec. 2.20.010. Term of office.**

Members of county boards, commissions and standing committees shall take office upon their appointment and qualification for the board, commission or committee. Except as otherwise provided in this Code, or in the bylaws or resolutions adopted by the Board of Supervisors, each member of the board, commission or committee shall hold office during the term of office of the supervisor nominating the member. The term of office of any member of the county board, commission or committee shall also expire at any time a vacancy occurs in the office of the supervisor who nominated the member, provided that the member may continue to serve on the board, commission or committee until his or her successor is appointed and qualified. All such appointees shall serve at the pleasure of the Board of Supervisors. Nothing in this section shall be construed to affect those boards, commissions and committees, the term of membership of which is controlled by State or Federal law.

(Prior Code, § 3601; Code 1997, § 2.54.010)

***ARTICLE II. COUNTY ASSESSMENT APPEALS BOARD<sup>11</sup>*****Sec. 2.20.020. Established.**

There is established an Assessment Appeals Board for the County, pursuant to California Constitution, Article XIII, Section 16, and Revenue and Taxation Code § 1601 et seq. This article shall be known as the County Assessment Appeals Board Ordinance.

(Code 1997, § 2.28.010)

**Sec. 2.20.030. Purpose and duties.**

One Assessment Appeals Board has been created in the County to constitute the County Board of Equalization that shall equalize the values of all property on the local assessment roll by adjusting individual assessments. It shall be the duty of the Assessment Appeals Board to exercise their powers in the manner and subject to the limitations specified by State law.

(Code 1997, § 2.28.020)

**Sec. 2.20.040. Composition.**

The Assessment Appeals Board shall consist of five members but the Assessment Appeals Board shall only act as a three-member panel designated from time to time by the Clerk of the Assessment Appeals Board pursuant to the authority of Revenue and Taxation Code § 1622.1.

(Code 1997, § 2.28.030)

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<sup>11</sup>State law reference(s)—Authority of County Board of Supervisors to create Assessment Appeals Boards, Revenue and Taxation Code § 1620 et seq.

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**Sec. 2.20.050. Selection.**

- A. The County Board of Supervisors shall directly appoint members of the Assessment Appeals Board from those qualified persons nominated by members of the Board of Supervisors. Approval of each member shall be by majority vote of the Board of Supervisors.
- B. Upon the expiration of any term of office or the occurrence of a vacancy on the Assessment Appeals Board, the Board of Supervisors shall fill such office or vacancy by direct appointment. Anyone appointed to fill a vacancy during the term of a regular member shall serve for the remainder of the unexpired term.

(Code 1997, § 2.28.040)

State law reference(s)—Alternative selection procedure for five-member Assessment Appeals Board, Revenue and Taxation Code § 1622.1.

**Sec. 2.20.060. Qualifications.**

- A. A person shall be eligible for nomination for membership only if he or she has a minimum of five years' professional experience in the State as one of the following: certified public accountant or public accountant, licensed real estate broker, attorney, property appraiser accredited by a nationally recognized professional organization or is a person who the nominating member of the Board of Supervisors has reason to believe is possessed of competent knowledge of property appraisal and taxation or as otherwise provided by law.
- B. New members of the Assessment Appeals Board are encouraged to complete a training course conducted by the State Board of Equalization as soon as is reasonably possible within one year of taking office.

(Code 1997, § 2.28.050)

**Sec. 2.20.070. Term of office.**

The term of office shall be three years beginning on the first Monday in September. Members shall be assigned terms in such a manner that the terms of no more than two offices shall expire in any one year. The term of office of each member of the County Assessment Appeals Board shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Code 1997, § 2.28.060)

**Sec. 2.20.080. Compensation.**

The Board of Supervisors shall fix the compensation for members of the Assessment Appeals Board by resolution from time to time.

(Code 1997, § 2.28.070)

**Sec. 2.20.090. Rules of notice and procedures.**

Rules of notice and procedures shall be adopted by the Board of Supervisors by resolution from time to time.

(Code 1997, § 2.28.080)

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**Sec. 2.20.100. Administrative support.**

The Board of Supervisors shall furnish clerical or other assistance to the Assessment Appeals Board as it deems appropriate.

(Code 1997, § 2.28.090)

**Sec. 2.20.110. County Counsel support.**

The County Counsel or his or her authorized deputy shall serve as legal advisor to the Assessment Appeals Board and shall attend meetings and hearings upon request.

(Code 1997, § 2.28.100; Ord. No. 4442, 1997)

### *ARTICLE III. COMMISSION ON AGING*

**Sec. 2.20.120. Establishment.**

There is created and established a commission to be known as the El Dorado County Commission on Aging, Advisory Council to the Area Agency on Aging.

(Prior Code, § 25,501; Code 1997, § 2.15.010; Ord. No. 3383, § 1, 1983; Ord. No. 3424, § 1, 1984; Ord. No. 4148, § 1, 1991; Ord. No. 4305, 1993; Ord. No. 4555, 5-23-2000)

**Sec. 2.20.130. Appointments.**

Five members of the County Commission on Aging shall be appointed by the respective members of the Board of Supervisors, one from each supervisorial district. Terms of office of Board-appointed Commissioners shall be concurrent with the supervisor appointing the member. The Board of Supervisors shall also appoint one member-at-large to a two-year term. There shall be one appointee from each incorporated city in the County who shall represent and be appointed by the city council of each city. The city representatives shall serve terms of three years. Six commissioners shall be appointed by the Commission on Aging and shall be community representatives. The terms of the community representatives shall be staggered in a manner prescribed by the Commission so that the terms of office of two or three such members expire each year. Not less than one-half of the total membership shall be at least 60 years of age, per 42 USCA 3001 et seq.

(Prior Code, § 25,502; Code 1997, § 2.15.020; Ord. No. 3209, § 1, 1981; Ord. No. 3357, § 1, 1983; Ord. No. 3383, § 3, 1983; Ord. No. 3424, § 2, 1984; Ord. No. 3730, § 1, 1987; Ord. No. 4148, § 2, 1991; Ord. No. 4305, 1993; Ord. No. 4555, 5-23-2000)

**Sec. 2.20.140. Term of office.**

The term of office of each member of the Commission on Aging shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

**Sec. 2.20.150. County staff to Commission.**

Professional County staff to the Commission shall consist of the Director of the Area Agency on Aging.



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(Code 1997, § 2.15.021; Ord. No. 4305, 1993; Ord. No. 4555, 5-23-2000)

#### **Sec. 2.20.160. Powers and duties.**

The Commission on Aging shall have the following powers and duties:

- A. To act as the official advisory body to the Area Agency on Aging and the Board of Supervisors on all matters relating the senior citizens' activities and programs for the aged; and
- B. To review and make recommendations to the Director of the Area Agency on Aging and the Board of Supervisors on all programs for the elderly funded throughout the County.

(Prior Code, § 25,503; Code 1997, § 2.15.030; Ord. No. 3383, § 4, 1983; Ord. No. 4555, 5-23-2000)

#### **Sec. 2.20.170. Chair.**

The Commission on Aging shall elect a Chair who shall serve for a term of one year.

(Prior Code, § 25,504; Code 1997, § 2.15.040; Ord. No. 4555, 5-23-2000)

#### **Sec. 2.20.180. Meetings.**

The Commission on Aging shall regularly meet monthly with the day, time and location of the meetings designated by the Commission by resolution, except there shall be no meetings during two months each year as designated by the Commission by resolution, unless a special meeting is called as provisioned in the rules and procedures adopted by the Commission. An agenda shall be published and filed with the Clerk of the Board's office no later than one week preceding the meeting.

(Prior Code, § 25,505; Code 1997, § 2.15.050; Ord. No. 3357, § 2, 1983; Ord. No. 3383, § 6, 1983; Ord. No. 4555, 5-23-2000)

#### **Sec. 2.20.190. Responsibility.**

- A. Programs relative to the elderly of the County that are funded by the Area Agency on Aging shall be developed by the Director of the Area Agency on Aging. These programs shall be reviewed by the Commission on Aging for their specific approval prior to submission to the Board of Supervisors for their consideration and final approval. The Commission shall also have input into the development, implementation and evaluation of the programs. It is the intention of the Board of Supervisors to have the Commission work in concert with the Director of the Area Agency on Aging on all programmatic aspects of those programs funded by the Area Agency on Aging.
- B. To accomplish the objectives set forth in Subsection A of this section, the Commission may request information or data from pertinent County departments or other sources as deemed appropriate and the departments shall cooperate to the extent possible without interfering with their normal duties.

(Prior Code, § 25,507; Code 1997, § 2.15.060; Ord. No. 3383, § 7, 1983; Ord. No. 4148, § 3, 1991)

#### **Sec. 2.20.200. Rules and procedures.**

The Commission on Aging shall be responsible for establishing rules and procedures which, once approved by the Board of Supervisors, will govern the Commission's activities.

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(Prior Code, § 25,508; Code 1997, § 2.15.070)

**Sec. 2.20.210. Expenses.**

Each Commissioner shall, upon submission of an expense reimbursement request, receive an amount of reimbursement per meeting and shall also be reimbursed for travel expenses incidental to attending Commission meetings and other travel as authorized by the Board of Supervisors or the County Administrative office, at the same rate allowed to County employees for travel expenses when using their personal automobiles. The rate of the per-meeting reimbursement shall be in an amount as established by the Board of Supervisors from time to time.

(Code 1997, § 2.15.080; Ord. No. 3383, § 8, 1983; Ord. No. 3730, § 2, 1987; Ord. No. 4555, 5-23-2000)

***ARTICLE IV. AGRICULTURAL COMMISSION***

**Sec. 2.20.220. Created.**

There is created in the County an Agricultural Commission.

(Code 1997, § 2.18.010; Ord. No. 4769, 5-6-2008)

**Sec. 2.20.230. Composition.**

The County Agricultural Commission, to consist of seven members, not officials of the County, shall be appointed by the Board of Supervisors, selected as follows:

- A. One representative of forest and related industries;
- B. Two representatives of the livestock industry;
- C. Two representatives of the fruit and nut farming industry;
- D. One representative of the agricultural processing industry;
- E. One representative of other agricultural interests.

(Code 1997, § 2.18.020; Ord. No. 4769, 5-6-2008)

**Sec. 2.20.240. Ex officio members.**

The County Farm Advisor, and Agricultural Commissioner, and a registered professional forester shall serve as ex officio members without the right to vote on matters before the Commission. A registered professional forester shall only be an ex officio member whenever the forest and related industries representative is not a registered professional forester.

(Code 1997, § 2.18.030; Ord. No. 4769, 5-6-2008)

**Sec. 2.20.250. Appointment.**

The term of office of each member of the Agricultural Commission shall be four years and until the first appointment and qualification of his or her successor. Members serve until the appointment and qualification of

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their successor. Any member, even though he or she serve for a term, may be removed by the appointing authority without cause. A vacancy is filled only for the unexpired term. All vacancies on the Commission shall be immediately reported to the Board of Supervisors.

(Code 1997, § 2.18.050; Ord. No. 4769, 5-6-2008)

#### **Sec. 2.20.260. Term of office.**

The term of office of each member of the County Agricultural Commission shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

#### **Sec. 2.20.270. Meetings.**

There shall be at least one regular meeting of the Agricultural Commission per calendar quarter, plus such additional meetings as may be called by the Chair of the Commission.

(Code 1997, § 2.18.060; Ord. No. 4769, 5-6-2008)

#### **Sec. 2.20.280. Staff functions.**

The County Agricultural Commissioner shall provide staff services for the Agricultural Commission in the conduct of its business as designated in this article.

(Code 1997, § 2.18.070; Ord. No. 4769, 5-6-2008)

#### **Sec. 2.20.290. Powers and duties.**

- A. The Agricultural Commission shall be an advisory body to and for the Board of Supervisors and Planning Commission in all matters pertaining to agriculture.
- B. The Commission shall advise the Board of procedures and techniques requiring legislative or policy actions that will encourage and promote agricultural activities that are conducive to the continued well-being of the County.
- C. The Commission shall formulate and recommend to the Board general policies related to the purposes of the Commission and adopt bylaws subject to the approval of the Board as the Commission may require to facilitate the work of the Commission.

(Code 1997, § 2.18.080; Ord. No. 4769, 5-6-2008)

### ***ARTICLE V. DELINQUENCY PREVENTION COMMISSION***

#### **Sec. 2.20.300. Created.**

There is created a Delinquency Prevention Commission for the County.

(Prior Code, § 25.901; Code 1997, § 2.21.010)

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**Sec. 2.20.310. Purpose.**

The purpose of the Delinquency Prevention Commission is to coordinate on a Countywide basis the work of those governmental and non-governmental organizations engaged in activities designed to prevent juvenile delinquency, and to approve and refer to the State any proposed delinquency prevention projects.

(Prior Code, § 25,902; Code 1997, § 2.21.020)

**Sec. 2.20.320. Members.**

The members of the Juvenile Justice Commission are designated and appointed to serve as the members of the Delinquency Prevention Commission.

(Prior Code, § 25,903; Code 1997, § 2.21.030)

**Sec. 2.20.330. Term of office.**

The members of the Delinquency Prevention Commission shall serve four years with the term commencing and ending concurrently with the member's term in the Juvenile Justice Commission. The term of office of each member of the Juvenile Justice Commission shall be as prescribed by Section 2.200.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Prior Code, § 25,904; Code 1997, § 2.21.040)

**Sec. 2.20.340. Powers.**

The Delinquency Prevention Commission may receive funds from governmental and non-governmental sources to hire an executive secretary and necessary staff and to defray needed administrative expenses.

(Prior Code, § 25,905; Code 1997, § 2.21.050)

## *ARTICLE VI. HISTORICAL MUSEUM COMMISSION<sup>12</sup>*

**Sec. 2.20.350. Commission established.**

There is created and established a citizens' advisory commission consisting of seven members to be known as the County Historical Museum Commission.

(Code 1997, § 2.23.010; Ord. No. 4551, 2-29-2000)

**Sec. 2.20.360. Purpose.**

The County Historical Museum Commission is established to assist the County in maintaining a vision and subsequent goals for the County museum; to encourage opportunities for County residents to become involved in the historic interpretation and preservation of historical artifacts and documents important to the County.

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<sup>12</sup>State law reference(s)—Authority of Board of Supervisors to establish, Government Code § 26490.

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(Code 1997, § 2.23.020; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.370. Appointment.**

The County Historical Museum Commission shall consist of seven members. Five members shall be appointed, at large, by the Board of Supervisors. The remaining two members shall be appointed by the Board of Supervisors on a rotating basis from the membership of the following historically oriented community groups, including, but not limited to: El Dorado County Historical Society, South Lake Tahoe Historical Society, Heritage Association, Native Sons of the Golden West, Roots and Goldust, Wagon Train (Highway 50 Association), Colonial Dames, Daughters of the American Revolution, E Clampus Vitus, National Pony Express Association, Gold Bug Park Association and Native Daughters of the Golden West.

(Code 1997, § 2.23.030; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.380. Terms of office.**

The five members at large shall be appointed to serve terms of four years. The two members appointed to represent the various historical interests shall be appointed to two-year terms. The term of office of each member of the County Historical Museum Commission shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Code 1997, § 2.23.040; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.390. Officers of Commission.**

- A. *Chair and Vice-Chair.* At the first meeting of the Historical Museum Commission held after January 1 in each calendar year, the Commission will elect from its members a Chair and Vice-Chair, who shall hold office for a term of one year and until the election of their successors. When present, the Chair shall preside at all meetings of the Commission. The Vice-Chair shall act on behalf of the Chair in his or her absence.
- B. *Museum Administrator.* The County Museum Administrator or his or her designee shall be secretary to, but not a member of, the Commission. The Secretary shall keep minutes of meetings and may perform such other staff support activities desired by the Commission. The Secretary shall formulate a prepublished agenda with the Chair and ensure that all Brown Act procedures for meeting notice and posting of the agenda are met. The Secretary shall record and publish minutes of each Commission meeting.

(Code 1997, § 2.23.050; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.400. Meetings.**

Regular meetings of the Historical Museum Commission shall be held at least once a month at the time and place fixed by the bylaws of the Commission. Special meetings of the Commission may be called by the Chair or by a majority of the members of the Commission. The special meeting shall be noticed as required by law.

(Code 1997, § 2.23.060; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.410. Quorum.**

A majority of the members of the Historical Museum Commission shall constitute a quorum for the transaction of business. Action shall be taken only by a majority of the Commission, except that procedural matters

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can be acted upon by a majority of the members present. Procedural matters are those matters which relate to the continuance or adjourning of meetings.

(Code 1997, § 2.23.070; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.420. Lapse of membership.**

In the event that a member of the Historical Museum Commission fails to attend four consecutive regular meetings of the Commission, the Secretary of the Commission shall notify the Board of Supervisors of the fact and the Board of Supervisors may declare the office vacant and immediately fill the vacancy by appointment for the unexpired term, made in the same manner as other members are appointed.

(Code 1997, § 2.23.080; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.430. Powers and duties.**

The Historical Museum Commission shall have the following powers and duties:

- A. Act in an advisory capacity to the Board of Supervisors in formulating and reviewing policies affecting the museum.
- B. Consult with staff on methods of funding for museum activities including fiscal recommendations to the Board of Supervisors through the annual budget process.
- C. Review and recommend to the Board of Supervisors adoption of a museum master plan and policies and procedures.
- D. Represent the El Dorado County Historical Museum to public officials and to the general public in order that the museum receive maximum support from public and private sources.
- E. Cooperate with State, Federal, local agencies, and special interest groups to coordinate museum activities.
- F. Be receptive to gifts, sites, funds and other assistance for the museum subject to Board of Supervisors' approval.
- G. Review accession documents and records including the location of donations and loans. The Commission, either individually or as a Commission, has the right at any time to audit these records.
- H. Review and recommend to the Board of Supervisors support for legislation favorable to museums.
- I. Recommend general procedures to carry out the purpose of the Commission and adopt bylaws, rules and regulations as it may deem necessary to facilitate the operation of the museum. Such bylaws, rules or regulations shall be operative only if approved by the Board of Supervisors.
- J. Recommend persons to the Board of Supervisors to serve on the Commission when vacancies occur.
- K. Act in an advisory capacity to the Museum Administrator who is responsible for day-to-day administrative and curatorial duties of the museum.

(Code 1997, § 2.23.090; Ord. No. 4551, 2-29-2000)

#### **Sec. 2.20.440. Citizens' committees.**

The Historical Museum Commission shall have authority to appoint citizens' committees to assist in making recommendations to the Commission concerning the matters set forth in Section 2.20.430.

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(Code 1997, § 2.23.100; Ord. No. 4551, 2-29-2000)

## *ARTICLE VII. LIBRARY COMMISSION*

### **Sec. 2.20.450. Established.**

There is created and established a citizens' advisory commission consisting of five members to be known as the County Library Commission.

(Prior Code, § 17,401; Code 1997, § 2.24.010)

### **Sec. 2.20.460. Appointment.**

One member of the County Library Commission shall be appointed by the Board of Supervisors from each of the supervisorial districts in the County upon the nomination of the supervisor representing the district. Each member shall be a resident of the supervisorial district which he or she represents on the Commission.

(Prior Code, § 17,402; Code 1997, § 2.24.020)

### **Sec. 2.20.470. Term of office.**

Each member of the County Library Commission shall hold office for a period to coincide with the term of office of the supervisor who nominates the member for appointment pursuant to Section 2.20.010. The term of office of each member of the County Library Commission shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Prior Code, § 17,403; Code 1997, § 2.24.030)

### **Sec. 2.20.480. Officers.**

The County Library Commission shall elect from their own number a Chair who shall preside at all meetings of the Commission and a Vice-Chair who shall perform the duties of the Chair in his or her absence. The County Librarian shall act ex officio as Secretary to the Commission and shall keep an accurate record of the proceedings of the Commission.

(Prior Code, § 17,405; Code 1997, § 2.24.040)

### **Sec. 2.20.490. Procedures.**

The County Library Commission shall adopt bylaws providing for the dates for regular meetings of the Commission and such other rules as may be necessary for the transaction of its business.

(Prior Code, § 17,406; Code 1997, § 2.24.050)

### **Sec. 2.20.500. Powers and duties.**

The County Library Commission shall:

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- A. Advise the Board of Supervisors on ways and means of improving the County free library service throughout the County;
  - B. Advise the Board of Supervisors on rules and regulations governing the operation of the County free library system;
  - C. Make recommendations to the Board of Supervisors for the future development and maintenance of a high caliber of County free library service;
  - D. Encourage the support of the County free library service by private individuals and groups and by other public agencies;
  - E. Advise the Board of Supervisors on other matters affecting the County free library service;
  - F. Review the annual budget of proposed expenditures.

(Prior Code, § 17,407; Code 1997, § 2.24.060)

### *ARTICLE VIII. RESERVED<sup>13</sup>*

#### **Secs. 2.20.510—2.20.570. Reserved.**

### *ARTICLE IX. PLANNING COMMISSION<sup>14</sup>*

#### **Sec. 2.20.580. Established.**

There is established a Planning Commission for the County, pursuant to Chapter 3 of Title 7 of the Government Code, to be known as the County Planning Commission.

(Prior Code, § 9101; Code 1997, § 2.27.010)

#### **Sec. 2.20.590. Functions and duties.**

- A. The County Planning Commission shall have such duties, functions and powers as are set forth in Title 7 of the Government Code: except that, the Board of Supervisors shall serve as the planning agency, and shall have the duties, functions and powers set forth in Title 7 of the Government Code, with respect to the preparation, review and adoption of a comprehensive, long-term general plan for the physical development of the County, and of any land outside its boundaries which in the Board of Supervisors' judgment bears relation to its planning, required by Government Code § 65300.
- B. The County Planning Commission is appointed and shall constitute the County Airport Zoning Commission pursuant to Government Code § 50485.6 to perform the functions and duties specified therein.

(Prior Code, § 9102; Code 1997, § 2.27.020; Ord. No. 4581, § 1, 2001)

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<sup>13</sup>Editor's note(s)—Ord. No. 5113, § 1, adopted Jan. 28, 2020, repealed art. VIII, §§ 2.20.510—2.20.570, which pertained to the Veterans Affairs Commission and derived from Code 1997, §§ 2.25.010—2.25.070; Ord. No. 4188, § 1(part), adopted in 1991; and Ord. No. 5098, §§ 1—7, adopted Jan. 15, 2019.

<sup>14</sup>State law reference(s)—County planning agencies generally, Government Code § 65100 et seq.



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**Sec. 2.20.600. Membership.**

The County Planning Commission shall consist of five members, one to be selected by each member of the Board of Supervisors. The appointees should reside within the supervisorial district of the supervisor who selects them, shall reside within the County, shall be registered voters of the County, and shall not be County officers at time of their appointment.

(Prior Code, § 9103; Code 1997, § 2.27.030; Ord. No. 4290, 1993)

**Sec. 2.20.610. County Counsel meeting attendance.**

The County Counsel or his or her authorized deputy shall serve as legal advisor to the Planning Commission and shall attend meetings of the Planning Commission upon request.

(Prior Code, § 9103.5; Code 1997, § 2.27.040; Ord. No. 3513, § 3, 1985)

**Sec. 2.20.620. Term of office.**

The term of office of each member of the Planning Commission shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Prior Code, § 9104; Code 1997, § 2.27.050)

**Sec. 2.20.630. Removal of members.**

Any member of the Planning Commission may be removed by a majority vote of the Board of Supervisors.

(Prior Code, § 9105; Code 1997, § 2.27.060)

**Sec. 2.20.640. Officers.**

The County Planning Commission shall elect a Chair and a Vice-Chair from among the regular members and shall appoint a Secretary who need not be a member of the Commission, for the terms and in the manner set forth in the bylaws of the Commission.

(Prior Code, § 9107; Code 1997, § 2.27.070)

**Sec. 2.20.650. Bylaws and records.**

The County Planning Commission shall adopt bylaws providing for the method of electing officers, time and place of regular meetings of the Commission, which shall be held at least once each month, and such other rules as may be necessary for the transaction of the business of the Commission and shall keep a public record of its resolutions, transactions, findings and determinations. The bylaws of the Commission or any change thereof shall not be effective until approved by the Board of Supervisors and shall, in any case, provide that the Commission shall only take action by a majority vote of the entire Commission.

(Prior Code, § 9108; Code 1997, § 2.27.080)

## ***ARTICLE X. PARKS AND RECREATION COMMISSION***

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**Sec. 2.20.660. Established.**

- A. Because recreation is so important for the physical and mental health of both the residents of, and visitors to, the County, the County establishes a commission with the expressed purpose of overseeing the development and maintenance of recreational opportunities within its borders. Recognizing the various agencies with coincidental interests at work within the same area, the Commission shall work closely with those jurisdictions endeavoring always to retain as much local control and citizen involvement as possible.
- B. There is created and established a commission consisting of five members to be known as the County Parks and Recreation Commission.

(Prior Code, § 17,101; Code 1997, § 2.33.010; Ord. No. 3848, § 1, 1988)

**Sec. 2.20.670. Appointment.**

One member of the County Parks and Recreation Commission shall be appointed by the Board of Supervisors for each supervisorial district in the County to represent that district on the Parks and Recreation Commission, upon the nomination of the member of the Board of Supervisors representing the district.

(Prior Code, § 17, 102; Code 1997, § 2.33.020; Ord. No. 3848, § 2, 1988)

**Sec. 2.20.680. Term of office.**

Members of the County Parks and Recreation Commission shall hold office for a term in concurrence with the term of office of the supervisor who appoints the Commissioner to the Commission. Members of the Parks and Recreation Commission shall continue in office as holdover members after the expiration of their term until the appointment and qualification of their successors in office. All vacancies shall be filled by appointment for the unexpired term, made in the same manner as other members are appointed. The term of office of each member of the County Parks and Recreation Commission shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Prior Code, § 17,104; Code 1997, § 2.33.030; Ord. No. 3848, § 3, 1988)

**Sec. 2.20.690. Officers.**

At the first meeting of the Parks and Recreation Commission held after March 1 in each calendar year, the Parks and Recreation Commission shall elect from its regular members a Chair and a Vice-Chair, who shall hold office for a term of one year and until the election of their successors. The officers and employees of the County Parks and Recreation Division shall not be eligible to hold office on the Parks and Recreation Commission.

(Prior Code, § 17,105; Code 1997, § 2.33.040; Ord. No. 3848, § 4, 1988)

**Sec. 2.20.700. Meetings.**

Regular meetings of the Parks and Recreation Commission shall be held at least once each month at the time and place fixed by resolution of the Parks and Recreation Commission. Special meetings of the Commission may be called by the Chair or any two members of the Commission by notifying the Clerk, stating the purpose, time and place of the meeting. The special meeting shall be noticed as required by law.

(Prior Code, § 17,106; Code 1997, § 2.33.050; Ord. No. 3848, § 5, 1988)

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### **Sec. 2.20.710. Quorum.**

A majority of the members of the Parks and Recreation Commission shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time.

(Prior Code, § 17,107; Code 1997, § 2.33.060; Ord. No. 3848, § 6, 1988)

### **Sec. 2.20.720. Lapse of membership.**

In the event that a member of the Parks and Recreation Commission fails to attend four consecutive regular meetings of the Commission, the Secretary of the Commission shall notify the Board of Supervisors of the fact and the Board of Supervisors shall declare the office vacant and immediately fill the vacancy in the manner specified in Section 2.20.680. A member of the Parks and Recreation Commission may be removed from office without cause by an order declaring his or her office vacant, adopted by a four-fifths vote of the Board of Supervisors.

(Prior Code, § 17,108; Code 1997, § 2.33.070; Ord. No. 3848, § 7, 1988)

### **Sec. 2.20.730. Powers and duties.**

The Parks and Recreation Commission shall have the following powers and duties:

- A. Act in an advisory capacity to the Board of Supervisors in formulating and reviewing policies effecting public recreation;
- B. Consult with staff, including the Parks Manager, on methods of financing park and recreation facilities. Study and make fiscal recommendations to the Board of Supervisors on planning acquisition, development, maintenance, and operation of said facilities including a long-term capital outlay projection;
- C. Study and review staffing needs of the Parks and Recreation Division and make recommendations to the Board of Supervisors;
- D. Review the current sections of the recreation element of the County general plan. Recommend to the Board of Supervisors modifications, updating, and adding new sections to said element as needed or concurrent with other review by the Planning Division;
- E. Review and recommend to the Board of Supervisors adoption of master plans and policy on usage operations and maintenance of parks and recreation facilities;
- F. Represent the County's parks and recreation plan to public officials and to the general public in order that this plan receive maximum support from public and private sources;
- G. Cooperate with State, Federal, local agencies, and special interest groups to coordinate a park and recreation plan in the County;
- H. Be receptive to gifts, sites, funds, and other assistance for parks and recreation facilities for Board of Supervisors' approval;
- I. Review and recommend to the Board of Supervisors support for legislation favorable to parks and recreation;
- J. Establish general procedures to carry out the purpose of the Commission; and adopt bylaws and rules and regulations as it may deem necessary to facilitate the carrying on of a recreation and park system. The bylaws, rules and regulations shall be submitted to the Board of Supervisors for approval;

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- K. Recommend persons to Board of Supervisors to serve on the Commission when requested by the Board of Supervisors.

(Prior Code, § 17,109; Code 1997, § 2.33.080; Ord. No. 3848, § 8, 1988; Ord. No. 5051, § 3, 4-18-2017)

#### **Sec. 2.20.740. Citizens' committees.**

The Parks and Recreation Commission shall have authority to appoint citizens' committees to assist in making recommendations to the Commission concerning the matters set forth in Section 2.20.730.

(Code 1997, § 2.33.090; Ord. No. 3848, §.9, 1988)

#### **Sec. 2.20.750. Parks Manager; duties.**

The Parks Manager shall attend meetings of the Parks and Recreation Commission and shall serve as Clerk of the Commission and shall make such reports to the Commission, to the Chief Administrative Officer, or to the Board of Supervisors, as shall be required of him or her. All recommendations of the Commission to the Board of Supervisors shall be first submitted to the Parks Manager, and his or her recommendation may be a part of or accompany any Commission recommendations.

(Ord. No. 5051, § 3, 4-18-2017)

Editor's note(s)—Ord. No. 5051, § 3, adopted Apr. 18, 2017, amended § 2.20.750 to read as herein set out. Former § 2.20.750 pertained to Director of Parks and Recreation; duties, and derived from Code 1997, § 2.33.100; and Ord. No. 3848, § 10, adopted 1988.

### ***ARTICLE XI. COMMISSION ON THE STATUS OF WOMEN***

#### **Sec. 2.20.760. Created.**

There is created a Commission on the Status of Women for the County.

(Prior Code, § 36,101; Code 1997, § 2.39.010)

#### **Sec. 2.20.770. Purpose.**

The Commission on the Status of Women is established to serve in an advisory capacity to the County Board of Supervisors in all matters concerning the status of women in the County.

(Prior Code, § 36,102; Code 1997, § 2.39.020)

#### **Sec. 2.20.780. Appointment.**

The Commission on the Status of Women shall consist of five members appointed by the County Board of Supervisors, upon nominations introduced by each member of the Board of Supervisors from the citizenry of the County; provided, however, that at least one member shall be a resident of the Lake Tahoe Basin.

(Prior Code, § 36,103; Code 1997, § 2.39.030)

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**Sec. 2.20.790. Term of office.**

The term of office of each member of the Commission on the Status of Women shall coincide with the term of office of the County supervisors making approved nomination unless sooner vacated or terminated by the Board of Supervisors. The term of office of each member of the Commission on the Status of Women shall be as prescribed by Section 2.20.010. Vacancies shall be filled in the same manner as the original appointment for the unexpired portion of the term.

(Prior Code, § 36,104; Code 1997, § 2.39.040)

**Sec. 2.20.800. Powers.**

The Commission on the Status of Women shall adopt bylaws approved by the County Board of Supervisors for the conduct of meetings and the effectuation of its purpose. All acts of the Commission shall be subject to the approved bylaws and any other acts shall be ultra vires.

(Prior Code, § 36,106; Code 1997, § 2.39.050)

**Sec. 2.20.810. Resources.**

Utilization of any County resource, including, but not limited to, staff, office space, equipment and supplies, shall be first approved in writing by the Board of Supervisors.

(Prior Code, § 36,107; Code 1997, § 2.39.060)

*ARTICLE XII. RESERVED<sup>15</sup>*

**Secs. 2.20.820—2.20.870. Reserved.**

*ARTICLE XIII. CHILDREN AND FAMILIES FIRST COMMISSION<sup>16</sup>*

**Sec. 2.20.880. Title.**

This article shall be known as the First 5 El Dorado Children and Families Commission Ordinance.

(Code 1997, § 8.65.010; Ord. No. 4693, 6-20-2006)

**Sec. 2.20.890. Findings and purpose.**

The Board of Supervisors hereby finds as follows:

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<sup>15</sup>Editor's note(s)—Ord. No. 5103, § 1, adopted July 16, 2019, repealed Art. XII, §§ 2.20.820—2.20.870, which pertained to Fish and Game Committee and derived from Prior Code, §§ 17,301—17,303, 17,305—17,307; Code 1997, §§ 2.45.010—2.45.060; and Ord. No. 3359, §§ 1—3, adopted 1983.

<sup>16</sup>State law reference(s)—Children and Families First Act of 1998, Health and Safety Code § 130100 et seq.

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- A. The voters of the State of California passed the California Children and Families First Act of 1998. The act recognizes that there is a compelling need in California to create and implement comprehensive, collaborative, and integrated system of information and services to promote, support and optimize early childhood development from the prenatal stage through five years of age.
  - B. The act further recognizes that there is a compelling need in the State to ensure that early childhood development programs and services are universally and continuously available for children until the beginning of kindergarten. Proper parenting, nurturing, and health care during these early years will provide the means for the State's children to enter school in good health, ready and able to learn, and emotionally well developed.
  - C. It is the intent of this article to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development. This system should function as a network that promotes accessibility to all information and services from any entry point into the system. It is further the intent of this article to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems.
  - D. The California Children and Families First Act of 1998 provides for funding through an excise tax on tobacco products in order to implement the goals and objectives, which are outlines in the Act itself. It is the further intent of this article to create the County's Children and Families First Commission and funding through the act and to implement the goals and objectives outlined in the California Children and Families First Act of 1998.
  - E. In addition this article implements the requirements of Assembly Bill 109 (Chapter 284 of Statutes of 2005).

(Code 1997, § 8.65.020; Ord. No. 4723, 5-15-2007)

## **Sec. 2.20.900. Definitions.**

For the purposes of this article, the following words and phrases are definitions as follows, except where the context clearly indicates a different meaning:

*Act* means the California Children and Families First Act of 1998.

*Commission* means the First 5 El Dorado Children and Families Commission.

*Fund* means the County's First 5 El Dorado Children and Families Commission Trust Fund pursuant to Health and Safety Code § 130105.

*Plan* means a strategic plan adopted by the First 5 El Dorado Children and Families Commission and submitted to the First 5 California Children and Families Commission pursuant to Health and Safety Code § 130140.

*State Commission* means First 5 California Children and Families Commission.

(Code 1997, § 8.65.030; Ord. No. 4693, 6-20-2006)

## **Sec. 2.20.910. Creation of Commission.**

There is hereby created the First 5 El Dorado Children and Families Commission. This Commission is established as a legal public entity separate from the County pursuant to Health and Safety Code § 130140.1(a)(1)).

(Code 1997, § 8.65.040; Ord. No. 4693, 6-20-2006)

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### **Sec. 2.20.920. Creation of trust fund.**

The Board of Supervisors hereby authorizes the creation of a local First 5 El Dorado Children and Families Commission Trust Fund pursuant to Subparagraph (A) of Paragraph (2) of Subdivision (d) of Section 130105 of the Health and Safety Code.

(Code 1997, § 8.65.050; Ord. No. 4693, 6-20-2006)

### **Sec. 2.20.930. Membership of Commission.**

The Commission shall be appointed by the Board of Supervisors and shall consist of at least five but not more than nine members.

- A. Two members of the Commission shall be from among the County Health Officer and persons responsible for management of the following County functions: children's services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.
- B. One member of the Commission shall be a member of the Board of Supervisors.
- C. The remaining members of the Commission shall be from among the persons described in Subsection A of this section and persons from the following categories: recipients of project services included in the County strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, or a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.

(Code 1997, § 8.65.060; Ord. No. 4693, 6-20-2006)

### **Sec. 2.20.940. Bylaws.**

- A. The Commission shall adopt and amend bylaws subject to the prior approval of the Board of Supervisors.
- B. The bylaws shall set forth the manner of appointment, selection, or removal of members of the Commission, the duration and number of terms Commission members shall serve, and any other matters that the Board of Supervisors deems necessary or convenient for the conduct of the Commission's activities. The bylaws shall be submitted to the Board of Supervisors for approval.
- C. Procedures for the conduct of business by the Commission not specified in this article shall be contained in bylaws adopted by the Commission, and the Board of Supervisors.

(Code 1997, § 8.65.070; Ord. No. 4693, 6-20-2006)

### **Sec. 2.20.950. County strategic plan.**

The Commission shall adopt an adequate and complete strategic plan for the support and improvement of early childhood development within the County.

- A. The plan shall be consistent with, and in furtherance of the purposes of, the Act and any guidelines adopted by the State Commission pursuant to Subdivision (b) of Section 130125 that are in effect at the time the plan is adopted.

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- B. The plan shall, at a minimum, include the following: a description of the goals and objectives proposed to be attained; a description of the programs, services and projects proposed to be provided, sponsored, or facilitated; and a description of how measurable outcomes of such programs, services and projects relating to early childhood development within the County will be integrated into a consumer-oriented and easily accessible system.
  - C. The Commission shall measure the outcomes of its funded programs through the use of applicable, reliable indicators and review that information on a periodic basis as part of the public review of its County strategic plan.
  - D. The Commission shall conduct at least one public hearing on the proposed County strategic plan prior to the adoption of the plan and any subsequent revisions to the plan.
  - E. The Commission shall, on at least an annual basis, review the plan and revise the plan as may be necessary and appropriate.
  - F. The proposed plan, and any subsequent revisions to the plan, shall be submitted to the Board of Supervisors for approval, prior to submission to the State Commission.
  - G. The Commission shall submit its adopted strategic plan and any subsequent revision thereto, to the State Commission.

(Code 1997, § 8.65.080; Ord. No. 4693, 6-20-2006)

#### **Sec. 2.20.960. Reserved.**

#### **Sec. 2.20.970. Annual audit and report; public hearing.**

The Commission shall prepare and adopt an annual audit and report pursuant to Health and Safety Code § 130150. The Commission shall conduct at least one public hearing prior to adopting any annual audit and report.

(Code 1997, § 8.65.100; Ord. No. 4693, 6-20-2006)

#### **Sec. 2.20.980. Conflict of interest.**

The Commission shall adopt in a public hearing policies, consistent with State law, regarding conflict of interest of Commission members and Commission contracting and procurement policies.

(Code 1997, § 8.65.110; Ord. No. 4693, 6-20-2006)

#### **Sec. 2.20.990. Public hearing on State Commission's annual report.**

The Commission shall conduct at least one public hearing on the annual report prepared by the State Commission pursuant to Health and Safety Code § 13050(b).

(Code 1997, § 8.65.120; Ord. No. 4693, 6-20-2006)

#### **Sec. 2.20.1000. Operating budget percentage.**

The Commission shall adopt in a public hearing, a limit on the percentage of the Commission's operating budget that may be spent on administrative functions, pursuant to guidelines issued by the State Commission.

(Code 1997, § 8.65.130; Ord. No. 4693, 6-20-2006)



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**Sec. 2.20.1010. Other functions.**

The Commission shall perform such other functions as required by applicable State law or regulation, and shall carry out all of its functions in accordance with applicable laws and regulations, including the Ralph M. Brown Act.

(Code 1997, § 8.65.140; Ord. No. 4693, 6-20-2006)

**Sec. 2.20.1020. Compensation.**

The members of the Commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.

(Code 1997, § 8.65.150; Ord. No. 4693, 6-20-2006)

**Sec. 2.20.1030. Commission staff compensation.**

The Commission shall adopt in a public hearing, policies and processes establishing the salaries and benefits of employees of the Commission. Salaries and benefits shall conform to established County Commission or County government policies.

(Code 1997, § 8.65.160; Ord. No. 4693, 6-20-2006)

**Sec. 2.20.1040. Amendments to article.**

This article may be amended from time to time as deemed necessary and appropriate by the Board in accordance with the Act.

(Code 1997, § 8.65.170; Ord. No. 4693, 6-20-2006)

*ARTICLE XIV. RESERVED<sup>17</sup>*

**Secs. 2.20.1100—2.20.1111. Reserved.**

***CHAPTER 2.21. EMERGENCY ORGANIZATIONS AND FUNCTIONS<sup>18</sup>***

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<sup>17</sup>Editor's note(s)—Ord. No. 5175, § 3, adopted Mar. 21, 2023, repealed art. XIV, §§ 2.20.1100—2.20.1111, which pertained to the Human Rights Commission, and derived from Ord. No. 5134, § 1, adopted Dec. 8, 2020.

<sup>18</sup>Editor's note(s)—Ord. No. 5072, § 1, adopted Dec. 12, 2017, amended Ch. 2.21 in its entirety to read as herein set out. Former Ch. 2.21, §§ 2.21.010—2.21.130, pertained to similar subject matter, and derived from Prior Code, §§ 13,101—13,103, 13,103.1, 13,103.2, 13,103.3, 13,105—13,111; Code 1997, §§ 2.42.010—2.42.130; Ord. No. 4989, exh. A(2.42.010—2.42.130), adopted Nov. 14, 2012; and Ord. No. 5051, § 2, adopted Apr. 18, 2017.

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State law reference(s)—For the statutory provisions authorizing disaster councils and establishing requirements for these councils, see Government Code § 8610 et seq. For the statutory provisions regarding the California Emergency Services Act, see Government Code § 8550 et seq.

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**Sec. 2.21.010. Purpose.**

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for the protection of persons and property within the County in the event of an emergency and to provide for the coordination of the emergency functions of the County with any incorporated city within the County (currently the City of Placerville and the City of South Lake Tahoe) and all other affected public agencies, corporations and organizations within the County in compliance with the California Emergency Services Act.

(Ord. No. 5072, § 1, 12-12-2017)

**Sec. 2.21.020. Definitions.**

As used in this chapter, "emergency" is defined as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons or property within the county caused by such conditions as fire, flood, storm, earthquake, drought, air pollution, epidemic, riot, sudden or severe energy shortage or other conditions including conditions resulting from war or imminent threat of war, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the county, requiring the combined forces of other political subdivisions to combat or mitigate.

(Ord. No. 5072, § 1, 12-12-2017)

**Sec. 2.21.030. Office of Emergency Services, Director of the Office of Emergency Services—  
Office created.**

- A. There is hereby created the County of El Dorado Office of Emergency Services.
- B. The Director (hereinafter referred to as "Director") of the Office of Emergency Services shall be the Sheriff.

(Ord. No. 5072, § 1, 12-12-2017)

**Sec. 2.21.040. Director—Powers and duties.**

- A. The Director shall coordinate the efforts of the emergency organization of the County, as defined in Section 2.21.100, for the accomplishment of the purposes of this chapter in compliance with the California Emergency Services Act.
- B. The Director is responsible for the coordination of services and staff of the emergency organization of the County; and may resolve questions of authority and responsibility that may arise between them.
- C. The Director shall represent the County in all dealings with public or private agencies on matters pertaining to emergencies as defined in this chapter.
- D. The Director shall designate the order of succession to that office, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his or her duties during an emergency. The order of succession, and any subsequent changes thereto, shall be stated in the County Emergency Operations Plan and approved by the Board of Supervisors.
- E. The Director is authorized to request the Board of Supervisors to proclaim the existence of a local emergency. The Director may proclaim the existence of a local emergency if the Board of Supervisors is not in session. Whenever a local emergency is proclaimed by the Director, the Board of Supervisors shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect.

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F. In the event of the proclamation of a state of emergency by the Governor, or the Director of California Office of Emergency Services (Cal OES), the existence of a state of war emergency, or when a local emergency as defined in Section 2.21.020 has been proclaimed to exist, the Director is empowered:

1. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the emergency; provided, however, the rules and regulations must be confirmed at the earliest practicable time by the Board of Supervisors.
2. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the County for the fair value thereof and, if required immediately, to commandeer them for public use.
3. To require the emergency services of any County officer or employee and, in the event of the proclamation of a state of emergency, to command the aid of as many citizens of the County as he or she deems necessary in execution of his or her duties. Such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster service workers.
4. To requisition necessary personnel or material of any County department or agency.
5. To execute all of his or her ordinary power as Sheriff and all of the special powers conferred upon him or her by this statute, by any agreement approved by the Board of Supervisors, and by any other lawful authority.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.050. Reserved.**

#### **Sec. 2.21.060. Disaster Council—Created.**

There is created the County of El Dorado Disaster Council.

(Ord. No. 5072, § 1, 12-12-2017)

State law reference(s)—Disaster Councils, Government Code § 8610.

#### **Sec. 2.21.070. Disaster Council—Membership.**

Membership on the Disaster Council shall consist of the following:

- A. The Director of the Office of Emergency Services or designee shall be Chair.
- B. The El Dorado County Operational Area Fire and Rescue Coordinator or designee shall be Vice Chair. This position is appointed by the El Dorado County Fire Chiefs Association.
- C. One representative or designee from each incorporated city within the County, to be appointed by the respective City Managers.
- D. The Chief Administrative Officer of the County, or designee.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.080. Disaster Council—Powers and duties.**

The Disaster Council shall have the duty and the authority, and is so empowered to develop, review and recommend for adoption by the Board of Supervisors, emergency services plans and agreements. The Council shall

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also be responsible for recommendations of plans that pertain to state and local emergencies; it shall recommend revisions and updates to the County Emergency Operation Plan, Emergency and Mutual Aid Plan and agreements and recommending ordinances or resolutions which are necessary for the implementation of such plans and agreements. The Disaster Council shall also facilitate the exchange of information between emergency first responders and emergency planning personnel.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.090. Disaster Council—Meetings.**

The Disaster Council shall adopt rules of procedures, which shall govern their actions. The rules shall include, but not be limited to: provisions regarding the time, place, and frequency of meetings, such frequency to be no less than twice annually.

All meetings of the Council shall be public and as such shall be duly noticed. Nothing shall prevent the Council from meeting in closed session in accordance with Government Code § 54957 on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.100. Emergency organization designated.**

All officers and employees of the County, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of Section 2.21.040(C)(3), charged with duties incident to the protection of life and property in the County during emergencies, shall constitute the emergency organization of the County. The Disaster Council also fills the membership role of the Local Emergency Planning Committee (LEPC) for the County in compliance with the United States Environmental Protection Agency Emergency Planning and Community Right-to-Know Act.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.110. Emergency Operations Plan.**

The Board of Supervisors, upon the advice and recommendations of the Director of the Office of Emergency Services and the Disaster Council, shall be responsible for the adoption of the County Emergency Operations Plan. The Emergency Operations Plan for the County shall provide for the effective mobilization of all of the resources of the County, both public and private, to meet any conditions constituting a local emergency, state of emergency or state of war emergency, and shall provide for the organization, powers and duties, services and staff of the emergency organization. The Emergency Operations Plan and amendments thereto shall take effect upon adoption by resolution of the Board of Supervisors.

(Ord. No. 5072, § 1, 12-12-2017)

#### **Sec. 2.21.120. Expenditures.**

Any expenditure made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the County.

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(Ord. No. 5072, § 1, 12-12-2017)

**Sec. 2.21.130. Adoption by municipalities.**

Each incorporated city within the county may adopt by reference the provisions of this chapter.

(Ord. No. 5072, § 1, 12-12-2017)

**Sec. 2.21.140. Penalty for violation.**

It is a misdemeanor, punishable according to the general penalties described in Chapter 1.24, for any person, during a state of war emergency, state of emergency or local emergency to:

- A. Willfully obstruct, hinder or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed upon him or her by virtue of this chapter;
- B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter if the act is of such a nature as to give or be likely to give assistance to the enemy or to imperil the lives or property or inhabitants of the County or to prevent, hinder or delay the defense or protection thereof;
- C. Wear, carry or display, without authority, any means of identification specified by the emergency agency of the state.

(Ord. No. 5072, § 1, 12-12-2017)

***CHAPTER 2.22. OFFICE OF THE ALTERNATE PUBLIC DEFENDER***

**Sec. 2.22.010. Purpose.**

The Office of the Alternate Public Defender is created to provide legal representation to indigent persons charged with crimes and whom the Public Defender's Office is unable to represent due to a conflict of interest or unavailability, in court proceedings in the Superior Court.

(Ord. No. 5141, 3-16-2021)

**Sec. 2.22.020. Alternate public defender.**

Under the general direction of the County Administrative Officer and the Board of Supervisors, the Alternate Public Defender shall plan, organize, and direct all activities of the Office in accordance with applicable federal, state, and local laws and regulations. The Alternate Public Defender shall be appointed and serve at the will of the Board of Supervisors pursuant to Section 404 of the charter of El Dorado County.

(Ord. No. 5141, 3-16-2021)

***CHAPTER 2.23. ELECTRONIC FILING OF CAMPAIGN DISCLOSURE STATEMENTS***

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### **Sec. 2.23.010. Purpose.**

State law requires candidates, persons supporting or opposing ballot measures and certain types of committees that receive contributions and makes expenditures of \$2,000.00 or more, to file campaign finance statements with the local filing officer detailing the sources of contributions and the manner in which the contributions are dispersed. Government Code § 84615 authorizes local jurisdictions to require the filing of campaign statements and reports solely in an electronic form, with a specified exemption. The purpose of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contribution laws.

(Ord. No. 5157, § 1, 2-1-2022)

### **Sec. 2.23.020. Findings.**

The Board of Supervisors makes the following findings in support of the requirements specified in this chapter:

1. An electronic system reduces paper waste and time spent processing and storing paper filings, so that efforts can be focused on helping filers comply with filing requirements.
2. An electronic system is not unduly burdensome on candidates in that it reduces the need for candidates to print out and physically mail statements to the local filing officer.
3. The system used by the County contains multiple safeguards to protect the integrity and security of the data, and has been approved for use by the Secretary of State.
4. An electronic system will facilitate compliance with Government Code § 84616, requiring campaign finance statements be posted on the internet with certain items redacted within 72 hours of receipt.
5. An electronic system streamlines the filing process, by storing information previously entered, calculating numbers, and helping catch errors before filings are submitted, thereby reducing the need to file amendments.
6. Once the statements are placed online, they are available for public viewing free of charge and allow the public to search reports by field, including, but not limited to, election, candidate, date, contributor and expenditure.

(Ord. No. 5157, § 1, 2-1-2022)

### **Sec. 2.23.030. Filing of campaign statements.**

- A. Whenever any elected officer, candidate or committee is required by the California Political Reform Act to file a semi-annual campaign statement, a pre-election campaign statement, an amended campaign statement, a supplemental pre-election campaign statement, a report disclosing a contribution received by or made to a candidate, local ballot measure, or an independent expenditure made for or against a candidate or local ballot measure, of \$2,000.00 or more, or in any other amount specified by Government Code § 84615 as it may be amended from time to time, during an election cycle with the local filing officer, it shall be filed electronically. The elected officer, candidate or committee shall file the statement using the electronic filing system available on the Registrar of Voters' website. The street or address or building number of the persons or entity representatives, or any bank account number, shall not be displayed online.
- B. Any statement, report, or other document filed electronically or online pursuant to this section shall be accepted as an original statement and need not be filed in paper format.

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- C. The date of filing for a statement, report, or other document that is filed online or electronically shall be the day that it is received by the local filing officer, and the electronic system will issue a date and time stamped confirmation validating receipt of the statement, report, or other document.
  - D. If the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report, or other document is required to be filed with the County, the statement may, but is not required to, be filed electronically with the local filing officer.
  - E. This requirement does not apply to any elected officer or candidate who receives contributions totaling less than \$2,000.00 and makes expenditures totaling less than \$2,000.00, in a calendar year, or in any other amount specified by Government Code § 84615 as it may be amended from time to time.

(Ord. No. 5157, § 1, 2-1-2022)