



## Legislation Text

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**File #:** 20-0100, **Version:** 1

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Human Resources Department recommending the Board authorize the Chair to sign a Memorandum of Agreement between the County of El Dorado and Donald Ashton establishing the compensation, benefits, and other terms of employment for his employment as the Chief Administrative Officer. (Est. Time: 5 Min.)

**FUNDING:** General Fund.

### DISCUSSION/BACKGROUND

On May 24, 2016, the County of El Dorado (County) Board of Supervisors appointed Donald Ashton as Chief Administrative Officer (CAO) of the County effective May 25, 2016. As part of this action, the County and CAO subsequently entered into an employment agreement pursuant to El Dorado County Ordinance Code section 2.13.025 (the "Original Agreement"), which set forth the compensation, benefits, and other terms of employment for CAO.

Following a positive performance evaluation on May 9, 2017, the County entered into a new Memorandum of Agreement with Mr. Ashton. That Memorandum of Agreement was effective May 23, 2017, and superseded the Original Agreement.

The County and Mr. Ashton entered into a subsequent Memorandum of Agreement, effective November 7, 2017 to better align Mr. Ashton's compensation package with market trends for similarly situated administrative heads of county governments. That Memorandum of Agreement expires by its own terms on November 7, 2021, at which point Mr. Ashton will become an at-will employee without the severance compensation provided by that Memorandum of Agreement.

In furtherance of the County Charter's directive to "retain the best qualified officers and employees," the County and Mr. Ashton wish to modify some of the November 7, 2017 agreement and therefore by creating a new agreement that aligns with the best interest of the County.

The primary changes between this contract and the existing contract are as follows:

- (1) Minor technical changes and clean up (e.g., updating recitals and removing provisions requiring action that has already occurred).
- (2) Changes the contract term of the Memorandum of Agreement which expires by its own terms on November 7, 2021 to reflect a three (3) year rolling term.
- (3) Extends the notice of termination to 60 days.
- (4) Despite the market trends from similarly situated administrative heads of county governments, this change reduces the compensation package previously guaranteed to the CAO effective January 1, 2021, which was to be brought to the median of the market. Instead, effective February 15, 2020, the proposed contract increases the CAO salary to two hundred thirty-seven thousand one hundred eighty-two dollars and forty cents (\$237,182.40). This salary increase is the equivalent to a 4.17% increase and places the CAO's salary 8% below the

market median. The CAO shall be entitled to future salary increases consistent with increases for appointed department heads by using the total compensation salary of the top administrative officer for the comparator agencies used by the County.

All other terms and conditions of the agreement are consistent with the Memorandum of Agreement dated November 7, 2017

### **ALTERNATIVES**

The Board could decline to authorize the Chair to sign the proposed Memorandum of Agreement, in which case the existing Memorandum of Agreement would remain in full force and effect. Additionally, the Board could authorize in open session other changes to the contract; however, those changes would be subject to negotiation with the CAO.

### **PRIOR BOARD ACTION**

The last Memorandum of Agreement was adopted by the Board on November 7, 2017 - Legistar #: 17-0575

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Board of Supervisors  
County Counsel

### **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

The increase to compensation to 8% below the market median without reaching the market median on January 1, 2021 will result in an approximate savings of \$62,000 over the three year term of the Memorandum of Agreement.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Following Board approval, the Clerk of the Board will forward three (3) fully executed originals of the Memorandum of Agreement to Human Resources for distribution and administration.

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT:**

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