

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

TO: Honorable Board of Supervisors

FROM: David Boesch, Placer County Executive Officer
By: Bekki Riggan, Principal Management Analyst
Brian Wirtz, Deputy County Counsel
Presented By: Jim Williams, Chairman, Charter Review Committee

DATE: February 4, 2014

SUBJECT: Report of the 2013-14 Placer County Charter Review Committee

Action Requested

Receive a presentation by the Chair of the 2013-14 Charter Review Committee regarding its findings and recommendations and provide staff direction as appropriate.

Background

The California Constitution recognizes two types of counties: General Law counties and Charter counties. General Law counties adhere to state law regarding number and duties of county elected officials. Charter counties have a limited degree of "home rule" authority that allows greater flexibility in local decision making, organizational structure, and the duties and responsibilities of elected and appointed officials. Of the fifty-eight counties in the State of California, fourteen are Charter counties, including: Alameda, Butte, Fresno, Los Angeles, Orange, Placer, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Clara and Tehama.

Placer County's Charter was adopted by the voters in 1980. Section 601 requires the Board of Supervisors to convene a Charter Review Committee every five years. The purpose of the Committee is to review the Charter, and after conducting at least two public hearings, make recommendations for any amendments or revisions to the Board of Supervisors. The 2013-14 Charter Review Committee has completed its review and is providing its recommendations and final report to your Board for review. The report of the Committee is attached to this memorandum and the two recommended actions are outlined below.

Summary of Recommendations

1. Review of County Charter:

Section 601 of the Charter calls for convening a Charter Review Committee every five years. Because any recommendation for amending the Charter requires the Board of Supervisors to consent to place a measure on the ballot for ratification by voters, the work of Charter Review Committees must be aligned with election timelines. This five year increment results in an alternating schedule of even and odd years. Committees convening in the even years are well-aligned with election timelines. However, Committees convening in odd years are out of sync with election timelines. It is the Committee's opinion that amending Section 601 from five to six years would streamline the efforts of future Charter Review Committees, while still allowing sufficient time for those items requiring a ballot initiative.

Recommendation: The Charter Review Committee unanimously recommends amending Section 601 of the Charter to a review period of every six (6) years, rather than the current structure of every five (5) years. This amendment would better align the Charter Review process with the County general election cycle.

2. *Compensation of County Supervisors*

Section 207 of the Charter states “Members of the Board of Supervisors shall receive compensation as established by ordinance from time to time”. The salaries of Board members were last amended by ordinance 22 years ago on June 2, 1992, when Measure A capped Board members’ salaries at \$30,000 per year. At that time, Board members’ responsibilities were mischaracterized as part-time by the proponents of Measure A and compensation was intended to be commensurate with part-time status.

Over the course of multiple meetings, Committee members discussed this “part-time” construct put forward by the proponents of Measure A in 1992 and how the complexities of items considered by Board members have evolved over the past 22 years since this ordinance was passed. Committee members discussed many aspects of Board members’ responsibilities including:

- Overseeing a county workforce of approximately 2500 and an annual budget of \$842M;
- Serving as liaison between the public and the many branches of state and federal government;
- Administering vital county services such as public safety, fire protection, land use, child protective services and numerous others that impact over 355,000 county residents;
- Serving on numerous Boards, Commissions and Special Districts in addition to participating in a variety of daytime and evening community, policy and governance meetings.

After considerable discussion, the Committee unanimously agreed that the changing nature of Placer County demographics and the increased complexities of local governance have necessitated far more than the part-time commitment by Board members described in 1992 Measure A Petition, developed by the League of Placer County Taxpayers, which reads as follows:

“Placer County Supervisors are required to meet **one day a week**. Theirs is clearly a **part-time** job, and should be compensated accordingly.”

In addition, Committee members also unanimously agreed that Board members are inadequately compensated for the time and expertise required of their elected positions. Comparisons of Placer County Board member salaries to others in the Sacramento region and across the state found significant disparity. A 2012 study by the California State Controller’s Office found that Placer County Board members’ salaries ranked 53rd out of California’s 58 Counties.

Chart 1 compares the salaries of Placer County Board members with Board members in the surrounding counties of Sacramento, El Dorado and Nevada (those Counties considered in Measure F calculations for setting salaries for specified peace officer classifications).

Chart 2 compares the salaries of Placer County Board members with Board members in counties closest in population to Placer County (two counties with higher population and two counties with lower population).

Chart 1

BOS SALARY COMPARISON TO OTHER MEASURE F COUNTIES		
County	Highest Annual Salary	Population
Sacramento	\$71,520	1,230,700
El Dorado	\$76,876	180,561
Nevada	\$41,419	98,292
<i>Placer</i>	\$30,000	355,328

Chart 2

BOS SALARY COMPARISON BY POPULATION		
County	Highest Annual Salary	Population
Santa Cruz*	\$111,720	265,981
San Luis Obispo*	\$82,014	271,483
<i>Placer</i>	\$30,000	355,328
Solano**	\$94,765	413,786
Monterey**	\$117,900	420,668

*County population just below Placer County

** County population just above Placer County

Over the course of several meetings, Committee members discussed possible methodologies for amending the salaries of Placer County Board members to make them commensurate with surrounding or similarly situated counties. Options 1, 2 and 3 outlined below were considered by Committee members to be fair and equitable methodologies for consideration.

- 1) A Bureau of Labor Statistics CPI adjustment to Board members base pay to adjust for inflation over the past 22 years since the \$30,000 salary was established, resulting in a 2014 salary of \$49,813;
- 2) A formulaic adjustment based on a weighted average of other Placer County elected officials (Assessor, Auditor, Clerk-Recorder, District Attorney, Sheriff and Treasurer) estimated to be a fixed percentage of the average salary of \$175,803 in 2014;
- 3) A formulaic adjustment equivalent to the average Board member salary in the Sacramento region (Counties considered in Measure F calculations) estimated at \$63,272 in 2014; or an adjustment equivalent to the average Board member salary in other similarly situated California counties estimated at \$101,600 in 2014 (as depicted in Charts 1 and 2).

In recognition of efforts in 1998 and 2008 to amend Board member salaries that were not ratified by the voters, Committee members recommended Options 4, 5 and 6 for consideration by your Board.

- 4) A formulaic adjustment commensurate with the lowest of four surrounding counties including El Dorado, Sacramento, Yuba and Nevada; estimated at \$41,419 in 2014;
- 5) A per meeting stipend to reimburse Board members for community and governance meetings attended, excluding regularly scheduled Board and staff meetings, estimated at approximately \$10,800 annually per Supervisor;
- 6) Extending the same benefits packages to County Board members as provided to full-time County employees, estimated to range from \$43,932 (based on the current \$30,000 salary) to \$82,314 (based on \$101,600 salary, the average of similarly situated California counties).

Although Options 4, 5 and 6 were considered by the Committee to be sub-optimal, they were recommended for consideration as alternatives that might be better received by the voters and perhaps more likely to result in a successful ballot measure.

Recommendation: The Charter Review Committee unanimously recommends amending Section 207 of the Charter to state that the position of a Placer County Supervisor requires the time commitment commensurate with a full-time position; and that the salary cap of \$30,000 per year be amended to be commensurate with other comparable counties to include an annual cost-of-living adjustment.

Next Steps

As your Board is aware, any proposed changes or additions to the County Charter must be submitted to the voters including text of the proposed amendments, impartial analysis and arguments. Upon Board direction, staff is prepared to draft ordinance language for review and consideration and potential inclusion on the November 2014 ballot. Guidance from your Board on the on these issues recommended by the 2013-14 Charter Review Committee will assist in the development of materials associated with developing a potential ballot measure for November, which are due to the Office of Elections by July 2, 2014.

Fiscal Impact

There is no fiscal impact with the presentation of the recommendations of the Charter Review Committee. No fiscal impact is associated with an amendment to Section 601. However, fiscal impact is associated with any amendment of Section 207 of the Charter that would increase the compensation or benefits for Board of Supervisor members.

**Final Report – Placer County Charter Review Committee
January 7, 2014**

Presented to the Placer County Board of Supervisors:
Jim Williams, Chairman, Placer County Charter Review Committee

Charter Review Committee Staff Support:
Bekki Riggan, Principal Management Analyst, County Executive Office
Brian Wirtz, Deputy County Counsel, County Counsel's Office
Lauren Featherstone, Management Analyst, County Executive Office

I. Introduction

The County Charter was adopted by the voters of Placer County in 1980. The County Charter is an important governing document that provides a level of flexibility in local decision making and contains provisions that guide the organizational structure, duties and responsibilities of elected and appointed officials. Section 601 of the Charter requires periodic review and assessment of the Charter document as a means to recommend potential changes or additions to the document and requires the Board of Supervisors to convene a Charter Review Committee every five years for this purpose. On February 14, 2012 the Board of Supervisors authorized the County Charter Review Committee to convene in order to review the County Charter, to conduct at least two public hearings soliciting input, and to submit a report of recommendations to the Board of Supervisors, if any, regarding changes or additions to the County Charter.

A. Composition and Selection of Committee Members

The Committee members, including two at-large members, were approved by the Board of Supervisors on July 10, 2012 as follows:

- Seat 1: James "Brian" Vlahos
- Seat 2: Richard Robinson
- Seat 3: Barry Stigers
- Seat 4: James Williams
- Seat 5: Susan Prince
- Seat 6 At-Large: Jim Gray
- Seat 7 At-Large: Richard Burton

B. Committee Meeting Summaries

The Charter Review Committee convened eight times from July 25, 2012 – January 7, 2014. Meeting summaries are provided below:

1. July 25, 2012:

At its first meeting, the Committee selected Mr. Jim Williams as Chairman and Mr. Jim Gray as Vice Chair. Bekki Riggan, Principal Management Analyst in the County Executive Office, and Brian Wirtz, Deputy County Counsel provided background regarding the County Charter, requirements of the review process and recommended timelines. The Committee identified initial topics for consideration including: the number of Board Members in charter counties; the number of districts within the County; salaries for the Board of Supervisors; and the reporting structure of the County Personnel Department. The Committee also asked staff to solicit input from County departments regarding potential topics for consideration related to the Charter.

2. August 8, 2012:

David Boesch, County Executive Officer, gave a presentation to the Committee regarding his perspectives on county charters and the importance of the Committee's work in reviewing these documents. In particular, Mr. Boesch noted the succinctness and simplicity of Placer County's Charter and referenced topics that Charter Committees have considered in other counties including the Civil Service System, boards and commissions, and county purchasing policies. The Committee identified additional areas for discussion including: the Civil Service Commission and the reporting relationship of the Personnel Director; committees, commissions and special districts; and modifying the timing for convening the charter review process from 5 to 6 years to better coincide with the General Election cycle.

3. October 24, 2012:

The Committee received a presentation from Loren Clark, Assistant Director of Community Development Resource Association (CDRA) and Kelly Berger, CDRA Information Technology Supervisor regarding redistricting, its relationship to the ten-year census cycle, and a summary of previous redistricting discussions with the Board of Supervisors. Mr. Berger provided the Committee with a map outlining potential shifts in district boundaries that would occur should the County expand to seven Board members. He cautioned that redistricting would be challenging due to population densities within the county and re-districting criteria. The Committee added additional topics for consideration including: relocation of the County Seat, and a comparison of Charter counties versus General Law counties.

4. November 28, 2012:

Nancy Nittler, Placer County Personnel Director, presented an overview of the Civil Service Commission (CSC) and the reporting structure of the Personnel Director. Ms. Nittler explained that within this structure the Personnel Director reports to the CSC, but that the Director works cooperatively with the CEO and department heads including elected officials in navigating complex human resources matters. She provided examples of the coordination that exists between the Commission, the CEO and County departments:

- Commission Chair and vice-chair meet with CEO at least once a year to gather input on the Director's performance evaluation and to discuss business needs and priorities;
- Commission chair and vice-chair have met with individual department heads on occasion and as new department heads are appointed;
- Director and Assistant Director meet regularly with department heads;
- Director meets monthly with the CEO;
- Cooperative staff efforts and including recommendations for changes to CSC rules between Personnel and CEO on a variety of topics and business processes including:
 - Layoffs and reassignments;
 - Hiring freeze procedures;
 - Classification and compensation review procedures;
 - County-wide succession planning efforts.

Holly Heinzen, Assistant County Executive Officer, also provided a brief overview of the County budget process and some of the changes to budget and finance policies that have been developed in the past several years.

5. December 12, 2012:

The Committee met to address carryover agenda items from the November 28th meeting and identified additional topics for consideration including: use of prevailing wage, criteria regarding Charter County elections, and distinctions between commissions, committees, task forces and advisory boards. The Committee discussed items to move forward to the Board of Supervisors and determined that further analysis was needed regarding: Board of Supervisors' compensation; the Civil Service Commission and the reporting relationship of the Personnel Director; relocation of the County seat; and analysis of benefits and the limitations associated with being a charter county. The Committee eliminated the following topics for further consideration: redistricting and the number of County Supervisors; further consolidation of committees or commissions; and modifying budget related language in the County Charter.

6. February 27, 2013:

Brian Wirtz from County Counsel provided an overview of the differences between charter and general law counties. The Committee requested more information regarding impacts to the authority of the County Executive Officer should Placer County change from a charter to a general law county, and on the challenges and limitations in expanding County services contracts. The Committee also discussed relocation of the County seat and whether moving the County Administrative Offices to the Dewitt Center would improve administrative efficiencies. Mr. Wirtz advised the Committee that moving to Dewitt is allowable within the Charter and California statutes, but that moving the County seat out of Auburn would require a successful ballot initiative. The Committee agreed that even though closer proximity to other county offices might improve administrative efficiencies a move of the County's administrative functions to the DeWitt

center would not require a Charter amendment and further discussion was therefore unnecessary. Bekki Riggan provided the results of a recent salary survey conducted by County Executive staff comparing Placer County Supervisors' compensation with Board members in similar counties. Although this survey was not as extensive as the analysis provided through a consultant contract for the prior Charter Review Committee, it affirmed findings of past Charter Review Committees that Placer County Board members are significantly underpaid in comparison to Board members in surrounding and other similarly positioned counties. The Committee discussed recommending again hiring a consultant to conduct a more comprehensive survey regarding Board member compensation and that the survey include additional metrics such as the relative financial health of each county to demonstrate overall Board effectiveness and leadership. The Committee also discussed past efforts to address salary inequities noting that despite the compelling nature of the findings, previous efforts to remedy the inequities have failed. The Committee noted further that without some sort of an educational outreach effort, any measure to address these inequities would again likely fail in the current economic climate. Pam Hart, representative from the League of Women Voters, raised a new issue regarding modification of the Charter to change the Superintendent of Schools from an elected to an appointed position. The Committee agreed to add this item to the next meeting agenda.

7. June 12, 2013:

Jim Williams, Committee Chair, opened the meeting by announcing his intent to clarify the Committee's recommendations for the Board of Supervisors by the conclusion of the meeting. After final review the Committee unanimously concluded that the Placer County Board members are significantly underpaid in comparison to Board members in comparable counties. Committee members discussed several possibilities for establishing a more equitable level of compensation: 1) a formulaic average of neighboring or similar counties; 2) a per diem reimbursement for meetings attended each year; 3) an inflation adjustment calculated over the past 21 years since the current level of pay level was originally established. After a lengthy discussion, the Committee agreed to recommend the following approaches for consideration regarding Board of Supervisors' compensation:

- 1) Board of Supervisors' salaries adjusted to be commensurate with the lowest salary found in the four surrounding counties of Nevada, El Dorado, Sacramento and Yuba;
- 2) Establish a per diem rate for Board member attendance at meetings and conferences, such as Sacramento Area Council of Governments (SACOG) and California State Association of Counties (CSAC);
- 3) Provide Board members access to the same benefits provided to all full-time County employees (medical coverage and earned time for sick, vacation and management leave).

The Committee then moved to the topic of the Civil Service Commission and the appointment of the Personnel Director and discussed various reporting structure

possibilities. Brian Wirtz discussed the differing organizational structures found in surrounding counties and noted that Placer County was the only county of those surveyed wherein the Personnel Director reports directly to the Civil Service Commission. As the former Placer County Personnel Director, Jim Gray provided historical perspective regarding the merits of the current structure and expressed support for the current structure. Various opinions were shared and with a split decision, 4-3, the Committee voted to recommend that the current structure be retained. The three members who disagreed with this recommendation discussed the possibility of providing the Board with a minority report outlining their position (to date, this report has not yet been received). The Committee then considered the Superintendent of Schools and whether it should be an elected or appointed position. Brian Wirtz provided some background materials from the previous Charter Review discussions on this topic and explained that although the position is currently elected, a successful ballot initiative could change the position to one that is appointed. Pam Hart provided additional comments on the merits of the Superintendent of Schools becoming an appointed position; primarily that it would expand the potential pool of applicants by eliminating the residency requirements of elected positions. After further discussion, the Committee chose to not move this item forward.

8. January 7, 2014:

Committee members reviewed and approved the final report. Chief assistant CEO Holly Heinzen discussed an upcoming study between the County Executive Office and the Personnel Department regarding succession planning and current economic conditions. She explained that the study will examine personnel functions, best practices, and how to optimize roles and responsibilities between the personnel department, Civil Service Commission and County Executive Office. Committee members discussed and agreed that this study would likely address the issues highlighted by this Committee.

II. Summary of Topics of Review

A. The Number of County Supervisors

1. Issue/Problem

Section 201 of the Placer County Charter states the Placer Board of Supervisors governing body consists of five members. The Charter Review Committee discussed the merits of expanding the number of members who can sit on the Board of Supervisors for charter counties verses general law counties along with the redistricting options that would result from this action. Section 202 of the County Charter establishes five Supervisorial districts in Placer County.

2. Findings

County Counsel's memo explains that General Law counties, "shall have a board of supervisors consisting of five members" per California Government Code Section 25000. California Constitution, Article 11, Section 4 states: "County Charters shall

provide for: A governing body of 5 or more members, elected (1) by district or, (2) at large, or (3) at large, with a requirement that they reside in a district. Charter Counties are subject to statutes that relate to apportioning population of governing body districts, which would allow for more than five members. Counsel also provided a list of the 14 charter counties in the State. San Francisco, with eleven members, is the only county with more than five members. The Committee heard from Community Development Resource Agency (CDRA) staff on the history of the redistricting process and the linkage to the ten year census population data. Current criterion for each district is 46,000 residents. District 5 experienced the lowest growth in population while District 2 experienced the highest growth in population (112%).

3. Conclusion/Recommendation

After receiving the presentation from County Counsel and CDRA staff, the Committee unanimously agreed to make no recommendations for action on this item. The number of members on the Board is recommended to remain at five with the district boundaries remaining as currently defined.

B. Committee & Commissions, Special Districts Oversight

1. Issue/Problem

Section 303 (a) describes the power of the Board to create offices, boards and commissions, other than those required by the constitution and laws of the State. The Committee expressed interest in reviewing how the county approaches working with special districts and wished to review the purpose and costs associated with county commissions and committees.

2. Findings

The County Executive Office provided the Committee with a list of Placer County's Committees and Commissions. Also provided were the findings of a comprehensive study conducted by county staff in Fiscal Year 2005-06 for the purposes of identifying and recommending for elimination any unnecessary, redundant or inactive committees to achieve better use of county resources.

3. Conclusion/Recommendation

After hearing from County Executive Office and County Counsel staff the Committee determined that making recommendations regarding County Committees and Commissions was beyond the purview of the Charter Review process, and was removed from discussion.

C. Review of County Charter – Six (6) Years

1. Issue/Problem

According to Section 601 of the Placer County Charter, "The Board of Supervisors shall convene a Charter Review Committee within two (2) years of the effective date of this Charter and within five (5) years of the last Charter review thereafter." The Committee discussed changing the cycle of the Charter Review Committee from

every 5 years, to every 6 years, so that recommendations requiring a ballot initiative would better coincide with the general election cycle.

2. Findings

The Committee received an update from County Counsel in regards to language and timeframes and found that convening every five years, rather than every six years, is inconsistent with the general election cycle.

3. Conclusion/Recommendations

The Committee unanimously agreed that the current requirement for the Charter Review Committee to meet every five years should be amended to be every six years to better coincide with the election cycle.

D. Location of County Seat

1. Issue/Problem

Section 101 of the Charter discusses boundaries of Placer County and states that the County Seat "shall be and remain as they are at the time this Charter takes effect." The Committee considered a request from a citizen to consider the potential benefits of moving the County Executive Offices and Board of Supervisors Offices and thus potentially the County Seat from the current location on Fulweiler to the Government Center location at Dewitt Center.

2. Findings

County Counsel clarified that the County seat must reside within the city or the immediate vicinity of the city's corporate limits and therefore a move from the current location on Fulweiler to the Government Center at Dewitt would not constitute a change in the County Seat. However, if the move were to be outside of the immediate vicinity of Auburn's corporate limits, this would require a 2/3 majority of the voters to support this action as required by Article XI, Section 1 of the California Constitution.

3. Conclusion/Recommendations

The Committee determined that with the concentration of staff at the Government center in Dewitt, that synergy and efficiencies in travel expenses might be realized if the Administrative Offices were relocated to the Dewitt Government Center. However, since the movement of the CEO office from its current location to Dewitt would not require a change in the Charter or a majority vote, the Committee determined that no further action was necessary.

E. Budget Language

1. Issue/Problem

The only language in the County Charter regarding the County budget is found in Section 302, stating simply that the Board shall adopt the annual budget of the County. Due to the limited language on this item, the Committee discussed a

recommendation for expanding the language around development of the annual budget, such as requirements for a balanced budget where annual expenditures do not exceed annual revenues

2. Findings

The County Executive Officer (David Boesch) and Assistant County Executive Officer (Holly Heinzen) provided some comments in regards to the development of the annual budget process and explained that the Board budget and fiscal policies have expanded well beyond what is identified in the Charter, and that the Board of Supervisors has developed policies requiring a balanced and sustainable annual budget. It was also noted that the County is typically very conservative in its fiscal policies and takes into account long-term sustainability models as well as strategic investment plans in the development of the annual spending plan.

3. Conclusion/Recommendations

Based on the information provided about existing budget and fiscal policies adopted by the Board of Supervisors, the Committee understood that policies have expanded well beyond the language contained in the Charter and determined that no further action was needed.

F. Elimination of the County Charter

1. Issue/Problem

The Committee members expressed interest in better understanding the benefits and limitations (if any) of being a Charter County.

2. Findings

County Counsel provided an overview of the differences between Charter and General Law counties. In Placer County, all County department heads originally reported directly to the Board of Supervisors. Enactment of the Charter helped support the concept of home rule and established a strong CEO. Charter Counties also have enhanced flexibility in combining elected offices and departments and are allowed greater opportunity for use of contract services when it is determined to be in the financial interest of the County.

3. Conclusion/Recommendations

After several subsequent discussions the Committee determined the County's interests were best met by remaining a Charter County, and that no further action was needed.

G. Board of Supervisors Compensation

1. Issue/Problem

According to Section 207 of the Placer County Charter, members of the Board of Supervisors shall be paid \$30,000 per annum. The Committee believes that the current salary of the Board members is neither commensurate with their

responsibilities nor comparable to other Board members in similarly situated counties.

2. Findings

Committee members were provided with information from County Counsel's office and from the County Executive Office that demonstrated a clear disparity between salaries of Placer County Board members and those of other surrounding and similarly situated counties. The voters have repeatedly failed to support any action to bring parity to Board members salaries or to expand their pay beyond the level originally identified in the Charter 21 years ago. The original logic appears to be that Board member responsibilities were part-time and that pay should be commensurate with that status. The Committee determined that the changing nature of Placer County demographics with its increased development and population combined with the increased complexities of local governance demands more than part-time status of its Board members. The Committee unanimously agreed that an adjustment to Board members level of compensation is warranted and agreed that should this item be submitted for the ballot, that community education and outreach would be required to inform constituents on the issue. Committee members discussed options for educating the public about the importance of Board members being duly compensated for the time and talent necessary for governing Placer County.

3. Conclusion/Recommendations

Several options were identified for consideration in addressing salary disparity for Placer County Board members including:

- 1) A formula based adjustment based on a weighted average of other Placer County elected officials;
- 2) A per diem payment for community and governance meetings attended;
- 3) Providing Board members with the same benefits packages available to County employees;
- 4) A CPI adjustment to Board members base pay to adjust for inflation over the past 21 years since the original salary of \$30,000 was established.

After considerable discussion Committee members identified the following options for consideration as they may be better received by the voters:

Option 1: Adjust Board of Supervisors' salaries to be commensurate with the lowest of the four surrounding counties including El Dorado, Sacramento, Nevada and Yuba;

Option 2: Allowing a per meeting stipend which reimburses Board of Supervisor members for attending meetings other than regular Board meetings, such as Sacramento Area Council of Governments (SACOG), California State Association of Counties (CSAC), as well as other community and government policy forums;

Option 3: Allowing Board of Supervisor members full access to all other benefits provided to full-time County Employees.

H. Appointment of the Personnel Director

1. Issue/Problem

The Civil Service Commission (CSC) was established by the voters in 1961. Placer County Code, Chapter 3, provides that the Civil Service Commission shall be comprised of five members appointed by the Board of Supervisors. With the Board's concurrence, the Civil Service Commission appoints the Director of Personnel. The Charter Review Committee expressed some concerns about the overall effectiveness of this reporting structure and requested an examination of reporting structures in other California Counties.

2. Findings

County Counsel provided a summary of various Director of Personnel reporting structures in other counties, noting that Placer and Kern Counties are the only counties where the Personnel Director reports to the CSC. Discussions followed regarding the benefits and deficiencies of this reporting structure and whether the County would be better served with the Personnel Director reporting directly to the CEO, consistent with all other non-elected department heads.

3. Conclusion/Recommendation

In a split decision, (4-3), the Committee voted in support of maintaining the current reporting structure for the Director of Personnel. Committee members discussed the possibility of providing the Board with a minority report outlining their position (to date, this report has not yet been received). The Committee was notified that the County Executive Office in collaboration with the Personnel Department is undertaking a study to review best practices, in order to clarify the roles and responsibilities between CEO, Civil Service Commission and the Personnel Department. The Committee expressed their opinion that this study would likely address the concerns raised in the majority and minority opinions below.

A. Majority Opinion:

The majority of the Committee determined that there is value in a structure that has been very effective based upon the past 50 years of experience. They further agreed that this structure provides for the highest degree of independent judgment on behalf of the Director of Personnel and ensures that the incumbent is best insulated from any real or perceived conflicts and also insulated from outside pressures or influences in addressing personnel matters. Some Committee members were of the opinion that the current structure also provides additional insulation between the Board of Supervisors and any County Personnel action, providing the greatest surety for fair and unbiased decisions in personnel matters.

Some members also expressed concerns that having the Personnel Director report directly to the CEO would introduce conflicts of interest for the Personnel Director in balancing the County's corporate interests with effective and unbiased management of personnel issues.

B. Minority Opinion:

The three Committee members in favor of changing the reporting structure stated their concerns that the Personnel Director essentially has no direct oversight, since the CSC is not present on a daily basis and argued that the Personnel Director should be overseen by the entity for which the position is ultimately responsible (namely the CEO or the BOS). These Committee members also explained that although they believe the CSC plays a beneficial and necessary role in employee disciplinary processes, it is striking that Placer is one of the only counties that does not have the Personnel Director reporting directly to the CEO. There were also comments that the current structure is not in keeping with the intent of a strong CEO as defined in the Charter and that the CEO should have the power to implement decisions County-wide, including personnel decisions. The Personnel Director should be more accountable to the voters, and that would be achieved if the position were part of the team under management by the CEO. The CSC reporting structure introduces an additional and unnecessary layer between the voters and county governance.

I. County Superintendent

1. Issue/Problem

Section 401 of the Placer County Charter identifies all Elected Officers in the County, including the County Superintendent of Schools. A member of the public raised concerns this position being an elected officer rather than an appointed position. The primary concern is the residency requirement for holding elected office that severely restricts the pool of qualified applicants for this position.

2. Findings

County Counsel provided background as to the Superintendent of Schools within the purview of the Charter, noting that the issue had been discussed extensively in 2010, during the last Charter Review. Materials generated during the prior review were provided to the Committee for their review. As of September 2010, only five counties had an appointed superintendent with the balance of counties in California having an elected Superintendent of Schools. Several members of the public attended the meeting advocating for a change from the current structure of an elected position to one that is appointed by the Board of Education. Concerns were expressed as to a lack of accountability and the resulting restrictions on the applicant pool. Committee members were informed that this position could stay as an elected position or with a majority vote of the public be converted to a position that is appointed by the Board of Education. It was also noted that changing the structure to the approach suggested would further distance the voice of the voters and that it could also create

conflicts of interest for school board members who would be responsible for the selection process. The Committee also expressed concern regarding whether the voters would support this action.

3. Conclusion/Recommendation

The Committee voted to take no further action on this item.

III. Summary of Recommendations to the Board of Supervisors

The Placer County Charter Review Committee recommends the following actions for consideration by the Placer County Board of Supervisors:

A. Review of County Charter – Six (6) Years

The Committee unanimously agrees that the Charter Review Committee should coincide with the general election cycle. By changing the meeting cycle from every five to every six years, the work of the Charter Review Committee will coincide with the general election cycle.

B. Board of Supervisors Compensation

The Committee unanimously agrees that significant disparity exists between compensation for members of the Placer County Board of Supervisors and Board Members of other surrounding and similarly situated counties. The Committee unanimously agrees that Board Members' compensation should be adjusted to correct this disparity. Options identified for consideration include:

Options 1, 2 and 3 outlined below were considered by Committee members to be fair and equitable methodologies for consideration.

- 1) A Consumer Price Index adjustment to Board members base pay to adjust for inflation over the past 22 years since the \$30,000 salary was established;
- 2) A formulaic adjustment based on a average of other Placer County elected officials;
- 3) A formulaic adjustment equivalent to the average Board member salary in the Sacramento region.

In recognition of efforts in 1998 and 2008 to amend Board member salaries that were not ratified by the voters, Committee members recommended Options 4, 5 and 6 for your consideration by your Board.

- 4) A formulaic adjustment commensurate with the lowest of four surrounding counties including El Dorado, Sacramento, Yuba and Nevada;
- 5) A per meeting stipend to reimburse Board members for community and governance meetings attended, excluding regularly scheduled Board meetings;

- 6) Extending the same benefits packages to County Board members as provided to full-time County employees.

Although Options 4, 5 and 6 were clearly considered sub-optimal, they were recommended for consideration as alternatives that might be better received by the voters and perhaps more likely to result in a successful ballot measure.

Recommendation: The Charter Review Committee unanimously recommends amending Section 207 of the Charter to state that the position of a Placer County Supervisor requires the time commitment commensurate with a full-time position; and that a salary cap of \$30,000 per year be amended to be commensurate with other comparable counties to include an annual cost-of-living adjustment.

1. Adjust Board of Supervisors' salaries to be commensurate with the lowest of the four surrounding counties including El Dorado, Sacramento, Nevada and Yuba;
2. Allowing a per meeting stipend which reimburses Board of Supervisor members for attending meetings other than regular Board meetings, such as Sacramento Area Council of Governments (SACOG), California State Association of Counties (CSAC), as well as other community and government policy forums;
3. Allow Board of Supervisor members full access to all other benefits provided to full-time County Employees.

The 2012-13 Charter Review Committee hereby submits its report and final recommendations to the Board of Supervisors for consideration and action.

