



## Legislation Details (With Text)

**File #:** 2024-0413

**Type:** Consent Calendar Item **Status:** Passed

**File created:** 3/27/2024 **In control:** County Administrator

**On agenda:** 4/16/2024 **Final action:** 4/16/2024

**Title:** Ordinance to Modify Sonoma County Code and Revise the County Administrator's Duties and Responsibilities

**Sponsors:** County Administrator, County Counsel

**Indexes:**

**Attachments:** 1. Summary Report, 2. Attachment 1 - Ordinance restructuring the CAO Position, 3. Attachment 2 - Legislative Digest of proposed Code Changes

Date	Ver.	Action By	Action	Result
4/16/2024	1	Board of Supervisors		

**To:** Board of Supervisors and Board of Directors

**Department or Agency Name(s):** County Counsel, County Administrator

**Staff Name and Phone Number:** Robert Pittman, M. Christina Rivera 707-565-2431

**Vote Requirement:** Majority

**Supervisory District(s):** All

### Title:

Ordinance to Modify Sonoma County Code and Revise the County Administrator's Duties and Responsibilities

### Recommended Action:

Adopt an ordinance amending Sonoma County regarding powers, duties, and responsibilities of the County Administrator. (Second Reading).

### Executive Summary:

On March 26, 2024 the Board of Supervisors ("Board") introduced and waived further reading of an ordinance amending the duties and responsibilities of the County Administrator. This item requests adoption of an ordinance amending Sonoma County Code regarding powers, duties, and responsibilities of the County Administrator. Within these powers, duties, and responsibilities, is the role of appointing authority and administrative oversight of specific positions and departments.

The outlined changes align with the Organizational Excellence Pillar of the Board's Strategic Plan. The Board finds that shifting supervision of the County's department and agency heads under the County Administrator creates operational efficiencies and improves the organization's overall effectiveness. Accordingly, the Board desires to strengthen the County's operational structure by moving to an enhanced oversight county administrator structure and shift appointing authority for certain department heads, as well as delegate daily oversight and supervision of all department and agency heads to the county administrator, except where otherwise provided by state law. The Board further desires to denote this shift by redesignating the head of the county administrator's office as the "county executive." To mitigate span of control challenges one additional Assistant CAO position (for a total of 2) will be included as part of the FY 24/25 budget hearings.

If adopted, the ordinance will take effect 30 days hereafter on May 16, 2024.

## **Discussion:**

### Background

The County delivers services to the community through the work of 23 operational and elected departments and agencies, 8 of which currently are appointed by and/or report to the CAO position. The duties, and responsibilities for the County Administrator position are included [in Section 2-8 of the Sonoma County Code <https://library.municode.com/ca/sonoma\\_county/codes/code\\_of\\_ordinances?nodeId=CH2AD\\_ARTIIOFEMGE\\_DIV2COAD>](https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=CH2AD_ARTIIOFEMGE_DIV2COAD).

Sonoma County 2021-2026 Strategic Plan is based on the following pillars: Climate Action & Resiliency, Healthy & Safe Communities, Racial Equity & Social Justice, Resilient Infrastructure, and Organization Excellence. The Organization Excellence (OE) pillar includes a focus to be efficient and effective, while being fiscally responsible and accountable. Relevant to the pillar's intent, in 2022 the Department & Agency Head Association (DAHA) considered and recommended an oversight structure where the CAO position would directly support non-elected department heads' performance intended to improve in a direct and timely manner communication and feedback between the Board and the departments' executive leaders.

Subsequently, on March 21, 2023, the Board received options to transition to a County Executive Officer model where the CAO becomes responsible for day-to-day oversight of all non-elected department-agency heads/directors, except where otherwise provided by state law. The counties listed in the 2023 report with a County Executive Officer oversight structure were: Sacramento (~11,000 employees); San Diego (~8,200 employees); Riverside (~20,000 employees); Ventura (~8,000 employees); Santa Barbara (~4,600 employees); Contra Costa (~9,000 employees); Alameda (~3,700 employees), and San Mateo (~3,000 employees).

Given the CAO incumbent just started her appointment on February 1, 2023, at the end of the March 2023 discussion the Board decided to postpone revising the County's oversight structure.

During the one-year performance review of County Administrator M. Christina Rivera, the Board gave direction to bring forward revisions to the Sonoma County Code that, where permissible under the applicable provisions of California statutes, would result in non-elected department/agency heads being appointed and directly supervised by the CAO. The proposed revisions do not include for the General Manager of Sonoma Water, the General Manager of the Agricultural & Open Space District, or County Counsel.

The proposed ordinance amends the code to expand the oversight of the County Administrator and redesignates the position as the "County Executive." In addition to the eight department heads currently overseen by the County Executive, the proposed Ordinance would move day-to-day oversight of the Agriculture Commissioner and Sealer of Weights and Measures, the Executive Director of the Economic Development Board, the Director of the Department of Health Services, the Director of Public Infrastructure, the Director of the Office of Equity, and the Director of Regional Parks under the County Executive, subject to the limitations imposed by state statute and any additional parameters established or directed by the Board.

Additionally, the proposed revisions would make the County Executive the appointing authority for the following department heads: the Executive Director of the Economic Development Commission, the Director

of Health Services, the Director of Public Infrastructure, the Director of the Office of Equity, and the Director of Regional Parks. It would also charge the County Executive with completing the performance evaluation for all department and agency heads with the exception of the four elected department heads-the Auditor-Controller-Treasurer-Tax Collector, the Clerk-Recorder-Assessor-Registrar of Voters, the District Attorney, and the Sheriff-Coroner. Finally, the Ordinance would make corresponding changes to the establishing legislation for all department heads and related clean-up changes throughout the Sonoma County Code.

If the Board adopts the proposed ordinance, the revisions will take effect on May 16, 2024.

As noted, to mitigate span of control challenges, a second Assistant CAO will be submitted for the Board's consideration as part of the FY 24/25 budget hearings.

**Strategic Plan:**

N/A.

**Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

March 21, 2023 file [2023-0326 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6065792&GUID=33EB010C-FEDD-4FC9-AE29-3F31FA48D0E7&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6065792&GUID=33EB010C-FEDD-4FC9-AE29-3F31FA48D0E7&Options=&Search=>): The Board of Supervisors reviewed Departments' and Agencies' Appointment and Oversight Structure.

March 26, 2024 file [2024-0240 <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6583908&GUID=98569A6F-1B2A-43FB-A2C3-52D60E3E42CD&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=6583908&GUID=98569A6F-1B2A-43FB-A2C3-52D60E3E42CD&Options=&Search=>) Sonoma County Code Revision to the County Administrator's Duties and Responsibilities.

**FISCAL SUMMARY**

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses	\$0	\$0	\$0
Additional Appropriation Requested		\$420,000	\$435,000
<b>Total Expenditures</b>	<b>\$0</b>	<b>\$420,000</b>	<b>\$435,000</b>
Funding Sources			
General Fund/WA GF	\$0	\$420,000	\$435,000
General Fund Contingencies			
<b>Total Sources</b>	<b>\$0</b>	<b>\$420,000</b>	<b>\$435,000</b>

**Narrative Explanation of Fiscal Impacts:**

Ordinance change action will not by itself result in a fiscal impact. Given the expanded CAO (Chief Executive Officer) appointment and performance responsibility for departments heads from 7 to 12, in addition, to continuing to be the principal executive advisor for department and agency leaders appointed by the Board and/or Sonoma County's Superior Court Judge, a 2<sup>nd</sup> Assistant CAO will be submitted for the Board's

consideration as part of the FY 24/25 budget hearings.

**Narrative Explanation of Staffing Impacts (If Required):**

See fiscal narrative for potential FY 24/25 staffing augmentation.

**Attachments:**

1. Ordinance restructuring the CAO position.
2. Legislative Digest of proposed Code Changes.

**Related Items “On File” with the Clerk of the Board:**

None