



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: 2nd and 3rd District
Supervisors
Department No.:
For Agenda Of: February 3, 2009
Placement: Administrative
Estimated Tme: 60 minutes on February
17, 2009
Continued Item: no
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Board Name & Phone: Supervisor Janet Wolf: 568-2191
Member(s) Supervisor Doreen Farr: 568-2192
Contact Info: Name & Phone: Mary E. O’Gorman: 568-2191
Chris Henson: 568-2192
SUBJECT: Set hearing to review and consider amendments to Chapter 2, Article X of the Santa
Barbara County Code relating to the Establishment and Duties, Responsibilities and
Authorities of the County Executive Officer

County Counsel Concurrence

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions: That the Board of Supervisors:

- A. Set a hearing to review, discuss and consider amendments to Chapter 2, Article X of the County Code and take appropriate action;
- B. Direct that the hiring of a Planning and Development Director be delayed pending review of Chapter 2, Article X.

Summary Text:

On March 1, 2005 the Board of Supervisors adopted an ordinance amending Chapter 2, Article X of the County Code which established the duties, responsibilities and authorities of the County Executive Officer. The Board letter premised the recommended action upon the goal to strengthen organizational effectiveness and to establish an organizational culture that would improve operations.

The ordinance that was adopted on March 1, 2005 transferred direct oversight and control of most County Department heads from the Board of Supervisors to the County Executive Officer. Specifically and most pertinent to the current recommendation, Section 2-71 (f) provided the CEO with *“full authority of the Board to select, appoint, evaluate, suspend, terminate and retain those department directors except the directors whose appointment or removal is otherwise expressly provided for in statute.”*

The language adopted by the BOS did not require the CEO to inform, brief or seek the input of the Board of Supervisors regarding such actions. Section 2-71 (f) provides only that “the County Executive Officer may, from time to time, consult with the Board of Supervisors regarding the execution of these responsibilities.”

Concerns have been raised regarding the organizational effectiveness of this structure including the absence of required direct consultation with the elected Board of Supervisors on the appointment of department heads. Further, several contradictions seem inherent in Chapter 2, Article X. For example, Section 2-69 contains the statement that “As the legislative body of the County, the board of supervisors is responsible for its efficient and effective management....and the Board has ultimate authority and control over County policy, budgetary matters and strategic direction.”

Because of these concerns, and a concern that the Board meet its legislative responsibilities, we believe that now is the appropriate time to reevaluate this aspect of the County organizational structure and to consider amending section 2-71 (f) to return the authority to the Board of Supervisors to “select, appoint, evaluate, suspend, terminate and retain” department directors who are not elected or appointed by the courts.

We hope through objective review of the ordinance including a comparison to similar aspects of duties and powers of the CEO/CAO position in other Counties, this Board will have the opportunity to establish and define its responsibilities as well as the overall county structure.

Authored by:

Mary E. O’Gorman
Chris Henson

cc: