

DIVISION SIX – STRUCTURE OF COUNTY GOVERNMENT AND ADMINISTRATION

SECTION 01.06.010 Office of County Administrator Created

The Office of County Administrator is created and the person holding that office shall act as the head of administration for the County and, if delegated by a district board, its service districts.

SECTION 01.06.020 Appointment of County Administrator

The County Administrator shall be appointed by and serve at the pleasure of the Board of County Commissioners (“Board”). The relationship between the County and the County Administrator shall be as set forth in this Division and any employment agreement between the County and the County Administrator not inconsistent with this Division.

SECTION 01.06.030 Vacancy in the Office of County Administrator

When a permanent vacancy occurs in the Office of County Administrator, the Board shall designate an Acting County Administrator until such time as a County Administrator is appointed. Such person, while he or she is the Acting County Administrator, shall have all powers and duties conferred by this Division on the County Administrator.

SECTION 01.06.040 Absence or Disability of County Administrator

The County Administrator may designate in writing an administrative officer of the County to exercise and perform his or her powers and duties during his or her temporary absence or disability. Where the County Administrator has not designated someone to act on behalf of the County Administrator and, due to temporary incapacity, the County Administrator is incapable of making such designation, the Board may designate an Acting County Administrator to serve until such time as the County Administrator is capable of making a designation or has resumed responsibilities.

SECTION 01.06.050 Authority of County Administrator

A. The Board reserves to itself all of its legislative and judicial or quasi-judicial authority, unless expressly delegated.

B. The County Administrator will work collaboratively with elected County officials and shall exercise no authority over the actions of elected County officials while they are performing the duties of their offices.

C. The County Administrator shall be the Chief Administrative Officer of the County and all County service districts, if that authority is delegated by the board of the district. The County Administrator shall be responsible to the Board for the administration and management of the County and, if so delegated, its service districts and shall have control and supervision of all administrative departments, divisions, offices, districts, and agencies subject to his or her authority, except County Counsel and as provided in Section 01.06.050(B) above, or as otherwise provided by law.

D. The Board hereby delegates to the County Administrator broad authority to perform his or her job functions. The County Administrator is responsible to the Board for the manner of his or her administration. It shall be within the specific authority of the County Administrator to perform all day-to-day functions necessary for the administration and management of County affairs and the affairs of County service districts, if delegated. Such authority includes but is not limited to the following:

1. Direct and coordinate the overall management of County government in accordance with policies set by the Board and applicable laws.
2. Provide for the proper administration of all ordinances, orders, and resolutions of the County and its service districts, all contracts and franchises entered into by the County and service districts, and provide for the enforcement of all policies, rules, procedures, orders, and regulations adopted by the Board.
3. Keep the Board informed of pertinent matters related to the administration and management of the County and its service districts.
4. In cooperation with the Budget Officer, if other than the County Administrator, prepare and submit to the Budget Committee a recommended annual budget and to the Board a recommended

long range capital improvement and expenditure program, along with a financial plan for raising revenue, covering a period of not less than the five ensuing years, and administer the provisions of the budget as adopted by the Board.

5. In cooperation with the other elected County officials, with the exception of the members of the Board, prepare and submit to the Board an annual report on the finances and administrative activities of the County and its service districts for the preceding fiscal year, together with recommendations for the betterment of the public service.

6. After consultation with the Board, select, appoint, supervise, discipline, and dismiss all heads of departments, except elected County officials and County Counsel, in accordance with federal and state laws and guidelines, applicable contracts, and policies adopted by the Board.

7. Manage and administer the County and service districts personnel programs. Prepare and recommend to the Board employee compensation plans.

8. Coordinate the work of all departments, divisions, offices, districts, and agencies, both elective and appointive, and devise ways and means whereby efficiency and economy may be secured in the operation of all departments, divisions, offices, districts, and agencies.

9. Formulate and present to the Board plans for the implementation for goals adopted by the Board.

10. Administer the risk management program for the County and its service districts.

11. Direct the use, maintenance, and custody of all County and district property, buildings, works, and improvements according to any policies adopted by the Board.

12. Unless excused by the Board, attend meetings of the Board, participate in the discussions, and make recommendations for action by the Board.

13. Conduct such other activities and assignments as may be required by the Board.

14. Exercise such other authority as delegated in writing by the Board.

SECTION 01.06.060 Delegation of Authority of County Administrator

The County Administrator may delegate in writing any authority to County department heads or other County or district staff, in a manner consistent with the provisions of the County Code.

SECTION 01.06.070 Interaction with County Administrator, Employees

In the exercise of their authority as members of the governing body of the County, Board members may individually, or as a group in a public meeting, discuss fully and freely with the County Administrator any matter pertaining to County affairs or the interests of the County. Board members may not direct any County employees, other than the County Administrator or County Counsel, in the performance of their duties. This section shall not be construed to prohibit a Board member from pursuing his or her role as ombudsman or liaison in making inquiries of County employees concerning the day to day conduct of County affairs.

SECTION 01.06.080 County Legal Counsel

A. The County Counsel is the chief legal officer of the County, oversees all legal matters of a civil nature involving the County, and serves at the pleasure of the Board.

B. The County Counsel shall serve full-time as the director of the Office of County Counsel, and reports directly to the Board. Compensation shall be fixed in an amount determined by the Board.

C. Subject to applicable law, County policies, and contracts, the County Counsel selects, appoints, supervises, disciplines, and dismisses all Office of County Counsel staff and assistant county counsel. The County Counsel shall consult the Board on these matters.

D. The County Counsel hires outside legal counsel on behalf of the County, subject to applicable law and County policy, upon such terms and conditions as may be approved by the Board.

SECTION 01.06.090 Authority of District Attorney

The District Attorney selects, appoints, supervises, disciplines, and dismisses all deputy district attorneys, subject to applicable law.

SECTION 01.06.100 Composition of Board of Commissioners

A. The Board shall consist of five commissioners, all of whom shall be elected at large by a county-wide vote.

B. The members of the Board shall appoint a Chairperson from among their number who shall serve until the first Monday in January next following appointment. If a majority of the members of the Board cannot agree on the appointment of a Chairperson, the member of the Board who is longest in length of service shall act as Chairperson.

SECTION 01.06.110 Designated Offices of Commissioners

A. Each commissioner office of the Board shall be designated by numbered position.

B. The nomination and election of Positions 1, 4, and 5 shall be held during one election cycle and the nomination and election of Positions 2 and 3 shall be held during the next election cycle.

SECTION 01.06.120 Terms of Commissioners

All five members of the Board shall serve four year terms.

SECTION 01.06.130 Attendance at Board Meetings by Commissioners

The attendance of three members of the Board shall be necessary to transact business. A vote of approval of at least three commissioners is necessary for the Board to take any action.

SECTION 01.06.140 Compensation of Commissioners

A. Effective January 1, 2015, the members of the Board shall receive a stipend of \$1,000 per month in lieu of salary and shall receive only those benefits required by law.

B. On an annual basis, the County Compensation Board shall review and make recommendations with regard to adjusting the compensation of the members of the Board.

SECTION 01.06.150 Transition Provisions and Applicability Dates

A. The commissioner positions that exist on the day before the effective date of this ordinance shall continue to be designated Positions 1, 2, and 3. The commissioner positions that were not in existence on the day before the effective date of this ordinance shall be designated Positions 4 and 5.

B. Notwithstanding Sections 01.06.110 and 01.06.120, the initial selection of commissioners for Positions 4 and 5 shall take place during the 2014 election cycle as provided by law, and the initial terms of commissioner Positions 4 and 5 shall begin January 1, 2015 and shall conclude January 2, 2017. Thereafter, the terms and selection of commissioner Positions 4 and 5 shall be as prescribed in Sections 01.06.110 and 01.06.120 of this Division.

SECTION 01.06.160 Severance Clause

If any provision of this Article 1, Division 6 is adjudged or declared to be unconstitutional or otherwise held to be invalid by a court of competent jurisdiction, the remaining provisions of this Division shall remain in full force and effect.

SECTION 01.06.170 Referral to Voters in November 2012 General Election; Effective Date

This ordinance shall be referred to the electors as a county measure in the general election of November 2012. This ordinance shall become effective only if approved by a majority of those electors voting on the proposed ordinance. If approved by the electors, this ordinance shall take effect on the 90th day after the date of the election.