

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: County Counsel

BOARD AGENDA # *E-1

Urgent Routine

AGENDA DATE May 20, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Amending Stanislaus County Code Section 2.08.050 Related to the Duties and Powers of the Chief Executive Officer

STAFF RECOMMENDATIONS:

1. Find that the subject ordinance is not subject to the California Environmental Quality Act (Public Resources Code sections 21000 et seq.); and
2. Introduce and waive the first reading of an ordinance amending Subsection B.1 of Section 2.08.050 the Stanislaus County Code to clarify the existing practice and authority of the Chief Executive Officer to prepare and set the agenda for Board of Supervisors meetings.

FISCAL IMPACT:

This action will not result in an impact to the general fund.

BOARD ACTION AS FOLLOWS:

No. 2014-256

On motion of Supervisor Monteith, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1150

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Assistant Clerk

Approval to Introduce and Waive the First Reading of an Ordinance Amending Stanislaus County Code Section 2.08.050 Related to the Duties and Powers of the Chief Executive Officer

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DISCUSSION:

The proposed ordinance amendment intends to clarify the existing practice and authority of the Chief Executive Officer to prepare and set the agenda for Board of Supervisors meetings. Stanislaus County Code section 2.08.050 outlines the duties and powers of the Chief Executive Officer. Subsection A states that "The CEO is accountable for the effective administration and management of all governmental affairs of the county which may legally be placed in its charge or control." Subsection B.1 of that section further states that, "The chief executive officer shall: . . . review and make recommendations on agenda items." Generally, the Chief Executive Officer is expected to oversee and manage County operations, including preparing the agenda for Board action. The ordinance amendment clarifies the existing authority of the Chief Executive Officer to prepare and set the agenda to manage the affairs of the County.

Staff recommends that the Board of Supervisors introduce and waive the first reading of the proposed ordinance and set the matter for adoption at the following meeting.

POLICY ISSUES:

Stanislaus County Code Section 2.08.090 provides that "The board of supervisors may delegate to the CEO other authority, duty or function not outlined in this chapter, at its discretion." The issue presented by the proposed ordinance amendment is whether the Board of Supervisors should clarify the historical delegation of authority to the Chief Executive Officer to prepare and set the agenda for action by the Board of Supervisors, and whether approval of this ordinance supports the Board's priority of promoting the efficient delivery of public services.

STAFFING:

There is no staffing impact associated with this request.

CONTACT PERSON:

Jack Doering, County Counsel. Telephone: (209) 525-6376.

ORDINANCE NO. C.S. _____

**AN ORDINANCE RELATING TO THE DUTIES AND
POWERS OF THE CHIEF EXECUTIVE OFFICER**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Subsection B.1 of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

"1. Attend all meetings of the board of supervisors, except when excused; prepare and set the agenda for Board of Supervisors meetings, and make recommendations on board agenda items; propose necessary revisions of the county code in conjunction with the county counsel; make periodic reports to the board on county matters;"

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2014, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

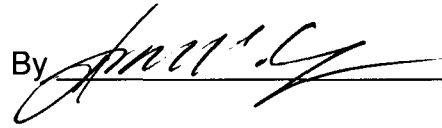
ABSENT: Supervisors:

Jim DeMartini, Chair of the Board of
Supervisors of the County of Stanislaus,
State of California

ATTEST:
Christine Ferraro Tallman
Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

By _____
Deputy

APPROVED AS TO FORM:
John P. Doering
County Counsel

By  _____