

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		1-105
SECTION:	General Administration	Board/County Staff Relations
INITIAL ISSUE DATE:	February 13, 1990	
LATEST REVISION DATE:	July 13, 2012	
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PURPOSE

To document the respective roles of County department heads, the County Executive Officer, and the Board of Supervisors.

BACKGROUND

Definition: When the phrase "Board of Supervisors" or "Board" is used, it is to be taken as the Board sitting as a body. This is to be distinguished from the phrase "individual member of the Board" or "member" or "Supervisor," which designates an individual without the power of the Board as a whole.

The Board of Supervisors is the governing body of the County and has general supervisory authority over all county officers (Government Code Section 25303). Note: The District Attorney, in his/her capacity as public prosecutor, is considered a state officer under the direction of the Attorney General; therefore, the Board does not have supervisory authority over the District Attorney in his/her prosecutorial capacity and may not conduct an investigation in that regard. However, the County functions of the District Attorney may be investigated. Similarly, the Sheriff, with regard to law enforcement (but not correctional or custodial duties), acts as a state officer under the supervision of the Attorney General; the same limitations apply. (Government Code Section 25303). In carrying out its responsibilities, the Board will from time-to-time direct department heads either directly or through the County Executive Officer to provide information and recommendations relating to various matters under the department head's charge. The Board may also issue directives to the various department heads of the County to implement policies adopted by the Board. These actions may be formally taken during meetings of the Board.

The Board of Supervisors may inquire into the policies and practices of a county officer to determine whether the officer is properly performing the officer's duties. The Board of Supervisors may not, however, direct or control the day-to-day operations of County departments or otherwise circumscribe the exercise of discretion vested by law in a particular officer.

The Board has, among others, the following specific powers and duties:

1. Audit the accounts of County officers (Government Code Section 25250).
2. Provide for regular inventories of County property (Government Code Section 24051).
3. Require the Auditor/Controller to audit the accounts and records of any department (Government Code Section 26883).

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4. Employ experts to examine the books and accounts of County officers (Government Code Section 31000).
5. Do and perform all other acts and things required by law not enumerated in the statutes, or which are necessary to the full discharge of the duties of the legislative authority of County government (Government Code Section 25207).
6. Issue subpoenas to examine any officer of the County in relation to the discharge of the officer's official duties (Government Code Section 25170), and require that the officer's testimony be given under oath (Code of Civil Procedure Section 2093) (See Government Code Section 24057, oath to be administered by Clerk of the Board.).

POLICY

The following are policies regarding the respective roles of County department heads, the County Executive Officer, and the Board of Supervisors:

1. Department heads have a clear responsibility to respond to any lawful order or direction of the Board of Supervisors, and shall consider such a request or direction to be a matter of priority attention.
2. As a general policy, unless compliance with the request would significantly disrupt the department's administration, department heads shall respond to requests for information or assistance from individual Board members. A response shall be provided regardless of the department head's personal or professional opinion, although the department head should ordinarily make the Board member aware of his or her professional opinion and reasons therefore, if different from the Board member's opinion. Copies of any resulting documents shall also be routinely provided by the department head to other Board members when they impact or could impact the exercise of their individual, and the Board's collective, responsibilities. Additionally, copies should be provided to the County Executive Officer. To the extent a Board member's request may conflict with official Board direction, a department head should not comply with the request but should advise the Board member of the existence and nature of the conflict. The Board member may seek concurrence from a majority of the Board if the member still wishes to pursue the matter, or if a department head on his or her own initiative requests Board clarification before responding.
3. Department heads shall respond directly to the Board when requested to do so by the Board or the County Executive Officer. Department heads shall comply with any

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requests or direction of the County Executive Officer issued pursuant to authority delegated to the County Executive Officer by the Board of Supervisors. No individual Board member may interfere with or countermand any proper direction given to department heads by the County Executive Officer when such action is within the scope of authority and responsibility delegated to the County Executive Officer by the Board.

4. When a Board member brings a matter to the Board, a department head whose department may be affected by the matter shall be given an opportunity to provide an independent determination or policy recommendation on the matter to the Board.
5. The Board recognizes that the department heads, both elected and appointed, have the responsibility to administer their departments and to run the day-to-day operations thereof. The Board will deal with the departments for administrative and other functions through the County Executive Officer or the department head. The Board's right to inquire into the operations of a department will not be limited by this policy.
6. While the foregoing policy statement is intended to clarify the framework for Board/Staff relationships, it nonetheless should be liberally interpreted in order to provide flexibility for the Board, individual Board members, and department heads to respond to unique circumstances requiring the exercise of sound judgment and common sense.

RESPONSIBLE DEPARTMENTS

County Counsel
County Administrative Office

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REFERENCES

- Administrative Update--07/13/2012
- BOS Policy Resolution No. 2001-10--8/14/01 (Amended)
- BOS Policy Resolution No. 94-3--5/3/94 (Amended)
- BOS Policy Resolution No. 93-5-- 6/1/93 (Amended)
- BOS Policy Resolution No. 1-89 or (No. 1-2)--3/14/89 (Valid)
- Government Code Section 25303
- Government Code Section 25250
- Government Code Section 24051
- Government Code Section 26883
- Government Code Section 31000
- Government Code Section 25207
- Government Code Section 25170
- Government Code Section 24057