

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



520

**FILE**

**FROM:** EXECUTIVE OFFICE

**SUBMITTAL DATE:** August 13, 2002

**SUBJECT: Response to Grand Jury Report: Riverside County Personnel Policies and Procedures**

**RECOMMENDED MOTION:** That the Board of Supervisors:

- 1) Approve with or without modifications, the attached response to the Grand Jury's recommendations regarding the Riverside County Personnel Policies and Procedures.
- 2) Direct the Clerk of the Board to immediately forward the Board's finalized response to the Grand Jury, to the Presiding Judge, and to the County Clerk-Recorder (for mandatory filing with the State).

**BACKGROUND:** On July 2, 2002, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Riverside County Personnel Policies and Procedures.

Section 933(c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of the Supervisor Court within 90 days.

**TONY GARSTENS,**  
Deputy County Executive Officer

Policy  
 Consent  
 Policy  
 Consent  
 Department Recommendation:  
 Per Executive Office:

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<b>FINANCIAL DATA:</b>	N/A		
<b>CURRENT YEAR COST</b>	\$	<b>ANNUAL COST:</b>	\$
<b>NET COUNTY COST</b>	\$	<b>IN CURRENT YEAR BUDGET:</b>	Yes/ No/
		<b>BUDGET ADJUSTMENT FY:</b>	Yes/ No/

**SOURCE OF FUNDS:**

**C.E.O. RECOMMENDATION: APPROVE.**

**County Executive Officer Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Mullen and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Venable, Wilson and Mullen  
 Noes: None  
 Absent: None  
 Date: August 27, 2002  
 xc: E.O., Grand Jury, Presiding Judge, HR, Co. Clerk-Recorder(2)

Nancy Romero  
Clerk to the Board  
Deputy

**3.4**

## SPECIFIC FINDINGS AND RECOMMENDATIONS

### RIVERSIDE COUNTY PERSONNEL POLICIES AND PROCEDURES

#### Findings:

1. **County Ordinance 442.3 (1996) created the position of County Executive Officer, with the powers and duties set forth under Title 2.2.16, including, but not limited to:**
  - \* **Exercise decision-making authority on matters requiring Board of Supervisors' approval.**
  - \* **Administer and enforce policies established by the Board of Supervisors.**
  - \* **Appoint or dismiss appointive department heads upon Board of Supervisors approval.**

Respondent agrees with the finding.

2. **Riverside County utilizes its Human Resources Department to investigate and report on any and all personnel complaints including those filed against department heads, directors, and the County Executive Officer.**

Respondent agrees with the finding.

3. **The Human Resources Department investigated a recent personnel complaint, levied against the county executive office.**

Respondent agrees with the finding.

4. **The Human Resources Department Director reports directly to the Chief Executive Officer and is a county Assistant Chief Executive Officer.**

Respondent agrees with the finding.

5. **In response to a 1991-92 Grand Jury Report, the Board of Supervisors directed the (then titled) Chief Administrative Officer and Personnel Director to develop a plan and timetable for compliance with Board Policy C-1 by October 1, 1992.**

Respondent agrees with the finding.

6. **The revised policy C-1 states that all performance evaluation reports, along with any written documentation, are to be filed in a secure file in the county administrative office (November 1994).**

Respondent agrees with the finding.

7. ***An outside consultant was hired by the executive office in 1996 to study the methods of evaluating employee performance.***

Respondent agrees with the finding.

8. ***The Board of Supervisors responded to the study, stating "...agree that there is a need to incorporate a performance evaluation policy to bring consistency and oversight to the process."***

Respondent agrees with the finding.

9. ***The 1996 study also revealed, "Most board appointed department heads reported that they had not been evaluated annually, some had not been evaluated in writing since their appointment."***

Respondent agrees with the finding.

10. ***The 2001-02 Grand Jury found instances of failure to conduct written performance evaluations for high level appointed department personnel. The response from the executive office, based on guidance from county counsel, was that, "Oral performance evaluations to department heads had been given," and that, "in retrospect...should have been given written evaluations..."***

Respondent disagrees partially with the finding.

Written evaluations are given to non-department heads by their appointing authority. Department heads are evaluated annually, but such evaluation, on the advice of County Counsel are oral, not written.

### **Recommendations:**

1. ***The Riverside County Board of Supervisors contract with an outside consultant for all personnel investigations deemed sensitive, which would present, or appear to present a potential conflict of interest.***

Recommendation will not be implemented because it is not warranted or is not reasonable.

The Assistant County Executive Officer/Human Resources Director does report to the County Executive Officer (CEO). However, when any allegations are made regarding the CEO, Human Resources will

investigate independently and report directly to the full Board of Supervisors (BOS). Whenever allegations are made concerning members of the BOS or their personal staff, the Assistant County Executive Officer will report directly to the Chair of the BOS. This change in policy will address this issue rather than hiring outside consultants.

2. ***The Riverside County Board of Supervisors direct the County Executive Officer to immediately adhere to board policies regarding performance evaluations as covered in C-1 and C-21.***

The Recommendation will not be implemented because it is not warranted or is not reasonable.

The Board of Supervisors (BOS) and the County Executive Officer (CEO) have been advised by County Counsel to exempt At-Will employees from Policy C-1 and C-21, and conduct such reviews orally.

At-Will employees are subject to continuous evaluations by the CEO at the BOS. Formal oral evaluations are conducted annually. Therefore, the BOS will revise Policy C-1 and C-21 accordingly.