

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

**AN ORDINANCE PROPOSING AMENDMENTS TO THE SAN MATEO COUNTY
CHARTER AND ORDERING THE AMENDMENTS TO BE SUBMITTED TO
THE QUALIFIED ELECTORS AT THE NOVEMBER 2, 2004 ELECTION**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1. The Board of Supervisors hereby approves the amendments to the Charter as set forth in Section 5 subject to its ratification and adoption by the voters.

SECTION 2. The Board of Supervisors hereby submits the proposed amendments to the Charter set forth in Section 5 to the qualified electors of the County of San Mateo at the election to be held on Tuesday, November 2, 2004.

SECTION 3. The Clerk of the Board shall be, and he is hereby, authorized and directed to publish a copy of this ordinance, as required by general law, in a newspaper of general circulation published in the County of San Mateo. The Chief Elections Officer shall publish a notice of this election not less than 90 days nor more than 120 days before the Election in accordance with the Elections Code sections 12112 and 9163.

SECTION 4.

- (a) The Election shall be held and conducted, the returns canvassed, and the result declared in the same manner as provided by law for general elections.
- (b) The Election will be held on November 2, 2004, from the hour of 7:00 a.m. to the hour of 8:00 p.m., during which period of time the polls will remain continuously open. At 8:00 p.m., the polls will be closed, except as provided in section 14401 of the Elections Code.
- (c) The Chief Elections Officer shall prepare and mail to each eligible voter in the County a sample ballot and a voter's pamphlet containing the complete text of the proposed amendments to the Charter.
- (d) The Chief Elections Officer shall establish election precincts, designate the polling places, and provide election officers for each precinct at the November 2, 2004 election in accordance with the election laws of the State of California.
- (e) The election on the proposed Charter amendments shall be consolidated with any and all other elections to be held on November 2, 2004.

SECTION 5. The following 4 measures containing amendments to the Charter of the County of San Mateo shall be submitted to the electorate on November 2, 2004:

- (a) The first measure shall read:

Shall Section 206a(5) of the County Charter be amended to provide that the Board of Supervisors may annually request that the Grand Jury investigate and recommend on the need for an adjustment in the compensation of Supervisors. If the Grand Jury recommends an adjustment in compensation for Supervisors, the Board of Supervisors

may accept or reject the recommendation but in no event may it set its compensation at an amount above the recommendation?

(b) The full text of the first measure shall read as follows:

Shall Section 206a(5) of the County Charter be amended to read as follows:

206. Powers and Duties.

The Board of Supervisors shall have all the powers and shall perform all the duties vested in it by the Constitution, general law and this Charter.

a. The Board shall:

- (1) . . .
- (2) . . .
- (3) . . .
- (4) . . .

(5) Establish by ordinance or resolution the compensation of officers and employees and by ordinance the compensation of Supervisors. Annually, the compensation of Supervisors shall be increased by the percentage of increase in the cost of living, to be determined by the Controller as of November 1st of each year as shown in the Bureau of Labor Statistics Consumer Price Index for the San Francisco-Oakland Bay Area, not to exceed five percent (5%) per year; any amount of increase in the cost of living in excess of five percent (5%) may be accumulated and applied to increases in salary in future years. However, the Board of Supervisors may annually request that the Grand Jury investigate and recommend on the need for an adjustment in the compensation of Supervisors. If the Grand Jury recommends an adjustment in the amount of compensation for Supervisors, the Board of Supervisors may thereafter accept or reject the recommendation but in no event may the Board of Supervisors set its compensation at an amount above the recommendation.

(c) The second measure shall read:

Shall Section 303 of the County Charter be amended to remove the requirement that the appointment of an Acting County Manager must be an existing County officer or employee?

- (d) The full text of the second measure shall read as follows:

Shall Section 303 of the County Charter be amended to read as follows:

303. Vacancy.

In the event of a vacancy or disability, the Board of Supervisors shall immediately appoint an Acting County Manager until the Board either determines that the Manager is able to resume the duties of the office or appoints a new County Manager.

- (e) The third measure shall read:

Should Section 501 of the County Charter be amended to require that personnel appointments serve the County's diverse population and to prohibit discrimination on the basis of disability or sexual orientation?

- (f) The full text of the third measure shall read as follows:

Shall Section 501 of the County Charter be amended to read as follows:

Section 501. Personnel Policy.

It shall be the policy of the County to recruit, select, retain and promote the best qualified officers and employees and to effect equal opportunity for all persons at all levels of County employment to serve the County's diverse population.

Appointments and promotions shall be made on the basis of merit and in conformity with the principles of equal opportunity.

Equality of employment rights shall not be abridged or denied to persons employed or seeking employment on the basis of race, color, sex, age, national origin, disability, sexual orientation, religious or political opinion or affiliation, or union membership.

- (g) The fourth measure shall read:

Should Sections 502b(3) and 502b(4) of the County Charter be amended to limit the unclassified status of persons employed for professional, scientific, technical, expert services or associated

services on a temporary basis for a specific project to three consecutive years and to delete part time physicians from unclassified service?

(h) The full text of the fourth measure shall read as follows:

Shall Sections 502b(3) and 502b(4) of the County Charter be amended to read as follows:

Section 502. Classified and Unclassified Services

b. The unclassified service consists of:

(1)...

(2)...

(3) Persons employed to render professional, scientific, technical, expert services or associated services on a temporary basis for a specific project. If any person is so employed for three consecutive years of unclassified service, the position occupied by the person shall become part of the classified service.

(4) Resident physicians employed in clinics, institutions and hospitals.

SECTION 6. Pursuant to the provisions of Government Code section 25123, this ordinance calling an election shall become effective immediately upon its adoption by this Board of Supervisors.

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