



AGENDA ITEM NO.

H-3

COUNTY OF HUMBOLDT

For the meeting of: November 14, 2014

Date: November 5, 2014

To: Board of Supervisors

From: Phillip Smith-Hanes, County Administrative Officer *PSH*

Subject: Potential Consolidation of Offices of Sheriff and Coroner-Public Administrator

RECOMMENDATION(S):

That the Board of Supervisors direct staff to return with an ordinance consolidating the elected offices of Sheriff, Coroner and Public Administrator, effective January 30, 2015.

SOURCE OF FUNDING: General Fund

DISCUSSION:

On November 5, 2014, elected Coroner-Public Administrator Dave Parris submitted to the County Administrative Officer a letter detailing his intent to resign from office, effective January 30, 2015 (Attachment 1).

California Government Code Section 24000 lists the officers of county governments, and provides for the offices of Sheriff (subsection b), Public Administrator (subsection l) and Coroner (subsection m). Section 24304 provides that, for certain counties including Humboldt, "the board of supervisors by ordinance may consolidate the duties of certain of the county offices in one or more of these combinations:... (k) Public administrator and coroner.... (n) Sheriff and coroner.... (v) Sheriff, coroner, and public administrator...."

Prepared by Phillip Smith-Hanes

CAO Approval *Amy Pizer*

REVIEW:

Auditor _____ County Counsel *JK* Human Resources _____ Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Fennell* seconded by Supervisor *Sundberg*

Ayes: *Sundberg, Laurel, Baker, Fennell, Bess*

Nays _____

Abstain _____

Absent _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *November 14, 2014*

By: *Kathy Hayes*
Kathy Hayes, Clerk of the Board

On December 15, 1904, the Board of Supervisors adopted Ordinance No. 94, which consolidated the offices of Coroner and Public Administrator, effective January 15, 1905. Since that time, the consolidated office of Coroner-Public Administrator has been filled by an elected official, pursuant to Government Code Section 24009 (a). Government Code Section 25304 provides that vacancies that occur in elected offices (except judges and Supervisors) during the term of an officer may be filled by appointment by your Board until the end of the term.

At least four times over the past 35 years, the Board of Supervisors has been faced with the question of whether it would be in the interest of the County to consolidate the offices of Sheriff and Coroner. Of California's 58 counties, 48 will have a combined Sheriff-Coroner as of January 2015, including all of the counties adjacent to Humboldt. In fact, since the last time the Humboldt County Board of Supervisors considered this question—in 2009—two additional counties (Fresno and Marin) have voted to combine a formerly separate Coroner's Office into a consolidated Sheriff-Coroner. Of the 10 remaining counties, five have an office of Medical Examiner as permitted under Government Code Section 24010. This leaves only four counties besides Humboldt with a separate Coroner's Office not headed by a physician. In 10 of the counties having a consolidated Sheriff-Coroner, that office also includes the Public Administrator function.

The responsibilities of these offices were well articulated in the agenda item on this topic presented to the Board March 3, 2009:

The office of coroner exists to provide statutory duties as set forth primarily in Government Code Sections 27460 et seq. The primary duty of the coroner is to investigate and determine the cause of all unattended and unnatural deaths. Other related duties include: ensure the decedent is properly interred; maintain autopsy reports; direct investigations into the cause and manner of death; file certificates of death with the county recorder; and respond to the media, family members of the deceased and community agencies....

The office of Public Administrator (PA) assists attorneys and private citizens with management of estates. When appropriate the Public Administrator can administer the estate of the decedent. This can occur when there is no known next of kin, or when the next of kin declines to act. It can also occur when there is no will, or when appointed by the court. When the Public Administrator takes control of an estate he (or she) can act as personal representative of the estate, to summarily dispose of the estate in a manner provided under Probate Code Sections 7660 et seq. PA responsibilities include: protect the property of the decedent; collect any debts owed to the decedent; sell any real property of the decedent; and pay out money of the estate for charges against the estate.

The advantages of a consolidated Sheriff-Coroner have been presented multiple times. These include a small potential for cost savings and a much larger potential for providing adequate coverage and back-up for a very small staff. Currently, the Coroner's Office has five allocated full-time positions. Coroner-Public Administrator Dave Parris has made extensive and effective use of a volunteer program, but there are many tasks that are inappropriate for volunteers to perform. Mr. Parris and his three Deputy Coroners must each provide one week of overnight coverage every month, which generates substantial compensatory time off that must be accommodated during regular work hours. Mr. Parris must personally perform the bulk of the Public Administrator duties as well as the functions of a department head such as budget preparation and monitoring, employee scheduling and evaluations, and attendance at interdepartmental meetings. The Coroner's Office has repeatedly documented the need for additional staffing, which the Board has been unable to meet due to budget constraints.

The Sheriff's Office, by contrast, has more than 200 funded positions. Despite substantial budget challenges over the last six years as the largest spender of General Fund resources, the Sheriff's Office maintains functions which include grant administration and recordkeeping, professional standards and training, budgeting and payroll processing, public information and a clear supervisory chain of command. Given the strengths of the Sheriff's Office in relation to these needs of the Coroner's Office, staff has discussed with Sheriff Mike Downey the potential for a consolidated Sheriff-Coroner-Public Administrator effective upon the resignation of Mr. Parris. This action is in keeping with your Board's Key Goal for 2014-15 which states, "In order to ensure the sustainability of County services, the Board of Supervisors will encourage efforts to consolidate or share services." Mr. Downey has been clear that he is willing to head a consolidated department but that he will not accept a temporary appointment as interim Coroner-Public Administrator.

Therefore, staff recommends that your Board provide direction to return with an ordinance which would consolidate the functions of Coroner-Public Administrator with the Office of the Sheriff. One of the concerns expressed in the past about the consolidation of these offices has been the elimination of a choice for the voters of the community. However, it should be noted that the last three individuals to occupy the office of Coroner-Public Administrator have been appointed by the Board of Supervisors to fill an unexpired term and have then run unopposed in each succeeding election except 1982 until deciding to resign from office. By contrast, the Sheriff has run in a competitive race in six out of the last nine elections.

FINANCIAL IMPACT:

Replacing the elected Coroner-Public Administrator with an experienced Sheriff's Lieutenant would save a minimum of \$26,664 annually. Depending on staffing decisions made by the Sheriff under a consolidated structure, additional savings could result. There is also potential for new grant revenue after consolidation.

OTHER AGENCY INVOLVEMENT: This matter is internal to the County.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board could choose to split the office of Coroner-Public Administrator, combine the Coroner functions with the Sheriff and the Public Administrator functions with some other elected County office. Choices mentioned in Government Code Section 24304 are Clerk, Treasurer and District Attorney. Staff has discussed this alternative briefly with the impacted office holders and does not recommend this alternative. The Treasurer-Tax Collector has stated that he does not believe the duties would be a good fit for his office without additional staffing. While the incoming Clerk-Recorder and District Attorney each have experience in probate matters, they are amenable to combination of the Public Administrator function with the Sheriff.
2. The Board could choose to combine the offices of Coroner and District Attorney, as provided in Government Code Section 24304 (m). Staff does not recommend this alternative as this model does not exist in other California counties at present.
3. The Board could choose not to consolidate the Coroner-Public Administrator with another position. If the Board makes this choice, the Board would be required to appoint a new Coroner-Public Administrator to fulfill the duties of the office until the expiration of Mr. Parris' term. Staff does not recommend this alternative as it would not address the long-term needs of the Coroner's office.

ATTACHMENTS: Letter of Resignation from Dave Parris



CORONER - PUBLIC ADMINISTRATOR

COUNTY OF HUMBOLDT

3012 "I" STREET, EUREKA, CALIFORNIA 95501
ONE: (707) 445-7242 FAX: (707) 445-7400

November 5, 2014

Phillip Smith-Hanes
Humboldt County Administrative Officer
825 5th Street
Eureka Ca.

Humboldt County Board of Supervisors
825 5th Street
Eureka, Ca.

Dear Sirs,

Please accept this letter as my formal resignation as the Humboldt County Coroner/Public Administrator. My last day at the Coroner's Office will be January 30, 2015.

I appreciate the professional development and growth from Coroner's Office over the last six years. I particularly appreciate the Humboldt County Coroner's Office personnel who have devoted themselves each and every day to perform the best service possible under difficult times.

This is a most difficult job for our employees but they never hesitate to answer the call to service. Over the following months, the Board of Supervisors will discuss the future of this department and its personnel.

During the next few months, I am willing to help the board and its representatives to make transition as smooth as possible.

Sincerely,

Dave Parris

Humboldt County Coroner/Public Administrator