

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



ITEM: 3.17
(ID # 14686)

MEETING DATE:
Tuesday, March 09, 2021

FROM: HUMAN RESOURCES AND EXECUTIVE OFFICE:

SUBJECT: HUMAN RESOURCES: Adoption of Ordinance 442.4 Relating to the Position of County Executive Officer for the Board of Supervisors. All Districts.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Adoption of Ordinance No. 442.4.

ACTION: Policy



Brenda Diekerichs, Assistant CEO / Human Resources Director 3/9/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that Ordinance 442.4 is adopted as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: March 9, 2021
xc: HR, EO

Kecia R. Harper
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 2, 2021, the Board of Supervisors approved the introduction of Ordinance No. 442.4 in response to recommendations to grant the Board of Supervisors flexibility in determining the contract term of the County Executive Officer. Currently, Ordinance No. 442 stipulates that the contract term for the County Executive Officer shall be two years in length.

Attached, and recommended for formal adoption, is an amended Ordinance No. 442.4 to revise the appointment of the County Executive Officer to a contract term as determined by the Board of Supervisors. This amendment to Ordinance No. 442 would allow greater flexibility and discretion to the Board of Supervisors to establish a contract term for the County Executive Officer that is not required to be two years in length. The Board of Supervisors would retain authority to terminate the contract prior to the expiration by a majority vote.

Previous Agenda Reference: 3.17, March 2, 2021.

ATTACHMENTS:

ATTACHMENT A: Ordinance No. 442.4 Track Changes

ATTACHMENT B: Ordinance No. 442.4 Final

**ORDINANCE NO. 442
(AS AMENDED THROUGH 442.43)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO.
442 RELATING TO THE POSITION OF COUNTY EXECUTIVE OFFICER FOR THE
BOARD OF SUPERVISORS**

The Board of Supervisors of the County of Riverside, State of California, Ordains as follows:

SECTION 1. POSITION CREATED

The Board of Supervisors has determined the need for a position in Riverside County which has the responsibility and authority to manage and administrate the affairs of the County, to provide long-range planning which integrates all County activities, and to serve the Board as its chief of staff in both internal and inter-governmental affairs.

There is hereby established the position of County Executive Officer for the Board of Supervisors.

SECTION 2. EMPLOYMENT

The County Executive Officer shall be employed by contract, the term of which shall be two years established by the Board of Supervisors and shall provide that the contract of employment may be terminated earlier than the two year prior to the expiration of the term by a majority vote of the Board of Supervisors.

SECTION 3. POWERS AND DUTIES

The County Executive Officer shall report directly to and be responsible to the Board of Supervisors for the proper and efficient administration of all County departments, agencies, and special districts under the jurisdiction of the Board of Supervisors. The County Executive Officer shall have no responsibility or control over the Local Agency Formation Commission (LAFCO) or any of the employees of LAFCO. To this end, the County Executive Officer shall have those powers and duties set forth in this ordinance and as reasonably implied therefrom, and with the specific approval of the Board of Supervisors shall be authorized to assign or delegate the administration of those duties to any department or person under the Board's control, subject to the limitations imposed by law.

SECTION 4. GENERAL ADMINISTRATION

The County Executive Officer shall:

- a. Administer and enforce policies established by the Board of Supervisors; promulgate rules and regulations as necessary to implement Board policies, subject to prior approval by the Board.
- b. Represent the Board of Supervisors in the County's intergovernmental relationships and activities in accordance with Board policies and instructions; when directed, represent the Board in dealing with individuals or groups concerned with County affairs.
- c. Attend all meetings of the Board of Supervisors, except when excused.
- d. Review and exercise final placement authority on all items recommended for placement on any agenda of the Board of Supervisors excepting matters initiated by Board of Supervisors members. This shall include all agendas for which the Board functions as the governing body. The County Executive Officer shall formulate

- agenda policies which insure adequate time for the review of requests without unnecessary delays.
- e. When necessary, exercise decision making authority on matters requiring Board of Supervisors' approval and obtain Board of Supervisors' ratification of such approvals as soon as possible on a subsequent consent calendar.
 - f. Propose necessary revisions of the Board of Supervisors' Policy Manual and Code of Administrative Regulations in conjunction with the County Counsel.
 - g. Develop a program of regular review of County programs which could result in greater economy and efficiency in County government. Recommend to the Board the creation, dissolution, merger or modification of organizational elements or work programs as deemed necessary for the efficient and economical operation of County government. Recommend to the Board policies and procedures for the orderly conduct of the County's administrative affairs.
 - h. Manage the County's legislative program. This shall include, but not be limited to:
 - i. Preparation of a long-range legislative program for both State and Federal legislation.
 - ii. Liaison with County legislators and State and Federal officials.
 - iii. Supervision of any legislative representatives hired by the County.
 - iv. Coordination of departmental legislative issues.
 - i. Recommend to the Board employee relations policies and positions. Recommendations shall be made following consultation with the County Personnel Director.
 - j. Establish and apply minimum qualifications for all appointed department heads.
 - k. Appoint or dismiss appointive department heads, except County Counsel, upon confirmation by the Board of Supervisors of such appointment or dismissal.
 - l. Prepare multi-year plans for annual Board approval. Such plans shall address the major responsibilities of County government, and shall include at least the following subject areas:
 - i. Capital projects, including community infrastructure.
 - ii. Information management needs, including data processing.
 - iii. Financial issues, including the impact of community development.
 - iv. Legislative and inter-governmental strategy.
 - v. Any other plans as deemed necessary by the County Executive Officer or as directed by the Board of Supervisors.

SECTION 5. BUDGETARY MATTERS

The County Executive Officer shall under general direction of the Board of Supervisors:

- a. Develop budget instructions and policies, revenue estimates, and departmental budget targets to guide departments in budget preparation, and submit a proposed budget to the Board of Supervisors.
- b. Recommend to the Board of Supervisors a proposed capital budget based upon long range plans for acquiring, constructing, or improving buildings, roads, and other County facilities, make recommendations to the Board on the acquisition, leasing and disposition of new and replacement equipment and real property, except for county roads, easements, and rights of way, which shall be the responsibility of the County Road Commissioner.
- c. Establish control systems to assure that the various County departments and other agencies under the jurisdiction of the Board of Supervisors are operating within their respective budgets; make regular reports, including a mid-year budget report on the status of the budget and any unusual expenditures or changes in revenue and make recommendations to the Board regarding requests for unforeseen and unbudgeted expenditures; approve fund transfers and budget revisions within appropriations, including additional fixed assets in accordance with Government Code Section 29125; make recommendations to the Board for fund transfer requests which require Board action under state law, and approve out of state travel requests.

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- b. Annually evaluate all appointed department heads. Such evaluations shall be submitted to the Board for Review and comment. The criteria for evaluations shall be provided, in writing, to all appointed department heads.
- c. Annually assign each appointed department head to a salary step within a range adopted by the Board.
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- f. Implement a system for developing goals and objectives for the County and for each County department. Progress toward those goals shall be regularly reviewed.
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- h. With the assistance of the Personnel Director develop and implement a training program for County Managers.

SECTION 7. SPECIAL DISTRICTS AND LOCAL AGENCIES

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SECTION 9. LIMITATIONS

No provision of this ordinance shall be deemed or construed to grant any authority to or impose any duty upon the County Executive Officer which is by law or ordinance vested in or imposed upon any other officer, board, commission, employee, or department; nor to delegate to the County Executive Officer any duty or authority required to be performed or exercised by the Board of Supervisors. It is the intention of the Board only to establish the position of an executive officer to assist the Board in the performance of its lawful functions, and the County Executive Officer shall have no power to bind, obligate or commit the Board of Supervisors or the County of Riverside in any manner.

Adopted: 442 07/15/1957 (Eff: 08/14/1957)

Amended: 442.1 Item 3.2 of 11/08/1983 (Eff: 12/08/1983)

442.2 Item 3.19 of 09/05/1989 (Eff: 10/05/1989)

442.3 Item 3.1 of 01/09/1996 (Eff: 02/08/1996)

442.4 Item X.X of 03/09/2021 (Eff: 04/08/2021)

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STATE OF CALIFORNIA)
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COUNTY OF RIVERSIDE) SS

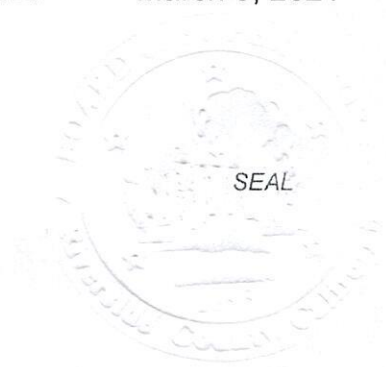
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on March 9, 2021, the foregoing ordinance consisting of 9 Sections was adopted by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
ABSENT: None

DATE: March 9, 2021

KECIA R. HARPER
Clerk of the Board

BY: 
Deputy





PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/17/2021

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 17th of March 2021 in Green Bay, WI, County of Brown.

*Human Resources
Executive Office
Item 3.17
of 03/01/21*

Opma Kanitz
DECLARANT

Ad# 0004642170
P O : ORDINANCE NO. 442.4
This is not an invoice
of Affidavits: 2

2021 MAR 26 AM 11:13

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 442
(AS AMENDED THROUGH 442.4)

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to the meeting.

Dated: March 10, 2021
Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Published: 3/17/2021

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

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RELATING TO THE POSITION OF COUNTY EXECUTIVE OFFICER FOR THE BOARD
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k. Appoint or dismiss appointive department heads, except County Counsel, upon confirmation by the Board of Supervisors of such appointment or dismissal.

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i. Capital projects, including community infrastructure.

ii. Information management needs, including data processing.

iii. Financial issues, including the impact of community development.

iv. Legislative and inter-governmental strategy.

v. Any other plans as deemed necessary by the County Executive Officer or as directed by the Board of Supervisors.

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a. Develop budget instructions and policies, revenue estimates, and departmental budget targets to guide departments in budget preparation, and submit a proposed budget to the Board of Supervisors.

b. Recommend to the Board of Supervisors a proposed capital budget based upon long range plans for acquiring, constructing, or improving buildings, roads, and other County facilities, make recommendations to the Board on the acquisition, leasing and disposition of new and replacement equipment and real property, except for county roads, easements, and rights of way, which shall be the responsibility of the County Road Commissioner.

c. Establish control systems to assure that the various County departments and other agencies under the jurisdiction of the Board of Supervisors are operating within their respective budgets; make regular reports, including a mid-year budget report on the status of the budget and any unusual expenditures or changes in revenue and make recommendations to the Board regarding requests for unforeseen and unbudgeted expenditures; approve fund transfers and budget revisions within appropriations, including additional fixed assets in accordance with Government Code Section 29125; make recommendations to the Board for fund transfer requests which require Board action under state law, and approve out of state travel requests.

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c. Annually assign each appointed department head to a salary step

within a range adopted by the Board.

d. Provide training and orientation for new department heads.

e. Meet on a regular basis with each department head for the purpose of communicating County policies and issues.

f. Implement a system for developing goals and objectives for the County and for each County department. Progress toward those goals shall be regularly reviewed.

g. Assist departments to mediate issues and coordinate activities at the lowest organizational level possible.

h. With the assistance of the Personnel Director develop and implement a training program for County Managers.

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The duties herein provided and the services to be rendered shall be performed for the Board of Supervisors in connection with any district, authority or agency for which the Board is the governing body.

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When directed to do so by the Board of Supervisors, the County Executive Officer shall assist the Chief Executive Officer of any public agency governed by a body on which at least one member of the Board of Supervisors sits. The County Executive Officer shall make such reports and recommendations concerning such agencies as may be required by the Board of Supervisors.

SECTION 9. LIMITATIONS

No provision of this ordinance shall be deemed or construed to grant any authority to or impose any duty upon the County Executive Officer which is by law or ordinance vested in or imposed upon any other officer, board, commission, employee, or department; nor to delegate to the County Executive Officer any duty or authority required to be performed or exercised by the Board of Supervisors. It is the intention of the Board only to establish the position of an executive officer to assist the Board in the performance of its lawful functions, and the County Executive Officer shall have no power to bind, obligate or commit the Board of Supervisors or the County of Riverside in any manner.

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Dated: March 10, 2021

Kecia R. Harper, Clerk of the Board

By: Hannah Lumanauw, Board Assistant

Published: 3/17/2021

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Adoption - Ordinance No. 442.4 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

03/17/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: March 17, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011448779-01

P.O. Number:

*Human Resources
& Executive
Office
Item 3.17 of
03/09/2021*

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

**ORDINANCE NO. 442
(AS AMENDED THROUGH 442.4)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING
ORDINANCE NO. 442 RELATING TO THE POSITION OF
COUNTY EXECUTIVE OFFICER FOR THE BOARD
OF SUPERVISORS**

The Board of Supervisors of the County of Riverside, State of California, Ordains as follows:

SECTION 1. POSITION CREATED

The Board of Supervisors has determined the need for a position in Riverside County which has the responsibility and authority to manage and administer the affairs of the County, to provide long-range planning which integrates all County activities, and to serve the Board as its chief of staff in both internal and inter-governmental affairs.

There is hereby established the position of County Executive Officer for the Board of Supervisors.

SECTION 2. EMPLOYMENT

The County Executive Officer shall be employed by contract, the term of which shall be established by the Board of Supervisors and shall provide that the contract of employment may be terminated prior to the expiration of the term by a majority vote of the Board of Supervisors.

SECTION 3. POWERS AND DUTIES

The County Executive Officer shall report directly to and be responsible to the Board of Supervisors for the proper and efficient administration of all County departments, agencies, and special districts under the jurisdiction of the Board of Supervisors. The County Executive Officer shall have no responsibility or control over the Local Agency Formation Commission (LAFCO) or any of the employees of LAFCO. To this end, the County Executive Officer shall have those powers and duties set forth in this ordinance and as reasonably implied therefrom, and with the specific approval of the Board of Supervisors shall be authorized to assign or delegate the administration of those duties to any department or person under the Board's control, subject to the limitations imposed by law.

SECTION 4. GENERAL ADMINISTRATION

The County Executive Officer shall:

- a. Administer and enforce policies established by the Board of Supervisors; promulgate rules and regulations as necessary to implement Board policies, subject to prior approval by the Board.
- b. Represent the Board of Supervisors in the County's intergovernmental relationships and activities in accordance with Board policies and instructions; when directed, represent the Board in dealing with individuals or groups concerned with County affairs.
- c. Attend all meetings of the Board of Supervisors, except when excused.
- d. Review and exercise final placement authority on all items recommended for placement on any agenda of the Board of Supervisors excepting matters initiated by Board of Supervisors members. This shall include all agendas for which the Board functions as the governing body. The County Executive Officer shall formulate agenda policies which insure adequate time for the review of requests without unnecessary delays.
- e. When necessary, exercise decision making authority on matters requiring Board of Supervisors' approval and obtain Board of Supervisors' ratification of such approvals as soon as possible on a subsequent consent calendar.
- f. Propose necessary revisions of the Board of Supervisors' Policy Manual and Code of Administrative Regulations in conjunction with the County Counsel.
- g. Develop a program of regular review of County programs which could result in greater economy and efficiency in County government. Recommend to the Board the creation, dissolution, merger or modification of organizational elements or work programs as deemed necessary for the efficient and economical operation of County government. Recommend to the Board policies and procedures for the orderly conduct of the County's administrative affairs.
- h. Manage the County's legislative program. This shall include, but not be limited to:
 - i. Preparation of a long-range legislative program for both State and Federal legislation.
 - ii. Liaison with County legislators and State and Federal officials.
 - iii. Supervision of any legislative representatives hired by the County.
 - iv. Coordination of departmental legislative issues.
- i. Recommend to the Board employee relations policies and positions. Recommendations shall be made following consultation with the County Personnel Director.
- j. Establish and apply minimum qualifications for all appointed department heads.
- k. Appoint or dismiss appointive department heads, except County Counsel, upon confirmation by the Board of Supervisors of such appointment or dismissal.
- l. Prepare multi-year plans for annual Board approval. Such plans shall address the major responsibilities of County government, and shall include at least the following subject areas:
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 - v. Any other plans as deemed necessary by the County Executive Officer or as directed by the Board of Supervisors.

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Dated: March 10, 2021
Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant

Press-Enterprise: 3/17



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 11, 2021

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: 951-368-9018

RE: NOTICE OF ADOPTION – ORDINANCE NO. 442.4

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, March 17, 2021**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Hannah Lumanauw

Board Assistant to
KECIA R. HARPER, CLERK OF THE BOARD



OFFICE OF
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1ST FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

March 11, 2021

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

E-MAIL: legals@thedesertsun.com
TEL: (760)778-4578

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Sincerely,

Hannah Lumanauw

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KECIA R. HARPER, CLERK OF THE BOARD

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 442

(AS AMENDED THROUGH 442.4)

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 442
RELATING TO THE POSITION OF COUNTY EXECUTIVE OFFICER FOR THE BOARD
OF SUPERVISORS**

The Board of Supervisors of the County of Riverside, State of California, Ordains as follows:

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The Board of Supervisors has determined the need for a position in Riverside County which has the responsibility and authority to manage and administrate the affairs of the County, to provide long-range planning which integrates all County activities, and to serve the Board as its chief of staff in both internal and inter- governmental affairs.

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Dated: March 10, 2021

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By: Hannah Lumanauw, Board Assistant