

48. Introduce and preliminarily adopt Executive Leadership Salary Ordinance No. NS-20.23.10, an Ordinance amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.23 relating to compensation of employees adding Footnote No. 10 relating to forensic anthropology duties in the Office of the Medical Examiner-Coroner. (ID# 24-5344)

ORDINANCE NO. NS-20.23.10

AN ORDINANCE AMENDING SANTA CLARA COUNTY ORDINANCE  
NO. NS-20.23 RELATING TO THE COMPENSATION OF EMPLOYEES

Summary

This Ordinance amends the Executive Leadership Salary Ordinance  
to amend the compensation and benefits for executive leadership.

The Board of Supervisors of the County of Santa Clara ordains as follows:

SECTION 1:

In SECTION – FOOTNOTES – the following shall be added:

- (10) Upon approval from the Medical Examiner-Coroner, an employee possessing current and/or valid American Board of Forensic Anthropology License/Certification, and who is required by the department to use their forensic anthropology experience and training, shall receive an additional \$75.00 per hour while actively performing such duties, including nights and weekends. (NS.20.23.10)

SECTION 2:

In Exhibit A to Ordinance No. NS-20.23, under the Section entitled **MEDICAL EXAMINER-CORONER**, the following:

(F)	#of Pos.	Class Code	Position Title	Minimum Biweekly	Maximum Biweekly
	1	B2K	Administrative Services Manager III	\$5,687.56	\$7,283.03

Shall be amended to read:

(10)	1	B2K	Administrative Services Manager III	\$5,687.56	\$7,283.03
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SECTION 3:

This Ordinance shall take effect May 7, 2024. This Ordinance shall be implemented on May 13, 2024.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
SUSAN ELLENBERG, President  
Board of Supervisors

Signed and Certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.  
Attest:

\_\_\_\_\_  
CURTIS BOONE  
Acting Clerk of the Board of Supervisors

Approved as to form and legality

  
\_\_\_\_\_  
MASA SHIOHIRA  
Lead Deputy County Counsel



24-5344

**DATE:** April 16, 2024

**TO:** Board of Supervisors

**FROM:** James R. Williams, County Executive

**SUBJECT:** Executive Leadership Salary Ordinance Amendment for the Office of the Medical Examiner-Coroner

### **RECOMMENDED ACTION**

Introduce and preliminarily adopt Executive Leadership Salary Ordinance No. NS-20.23.10, an Ordinance amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.23 relating to compensation of employees adding Footnote No. 10 relating to forensic anthropology duties in the Office of the Medical Examiner-Coroner.

### **FISCAL IMPLICATIONS**

There is no new impact to the General Fund as a result of this action. The cost of implementing this new Footnote is up to \$7,500 annually. The Department will utilize existing appropriations to offset this cost

### **REASONS FOR RECOMMENDATION AND BACKGROUND**

To comply with federal mandates relating to Native American remains under the Native American Graves Protection and Repatriation Act (NAGPRA) and to assist with the State-mandated analysis of forensically significant remains, Medical Examiner-Coroner (ME-C) has retained the services of a volunteer forensic anthropologist for many years. Recently, this volunteer informed the ME-C that they will no longer be available to assist with these cases. Forensic anthropology is a very specialized field, and there are no other qualified board-certified forensic anthropologists available on a volunteer basis in the immediate area.

Given the history of Santa Clara County, the ME-C routinely receives questioned skeletal remains that, upon further analysis, are determined to be Native American in origin. These analyses must be completed by a qualified forensic anthropologist to confirm their status so that remains can be returned to the appropriate tribe for final disposition, pursuant to NAGPRA. The ME-C also frequently receives skeletal remains that are deemed forensically significant and require additional specialized analysis as part of our State mandated service of medicolegal death investigation. These cases include skeletonized and/or unidentified remains, as well as remains exhibiting complex skeletal trauma. These analyses must be completed by a qualified forensic anthropologist. Fortunately, the ME-C currently has an

Approved: 04/16/2024

executive leadership employee who is a forensic anthropologist board-certified by the American Board of Forensic Anthropology and could perform this role for the County.

The recommended action would add a footnote to the Executive Leadership Salary Ordinance to authorize a \$75 per hour differential for the performance of the required forensic anthropology duties, for every hour assigned such duties by the Chief Medical Examiner-Coroner, when in possession of current and/or valid American Board of Forensic Anthropology License/Certification. The recommended differential is reflective of current market comparisons, and other market driven factors.

There is a potential for cost offset with the provision of allowing consultation of anthropologist professional services to surrounding counties. Previously, the volunteer anthropologist on staff had been providing professional consultation on average of two hours per case for up to 10 cases per year. In review of the consultation revenue estimates, we can reasonably predict a revenue offset of around \$1,500 at a minimum caseload of 10 cases per year and up to \$7,500 at a maximum caseload of 50 cases per year. A few of our neighboring counties, including San Benito County with which the County has a contract, indicate they will continue to source through our Medical Examiner-Coroner's Office when needed allowing for cost offset and possible revenue benefit.

### **CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

### **SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

### **SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.

### **CONSEQUENCES OF NEGATIVE ACTION**

The County would not have a Board-Certified forensic anthropologist readily available to take federally mandated cases involving Native American remains.

### **STEPS FOLLOWING APPROVAL**

The Clerk of the Board of Supervisors is requested to send notifications of completed processing to Employee Services Agency, Executive Services: Patricia Carrillo, Quynh Truong, and Felicia Sanchez and ESA Agenda Coordinators: Staci Bjerk, Jennifer Paredes-Fricano, and Zullay Rodriguez, Employee Services Agency, Human Resources Department.

### **ATTACHMENTS:**

- Executive Ordinance NS 20 23 10