

T. Kayes Open Forum BOS 5/8/2018

El Dorado County Board of Supervisors

Meeting Date: May 8, 2018

Open Forum Commentary

By Terry Kayes, District 3

Comments on Mindfulness and Effective County Government

At this podium at the Board meeting on April 10th, I brought up the important topic of Mindfulness and provided you with a flow chart on effective decision making, which I invited you to reflect on. I was gratified to learn that at least some of you did, but if you didn't that's okay for now, as I'll be returning to it again in the future for discussion and to make specific points in relation to the conduct of El Dorado County government.

However, before continuing today to start doing that, I first off want thank each of you for taking the time from your doubtless busy schedules to meet with me one on one, in the past weeks. Your doing so provided me with some valuable insights.

Before I launch on some specifics on what Mindfulness is and how it can help enhance the workings of county governance, I want to provide a recent example of a type of Mindfulness at work, which dealt nicely with a hot-button issue that some ardent political activists attempted to force on this Board and the taxpayers of El Dorado County, by stridently insisting that the Board involve the County in a legal wrangle between the U.S. Justice Department and the State of California — with no apparent thought given to the (potentially) high costs in staff time and the several possibly adverse future legal, funding or other repercussions that could result from taking either side.

This is a situation where Mindfulness informs the wise county decision maker to maintain a "Studied Silence."

And so the County quite rightly seems to be doing — based on my interpretation of the press release attributed to the County Chief Administrative Officer and the County Counsel in a page-1 article in the May 2nd issue of the *Mountain Democrat*. Being a writer, I particularly appreciated the nuanced nature of that news release, because it nicely provided a needed corrective to the widespread erroneous notion that the issues being decided have anything to do with Article 1 of the U.S. Constitution.

Furthermore, that news release, as a point of emphasis, served to inform the County's taxpayers that if the County were to take a position on that matter, it could be very costly over time. For my part, I would much rather see those (quite-likely) hundreds of thousands or millions of County dollars spent on aiding homeless people, installing traffic-signal lights where needed, and for the Sheriff's Department to actually begin enforcing traffic laws, rather than spending money for legal costs and expensive staff time dealing with possible punitive actions directed against the County for involving itself in a legal matter that, in my view, is outside of its purview and not specified in its Charter.

So I thank the CAO and County Council for that press release, and I ask the Board to stick to its legally-constituted responsibilities, & not insert itself into what is clearly the federal court system's job — not the Board's.

Thank you for your attention.

S Frame Open Forum BOS 5/18/2011

Ladies and Gentlemen of the El Dorado County Board of Supervisors,

My name is Sean Frame, and I am a father, husband, small business owner and School Board Member here in El Dorado County. I am also the Founder and President of the largest non-partisan political organization in the County—El Dorado Progressives with over 2000 members.

I have come to speak at your meeting today because I watched the meeting on April 3rd when our Congressional Representative's staffer delivered a letter requesting that El Dorado County join the Federal Lawsuit against SB54, The California Values Act. In watching that presentation in Open Comments, I saw our two highest county law enforcement officials speak in this chamber stating that it would be in the best interest of our county if we joined Orange County and the federal government in that lawsuit. There are SO many things wrong with both the original request and with having our Sheriff and DA here supporting it. In the interest of time, I'll focus on just a few.

First, the 14th Amendment of the constitution guarantees that all PEOPLE (not just citizens) have the same rights under the law. By stating that they feel we should turn accused criminals over to ICE without due process of law, they are directly violating the constitution of the United States. Second, SB54 is a ratified state law. Both the Sheriff and the DA, in their oaths of office, swore to uphold both the Federal and State Constitutions. Thus, both of them are advocating in direct violation of their oaths. All of you have taken the same oath, and should be aware that advocating that our county should "opt out" of state law is also a violation of YOUR oath of office.

So let's look at SB54 and what it does. SB54 did not and does not "protect" violent criminals—in fact, it does quite the opposite because it was designed to give witnesses to violent crime the assurance that they will not be arrested and deported due to their immigration status when contacting law enforcement and/or testifying in court. Eliminating that assurance (or undermining it, as our Sheriff and DA did) creates fear among ALL immigrants—documented and otherwise. This is essentially the same thing as aiding and abetting crime in our community. Criminals will know that they can act with impunity if their victims cannot report their crimes to law enforcement. As a result, immigrants will be victimized and they will no longer want to live and work here.

In addition, tourists and business owners will become aware that we are a county that is inhospitable to immigrants, and they will stay away, too. Imagine the tech company owner with employees who are working on H1B visas—will they open a location or start a business in this county if they feel we are a community of immigrant haters? No. Will tourists from more multicultural places like Sacramento and the Bay Area who are considering travel destinations come to this county if we are openly antagonistic to immigrants? The answer is certainly no. Business owners and tourists will take their dollars elsewhere, and our entire community will suffer from the loss.

So, I ask you to think about this very carefully if and when this item is brought to you again. Do you want to terrorize the hardworking immigrants who do so much for our County? Do you want to encourage and abet violent crime in our community? Do you want to drive business development and tourism elsewhere? If not, then you must not join the lawsuit and you must not write an amicus brief of support for the lawsuit. We are watching and we will hold you accountable at the ballot box.

Thank You.