

#4

N. Young
11/14/2022

September 1, 2022

Dear Charter Review Committee,

I'm writing this letter on behalf of SAGE (Surveyors, Architects, Geologists, and Engineers) of El Dorado County. We are a local professional organization that has been in existence for nearly 50 years in which we provide and share our technical expertise to the community regarding issues related to surveying, architecture, geology, and engineering.

It is our understanding that the Charter Review Committee is considering a revision to the El Dorado County Charter, Article IV, Department Heads, Boards and Commissions.

We would like to recommend that all the position stated in the Article, and in particular, the County Surveyor, remain elected positions for the benefit of the voters of El Dorado County.

Sincerely,



Nicole Young, P.E.
2022 SAGE President



EL DORADO COUNTY

#4 1111412022 KCoteman
TREASURER – TAX COLLECTOR
K. E. COLEMAN, MBA | M.ACC.

360 Fair Lane, Placerville, CA 95667
(530)621-5800 | taxcollector@edcgov.us

November 9, 2022

County of El Dorado
Charter Review Committee
330 Fair Lane
Placerville, CA 95667

Dear Members of the Charter Review Committee:

I personally appeal to each of you and your patriotic duty on this Committee to uphold the County's Charter as is. Please take to heart the Charter's preamble that states:

"We, the people of El Dorado County, adopt the charter to provide a county government that is responsive to the public safety, infrastructure, and other appropriate needs as to be provided by county government in a democratic and just manner."

The County's Charter should be revered as the County's Constitution. If the Charter is amended it should be to give the People more power, not less. Both ideas that are being proposed diminish the power that the people of El Dorado County are accustomed to. To take away the voters' rights to elect the Department Heads who uphold the laws that protect property rights, support Law Enforcement, County Schools, Local Agencies, not to mention the services that we provide to the citizens that call El Dorado County home, should be discouraged at every juncture.

Modifying or eliminating the public's ability to elect the Department Heads who they have had the right to elect for decades should never be considered. In fact, we should be concerned that these changes will likely result in a concentration of power among a few, while taking away the power of the people. I must ask if you have thought about the consequences of changing the Charter? I'm typically an optimist, but I am very skeptical about these ideas. I'm unaware of any issues in my office that would be improved by making these changes. I take my oath seriously and I am committed to serving the public who elected me.

In California's 58 Counties, 49 Treasurer-Tax Collectors are elected by the voters. I suspect that the voting public across the State expects and appreciates the right to elect this very important position. As for consolidated offices, of the 49 Elected 6 are combined with the Auditor-Controller, 2 with the County Clerk, 2 with the Public Administrator, 1 with the Auditor-Controller and Public Administrator and 1 with the Public Administrator and Public Guardian. The consolidated offices of Treasurer and Tax Collector exist in all of California's 58 counties. El Dorado County combined these two offices in 1970.

In closing, I hope that your Charter Review Committee concludes that the citizens of El Dorado County deserve the right to vote for the Elected Department Heads as laid out in the County's Charter.

Sincerely,

A handwritten signature in blue ink that reads "K. E. Coleman".

K. E. Coleman, MBA
Treasurer-Tax Collector



EL DORADO COUNTY

TREASURER – TAX COLLECTOR

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Dear Members of the Charter Review Committee:

AB 759 was signed into law to move the Sheriff and the District Attorney into the Presidential Election Cycle. Other Elected offices were removed from the bill because of the opposition to the idea that the law would enhance political equality.

My core objection to add Elected Department Heads to the Presidential election cycle is that it will force non-partisan local elections into a highly partisan and political campaign. This change in the electoral cycle will alter the nature and profile of your Elected Department Heads; it is doubtful that it will improve equality. This change is likely to favor candidates who can resource their campaigns in a way that can compete for voters' attention during a presidential election and will disadvantage our homegrown local candidates whose best interests lie with our community.

Presidential elections can drown out local elections because the media will surely command more attention and result in higher fees due to demand pricing. Local candidates cannot and should not be expected to compete for non-partisan elected office and make sure their voters can hear their message and vision when a national election is dominating election coverage. Personally speaking, I can attest that management of a county's treasury and tax collection policy hardly falls into a Democrat or Republican party platform. It's a matter of serving the county's residents and taxpayers, investing prudently, and collecting fairly. In my humble opinion, staggering local elections at best is a cynical assessment of voter intent, and at worst, blatant electioneering intended to produce a more satisfactory outcome for a subset of displeased voters or perhaps politicians.

In closing, I want to share an accomplishment of equality. On November 5, 1914 (not a presidential election year), Mattie Lund sought and won by more than 2000 votes the office of Butte County Tax Collector. She was the first woman in the State of California to win an elected office. In recent years, there have been more women elected to the office of Treasurer-Tax Collector than men. It's impossible to speculate if adding the Treasurer-Tax Collector to the presidential election cycle would advantage or disadvantage any woman currently holding the office, we can represent that the current election structure for local office has served to elect more women treasurer-tax collectors. The timing to run for office matters. Changing the election cycle for elected Department Heads to the presidential cycle will likely erode equality in our current election process and is even more likely to further the decline of political discourse in this county by pigeon-holing local Elected Department Heads into partisan categories.

Sincerely,

A handwritten signature in blue ink that reads "K. E. Coleman".

K. E. Coleman, MBA
Treasurer-Tax Collector

#4 B.DeBerry
11/14/2022

To the 2022 El Dorado County Charter Review Committee

After reading the Current Charter, I am making the following suggestions for changes to the existing charter.

Highlighted words in yellow need to be reevaluated.

The words in pink need to be adhered to because I believe too much money is being spent out of the county with a monetary loss of funds needed by our own businesses. This money in turn could provide jobs in this county. It would also help our tax base such as sales tax on purchased county staying in the county.

The position of supervisor is not a career move. Any more than two consecutive terms are not warranted. A repeat performance of any third, fourth term by any formally elected supervisor should not be allowed. Times change, people

change and problems change, unfortunately sometimes for the better.

not
Using the California Highway Patrol as a comparison to set all salaries of the Sheriff's office needs to be removed entirely. Using a comparative county with an existing population near that of this county should be used instead. The term "comparable class of position" of the Highway Patrol's salary is no comparison to the Sheriff's Office. When the commandant of the Highway Patrol salary and benefit package is above \$700,000 a year, as an example, distorts the average of comparable organizations in setting salaries.

We are living in volatile economic times. Inflation is increasing exponentially every hour. Saving money everywhere we can and reducing our CalPers Debt which is directly related to high priced salaries needs to be controlled when we have crapped out roads, people that need help instead, senior citizens, fire victims and the homeless.

We need to end the day of the “Golden Handshake” when people in management get a large leaving bonus for retiring etc. like the last one who retired with a \$255,000 bonus “mistake”.

The charter should also require that the county post all minutes and agendas of the Board of Supervisors to be printed in advance and afterward of their weekly meeting in the interest of transparency in the local paper. Hanging it outside their chamber, I believe, is a poor substitute for serving public notice.

The use of the CONSENT CALENDAR needs to be set aside in the interest of transparency. If more days are needed to make decisions and hear public interest should also be created.

Thank you for your time and consideration.

Yours truly,


Brian N. DeBerry

PREAMBLE

We, the people of El Dorado County, adopt the charter to provide a county government that is responsive to the public safety, infrastructure and other appropriate needs as to be provided by county government in a democratic and just manner.

The people expect that the business of the county will be conducted using equitable methods and that the results shall benefit no individual or group(s) of individuals to the detriment of the people.

ARTICLE I - POWERS OF THE ELECTORS

101. *Elections*

Except as otherwise provided in this charter, all elections to nominate or elect candidates and to vote on ballot questions shall be conducted pursuant to the general law of the State of California.

Candidates shall pay for the cost of their statement of qualifications in the ballot pamphlet unless the Board of Supervisors determines otherwise.

102. *Initiative, Referendum, Recall and Charter Change*

The electors of the county may by majority vote and pursuant to general law:

- a. Exercise the powers of initiative and referendum.
- b. Recall an elected officer who has held office for six months.
- c. Amend, revise or repeal this charter. The general law regarding adopting, amending, revising or repealing a charter apply except as follows:

If a majority of the electors voting at a general or special election vote in favor of the proposed charter or revised charter, it is deemed ratified and it takes effect when filed with the Secretary of State.

An amendment to an existing charter, or the repeal of an existing charter, may be proposed either by the Board of Supervisors or by a petition signed by at least 10% of the electors who voted at the last gubernatorial election. The amendment or repeal is placed before the voters at the next general or special countywide election. Alternatives may be voted on at the same election. If a majority of the electors voting at the election vote in favor of the amendment or repeal, it is deemed ratified and takes effect when filed by the Secretary of State.

If the provisions of two or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

ARTICLE II - BOARD OF SUPERVISORS

200. *Governing Body*

The governing body of the county is a Board of Supervisors of five members elected by district.

201. *Residence Requirements*

A candidate for election as supervisor shall be an elector in the district and shall have resided in the district prior to nomination for election. Once elected to the office of supervisor, a person shall remain a resident in the district in which they are elected or be deemed to have vacated the office.

202. *Term of Offices*

The term of office of supervisor is four years. Board members shall be limited to two consecutive terms. No person elected supervisor may serve as such for more than two successive four year terms. Any person elected to the office of supervisor to complete in excess of two years of a four year term shall be deemed, for the purpose of this section, to have served one full term upon the expiration of that term. No person having served two successive four year terms may serve as a supervisor until at least four years after the expiration of the second successive term in office. Any supervisor who resigns with less than two full years remaining until the expiration of the term shall be deemed, for the purpose of this section, to have served a full four year term. The above shall not disqualify any person from running for election to the Board of Supervisors for any term or terms which are not successive. The term of office commences at noon on the first Monday after the January 1st succeeding their election.

The supervisor for each of the First, Second and Third Districts shall be elected in 1996. The supervisor for each of the Fourth and Fifth Districts shall be elected in 1994.

[Amended by Charter Amendment ratified November 8, 1994, effective December 27, 1994; Stats. 1994, ch. 18] Amended by Charter Amendment ratified November 4, 2004, effective December 14, 2004, Stats. 2004, ch. 10]

203. *Filling of Vacancies*

Whenever a vacancy occurs in the office of supervisor, the unexpired term shall be filled by election. If the vacancy occurs more than 90 days but less than 180

protect against conflicts of interest or ensure independent, unbiased findings.

The Board of Supervisors shall adopt an ordinance specifying criteria for entering into such contracts, and specify when competitive bidding procedures for the award of such contracts shall be required.

[Amended by Charter Amendment ratified June 2, 1998, effective July 29, 1998, Stats. 1998, ch.2]

[Added by Charter Amendment ratified November 8, 1994, effective December 27, 1994, Stats. 1994, ch.18]

[Amended by Charter Amendment ratified June 2, 1998, effective July 29, 1998, Stats. 1998, ch.2]

[Added by Charter Amendment ratified November 7, 1995, effective January 26, 1996; Stats. 1996, ch. 2]

[Section 210(d) repealed by Charter Amendment ratified November 4, 2014, effective May 28, 2015, Stats. 2015, ch. 20]

[Section 210(c) repealed by Charter Amendment ratified June 7, 2016, effective August 2, 2016; Stats. 2016, ch 10]

211. Communications with Employees

Board of Supervisors' directions, recommendations or instructions to boards, commissions, department heads, or officers shall be by formal Board action. This section does not limit an individual Supervisor's right to obtain information or request advice or assistance in accordance with normal operating policies.

ARTICLE III **CHIEF ADMINISTRATIVE OFFICER**

301. Chief Administrative Officer

The Chief Administrative Officer is the chief executive officer of the county.

302. Appointment and Removal

The Chief Administrative Officer shall be appointed by the Board of Supervisors on the basis of executive and administrative qualifications and experience. The Chief Administrative Officer is evaluated by the Board, serves at its pleasure and may be removed at any time by an affirmative vote of three or more of its members.

303. Compensation

The Chief Administrative Officer's compensation shall be commensurate with the responsibilities of the chief administrative officer. The Chief Administrative Officer may not engage in any other business or occupation without the prior approval of the Board of Supervisors.

402. Elected Department Heads

The following department heads shall be elected:

- a. Assessor
- b. Auditor/Controller
- c. District Attorney
- d. Recorder/Clerk
- e. Sheriff/Coroner/Public Administrator
- f. Surveyor
- g. Treasurer/Tax Collector

The term of office of all elected officers is four years. The elected officers shall serve until their successors are qualified unless sooner removed as provided by this charter.

403. County Counsel

The Board of Supervisors shall appoint a County Counsel who shall have the same duties as a County Counsel appointed under the general law. The County Counsel shall serve for four years from the time of appointment. The four year term shall commence eighteen (18) months after each Presidential election. In the event that a vacancy occurs during a term, the Board of Supervisors shall promptly fill that vacancy for the remainder of the term. The Board of Supervisors may appoint an interim County Counsel for up to six (6) months while it is selecting a new County Counsel to fill the vacancy.

During a term, the County Counsel may be removed from office in the same manner as provided for under general law.

County Counsel shall not be entitled to the expectation of successive appointments. At least ninety (90) days prior to the end of a term, the Board of Supervisors shall notify the incumbent County Counsel if he or she will be appointed to a successive term. If such notification is given, the successive term will commence immediately upon completion of the prior term.

[Amended by Charter Amendment ratified November 4, 2004, effective December 14, 2004, Stats.2004, ch.16]

404. Appointed Department Heads

The position of department head shall be designated by ordinance. Department heads serve at the pleasure of their appointing authority, the Board of Supervisors. Department heads shall have and may delegate the power to appoint, supervise, suspend and remove all persons employed in their departments subject to the provisions of Article V. of this charter.

[Amended by Charter Amendment ratified November 7, 1995, effective January 26, 1996; Stats. 1996, ch. 2]

405. Boards and Commissions

County boards and commissions are those required by general law and those established by the Board of Supervisors by ordinance.

Members of all boards and commissions shall be county residents to the extent permitted by law. If a member required to be a resident ceases to reside in the county, the seat becomes vacant.

Whenever the county is required to, or invited to nominate or appoint a person to a board, commission, committee or other body, other than those established by El Dorado County, the jurisdiction of which affects only a region of the county, then the Board of Supervisors shall nominate or appoint a person who resides in that affected region. In the alternative, the Board of Supervisors may fill the position with a member of the Board whose district includes the affected region.

The Board of Supervisors, by ordinance, shall establish terms of office, conditions for removal from office, and may provide for the qualifications of members of boards and commissions and for their compensation.

The classified service consists of all positions in which employees have achieved civil service status except those positions designated as unclassified below.

The unclassified service consists of:

- a. elected county officers;
- b. appointed department heads;
- c. all appointed boards, committees and commissions;
- d. all persons serving without compensation (compensation does not include incidental fees and expenses);
- e. casual patient and inmates at county institutions;
- f. the following administrative personnel charged with making policy decisions: Deputy Director of Welfare; Undersheriff; The Undersheriff shall have the right to return to a former classified position in accord with county ordinance;
- g. any person holding a confidential position to each member of the Board of Supervisors;
- h. persons employed to render professional, scientific, technical or expert services on a temporary basis for a specific project;
- i. persons covered under State Merit Systems;
- j. persons employed as independent contractors pursuant to contracts, as authorized by the Board of Supervisors.
- k. persons otherwise excluded by operation of law.

The Board of Supervisors shall have the right for good cause and after written notice to affected parties, to make "de minimis" changes which amend the foregoing list.

502.2 Civil Service Commission

The Board of Supervisors shall appoint a Civil Service Commission in the County of El Dorado. The Civil Service Commission shall consist of five members, one nominated by each supervisor and appointed by the Board of Supervisors. Each member of the Commission shall be a qualified elector of the county and not an employee or officer of the county. The term of each Civil Service Commissioner shall be coterminous with the term of the nominating supervisor. Members may only be removed during a term by the Board of Supervisors for neglect of duty, malfeasance or misconduct in office, or other good cause shown.

The Civil Service Commission may designate one or more of its members or a neutral hearing officer, if agreed upon by the parties, to hear appeals within the purview of the Commission subject to the provisions of section 502.3.

The Civil Service Commission shall prescribe and maintain Commission Procedures, approved by resolution of the Board of Supervisors, which provide for the orderly conduct of the Commission's business.

502.3 Scope of Authority of Civil Service Commission

The Civil Service Commission shall hear only the following matters:

- (a) discipline of classified employees with permanent status;
- (b) complaints of unlawful discrimination in personnel matters;
- (c) Other matters as may be provided for in the

at a general election on November 7, 1972, is hereby repealed.

The Board of Supervisors shall, at least annually determine the existing average salaries for the South Lake Tahoe Police Department, Amador County Sheriff's Department and the California Highway Patrol for each class of position employed by said agencies. Effective on the first day of January of each year after this charter provision first becomes effective, the Board of Supervisors shall adjust and determine that the average salary for each class of position as set forth herein be at least equal to the average of the salaries for the comparable positions in the South Lake Tahoe Police Department, Amador County Sheriff's Department and the California Highway Patrol.

As used herein, the term "comparable class of position" shall mean a group of positions substantially similar with respect to qualifications or duties or responsibilities using the following positions as guidelines:

Undersheriff
Captain
Lieutenant
Sergeant
Deputy Sheriff
Clerk

The provisions of this section shall prevail over any otherwise conflicting provisions of this charter or general law which may relate to salaries of County officers or employees who are not elected by popular vote.
[Amended by Charter Amendment ratified November 7, 1995, effective January 26, 1996; Stats. 1996, ch. 2]

ARTICLE VI - FINANCE

601. County Preference

When the combinations of price, quality, terms and conditions of sale are substantially equal, the county shall give preference to vendors located within the County of El Dorado for the purchase of goods and supplies.

602. Contract Administration

The Board of Supervisors shall not authorize the payment of money or other compensation for the performance of any service or function by a private entity except pursuant to a written contract meeting all legal requirements for county contracts as established by the Board of Supervisors. Each contract shall identify the county officer or employee with responsibility for administering the contract.

The Board of Supervisors, by ordinance, may allow the procurement of services or functions costing less than \$10,000 without having a written contract. Such ordinances shall specify alternate procedures for processing and documenting such purchases.

ARTICLE VII - GENERAL

701. Charter Review

The Board of Supervisors shall convene a Charter Review Committee within two (2) years of the effective date of this charter and within five (5) years of the last charter review thereafter. The committee shall review the charter and, after at least two (2) public hearings, make recommendations for amendments to or revisions of this charter to the Board.