



County of El Dorado

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Master Report

File Number: 09-1432

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Agenda Agenda Item
Type:

Status: Approved

Version: 1

Reference:

Gov Body: Board of
Supervisors

Department: Chief Administrative
Office

Created: 11/17/2009

Agenda Title: CAO 12-8-09 Appoint Manfred Kollar as Sheriff

Final Action: 12/10/2009

Title: Chief Administrative Office recommending the Board consider the following:

- 1) Appoint Undersheriff Manfred Kollar as Sheriff effective December 27, 2009 to complete the term of retiring Sheriff Jeff Neves; and
- 2) Adopt Resolution amending the authorized personnel allocation in the Sheriff's Department to delete 1.0 FTE Class: 0271 Class Title: Undersheriff effective December 27, 2009. (Est. Time: 15 Min.)

Resolution 263-2009

Notes:

Agenda Date: 12/08/2009

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Amended Personnel Allocation, Letter from Paula Springer dtd 12-2-09, Dear El Dorado County citizen.doc, Letter from D. Atkinson dtd 12-3-09, att'd 12-9-09, 09-1432 Letter from Kevin House.pdf, 09-1432 - email from Tami Welch.pdf

Time Required:

Same:

Hearing Date: 12/08/2009

Contact: Gayle Erbe-Hamlin

Next Meeting Date:

Approval History

Version	Date	Approver	Action
1		Ron Grassi FYI	
1	11/19/2009	Agenda Coordinator	Approved
Notes	Approved to route...jm 111909 0814		
1	11/19/2009	Gayle Erbe-Hamlin	Approved

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Board of Supervisors	12/10/2009	Approved				Pass	
	<p>Action Text: After hearing public testimony, a motion was made by Supervisor Sweeney, seconded by Supervisor Knight, as follows: 1) Appoint Undersheriff Manfred Kollar as Sheriff effective December 27, 2009 to complete the term of retiring Sheriff Jeff Neves; and 2) Adopt Resolution 263-2009.</p> <p>Notes: PUBLIC COMMENT L. Hennick RE: Should do interviews as in 1996. K. House RE: Read his letter. J. Harper RE: Kevin House stands for community development. D. Kern RE: NRA believer. Kevin House is a good candidate. L. Roth RE: Supports CAOs recommendation. J. Ware RE: Sheriff's department is large. Undersheriff would be a good candidate to run the department. B. Johnston RE: Board of Supervisors have already decided not to pick from the candidates. DSA feels that Fred Kollar is the most qualified candidate. B. Luca RE: Commends Board of Supervisors for not appointing a candidate. Believes Sheriff has already prepared his Undersheriff, Fred Kollar to be Sheriff. K. Lovel RE: Mayor of South Lake Tahoe recommends that Fred Kollar be appointed as Sheriff. He has organized and supported many issues in South Lake Tahoe Leadership. K. Greenwood RE: This matter was supposed to be in 5 weeks and the public was planning on attending. B. Handy RE: Supports Kevin House. J. Neves RE: Supports Fred Kollar. F. Kollar RE: Is a resident of El Dorado County. The Board of Supervisors should make a decision based on qualifications. He meets the qualifications.</p>							
Mover:	James R. Sweeney	Yes 3						3-2
		Supervisor Knight, Supervisor Sweeney and Supervisor Santiago						
		Noes 2						
		Supervisor Nutting and Supervisor Briggs						

Text of Legislative File 09-1432

Chief Administrative Office recommending the Board consider the following:
 1) Appoint Undersheriff Manfred Kollar as Sheriff effective December 27, 2009 to complete the term of retiring Sheriff Jeff Neves; and
 2) Adopt Resolution amending the authorized personnel allocation in the Sheriff's Department to delete 1.0 FTE Class: 0271 Class Title: Undersheriff effective December 27, 2009. (Est. Time: 15 Min.)
Resolution 263-2009

BUDGET SUMMARY: Calendar Yr 2010
 Total Estimated Cost \$ 217,936
 (salary and benefits w/o PERS)
 Funding
 Budgeted \$ 425,986
 New Funding \$
 Savings \$

Other	\$	
Total Funding Available	\$	425,986
Change To Net County Cost	\$	-208,850

Fiscal Impact/Change to Net County Cost:

Background: Sheriff Jeff Neves has announced his retirement effective December 26, 2009 after 32 years of service to the County. The Board of Supervisors has the authority to appoint a replacement to complete his term which ends when a new Sheriff takes office. The CAO recommends the Board appoint Undersheriff Manfred Kollar as Sheriff effective December 27, 2009 at the current Sheriff salary and delete the position of Undersheriff effective December 27, 2009.

Reason for Recommendation: The Board initially discussed this issue on November 3, 2009 and continued the discussion until January 12, 2010. However, there are immediate challenges for the Sheriff's Department which will require consistent and knowledgeable leadership in order to navigate and manage the Department through some challenging times. The Department will benefit from a smooth handoff of the Department's leadership and Undersheriff Kollar is willing to serve during this interim period

Currently, the Department is working on closing a \$750K gap in their Tier 3 reduction plan and they are facing a \$400K current year revenue gap in the Department's portion of Prop 172 revenue stream. Difficult bargaining negotiations lay ahead as well as a strongly contested election. Undersheriff Kollar has been responsible for much of the day to day operational aspects of the Department under Sheriff Neves. He has familiarity with the budget and fiscal processes and works with the CAO on budget preparation and fiscal management.

Currently, oversight of fiscal administration for the Sheriff's office is being provided by CAO Analyst Kelly Webb due to the retirement of the Sheriff's Fiscal Administrative Manager. Ms. Webb has been working closely with Undersheriff Kollar on evaluating the fiscal and administrative needs of the Department in the wake of the FAM's retirement. Continuity in these processes and partnerships is imperative and appointing Undersheriff Kollar as Sheriff sooner rather than later ensures this continuity. Additionally, by appointing Undersheriff Kollar as Sheriff, the position of Undersheriff can be eliminated resulting in an annual savings of approximately \$210K. This will substantially help the Department meet their Tier 3 budget target. Reinstatement of the position can be revisited upon the election of a new Sheriff.

Undersheriff Kollar has stated that he would be able to run the Department without the Undersheriff position, should he be appointed Sheriff, by continuing to focus his attention on daily operations and minimizing the public relations aspects of the position. Undersheriff Kollar has stated that if appointed he will provide the Board with a letter verifying he has no intent of running for the position of Sheriff in the upcoming election.

The recommended salary of \$182,832 annually is the one currently set for the Sheriff.

The differential between the current step of the Undersheriff and the Sheriff's is 15%. This is 5% less of a differential than between all other elected department heads and their second in command. Of note is that by being appointed Sheriff the Undersheriff will lose annual benefits of 96 hours of sick time and 200 hours of vacation time, benefits which are not provided to elected department heads. He will be paid out for all eligible management leave, vacation and sick leave accruals on the books as of December 26, 2009.

County Counsel advises that there is some ambiguity in the law as to whether the appointment can be made in advance of the vacancy actually occurring. To address this issue, we are recommending that the Board make the appointment on December 8, 2009, prospectively, as of December 27, 2009, and ratify the appointment on January 12, 2010, to eliminate any question.

Requested Board Action:

1. Appoint Manfred Kollar as El Dorado County Sheriff effective December 27, 2009 to complete the term of retiring Sheriff Jeff Neves with ratification to occur on January 12, 2010;
2. Approve the attached amended Personnel Allocation that deletes the Undersheriff allocation from the Sheriff's Office effective December 27, 2009.

Action to be taken following Board approval: Manfred Kollar sworn in as Sheriff effective December 27, 2009. Board to ratify appointment on January 12, 2010.

Contact: Gayle Erbe-Hamlin, X5530

Concurrences: