

Editorial: El Dorado County Charter revision all about giving CAO power, neutering supervisors

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Neutering the board

Power tends to corrupt and absolute power corrupts absolutely.

– Lord Acton

The El Dorado County 2013-14 Grand Jury's attack on elected officials contains a multi-page effort to turn the members of the El Dorado County Board of Supervisors into factotums for the chief administrative officer, the *Mountain Democrat* learned this week.

This detailed rewriting of the El Dorado County Charter is not the work of this grand jury, as evidenced by its superficial "investigation" of the so-called "proliferation" of elected officials. This rewriting is so detailed it would not have been done by any grand jury present or past. It is clearly the work of the current chief administrative officer. Its aim is clear – to neuter the Board of Supervisors and arrogate all power to herself.

In a series of cross-outs and additions, the duties of the Board of Supervisors, as detailed in the County Charter, are whittled down until the supervisors are turned into mere figureheads. And this is being rushed through the Charter Commission by "staff" before three new supervisors are elected

– one in September and two in November.

Under Section 204 of the charter, the Board of Supervisors can “review, and accept, reject or modify all performance evaluations performed by the chief administrative officer.” That is crossed out.

“Except as otherwise provided for herein, non-elected department heads shall serve at the pleasure of the Board of Supervisors. (The board shall) appoint, suspend or remove all department heads except those for whose selection or appointment this charter makes other provision. Appointments shall be made on the basis of executive and administrative qualifications as determined by screening and selection procedures comparable to those used for classified management personnel.” All that is crossed out. No appointment power for the supervisors. No screening and selection of department heads. Let the CAO appoint friends and sycophants without normal recruitment procedures.

The previous cross-outs were all under the heading of “The board shall.”

Under the heading of “The board may,” is the total elimination of the board’s ability to “Create, abolish, consolidate, segregate, assign or transfer the powers and duties of any appointive office, department, division, board or commission to the extent not in conflict with this charter.” All that is crossed out. The power of the board to reorganize county government is totally eliminated. In its place the CAO can dump an out-of-favor department head simply by eliminating that person’s department or transferring it to someone else.

In pursuit of “information, advice and assistance” the board can “require the attendance of any officer or employee of the county to attend any meeting of the board.” In place of “any officer” the CAO inserts herself or anyone the CAO assigns to attend. Again, a usurpation of board powers.

Section 211 is a single paragraph about “communication” that simply calls to the board to communicate with department heads or officers by “formal board action,” though individual board members may seek out information. This paragraph is changed to eliminate board direction to “department heads” and substitutes “elected officials.” This is merely bizarre.

Under Section 401 that outlines the powers and duties of department heads, boards and commissions, the CAO inserted a whole new paragraph that gives the CAO sole power to “appoint, suspend or remove all department heads.” That is reinforced by Section 404 about appointed department heads. Here “they serve at the pleasure of their appointing authority, the Board of Supervisors” is crossed out and their appointing authority becomes – you guessed it – the CAO.

The coup de grace, of course, is the proposal to wipe out elected department heads from the County Charter and take away the voters’ right to ever elect anyone except those that can’t be eliminated because they are prescribed in the state Constitution – sheriff, district attorney and assessor.

For the nine people running for the three seats open on the Board of Supervisors, be forewarned: If the CAO has her way, you will be spending a lot of money running for something that is simply an honorific with no power. For the four still sitting on the board, you are sitting ducks, who will be turned into rubber decoys.