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SAN DIEGO COUNTY - SUPERVISORS

Proposed Charter

FOR

San Diego County California

To be Voted Upon
February 27
1917

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Prepared by Board of Freeholders
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Introductory Statement

The Charter herewith submitted to the electors of the county of San Diego has been framed after careful study of the charters now in operation in Los Angeles County and in San Bernardino County, and of the charters adopted by the people of Butte County and under preparation for Alameda County, and after a series of open meetings in the city of San Diego, and at other important centers of population in San Diego County, at which suggestions from citizens were heard and discussed. Taking into account the valuable experiences of other counties and the many valuable suggestions of the public officers and citizens of San Diego County, the Board of Freeholders submit for your consideration the following Charter, which has been framed with reference to the fundamental principles of good county government means simply good conduct of public business and that the good government that is to be attained in good government for San Diego County, with its special and peculiar problems of local government, which should be solved in San Diego and not at Sacramento.

Therefore this instrument proposes:

Methods compelling a genuine but wise economy.

Modern efficiency in business methods.

Elimination of politics and partisanship in public business.

Separation, but co-operation, of the law making and business parts of the county government.

Frank recognition of the fact that modern government means positive, constructive public welfare work.

It also proposes:

Consolidation of the finance offices of the city and county, when the necessary initiative has been taken by the people of San Diego and the city government of San Diego.

Consolidation of county offices, wherever practicable.

Increase of the number of supervisorial districts, to provide adequate representation of every section of a large and diversified county, with liberal representation for the districts outside of the city of San Diego.

Specifically, the Charter provides for:

1. A Board of Supervisors, one from each of nine districts, five created out of San Diego and its suburbs and four out of the remainder of the county; these supervisors to be elected by the county at large but to reside in and be nominated in their respective districts, to receive no pay for their services but remuneration for their actual expenses, and to be given the powers:

(a) To make necessary ordinances under which business may be done, but not to administer the business.

(b) To make and control, but under specific civil service rules and on the nomination of the executive heads or impartial commissions, appointments to the important offices not reserved for filling by election by the people.

(c) To give the necessary technical and legal sanction to the acts of the chief executive (a County Manager), and, with the

assistance and advice of the Manager, the Auditor, the Assessor and a Board of Appraisers, of the tax levy and the county budget.

(d) In general, to act in a representative and controlling rather than in a directive capacity for the people of the county.

2. A County Manager: To be the actual manager of the county's affairs and business; to be an executive of high qualifications and large experience; to be ex officio Purchasing Agent, Road Commissioner and Surveyor; to be appointed by the affirmative votes of seven members of the Board of Supervisors, but only on recommendation by the Civil Service Commission, examinations having been waived.

3. An Auditor: Appointed by the Civil Service Commission from its certified list.

4. An Assessor: Appointed by the Civil Service Commission from its certified list; to be ex officio tax and license collector.

5. Officers, appointed by the Board of Supervisors, from the eligible civil service lists, as follows:

Board of Education

Board of Law Library Trustees

Coroner (who is ex officio Public Administrator)

County Clerk (who is ex officio Registrar of Voters,
Clerk of the Board of Supervisors and Clerk of the
Superior Court)

County Counsel

Fish and Game Warden

Director of Health and Charities (ex officio health officer
and superintendent of charities)

Horticultural Commissioner

Live Stock Inspector

Probation Officer

Public defender

Recorder

Superintendent of Schools

Treasurer.

To make these offices non-political, non-partisan and efficient; to free appointing authorities from political pressure; and to provide a board for the protection of the people, as a board of efficiency, as well as for the protection of the service, there is proposed:

A Civil Service Commission: Of three members, one selected by the Governor, one by the judges of the Superior Court, and one by the Board of Supervisors. This Commission is given ample power to provide for:

(a) A merit system.

(b) Flexibility and liberality in the execution of the merit system.

(c) Efficiency, management and control of county business, with an efficiency rating system and power to discharge inefficient employees. In this connection, the Manager is given ample power and protection, and the

chief deputies of certain officers are not made subject to civil service.

To make the government of the County representative of the wishes and interests of the people, not only in the Board of Supervisors but through such offices as always have been and should be regarded as tribunes of the people, the offices of Sheriff and District Attorney are retained as elective offices.

To provide for the public welfare, a body specifically charged with the care of that welfare is created in: The Board of Public Welfare: This board, consisting of two members appointed by the Governor of the State of California, two by the judges of the Superior Court, two by the Board of Supervisors, with the County Manager ex officio chairman of the board, is charged with the care of the County Hospital, the County Farm, of any almshouses that may be established, of the Detention Home, and of all indigent and out-of-door relief. It also constitutes the Board of Health of the County. The executive officer of the board, the Director of Health and Charities, is appointed by it from the eligible list of the Civil Service Commission. He is to have large powers, limited, however, in financial matters by the County Manager's purchasing power and by the placing of a limit on the amount that the budget may include for the work of the Board.

The Public Defender will protect those individuals who need protection in the courts.

The important subject of Labor is dealt with in the spirit of modern legislation.

For the protection of the interests and welfare of the people at large, there is provision for:

1. A modern audit system, with provision for the extension of it to cities and towns desiring its service.
2. A purchasing system, with provision for its extension to cities and school districts.
3. Improvement of the judicial township and constable system, as far as is practicable under state law.
4. The Short Ballot.
5. The Recall.
6. Last, but not least, Publicity, with particular reference to publicity and understandable information in the expenditure of the people's money, that it may be said, even of the tax payer, "He Who Runs May Read."

In submitting this proposed Charter, the Board of Freeholders wishes to emphasize the great desirability of a judgment on its merits as a whole, not on any single provision which may not be entirely satisfactory to the elector who reads it, and to emphasize, also, the supreme importance, should the Charter be adopted, of the enlarged and re-constituted Board of Supervisors, together with the significance of the new office of County Manager, whose hands are not tied and of whom it is the intention of this instrument to make a manager in reality of the County's business.

SAN DIEGO COUNTY CHARTER.

We, the people of the County of San Diego, State of California, do ordain and establish for its government this Charter.

ARTICLE I.

Name and Rights of County.

Section 1. The County of San Diego, as it now exists, is a body corporate and politic, and, as such, has all the powers specified by the Constitution and Laws of the State of California, and by this Charter, and such other powers as are necessarily implied.

Section 2. The powers mentioned in the preceding section can be exercised only by a Board of Supervisors, or by agents and officers acting under their authority, or by authority of the Constitution of the State, the Laws of the State, or of this Charter.

Section 3. The corporate name shall be "County of San Diego", which must thus be designated in all actions and proceedings touching on its corporate rights, purposes and duties.

Section 4. The boundaries of the county and the county seat shall remain as the same now are, unless otherwise changed in the manner provided by law.

ARTICLE II.

Board of Supervisors.

Section 1. The County of San Diego is hereby divided into nine supervisorial districts, the boundaries of which are established as follows:

District Number One shall comprise Ballena, Banner, Borego, El Cajon, Foster, Julian, Lakeside, Mesa Grande, Oak Grove, Ramona, Santee, and Warners voting precincts, as the same are now constituted by law.

District Number Two shall comprise Alpine, Boulevard, Campo, Dehesa, Descanso, Dulzura, Harmony, Hillsdale, Jacumba, Jamacha, Jamul, La Mesa numbers one and two, La Mesa Heights, La Presa, Lemon Grove, Loma Alta, Lyons, Meridian, Mission, Potrero, San Miguel and Spring Valley voting precincts, as the same are now constituted by law.

District Number Three shall comprise Bear Valley, Bernardo, Citrus, Escondido, voting precincts numbers one to four, both inclusive, Linda Vista, Lusardi, Oakdale, Pala, Palomar, Poway, San Marcos, San Pasqual, Valley Center and Vista voting precincts, as the same are now constituted by law.

District Number Four shall comprise Aliso, Bonsall, Cardiff, Carlsbad, Del Mar, De Luz, Encinitas, Fallbrook, Las Flores, Oceanside number one, Oceanside number two, Olivenhain, Recluse, San Luis Rey, Vallecitos and West Fallbrook voting precincts, as the same are now constituted by law.

District Number Five shall comprise voting precincts numbers one to ten, both inclusive, numbers twenty-one to thirty-three, both inclusive, and numbers sixty-two to sixty-seven, both in-

clusive, in the City of San Diego, as the same are now constituted by law.

District Number Six shall comprise voting precincts numbers one to seven, both inclusive, in East San Diego; Kensington, Normal Heights, Teralta, voting precincts numbers eleven to twenty, both inclusive, and numbers thirty-four to thirty-eight, both inclusive, in the City of San Diego, as the same are now constituted by law.

District Number Seven shall comprise Chollas, Monroe, voting precincts numbers thirty-nine to forty-nine, both inclusive, numbers eighty-nine to one hundred four, both inclusive, and number one hundred twenty-two, in the City of San Diego, as the same are now constituted by law.

District Number Eight shall comprise voting precincts numbers fifty to sixty-one, both inclusive, numbers sixty-eight to eighty-eight, both inclusive, and numbers one hundred five and one hundred six, in the City of San Diego, as the same are now constituted by law.

District Number Nine shall comprise Bonita, Chula Vista number one, Chula Vista number two, Chula Vista number three, Coronado number one, Coronado number two, Coronado number three, Coronado number four, Coronado number five, Coronado outside, National City number one, National City number two, National City number three, National City Number four, National City number five, Nestor, Otay, San Ysidro, South San Diego, and voting precincts numbers one hundred seven to one hundred twenty-one, both inclusive, in the City of San Diego, as the same are now constituted by law, and shall remain as so established until otherwise changed, as provided in this Charter.

Section 2. The County of San Diego shall have a Board of Supervisors consisting of nine members, each of whom must be an elector of the district which he represents, must reside therein during his incumbency, must have been such an elector for at least one year immediately preceding his election, and shall be nominated by the electors of said district, in accordance with the primary laws now in force, or such as may hereafter be established by the State; but shall be elected by the electors of the county at large, under the election laws of the State, as are now in force, or may hereafter be established. They shall receive each a per diem of five dollars for each meeting of the Board of Supervisors actually attended by them, said per diem to be payable monthly from the County Treasury; provided, however, that the total compensation which each supervisor shall receive in any one year shall not exceed four hundred dollars, said sum to include all service rendered as a member of the Board of Equalization. In addition to the compensation hereinbefore provided, each Supervisor residing more than ten miles from the Court House shall receive a mileage of ten cents per mile for each mile one way necessarily traveled by the most direct route from the residence of such Supervisor to the Court House; provided, however, that not over one mileage shall be paid to each Supervisor entitled to the same, in any one month, said sum to be payable monthly from the County Treasury.

Section 3. At the general election to be held in November, nineteen hundred and eighteen, Supervisors shall be elected from the Second, Fourth, Sixth and Eighth Supervisorial Districts, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and nineteen, who shall serve four years and until their successors are elected and qualified; and, at the general election to be held in November, nineteen hundred and twenty, Supervisors shall be elected from the First, Third, Fifth, Seventh and Ninth Supervisorial Districts, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and twenty-one, who shall serve for four years and until their successors are elected and qualified.

Section 4. The Board of Supervisors may, by the affirmative votes of six members, change the boundaries of any Supervisorial District. No such boundaries, shall, however, be changed to affect the incumbency in office of any Supervisor, and any such change in the boundaries of any Supervisorial District must be made within one year after a general election; provided, however, that no change shall be made which will deprive the electors of the County, residing in any voting precinct, of a vote for Supervisor at more than one supervisorial election in succession.

Section 5. Whenever a vacancy occurs in the Board of Supervisors, such vacancy shall be filled within thirty days thereafter by the Board of Supervisors, and the member so appointed shall hold office until the election and qualification of his successor, who shall be elected at the next general election to fill the vacancy for the unexpired term. In the event that such vacancy is not filled by the Board of Supervisors within thirty days after the vacancy shall have occurred, then, and in that event, the Governor shall fill such vacancy by appointment.

Section 6. The Board of Supervisors shall elect a chairman at the first regular meeting in January of each year, who shall preside at all meetings of the Board. In case of his absence or inability to act, the members present must, by an order entered of record, select one of their number to act as chairman pro tem. Any member of the Board shall have power to administer oaths. Five members of the Board shall constitute a quorum, but no act of the Board shall be valid or binding unless at least five members concur therein; and the affirmative votes of six members shall be necessary to make or confirm appointments, or to remove appointees from office, except as otherwise in this Charter provided.

ARTICLE THREE.

General Powers of the Board of Supervisors.

Section 1. The Board shall have all the jurisdiction and powers which may now, or which may hereafter be granted by this Charter, and by the Laws of the State not inconsistent with this Charter.

Section 2. It shall be the duty of the Board of Supervisors:

- (a) To appoint a County Manager and fix his compensation,

and, from time to time, change his compensation; provided, however, that said Manager shall be appointed from an eligible list of not less than three persons, whose names shall have first been certified to said Board by the Civil Service Commission as hereinafter provided.

(b) To appoint all County officers, other than elective officers, whose appointment is not otherwise provided for in this Charter; all such appointments, however, shall be made from the eligible Civil Service list, certified to said Board by the Civil Service Commission, except in cases of appointment to the unclassified service. The Board shall provide by ordinance for the compensation of all officers and employees of the county, except as otherwise in this Charter provided, and in fixing the initial salaries, shall call upon the Civil Service Commission for advice.

(c) To provide by ordinance for the number of Justices of the Peace and Constables to be elected in each judicial township, and, from time to time, fix the number and boundaries of each judicial township, but, when so fixed, the number and boundaries thereof shall not be changed oftener than once in four years. The number and boundaries of judicial townships are to continue as they are now until changed by the Board. The Board shall, by ordinance, fix the salary of each of said Justices of the Peace, which may of may not be uniform nor proportionate to population therein. The Board may, also, by ordinance, provide the number and fix the compensation of such other judges and such inferior officers of such inferior courts as are now provided, or may hereafter be provided, by the Constitution or by general law.

(d) To provide by ordinance, upon the written recommendation of the County Manager, where not otherwise in this Charter provided, for the number of assistants, deputies, clerks, attaches and other persons to be employed from time to time in the several offices and institutions of the county, and for their compensation not, however, to exceed the amount recommended in writing by the County Manager, and the times at which and for which they shall be appointed not, however, for a longer time than the County Manager shall, in writing, have recommended as necessary.

(e) To provide by ordinance, on the written recommendation of the County Manager, and not otherwise, for the creation of offices other than those required by the Constitution and Laws of the State, and for the appointment from the eligible list of Civil Service Commission of persons to fill the same; and to fix their compensation, not, however, in excess of the amount recommended by the County Manager.

(f) To provide by ordinance, upon written recommendation of the County Manager, for the amount of bond to be given, before or after entering upon the duties of his office or service, by each county or township officer or employee, for the faithful performance of the duties thereof, and to require renewals of the same from time to time as may be determined.

(g) To provide by ordinance the rules and prescribe the conditions for the letting of contracts by the County Manager for all work of which the County Manager has supervision, as herein provided, and to provide what work may be done by day labor.

(h) To provide by ordinance for the selling, by the County Manager, of personal property of the County no longer needed.

(i) To provide by ordinance for the acquiring of rights of way, easements and leases for the County, by the County Manager, whenever the same are necessary in the work of which he has supervision, as herein provided for.

(j) The Board of Supervisors may, by ordinance, provide that the County Manager shall perform such administrative duties as are now required by law to be performed by the Board of Supervisors, excepting, however, such duties of the Board of Supervisors as are provided for in this Charter.

(k) The Board of Supervisors shall have power and authority to convey or lease to the United States of America, or such department, bureau, or special division of the Government of the United States of America as may be authorized by law to take such conveyance or lease, for the purpose of a permanent mobilization, training and supply station, or other purposes connected with the Army of the United States, any land now belonging to the County of San Diego, or hereafter acquired by the County of San Diego for any purpose, whether by gift, devise or purchase; such conveyance or lease may be made for such consideration whether monetary or otherwise, and upon such terms and conditions, and with such provisions for a reversion to the county if the said lands shall cease to be used for the purpose for which the same were so conveyed or leased, as the said Board of Supervisors shall deem proper and to the best interests of the County.

ARTICLE IV.

County Officers Other than Supervisors.

Section 1. The elective county officers, other than members of the Board of Supervisors, shall be: District Attorney and Sheriff.

Section 2. At the general election to be held in November, nineteen hundred and eighteen, there shall be elected a District Attorney and a Sheriff, whose terms shall begin at noon on the first Monday after the first day of January, nineteen hundred and nineteen, and who shall hold office for the term of four years thereafter, and until their successors are elected and qualified.

Section 3. The appointive officers of the County shall be:

County Manager

Assessor

Auditor

Members of the Board of Education

Members of Board of Law Library Trustees

Members of the Civil Service Commission

Coroner

County Clerk
County Counsel
Fish and Game Warden
Health Officer
Horticultural Commissioner
License Collector
Live Stock Inspector
Probation Officer
Public Administrator
Public Defender
Recorder
Registrar of Voters
Road Commissioner
Director of Health and Charities
Superintendent of Schools
Surveyor
Treasurer

and all other officers who are now, or may hereafter be, provided by the law of the State.

Section 4. The following offices are hereby consolidated:

The CORONER shall be ex officio PUBLIC ADMINISTRATOR, and shall perform all the duties of that office.

The ASSESSOR shall be ex officio TAX COLLECTOR and LICENSE COLLECTOR, and shall perform all the duties of said offices.

The COUNTY MANAGER shall be ex officio ROAD COMMISSIONER, and shall perform all the duties of that office.

The COUNTY CLERK shall be ex officio REGISTRAR OF VOTERS, CLERK OF THE BOARD OF SUPERVISORS, and CLERK OF THE SUPERIOR COURT, and shall perform all the duties of said offices.

Section 5. Each and all of the foregoing elective and appointive County officers shall have all the powers and perform all the duties required of their respective offices by the Constitution and Laws of the State, except as otherwise provided in this Charter, and, also, shall have and perform such powers and duties as are by this Charter prescribed. They shall appoint their deputies and other employees to the number authorized by ordinance of the Board of Supervisors, from the certified list as prepared by the Civil Service Commission under the rules of said Commission, and may remove said deputies and other employees for inefficiency or neglect of duty, under the rules of said Commission; provided, however, that the District Attorney may appoint his chief deputy, the Sheriff his under-sheriff, and the Treasurer his chief deputy, without civil service examination.

Section 6. All fees or emoluments of any kind, nature or description, or profits arising out of their respective offices in the performance of their duties, or incidental thereto, or by or from contracts connected with their respective offices, boards or commissions, shall be paid into the County Treasury on the

first Monday of each calendar month, by each and all of the elective and appointive County officers herein provided for.

Section 7. Whenever a vacancy occurs in an elective office, the Board of Supervisors shall fill such vacancy, and the appointee shall hold office until the election and qualification of his successor, who shall be elected at the next general election, to fill such vacancy for the unexpired term; but no election shall be held when such term expires in the month of January succeeding a general election.

Section 8. The term of each elective county officer shall be four years, except as otherwise provided in this Charter, and shall begin at noon on the first Monday after the first day of January succeeding his election, and until such time as his successor shall be elected and shall qualify, except as otherwise provided in this Charter. All officers appointed under civil service certification shall hold office during such time as they efficiently perform the duties of their respective offices, and until removed as in this Charter provided.

Section 9. Each county officer shall be allowed, in addition to the compensation fixed by the Board of Supervisors, such expenses as are now payable to him under the provisions of the general laws of the State or of this Charter; provided, however, that all such expenses shall be limited to actual and necessary cash expenditures.

ARTICLE V.

Township Officers.

Section 1. The board of Supervisors must provide by ordinance for not less than one Justice of the Peace and one Constable in each judicial township, and may provide for more in townships where the population and business therein require a greater number; provided that, until the Board shall so provide for such Justices of the Peace and Constables, the number of each thereof in such townships shall continue to be as now is or may hereafter be provided by law; provided, furthermore, that, if the Legislature shall hereafter, instead of the system of courts of Justices of the Peace now established by law, substitute some other system of inferior courts, then, in that event, the present system of justices of the peace and constables shall cease, and the Board shall, by ordinance, discontinue all Justices of the Peace in the several townships, and said Board may provide for such number of inferior justices or judges as may be necessary for the needs of the county, under such substituted system.

Section 2. Justices of the Peace and Constables shall be nominated and elected at the times and in the manner and for the terms as are now, or may hereafter be provided by general law.

Section 3. All fees and fines collected by any Justice of the Peace, shall be paid into the County Treasury on the first Monday of each calendar month, together with a detailed statement of the same, in writing, under oath, a copy of which statement shall be filed with the Auditor.

Section 4. The salaries of township officers shall be paid at

the same time, in the same manner and out of the same fund as the salaries of other county officers.

Section 5. In any township where, in the opinion of the Board of Supervisors, the public convenience requires it, said Board may, by ordinance, provide for a justice's clerk for each justice thereof, who shall be appointed by the justice from the eligible list certified by the Civil Service Commission; such justice's clerk shall perform all the duties as court reporter for such Justice, and prepare transcripts of the same as required. Such Justice's clerk shall also have the powers and perform the duties provided for justice's clerks by general law. Each shall receive such compensation as may be fixed from time to time by the Civil Service Commission.

ARTICLE VI.

County Manager and His Duties.

Section 1. The Board of Supervisors shall, prior to June thirtieth, nineteen hundred and seventeen, appoint from a list, certified to them by the Civil Service Commission, a County Manager, who shall take office immediately after his appointment and qualification. He shall be a citizen of the United States, and shall reside in the County of San Diego during his term of office. His duties shall be as follows:

(a) He shall be ex officio Road Commissioner, and, as such, shall have complete direction and control over all the work of construction, improvement, maintenance and repair of county roads, highways and bridges, and the expenditure of all the road, highway and bridge funds of the County.

(b) He shall have the supervision, care, maintenance and repair of all public buildings of the County, and of all other property of the County, and of all public work of the County.

(c) He shall be the Purchasing Agent of the County, and shall perform all the duties required of the Purchasing Agent under this Charter.

(d) He shall be Chairman of the Board of Welfare, and shall perform all the duties of that office as fixed by this Charter or by the rules of said Board.

(e) He shall perform all other duties imposed upon him by any ordinance of the Board of Supervisors.

(f) He shall have general supervision over all the appointive county officers, their deputies and employees (excepting the Auditor and County Counsel), and shall see that they efficiently perform all the duties pertaining to their offices or employments; and if, in his judgment, any appointive county officer or deputy or employee thereof is not efficiently performing his duties, as required by law, or by this Charter, and is not doing his work in a faithful and efficient manner, it shall be his duty to notify such person and his superior officer in writing of such fact; and, in the event that such officer, deputy or employee does not thereafter perform his duties efficiently and according to law, he shall have the power to remove him by a written notice to that effect, giving his reasons therefor, and his decision in the matter shall be final, unless reversed by a two-thirds majority

of the Civil Service Commission at its first regular meeting after such removal, and any vacancy so created shall be immediately filled in the manner provided by this Charter.

(g) He shall determine the number of deputies and employees in his department, and shall appoint the same from the classified list and may remove them at any time for cause.

(h) He shall hold office for four years from and after the date of his appointment, and until his successor is appointed.

(i) He shall perform all the duties which are now required or which may hereafter be required by the laws of the State, of the county surveyor, except as must be performed by a licensed land surveyor.

(j) He shall appoint a licensed land surveyor as one of his deputies, and the deputy so appointed shall be ex officio County Surveyor and perform all the duties of that office requiring a licensed land surveyor. The salary of the County Surveyor shall be one hundred and fifty dollars per month, from July first, nineteen hundred and seventeen, to December thirty-first, nineteen hundred and eighteen, and thereafter shall be such an amount as may be fixed by the Board of Supervisors.

(k) The Manager may be removed for cause at any time by the affirmative vote of seven members of the Board of Supervisors, in regular session assembled; and said Board shall remove the County Manager whenever a petition demanding his removal shall be filed with them, signed by the qualified voters of the County of San Diego, and equal in number to at least thirty per cent. of the entire vote cast for all candidates for Governor of the State at the last preceding election at which the Governor was elected. Such a petition shall be substantially in the same form, executed in the same manner, verified in the same manner, and checked and reported in the same manner as required by the laws of the State for the recall of an elective officer.

ARTICLE VII.

County Counsel and District Attorney.

Section 1. The County Counsel shall represent and advise the Board of Supervisors, the County Manager, and all county, township and school district officers in all matters and questions of law pertaining to their duties, and shall have exclusive charge and control of all civil actions and proceedings in which the County, the Board of Supervisors, any school district, or any officer of the County, or of a township or of a school district is concerned, or is a party as such. He shall examine and report, in writing, as to the legality of all claims presented against the County; he shall also act as attorney for the Public Administrator in the matter of all estates in which such officer is executor, administrator with the will annexed, or administrator; and the County Counsel shall, in every such matter, collect the attorney's fees allowed therein by law, and shall pay the same into the County Treasury.

Section 2. The District Attorney shall perform all the duties of that office as prescribed by the general laws of the State, ex-

cepting such as this Charter requires to be performed by the County Counsel.

ARTICLE VIII.

Public Defender.

Section 1. It shall be the duty of the Public Defender, upon the request of a defendant, or upon order of the court, to defend, without expense to them, all persons who are not financially able to employ counsel, and who are charged, in the Justice's and Superior Courts with the commission of any contempt, misdemeanor, felony or any other offense. He shall also, upon request give counsel and advice to such persons in and about any charge against them upon which he is conducting the defense; and he shall prosecute all appeals to a higher court or courts of any person who has been convicted upon any such charge, where, in his opinion, such conviction is unjust and such appeal will, or might reasonably be expected to result in a reversal or a modification of the judgment of conviction.

Section 2. He shall also, upon request, prosecute actions for the collection of wages and of other demands of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed Two hundred dollars, and in which, in the judgment of the Public Defender, injustice has been done and the claims urged are valid and enforceable in the courts.

Section 3. He shall also, upon request, defend such persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed.

Section 4. The costs in all actions in which the Public Defender shall appear under this section, whether for plaintiffs or for defendants, shall be paid by the County Treasurer at the times and in the manner required by law or by rules of court, and under a system of demand, audit and payment which shall be prescribed by the Board of Supervisors. It shall be the duty of the Public Defender, in all such litigation, to procure, if possible, in addition to general judgments in favor of the persons whom he shall represent, judgments for costs and attorney's fees, where permissible, against the adverse parties of such persons, and collect and pay the same into the County Treasury.

ARTICLE IX.

Roads, Highways and Bridges.

Section 1. The County of San Diego, exclusive of incorporated cities, is hereby declared to be and is created into one road district, and the County Manager, as Road Commissioner, shall have exclusive direction and control over all work of construction, maintenance and repair of roads, highways and bridges therein, other than work done under contract, and, where any work is done under contract, it shall be his duty to supervise, examine and inspect such contract work as the same progresses, and see that the same is properly performed according to contract, and, when completed, to file his written report thereon with the Board of Supervisors. He shall also have control and

management of all county rock quarries and gravel pits, and of all machinery, tools and other materials, property and instrumentalities necessary for, and connected with the maintenance, construction and repair of highways and bridges.

Section 2. The Board of Supervisors may provide for the formation of highway construction divisions for the construction of roads, highways and bridges; and for the inclusion in any such division of the whole or any part of any incorporated city or town upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town or portion thereof proposed to be so included, at an election held for that purpose; for the organization, government, powers and jurisdiction of such division and for raising revenue therein for such purposes by taxation upon the assent of a majority of the qualified electors of such division voting at an election held for that purpose; also, to provide for the incurring of indebtedness therefor by the county or division for such purposes, respectively, by the issuance and sale, by the county, of bonds of the county or division, and for the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of such county or division, as the case may be; for the payment of the principal and interest of such indebtedness at maturity, provided that any such indebtedness shall not be incurred for the county as a whole without the assent of two-thirds of the qualified electors of the county, or, in case of a division thereof, without the assent of two-thirds of the qualified electors of the division voting at an election held for that purpose, nor unless, before or after the time of incurring such indebtedness, provision shall be made for the collection of an annual tax from the county or from the division, as the case may be, sufficient to pay the interest on such indebtedness as it falls due, and, also, for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. The procedure for voting, issuing and selling such bonds, except in so far as the same shall be otherwise prescribed by this Charter, shall conform to the general laws for the authorizing and incurring of bonded indebtedness by counties or divisions thereof, so far as applicable; provided, further, that, if the work to be done under the said bond issue is to be done by contract, the work shall be done under the supervision of the County Manager; or, if the work be done in any other manner, it shall be done under the direction and control of the County Manager; and provided, further, that the construction, care, maintenance, repair and supervision of roads, highways and bridges, for which aid from the State is granted, shall be subject to such regulation and conditions as may be imposed by the legislature.

ARTICLE X.

Department of Public Welfare.

Section 1. There is hereby created a Board of Public Welfare,

which shall consist of seven members, two of whom shall be appointed by the Governor of the State of California, two by the majority of the Judges of the Superior Court of the County of San Diego, and two by the Board of Supervisors; and the County Manager shall be ex officio a member of said Board, and shall be the chairman thereof. The said Board shall be appointed in time to take office on the first day of July, A. D. Nineteen hundred and seventeen, and shall, at their first meeting, so classify themselves that two members thereof shall hold office for two years, two for four years, and two for six years; and, whenever the term of a member expires, his successor shall be appointed by the same authority which made the original appointment. The members thereof shall serve without compensation. This Board may establish and maintain a County Hospital, prescribe the rules for the government and management thereof, and may establish alms houses and county farms, prescribe the rules and regulations for the government and management thereof, and may establish and maintain such other charitable institutions, as in their judgment may be necessary in the County of San Diego, and prescribe the rules and regulations for the government and management thereof. They shall also provide for the care and maintenance of the indigent sick or indigent poor of the county. They shall also provide for the burying of the indigent dead. They shall be and constitute the Board of Health of the County and shall perform all the duties required thereof by the laws of the State. They may establish a detention home, or branch detention home, and prescribe the rules and regulations for the government and management thereof. They shall constitute the Probation Committee of the County, and perform all the duties of a Probation Committee as required by the laws of the State. They shall, unless otherwise provided in this Charter, perform all such other duties as the State law requires of Boards of Welfare.

Section 2. The Board shall have the expenditure of all money appropriated to this department in conformity with the law; but all materials and supplies required for its use shall be purchased by the Purchasing Agent. The Board shall provide and carry out a general plan for the organization of all of the charitable and public welfare work of the County.

Section 3. The Board shall appoint, from the certified list of the Civil Service Commission, a Director of Health and Charities who shall be directly and solely responsible to the Board of Public Welfare and under the general direction of the Board. The office of Director of Health and Charities shall be filled by a practitioner of medicine, licensed by the State of California, and who shall have practiced in his profession for at least five years.

Section 4. The Director of Health and Charities shall have the supervision and control over all the charitable institutions and charities of the County, including the general hospital, the tuberculosis hospital, the county dispensary, the alms house, the indigent relief, and of all dependent, defective and delinquent persons in need of County medical or charitable relief. He shall, when empowered to so do by the Board of Public Wel-

fare, initiate and put into operation all measures pertaining to the health of the community which come under the supervision of the County Government. He shall appoint, with the approval of the Board, from the eligible list, certified by the Civil Service Commission, all employees necessary for the performance of the work of his department, and shall supervise the performance of their duties, and may remove them at any time for cause according to the rules of the Civil Service Commission. It shall be the duty of the Director of Health and Charities to receive and act upon all petitions for County and State aid, to investigate them, and if in his judgment they should be granted, to grant the same, or such an amount as he deems proper under the circumstances.

Section 5. The Director of Health and Charities shall be ex officio Health Officer of the County of San Diego, and perform all the duties of that office.

Section 6. There shall be included in the budget each year an amount sufficient to support the work of the Board of Public Welfare, and, for that purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the county at the rate of twenty cents on each one hundred dollars of the assessed valuation thereof, and the said Board of Public Welfare shall not exceed in its work the said amount of money so levied for it each year; provided, however, that land may be acquired or buildings may be erected from the proceeds of a bonded indebtedness created in the same manner that other county bonds are voted, issued and sold.

Section 7. The Board shall appoint, from the eligible list as certified by the Civil Service Commission, a Probation Officer, who shall appoint, from the certified list of the Civil Service Commission, such assistant probation officers as may, in the judgment of the Board, be necessary, and he shall exercise a general supervision and control over them, and may remove them for cause, according to the rules of the Civil Service Commission. The Probation Officer and assistant probation officers, so appointed, shall perform all the duties required of them by the Laws of the State.

ARTICLE XI.

Purchasing Agent.

Section 1. There is hereby created the office of County Purchasing Agent, and the County Manager shall be the County Purchasing Agent.

Section 2. Except as otherwise in this Charter provided, no county, township or other officer, shall contract for or purchase any furniture, fixtures, tools, supplies, materials or any other articles or property for his use as such officer or for use in or pertaining to his office, except by and through said Purchasing Agent and in the manner hereinafter provided.

Section 3. Whenever any such officer shall require any such furniture, fixtures, tools, supplies, materials, or any other articles or property for his use as such officer, or for use or pertaining to his office, he shall make and present to the Auditor

a written requisition for the same. The Auditor shall thereupon examine such requisition and endorse thereon his approval or disapproval thereof, in whole or in part, as to whether or not funds have been provided for such proposed purchase, and shall deliver the same to the County Manager, who shall thereupon examine such requisition and endorse thereon his approval or disapproval, in whole or in part, and, if approved, the Purchasing Agent shall thereupon make such purchases as have been approved, and shall deliver the same, together with an invoice thereof, to the officer making the requisition, and shall, at the same time, deliver a duplicate invoice to the Auditor. In the event that the County Manager shall disapprove the purchase of said articles, in whole or in part, he shall report to the Board of Supervisors the reason for his disapproval thereof, and his disapproval thereof shall not be overruled by the Board of Supervisors, except by the affirmative votes of six members of the Board.

Section 4. Subject to the regulation and direction of the Board of Supervisors, it shall be the duty of the Purchasing Agent to purchase, from time to time, in quantity, such supplies as may be required for county use, and keep the same on hand for the filling of such requisitions as may be allowed as hereinbefore provided.

Section 5. It shall be the duty of the Purchasing Agent to contract for the purchase of supplies and materials required for use in connection with any and all county institutions.

Section 6. Any incorporated city or town or school district, upon providing funds for that purpose, may require the Purchasing Agent to purchase its supplies; and it shall be the duty of the Purchasing Agent of the County to act as Purchasing Agent for any such municipality or school district whenever requested so to do by it; such service of the County Purchasing Department to be rendered such municipality or school district without compensation from it.

ARTICLE XII.

County Property.

Section 1. The County Manager is hereby made the custodian of all public buildings and property belonging to the County, except such as are required by law to be in the immediate custody of other officers; and it shall be the duty of the County Manager to make and keep on file in his office a complete inventory of all county property, and the same shall be open to the inspection of the public during business hours. It shall be the duty of every county, township and other officer, within five days after entering upon the discharge of the duties of his office, to make and file with the Manager a complete inventory in duplicate of property, belonging to the County of San Diego, or pertaining to his office, received by him from his predecessor; and each officer shall, monthly, within five days after the expiration of each calendar month, make and file with the Manager a report for such month, showing in detail all property belonging to the

County, or pertaining to his office, added thereto during the preceding month, and from whom the same was acquired, and also showing in detail what property of the County, pertaining to his office, has, during such month, been lost, destroyed, consumed, or otherwise disposed of. Complete copies of such inventory and reports, so filed, shall be filed in the office of the County Auditor, and, also, in the office of the Board of Supervisors.

ARTICLE XIII.

Auditing and Accounting.

Section 1. The County Auditor shall be appointed by the Civil Service Commission from their certified list, and shall hold office until removed for cause, as in this Charter provided.

Section 2. The Auditor shall, on or before July first, nineteen hundred and seventeen, inaugurate and install, in each county and township office, a modern system of accounting, so that the books of all officers shall be uniform in system, and the Auditor shall, at least once every three months, audit said books to see that said county and township officers are keeping the same according to said system and up to date, and any delinquency in this respect shall be immediately reported to the County Manager.

Section 3. Each County officer or employee who collects fees, fines, emoluments, or money from any source, due the County, or any profit arising out of the conduct of his office, shall file with the Auditor, on or before the first Monday of each month, an itemized statement, under oath, showing from what source the fees, fines, or other money was received during the preceding month; and shall also include in this report an itemized statement of all expenses incurred by said office during the preceding month, including his salary and the salaries of all his deputies and employees; and duplicate copies of said statement shall be filed with the County Manager and the Board of Supervisors, and the Auditor must not pay any officer his salary until he files said monthly statement and pays into the County Treasury all fees, fines and other moneys which have been received by him.

Section 4. Each county officer shall file with the Auditor on or before the first day of July of each year, an estimate in detail of the amount of money that he will need to run his office for the fiscal year next ensuing, and he shall not be permitted to expend more than is allowed his office in the budget, except that, by the approval of the County Manager and the affirmative votes of six members of the Board of Supervisors, he may be permitted to exceed the amount estimated therein, in an emergency, and said excess shall be drawn only from the Emergency Fund. The word emergency, as used herein, shall mean the happening of some unusual and unforeseen event, and not the ordinary running expenses of the office.

Section 5. The Auditor shall annually, on or before the fifteenth day of July, make a report compiled from the monthly reports of the county and township offices showing in detail the

monthly receipts of each officer and the monthly expenses of each office for the preceding fiscal year, together with all other expenses of the county for the said year. In this report, he shall also include the amount of estimated expenses of said year, as submitted by each officer, and the actual expenses incurred by each office during the year, and he must also show therein the expenses of each office for the two preceding years. He must also include therein a complete balance sheet of the financial condition of the county, and a detailed statement setting forth the sources and amounts of all revenues received by the county, all indebtedness existing and outstanding against the county on the thirtieth day of June of said year, the total assessed value of all property in the county as shown by the last assessment, the tax rate, as levied by the Board of Supervisors, the actual amount of taxes paid into the county, and the total amount of delinquent taxes remaining unpaid on the thirtieth day of April of said year. He shall also, in connection with said report, make up an annual budget showing the amount of taxes proposed to be raised for the ensuing fiscal year, and the specific purposes for which the same are to be raised. Such report, when so completed, shall be submitted to the County Manager for his written suggestions relative thereto, and said report, together with the Manager's suggestions relative thereto, shall be printed in pamphlet form prior to August tenth, and distributed to all citizens and taxpayers of the county who ask for the same, on or after said date.

ARTICLE XIV.

Annual Budget.

Section 1. When the Auditor has completed his annual budget, and the County Manager has made his written recommendations relative thereto, and the same has been printed and distributed, as hereinbefore provided, it shall be submitted to the Board of Supervisors for approval. In passing upon the budget, the Board of Supervisors may eliminate or reduce the amount of any item, but in no case may it increase the estimate as made by the Manager in his recommendations, although it may request that officer to reconsider his estimate on any particular item thereof. If the Manager, for good reasons, raises the estimate, then the Board may adopt the raised estimate. In making up the budget, a county office emergency fund, not to exceed ten thousand dollars, shall be included. This fund may be drawn upon in emergencies, but only after the written recommendation of the County Manager and a resolution of approval by the affirmative votes of seven members of the Board of Supervisors. This Emergency Fund must be maintained solely for the county officials other than the Board of Supervisors. There shall also be included in the budget an amount sufficient to support the work of the Civil Service Commission, and, for this purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the county, at the rate of not less than one cent on each one hundred dollars of the assessed value thereof.

Section 2. There shall also be included in the budget an

amount sufficient to support the work of the Board of Public Welfare, and, for this purpose, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the County at the rate of twenty cents on each one hundred dollars of the assessed valuation thereof.

Section 3. The Auditor shall have an annual report of the financial condition of the County printed in pamphlet form in manner to be designated by the Manager; one printed copy of said report to be filed with the Board of Supervisors, nineteen copies with the Grand Jury, one with each Judge of the Superior Court, and the remainder thereof for general distribution. This report shall be in lieu of the report required by general law to be published by the Board of Supervisors.

Section 4. No claim shall be allowed against the County, or paid, unless the same shall have been checked and approved, in writing, by the Auditor, as within the budget.

ARTICLE XV.

Assessor and Board of Appraisers.

Section 1. The County Assessor shall be appointed by the Civil Service Commission from their certified list, and shall hold office until removed for cause, as in this Charter provided.

Section 2. There is hereby created a County Board of Appraisers. It shall consist of three members, to be appointed by the County Manager; each member thereof shall be a qualified elector of the County of San Diego and shall be a freeholder thereof.

Section 3. It shall be the duty of said Board of Appraisers to appraise the real property of the County of San Diego at its full cash value once every four years, in such form as may be prescribed by the Manager. In determining said work of appraisal, the Board of Appraisers shall work in conjunction with the Assessor, and it shall also attend the sessions of the County Board of Equalization each year and advise with the said Board as to the raising and lowering of any assessment.

Section 4. The compensation of each of said appraisers shall be five dollars per day for a period not exceeding sixty days for each appraisal year for making said appraisal, and for such further time as he may be before the Board of Equalization, not to exceed twenty days for each year, together with all actual and necessary traveling expenses, said expenses, however, to be subject to the approval of the County Manager. The County Manager shall provide said Board with such supplies as shall be necessary for the performance of its work, and shall provide it with an office in the County Court House when needed.

ARTICLE XVI.

Civil Service.

Section 1. There shall be a Civil Service Commission, consisting of three commissioners, one of said commissioners shall be appointed by the Governor of the State of California; one of said commissioners shall be appointed by a majority of the

Judges of the Superior Court in and for the County of San Diego, and one of said commissioners shall be appointed by the Board of Supervisors of the County of San Diego; said appointments to be made within thirty days after this Charter shall be ratified by the Legislature. Each of said commissioners shall serve for six years and until his successor is appointed and qualified, and said three persons so appointed shall so classify themselves that one shall serve for two years, one shall serve for four years, and one shall serve for six years, and, thereafter, each commissioner shall serve for a term of six years; and the successor to the commissioner appointed by the Board of Supervisors shall be selected by the Board of Supervisors; and the successor to the commissioner appointed by the Superior Judges shall be appointed by the Superior Judges; and the successor to the commissioner appointed by the Governor of the State of California shall be selected by the Governor of the State of California; and any vacancy in any position shall be filled by the appointing power whose duty it was to make the original appointment. No more than one member of said commission shall be an adherent of the same political party. No member shall any other office of the County or any County employment, nor shall he have been, within the year next preceding his appointment, an executive or committeeman in any political organization. Each member shall have been a resident of the County for the five years next preceding his appointment, and his name shall be upon the County assessment roll at the time thereof.

Section 2. The Board of Supervisors, by an affirmative vote of seven of its members, may remove a member of the Commission during his term of office, but only upon stating in writing the reasons for such removal, and allowing such commissioner an opportunity to be publicly heard in his own defense.

Section 3. The Commission shall elect one of its members as President, and shall appoint and fix the compensation of a Chief Examiner, who shall also act as Secretary of the Commission. This position shall be in the competitive class.

Section 4. The Commission may appoint and fix the compensation of such other subordinates as may be necessary in the proper performance of the work.

Section 5. Each member of the Commission shall receive a compensation of ten dollars for each meeting thereof attended by him, not to exceed five meetings in any one calendar month.

Section 6. For the support of the work of the Commission, the Board of Supervisors shall annually levy and collect a tax on all taxable property in the County, at the rate of not less than one cent on each one hundred dollars of the assessed valuation thereof. Any part of the tax so collected for the fiscal year, not expended during such fiscal year or required to defray expenses during such year, shall, at the end of the fiscal year, be placed in the general fund of the County.

Section 7. The Civil Service of the County is hereby divided into the unclassified and classified service. The unclassified service shall comprise:

(a) The General Manager, who shall be certified in the manner hereinafter provided;

(b) All officers elected by the people;

(c) The County Counsel, who shall be certified in the manner hereinafter prescribed.

(d) Special Counsel and Special Detectives under temporary employment;

(e) In the office of the Sheriff, the Under Sheriff; in the office of the Treasurer, the Chief Deputy; and in the office of the District Attorney, his assistant or chief deputy;

(f) Superintendent of Schools;

(g) Members of the County Board of Education;

(h) Members of the Civil Service Commission;

(i) All officers and other persons serving the County without compensation.

The classified service shall include all other officers, deputies, employees and positions now existing or hereinafter created.

Section 8. Whenever the position of County Manager is to be filled, the Civil Service Commission shall certify to the Board of Supervisors the names of not less than three men qualified by experience, training and reputation for said position, and shall not be confined in said recommendations by any limitations as to residence, except that each of the persons so certified shall be a citizen of the United States, and said certification shall be made only after a thorough investigation by said Commission of the training, experience and qualification of said men so certified.

Section 9. Whenever the position of County Counsel is to be filled, the commission shall certify to the Board of Supervisors the names of three men, residents of the County of San Diego, State of California, who have resided therein not less than twelve months, and who are qualified by education, training and experience to fill said position.

Section 10. The Commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations, and shall, as a Board or through a single Commissioner, make investigations concerning the enforcement and effect of this Article and of the rules and efficiency of the service. It shall make an annual report to the Board of Supervisors.

The rules shall provide:

(1) For the classification of all positions in the classified service.

(2) For open competitive examinations to test the relative fitness of applicants for such positions.

(3) For public advertisement of all examinations.

(4) For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.

(5) For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the

Commission in regard to age, residence, sex, physical condition, or who have been guilty of crime or of infamous or disgraceful conduct, or who have attempted any deception or fraud in connection with an examination.

(6) For the appointment of one of the three persons standing highest on the appropriate list.

(7) For a period of probation not to exceed six months, before appointment or promotion is made complete, during which period a probationer may be discharged or reduced with the consent of the Commission.

(8) For non-competitive examinations for minor positions in the County institutions, when competition is found to be impracticable.

(9) For temporary employment of persons on the eligible list until the list of the class covering temporary employment is exhausted; and, in cases of emergency, for temporary employment without examination, with the consent of the Commission, after the eligible list has been exhausted. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list, be a bar to appointment to a permanent position from said eligible list.

(10) For transfer from one position to a similar position in the same class and grade and for reinstatement within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced.

(11) For promotion based on competitive examination and records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointment. An advancement in rank or an increase in salary beyond the limit fixed for the grade by the rules shall constitute promotion. Whenever practicable, vacancies shall be filled by promotion.

(12) For suspensions for not longer than thirty days and for leaves of absence.

(13) For discharge or reduction in rank or compensation after appointment or promotion is complete, only after the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated, and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a record with the Commission.

(14) For the appointment of unskilled laborers and such skilled laborers as the Commission may determine in the order of priority of application after such tests of fitness as the Commission may prescribe.

(15) For the establishment of a Bureau of Efficiency consisting of the Commission, the secretary thereof and

the County Manager, for the purpose of determining the duties of each position in the classified service, fixing standards of efficiency, investigating the methods of operation of the various departments, and recommending to the Board of Supervisors and department heads, measures for increasing individual, group and departmental efficiency, and providing for uniformity of competition and simplicity of operation. The Commission shall ascertain and record the comparative efficiency of employees in the classified service, and shall have power, after hearing, to dismiss from the service those who fall below the standard of efficiency established.

(16) For the adoption and amendment of rules only after public notice and hearing.

The Commission shall adopt such other rules, not inconsistent with the foregoing provisions of this section, as may be necessary and proper for the enforcement of this Article.

Section 11. In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some designated person of recognized attainments, the Commission may, after public hearing and by the affirmative vote of all three members of the Commission, suspend competition, but no such suspension shall be general in its application to such positions, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the Commission.

Section 12. All examinations shall be impartial, and shall deal with the duties and requirements of the position to be filled. When oral tests are used, a record of the examination showing basis of rating, shall be made. Examinations shall be in charge of a Chief Examiner, except when members of the Commission act as examiners. The Commission may call on other persons to draw up, conduct or mark examinations, and, when such persons are connected with the County service, it shall be deemed a part of their official duties to act as examiners without extra compensation.

Section 13. The Commission shall maintain a civil list of all persons in the County service, showing in connection with each name the position held, the date and character of every appointment and of every subsequent change in status. Each appointing officer shall promptly transmit to the Commission all information required for the establishment and maintenance of said civil list.

Section 14. The Auditor shall not approve any salary or compensation for services to any person holding or performing the duties of a position in the classified service, unless the pay roll or account for such salary or compensation shall bear the certificate of the Commission that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this Article and of the rules established thereunder.

Section 15. Charges against any person in the classified service may be made to the Commission by any elector of the County, such charges to be in writing.

Section 16. In any investigation conducted by the Commission, it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation, and each Commissioner shall have the power to administer oaths to such witnesses.

Section 17. No person in the classified service, or seeking admission thereto, shall be appointed, reduced, removed or in any way favored or discriminated against because of his political or religious opinions or affiliations.

Section 18. No officer or employee of the County, in the classified service, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political party or political purpose whatever. No person shall, orally or by letter, solicit, or be in any manner concerned in soliciting, any assessment, subscription, or contribution for any political party or purpose whatever from any person holding a position in the classified service.

Section 19. No person holding a position in the classified service shall take any part in political management or affairs, or in political campaigns, further than to cast his vote and to express privately his opinions.

Section 20. Any person wilfully violating any of the provisions of this Article, or of the rules established thereunder, shall be guilty of misdemeanor.

Section 21. The Civil Service Commission is hereby authorized and empowered to call to its aid and assistance in establishing and maintaining the complete working of Civil Service in San Diego County, according to modern civil service principles, the Bureau of Civil Service established by the United States Government, and to expend from the Civil Service Fund the amount of money necessary to secure such assistance in establishing and maintaining such a department.

Section 22. The Civil Service Commission shall, whenever lawfully requested so to do, by any municipality or district in the County of San Diego, perform all the duties of a Civil Service Commission for said municipality or district, in the same manner as is herein provided that it shall perform them for the County of San Diego, the compensation to be paid therefor by said municipality or district to be fixed by ordinance of the Board of Supervisors; said compensation, however, not to be in excess of the actual cost to the County of performing said service.

Section 23. The Civil Service Commission shall advise with and assist the Board of Supervisors in fixing the initial salary schedule for the officers, deputies and employees under the provisions of this Charter.

Section 24. The Civil Service Commission shall appoint the County Auditor and the County Assessor from its certified lists whenever there is a vacancy in said offices, or either of them.

Section 25. The compensation of any elected county or township officer shall not be increased for the term during which he was elected, nor within ninety days preceding his election. No compensation for any position under civil service shall be increased or reduced without the consent of the Civil Service Commission specifically given therefor, in writing.

ARTICLE XVII.

Consolidation of City and County Offices

Section 1. The County Assessor, County Auditor, County Tax Collector and County Treasurer, shall, upon the request of any municipality in the County of San Diego, assume and perform for said municipality, so requesting it, all the duties of their offices pertaining to the assessment and collection of taxes and disbursements of moneys for said municipalities. And the Board of Supervisors shall, by ordinance, provide for the assessment and collection of all taxes for said municipalities whenever lawfully requested by them that such assessments and collections be made by the proper County officers; the compensation to be paid therefor to the County of San Diego to be fixed by ordinance of the Board of Supervisors, said compensation, however, not to exceed the estimated actual cost to the County of performing said service.

ARTICLE XVIII.

Labor.

Section 1. In the employment of persons in the service of the County, where sex does not actually disqualify and where the quality and quantity of service is equal, there shall be no discrimination in selection or compensation on account of sex.

Section 2. Eight hours of labor shall constitute a day's work for officers, deputies, stenographers, mechanics, laborers and all other employees of the County, exclusive of time going to or coming from the place of employment.

Section 3. Every person who shall have been in the service of the County continuously for one year shall be allowed a vacation of two weeks on full pay annually. Every County office shall be open for the transaction of business from nine o'clock a. m. to five o'clock p. m., except on holidays.

Section 4. The Board of Supervisors shall prohibit enforced labor without compensation as a penalty for the commission of public offenses. The net earnings of all County prisoners, based upon reasonable compensation for services performed, shall go to the support of their dependents, and, if such prisoners have no dependents, such net earnings shall accumulate and be paid to them upon their discharge.

ARTICLE XIX.

Miscellaneous.

Section 1. This Charter shall go into effect and shall be operative from and after the date of its ratification by the Legislature

of the State of California, excepting in the particulars in this Charter provided, including initiative, referendum and recall proceedings.

Section 2. The Constitution and General Laws of the State of California shall apply to all matters not specifically provided for in this Charter.

Section 3. If any particular section or part of this Charter shall, for any reason, be judicially determined to be invalid, such invalidity shall not affect the remaining portion thereof.

Section 4. Nothing in this Charter shall be construed to affect the term of office of any of the elective officers of the County and of the townships thereof, in office at the time this Charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they were elected, unless sooner removed in the manner provided by law; but the successors of each and all of said officers shall be elected or appointed as in this Charter provided, and not otherwise. As to all assistants, deputies and employees of the elected or appointed officers of the County, and other employees of the County, this Charter shall become effective and in operation from and after the first day of July, A. D. nineteen hundred and seventeen, and all the vacancies thus created shall be filled in the manner as in this Charter provided, except that incumbents shall retain their positions until their successors are appointed. Where a consolidation of offices has been provided for in this Charter, the same shall go into effect on the first Monday after the first day of January, A. D. nineteen hundred and nineteen; provided that, should a vacancy occur in any office so consolidated with any other, prior to said date, from any cause, such vacancy shall not be filled, but the consolidation as to such office shall go into effect immediately upon the happening of such vacancy.

Section 5. The salaries of all township officers, and all County officers and employees, shall remain as the same are now fixed by the Board of Supervisors or by law, until the first day of July, A. D. nineteen hundred and seventeen; thereafter they shall be fixed and paid in amount and manner in this Charter provided.

Section 6. The words included in this Charter in the masculine gender include the feminine, and the singular includes the plural where the text so requires.

Section 7. The District Attorney, Public Defender, County Counsel, their assistants, deputies and stenographers shall not engage in any private law practice during the term of their offices or employments, and each and all of the elective and appointive County officers and employees shall devote all their time and attention during business hours exclusively to the duties of their respective offices; provided, however, that this section shall not apply to the Board of Supervisors, the Civil Service Commission, the Board of Public Welfare, and appointive officers not receiving a compensation.

Section 8. The Public Administrator shall pay into the County Treasury all fees collected by him for administering upon

any estate, either as executor, administrator with the will annexed, or administrator, as soon as received, and the salary of the Public Administrator is fixed at the sum of eighteen hundred dollars per annum from July first, nineteen hundred and seventeen, until the first Monday after the first day of January, nineteen hundred and nineteen; and the County Counsel, as soon as appointed, shall be attorney for said Public Administrator; and the said Public Administrator is prohibited from employing any special counsel whatever in the conduct of the estates handled by him as Public Administrator.

Section 9. No agent, attorney, stockholder or employee of any firm or association or corporation, doing business under and by virtue of any franchise granted by, or contract made with the County of San Diego, nor shall any person doing business with said County, nor shall any person financially interested in any franchise or contract, be eligible to or hold any appointive office in the County of San Diego.

Section 10. It shall be the duty of the Governor, within thirty days after this Charter is ratified by the Legislature of the State of California, to appoint Supervisors for the Third, Sixth, Seventh and Eighth Districts, to serve as such until the election and qualification of their successors under the provisions of this Charter. It shall also be the duty of the Governor to make any and all other appointments to appointive offices provided in this Charter, in the event that the appointive power, as provided in this Charter, shall fail to make the proper appointment within thirty days after the time provided in this Charter for it or them to make such appointments.

Section 11. Should this Charter not be ratified by the Legislature prior to July first, nineteen hundred and seventeen, then, and in that event, this Charter shall go into effect for all purposes sixty days after its ratification by the Legislature.

We, the undersigned, members of the **Board of Freeholders of the County of San Diego, State of California**, elected at a general election held in said County on the seventh day of November, nineteen hundred and sixteen, to prepare and propose a Charter for said County in accordance with the provisions of Section 7 1-2, Article 11, Constitution of the State of California, have prepared and do hereby propose the foregoing as a Charter for said County.

SAM FERRY SMITH, Chairman,
R. C. ALLEN,
WILLIAM R. ANDREWS,
HORACE AUGHE,
JUDSON BENT,
GEO. A. GARRETT,
EDWARD L. HARDY,
MATHIAS F. HELLER,
I. ISAAC IRWIN,
GEORGE W. MARSTON,
J. N. TURRENTINE,
W. W. WHITSON.