



Prior Charter Review Committee Topics & Results

2017 - 2018 Charter Review Committee

The Board appointed the Charter Review Committee members on May 9, 2017. The members of the Committee were Rachel Michelin and alternate Richard Ross for District 1, Don Fuller and alternate Jim Hill for District 2, Kris Payne and alternate Randy Pesses for District 3, Michael Powell and alternate Gary Campbell for District 4, and Jeanne Harper and alternate Leon Abravanal for District 5. The Charter Review Committee held 10 meetings between June 26, 2017, and January 8, 2018, and presented their recommendations to the Board on February 6, 2018. Below is the summary of the topics and the results:

One-additional consecutive term for Board of Supervisors members

The Grand Jury recommended that term limits be removed for the Board of Supervisors. The Charter Review Committee and the Chief Administrative Office (CAO) recommended that Board consider adding one additional four-year term, so a Board member could serve three consecutive four-year terms.

The question put on the November 2018 ballot as Measure U was, "Shall the measure be adopted to amend the El Dorado County Charter Section 202 regarding Term Limits for Board of Supervisors to provide that one additional four-year term of office be added to extend allowed terms to three, such that Board members shall be limited to three consecutive terms, with no other changes to this Charter Section?"

The Measure failed with 76.6% no votes and 23.4% yes votes. Of people who cast a ballot, 89.8% voted in the Measure U contest.

Ability for Board to classify additional positions as "unclassified service"

The Charter Review Committee recommended that the Board consider modifications to Article V, Personnel, Section 502.1, "Classified and Unclassified Employees" to provide that the Board may determine, by Resolution, additional positions to be of the "unclassified service." No specific language recommendation was provided.

In a memo dated October 10, 2017, the CAO recommended to the Board that the Charter Review Committee review the current language in Charter Section 502.1, which currently lists all "at-will" or unclassified positions, thereby limiting the Board of Supervisors from identifying any other positions as "at-will." As noted in the memo, this can lead to circumstances wherein a position with a high level of authority could have a significant negative impact on the County as a whole but may have limited direct accountability to higher levels of management due to certain civil service protections. The Board approved the addition of this amendment to the November 2018 ballot.

The question put on the November 2018 ballot as Measure V was, "Shall the measure be adopted to amend the El Dorado County Charter Section 502.1 regarding Classified and Unclassified Employees to provide that the Board of Supervisors may determine, by Resolution, additional positions to be of the "unclassified service," such that the Board may designate that certain County employment positions will no longer be afforded civil services status and protection and shall serve in an "at-will" capacity?"

The Measure failed with 58.54% no votes and 41.46% yes votes. Of people who cast a ballot, 84.9% voted in the Measure U contest.

Board of Supervisors Compensation

As part of its broader review of the County Charter, the 2015-16 Grand Jury recommended amending Section 204 of the Charter to further define the “basic parameters of the compensation ordinance.” The Charter Review Committee ultimately adopted the Grand Jury’s recommended revision to Section 204 but added one additional word. The final Charter Review Committee recommendation reads as follows:

Compensation of supervisors shall be fixed by ordinance. **Salary, benefits and any other compensation must be clearly set forth within the ordinance and not be subject to automatic future change by changes to other officials’ salaries or benefits over which the board of supervisors has any influence.** [New language in bold; CRC addition is underlined]

A revision to the ordinance outlining Board of Supervisors’ compensation addressed many of the concerns of the Grand Jury and the Charter Review Committee. In addition, the Superior Court at the time stated, “The BOS must still adopt an ordinance to establish the specific amount of their proportional increase. To interpret the ordinance otherwise would expressly violate Article XI, Section 1(b) of the California Constitution.”

The CAO recommended not to amend the charter and the Board did not further the amendment.

Chief Administrative Officer Verses Chief Executive Officer Model and duties of the Chief Administrative Officer

County Charter Section 301 establishes the office of “Chief Administrative Officer.” Section 302 provides that the CAO is appointed by the Board and serves at the pleasure of the Board. Section 304 sets forth the duties of the CAO and Section 305 mandates the CAO’s attendance at Board meetings. Chapter 2.13 of the El Dorado County Ordinance Code sets forth in greater specificity the role and responsibilities of the CAO.

The Grand Jury recommended that Charter Section 304 be amended to add state law into the charter to clarify that the CAO must adhere to state law. The Charter Review Committee supported this addition. The CAO and Board in the end did not support this recommendation as the additional language isn’t necessary. Under California law, a local executive official does not have the authority to determine that a statute is unconstitutional or refuse to enforce a statute in the absence of a judicial determination that the statute is unconstitutional.

The Board directed that the Charter Review Committee review Charter Section 210 and 301 regarding the Chief Administrative Office and Chief Executive Officer model. The CAO and Charter Review Committee recommended that the Charter not be changed in respect to the Chief Administrative Office and Chief Executive Officer model. The Board did not take further action on this.

Elected Officials – Constitutional Only

The Charter Review Committee addressed Charter Section 402, Elected Department Heads, pursuant to direction provided by the Board of Supervisors on October 10, 2017. The Committee recommended the Board consider making “all non-constitutional department heads appointed” (vs. elected) on December 18, 2017. As written in the County Charter, the Elected department heads are the Assessor, Auditor/Controller (consolidated offices), District Attorney, Recorder/Clerk (consolidated offices), Sheriff/Coroner/Public Administrator (consolidated offices), Surveyor, and Treasurer/Tax Collector.

Although no alternative language was recommended, this recommended change would result in the current elected offices of the Auditor-Controller, Recorder-Clerk, Surveyor, and Treasurer-Tax Collector becoming department head positions appointed by the Board. The remaining elected officers would be the Sheriff/Coroner/Public Administrator, District Attorney and Assessor.

The CAO's Memo to the Chair of the Charter Review Committee, dated October 17, 2017, said that only four of California's 58 counties have appointed Auditors, with the remaining 54 establishing elected offices of the Auditor, Controller, Treasurer, Tax Collector, Recorder, Clerk, Director of Finance, or some combination of these offices. With the exceptions of Los Angeles, Sacramento and Santa Clara Counties, all Treasurer-Tax Collectors are nonpartisan countywide elected officeholders.

The CAO recommended that if the Board wishes to implement the Charter Review Committee's recommendation that each elected position have its own ballot measure and these measures be placed on the November 2019 ballot. The Board in July 2019 voted to not move forward with making any elected offices appointed positions.

2014 Charter Review Committee

On February 11, 2014, the Board directed that the Charter Review Committee format be that each Supervisor appoint a member and an alternate to the Committee and that the Charter Review Committee issue a single report on their recommendations to the Board. The members of the Committee were Rachel Michelin and alternate Wendy Mae Davis for District 1, Jim Hill for District 2, Kris Payne and alternate Noel Stack for District 3, Terry Gheradi for District 4, and Cathy Staller for District 5. The Committee members were appointed in April 2014. The Charter Review Committee presented their recommendation to the Board on December 9, 2014, and on March 8, 2016.

Deletion of Section 210 d as it was repealed on January 26, 2006

On July 29, 2014, the Charter Review Committee recommended that the Board delete Charter Section 210 d as per the language of the Charter that section was repealed on January 26, 2006. The Board approved the addition of this item to the November 4, 2014, election with Resolution 115-2014.

The question on the November 2014 ballot as Measure S was, "Shall section 210 d. of the El Dorado County Charter be deleted from the Charter because it was repealed effective January 26, 2006, under the plain language of Charter section 210 d.?"

The Measure passed with 76.6% yes votes and 23.4% no votes. Of people who cast a ballot, 83% voted in the Measure S contest.

Amendment of Section 206 to rename to Chair, Vice Chair and Second Vice Chair

On July 29, 2014, the Charter Review Committee recommended that the Board amend Charter Section 206, changing the use of Pro Tem language to the then-current practice of using the terms Chair, Vice Chair and Second Vice Chair. The Board approved the addition of this item to the November 4, 2014, election with Resolution 114-2014.

The question put on the November 2014 ballot as Measure R was, "Shall section 206 of the El Dorado County Charter be amended to reflect current practice by replacing the words "presiding officer" with "Chair" and "presiding officer pro tem" with "Vice Chair" and "alternate presiding officer pro tem" with "Second Vice Chair?"

The Measure passed with 67.04% yes votes and 32.96% no votes. Of people who cast a ballot, 56.3% voted in the Measure R contest.

Amendment of Section 203 relating to Board vacancies

On July 29, 2014, the Charter Review Committee recommended that the Board amend Charter Section 203 to consolidate the date for an election to fill a Board vacancy with a scheduled election if the vacancy occurs more than 90 days but less than 180 from the scheduled election. The Board approved the addition of this item to the November 4, 2014, election with Resolution 105-2014.

The question put on the November 2014 ballot as Measure Q was, "Shall section 203 of the El Dorado County Charter, be amended in part, to allow the Board of Supervisors to consolidate the date set for an election to fill a vacancy on the Board of Supervisors with a scheduled primary, general, or special election, involving the district where the vacancy occurs, when the vacancy occurs more than 90 days but less than 180 days before the scheduled primary, general, or special election?"

The Measure passed with 68.18% yes votes and 31.82% no votes. Of people who cast a ballot, 85.4% voted in the Measure Q contest.

Update to the preamble of the Charter

On December 9, 2014, the Charter Review Committee recommended that the Board modify the preamble with the ballot question, "Shall the Preamble of the El Dorado County Charter, be amended, to change the wording of the introductory statement of the County Charter, the Preamble, to reflect a new statement of intent and purpose of the Charter?"

The original language was:

We, the people of El Dorado County, with our geographical and cultural diversity, adopt this charter to provide a local government responsive to our social, economic, physical and environmental needs and goals in a democratic, just and efficient manner.

The new language is:

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

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

The revision to the preamble was placed on the June 7, 2016, ballot as Measure A. The Measure passed with 52.97% yes votes and 47.03% no votes. Of people who cast a ballot, 83.6% voted in the Measure A contest.

Deletion of Section 210 c relating to voting requirements for increases to current benefit assessments

On March 8, 2016, the Charter Review Committee recommended that the Board delete Charter Section 210 c, as that language had become redundant because it is now covered by general law with the statewide passage of Proposition 218 in November of 1996. The Board approved the addition of this item to the June 7, 2016, election with Resolution 039-2016.

The question put on the June 2016 ballot as Measure J was, "Shall section 210 c. of the El Dorado County Charter be deleted from the Charter because the substance of the section is now covered by general law after passage of Proposition 218 in November 1996?"

The Measure passed with 63.29% yes votes and 36.71% no votes. Of people who cast a ballot, 82.8% voted in the Measure J contest.

2008 -2010 Charter Review Committee

On September 23, 2008, the Board directed that the Charter Review Committee format be such that each Supervisor appoint a member and an alternate to the Committee. The members of the Committee were Robert J. Blum and alternate Hal Erpenbeck for District 1, Robert Laurie and alternate Kevin Brown for District 2, Cris Alercon and alternate Frederick Gundran for District 3, Clarence Dilts and alternate Art Marinaccio for District 4, and Bob Dobrich for District 5. The Committee members were appointed in January, February and April 2009. The Charter Review Committee presented their recommendation to the Board on February 9, 2010. A Charter workshop was conducted on March 15, 2010, and continued on May 18, 2010, at which time the Board directed the CAO to work with other elected officials to draft recommendations based on Charter Review recommendations. The Charter Review Committee drafted many recommendations for revisions to the Charter, largely reverting many sections back to General Law. In the end the Board approved the following:

Amend Section 602 Contract Administration for purchases less than \$15,000

The Charter Review Committee recommended that the Board amend Charter Section 602 to allow for the Board to set a monetary limit on contracts required for purchases. Supervisor Knight brought an item to the Board on June 15, 2010, asking that the Charter be amended to allow purchases under \$15,000 by purchase contract. The Board approved this with Resolution 098-2010. The Board approved an argument in favor of the measure.

The question put on the November 2010 ballot as Measure G was, "Shall Section 602 of the El Dorado County Charter, which currently requires the procurement of all services to be pursuant to a written contract, be amended to provide the Board of Supervisors with the authority to allow the procurement of services for less than \$15,000.00 without the need for a written contract; provided, that the Board of Supervisors does so by ordinance which specifies alternate procedures for processing and documenting the purchases?"

The Measure failed with 51.17% no votes and 48.83% yes votes. Of people who cast a ballot, 87.6% voted in the Measure G contest.

Amend Section 602 Contract Administration for purchases less than \$10,000

After the failure of Measure A with the \$15,000 limit, Supervisor Knight brought an item to the Board on March 1, 2011, asking the Charter be amended to allow purchases under \$10,000 by purchase contract. The Board approved this with Resolution 028-2011. The Board approved an argument in favor of the measure.

The question put on the June 2012 ballot as Measure C was, “Shall Section 602 of the El Dorado County Charter, which currently requires the procurement of all services to be pursuant to a written contract, be amended to provide the Board of Supervisors with the authority to allow the procurement of services for less than \$10,000.00 without the need for a written contract; provided, that the Board of Supervisors does so by ordinance which specifies alternate procedures for processing and documenting the purchases?”

The Measure passed with 51.31% yes votes and 48.69% no votes. Of people who cast a ballot, 95.1% voted in the Measure C contest.

2003 - 2004 Charter Review Committee

On April 29, 2003, the Board directed that the Charter Review Committee format be that each Supervisor appoint a member and an alternate to the Committee. The members of the Committee were for David M. Johnson and alternate Ken E. Carter for District 1, Joel Willis and alternate Jan Berry Foster for District 2, Ira Mirsky and alternate Betty Linville for District 3, Agnes “Tess” Welsh and alternate Dan Hinrichs for District 4, and David Kurtzman and alternate John Upton for District 5. The Charter Review Committee presented their recommendation to the Board on January 13, 2004.

Change to Chief Executive Officer and modify duties of Chief Executive Officer

On June 29, 2004, the Board approved Resolution 212-2004 to put amendments to Charter Sections 210 and 304 on the November 2, 2004, ballot. Resolution 212-2004 was replaced by Resolution 219-2004 on July 13, 2004.

The question put on the November 2004 ballot as Measure D was, “Shall Measure D be adopted, which would amend various sections of the El Dorado County Charter to change the title of the county Chief Administrative Officer to Chief Executive Officer, make the Chief Executive Officer responsible for the administration of county operations, and transfer from the Board of Supervisors to the Chief Executive Officer a number of duties including the duties to appoint, suspend, remove, manage and review the performance of non-elected county department heads?”

The Measure failed with 50.2% no votes and 49.7% yes votes.

Board vacancy and need for a special election amendment to Charter Section 203

On July 13, 2004, the Board approved Resolution 219-2004 to put amendments to Charter Section 203 on the November 2, 2004, ballot.

The question put on the November 2004 ballot as Measure Z was, “Shall Measure Z be adopted amending El Dorado County Charter Section 203 to clarify that if a vacancy on the Board of Supervisors occurs less than 90 or more than 120 days before a scheduled election, then a special election to fill the vacancy will be held not less than 90 nor more than 120 days after the vacancy occurs?”

The Measure passed with 62% yes votes and 38% no votes.

Eliminate reference to Court Executive Officer by amending Charter Section 210(a)(3)

On July 13, 2004, the Board approved Resolution 219-2004 to put amendments to Charter Section 210 on the November 2, 2004, ballot.

The question put on the November 2004 ballot as Measure Y was, "Shall Measure Y be adopted, which would amend Section 210(a)(3) of the El Dorado County Charter to eliminate the reference to the Court Executive Officer?"

The Measure passed with 57.4% yes votes and 42.6% no votes.

[Eliminate the required one meeting a year in each district by amending Charter Section 205](#)

On July 13, 2004, the Board approved Resolution 219-2004 to put amendments to Charter Section 205 on the November 2, 2004, ballot.

The question put on the November 2004 ballot as Measure X was, "Shall Measure X be adopted, which would amend Section 205 of the El Dorado County Charter to eliminate the provision requiring that one meeting of the Board of Supervisors per calendar year shall be held in each supervisorial district, and to add a new provision encouraging the Board of Supervisors to hold one meeting per calendar year in each district?"

The Measure passed with 51.5% yes votes and 48.5% no votes.

[Specify that the term for the Board of Supervisors commences at noon on the Monday following January 1st succeeding their election by amending Charter Section 202](#)

On July 13, 2004, the Board approved Resolution 219-2004 to put amendments to Charter Section 202 on the November 2, 2004, ballot.

The question put on the November 2004 ballot as Measure V was, "Shall Measure V be adopted, which would amend Section 202 of the El Dorado County Charter to provide that a Board member's term of office commences at noon on the first Monday after the January 1st succeeding their election?"

The Measure passed with 72% yes votes and 28% no votes.

[Delete outdated section of Charter Section 403 that requires the Board of Supervisors to appoint an interim County Counsel to serve until April 1998](#)

On July 13, 2004, the Board approved Resolution 219-2004 to put amendments to Charter Section 403 on the November 2, 2004, ballot.

The question put on the November 2004 ballot as Measure U was, "Shall Measure U be adopted, which would amend Section 403 of the El Dorado County Charter to eliminate the requirement that the Board of Supervisors appoint an interim County Counsel to serve until April 1998?"

The Measure passed with 52.5% yes votes and 47.5% no votes.

[1997 - 1998 Charter Review Committee](#)

On January 28, 1997, the Board of Supervisors directed that the Charter Review Committee format be such that each Supervisor appoint a member and an alternate to the Committee. The members of the Committee were for Julia Gibbs and alternate Clarence Dilts for District 1, Larry Lloyd for District 2, Karen Tustin for District 3, Joe Flynn for District 4, and John Truesdale for District 5. The Charter Review Committee presented their recommendation to the Board on January 27, 1998.

The Board acted on the following proposed amendments to the County Charter:

Amendment to Charter Section 210 regarding Grand Jury response format

Charter Section 210.a. (9), first sentence, be amended to read as follows: "Adopt a uniform format that, as a minimum, shall provide for responses to findings and recommendations of reports of the Grand Jury pursuant to Section 933 et seq of the Penal Code." The amended first sentence will replace the entire existing subparagraph a. (9); i.e., the second and third sentences of the existing Section 210.a. (9) will be deleted.

This was approved by the voters in the June 2, 1998, election.

Amendment to Charter Section 210 regarding Grand Jury report and response distribution

Charter Section 210.a.(12) be added to the Charter and read as follows: "The Board of Supervisors shall adopt a policy and procedures for wide distribution of the Grand Jury Final Report and the Board of Supervisors Response to the Final Report."

This was approved by the voters in the June 2, 1998, election.

Amendment to Charter Section 210 C regarding benefit assessments

Charter Section 210.c. be amended to add the following: "The requirements of this section shall not apply to any increase to any current benefit assessment, nor to the imposition of any new benefit assessment, which is subject to the property owner balloting and majority protest procedures established by Section 4 of Article XIII D of the California Constitution."

This was approved by the voters at the June 2, 1998, election.

1998 Charter Amendment outside of the Charter Review Process

Make Public Administrator a separate appointed position

The Sheriff and Supervisor Neilson asked the Board to endorse Measure G on the November 1998 ballot that would "amend Section 403c of the El Dorado County Charter to remove the office of Public Administrator from the currently combined elected office of Sheriff / Coroner / Public Administrator, and to make the office of Public Administrator a separate appointed office of the County." The Board approved the argument in favor.

The measure failed with 49.6% no votes and 50.3% yes votes.

1995 Charter Amendments

On August 8, 1995, the Board approved moving three amendments to the County Charter for vote during the November 7, 1995, election. All three amendments were passed by the electorate.

CAO Review of Appointed Department Heads

Charter Section 304 shall be amended to read as follows: "h. On at least an annual basis, review and appraise the performance of all appointed department heads except County Counsel, and submit the appraisal to the Board of Supervisors.

Charter Section 404 shall be amended so that its title reads as follows: "404. Appointed Department Heads."

Board Evaluation of County Counsel

New Charter Section 210(a) (11) shall be added as follows, "(11) At least once each year, the Board shall review and evaluate the County Counsel's performance."

Amendment of Section 504 Sheriff's Salary Limitation

Charter Section 504 shall be amended to read as follows:

504. Sheriffs Salary Determination

The Sheriffs Salary Initiative, commonly known as the "Sheriffs Salary Initiative" or Proposition A, and passed by a majority of the voters at a general election on November 7, 1972, is hereby repealed. The Board of Supervisors shall, at least annually determine the existing average salaries for the South Lake Tahoe Police Department, Amador County Sheriff's Department and the California Highway Patrol for each class of position employed by said agencies. Effective on the first day of January of each year after this charter provision first becomes effective, the Board of Supervisors shall adjust and determine that the average salary for each class of position as set forth herein be at least equal to the average of the salaries for the comparable positions in the South Lake Tahoe Police Department, Amador County Sheriff's Department and the California Highway Patrol.

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

Undersheriff
Captain
Lieutenant
Sergeant
Deputy Sheriff
Clerk

The provisions of this section shall prevail over any otherwise conflicting provisions of this charter or general law which may relate to salaries of County officers or employees who are not elected by popular vote.

Adoption of the County Charter in November 1994

On July 19, 1994, the El Dorado County Board of Supervisors proposed a County Charter and four alternative amendments to the County Charter, and submitted the proposed County Charter and each of the four alternative amendments to the County Charter for adoption by the voters at the November 1994 general election. Minor corrections to the text of the proposed charter were subsequently made by the El Dorado County Board of Supervisors on August 2, 1994, and on August 30, 1994. The proposed County Charter as corrected, and each of the four alternative amendments, were submitted individually to the voters for adoption at the general election of November 8, 1994, as El Dorado County Measures A, B, C,D, and E. A majority of the electors voting at the general election of November 8, 1994, voted in favor of the adoption of the proposed County Charter, and in favor of the adoption of each of the four alternative amendments. Each of the four alternative amendments received more affirmative votes than the Charter. Pursuant to Government Code §23712, the proposed Charter and each of the four alternative amendments were deemed ratified by this vote.