



## RESOLUTION NO. 039-2016

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### CHARTER REVIEW COMMITTEE RECOMMENDATION FOR THE REPEAL OF ELDORADO COUNTY CHARTER - SECTION 210 c.

**WHEREAS**, the County of El Dorado operates under a County Charter that was ratified by the voters on November 8, 1994, as amended; and,

**WHEREAS**, At their meetings of July 21, 2014 and August 4, 2014 the Charter Review Committee discussed and heard public input on Charter section 210 c. which relates to benefit assessments on real property.

**WHEREAS**, the Board of Supervisors desires to submit a proposed amendment to delete section 210 c. of the Charter to the voters for approval at the next available election as demonstrated in the attached Exhibit A.

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**AND WHEREAS**, removal of Charter section 210 c., that was adopted by the voters in 1994, does not have any known impact because the substance of the section is now covered by general law, after passage of Proposition 218 in November of 1996; Proposition 218 requires that all general and special taxes, and new and increased benefit assessments, and most property related fees and charges on property owners are subject to voter approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of El Dorado does hereby direct the El Dorado County Registrar of Voters to place an amendment to the El Dorado County Charter on the June 7, 2016 ballot for voter consideration of the proposed deletion of Charter section 210 c..

Section 1. The Board of Supervisors hereby calls for an election to be held at the next available county wide election on June 7, 2016, for the purpose of placing a proposed amendment to delete section 210 c. of the Charter of the County of El Dorado before the voters of the County for their approval.

Section 2. The proposed amendment to section 210 c. of the County Charter is attached as Exhibit A to this Resolution. The ballot question shall be:

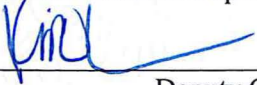
Shall section 210 c. of the El Dorado County Charter be deleted from the Charter because the substance of the section is now covered by general law after passage of Proposition 218 in November 1996?

Section 3. Authorization of Registrar of Voters. The Registrar of Voters is hereby authorized and directed to take all actions necessary for the conduct of the special election, to canvas the results thereof and to certify the results to the Board of Supervisors.

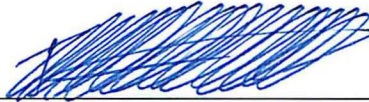
Section 4. Effective Date. This Resolution shall take effect from and after its adoption

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of the Board of Supervisors, held the 8th day of March, 2016, by the following vote of said Board:

Attest:  
James S. Mitrison  
Clerk of the Board of Supervisors

By:  \_\_\_\_\_  
Deputy Clerk

Ayes: Veerkamp, Ranalli, Mikulaco, Frentzen, Novasel  
Noes: None  
Absent: None

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Ron Mikulaco, Chair, Board of Supervisors

## EXHIBIT A

### Excerpt of Section 210

#### **210. Powers and Duties.**

~~Except as provided for in subsection (c) hereinafter,~~ the Board of Supervisors shall have all the powers and shall perform all the duties vested in it by the Constitution, general law, and this charter.

~~e. Increases to current benefit assessments on real property, or the imposition of any benefit assessment not previously imposed on real property shall not be effective unless and until approved by a majority of the voters voting in the geographic area in which the assessment will be imposed. A continuation of a previous benefit assessment in the same or lower amount is not covered by this section. This requirement does not apply to special taxes, any assessments imposed by a special district, or any assessments required to pay bonded indebtedness. The voting requirements shall only apply to County benefit assessments on real property, and shall not apply to taxes imposed by any special district. 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.~~

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

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