

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** County Counsel

**SUBMITTAL DATE:**  
May 11, 2010

**SUBJECT:** Submitting County Charter to Voters of Riverside County

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Ordinance No. 897, calling a special election and ordering its consolidation with the Statewide General Election for the purpose of submitting to the voters the proposition of whether a charter shall be adopted for the County; and
2. Approve the revised Riverside County Proposed Charter, attached to Resolution No. 2010-151.

**BACKGROUND:** On May 4, 2010, the Board of Supervisors introduced Ordinance No. 897 and approved Resolution No. 2010-151 proposing a Riverside County Charter for adoption by the voters at a special election consolidated with the statewide general election on November 2, 2010, subject to two revisions to the proposed charter: 1) clarifying that the

(continued next page)

PAMELA J. WALLS, County Counsel

**FINANCIAL  
DATA**

Current F.Y. Total Cost: \$  
Current F.Y. Net County Cost: \$  
Annual Net County Cost: \$

In Current Year Budget:  
Budget Adjustment:  
For Fiscal Year:

**SOURCE OF FUNDS:**

Positions To Be Deleted Per A-30 ☐  
Requires 4/5 Vote ☐

**C.E.O. RECOMMENDATION:**

**County Executive Office Signature**

Dept't Recomm.: ☐ Policy  
Per Exec. Ofc.: ☐ Policy  
☐ Consent  
☐ Consent

Prev. Agn. Ref.:

District:

Agenda Number:

3.16

date of the special election will be specified by the Registrar of Voters no less than fifty-six (56) days, but no more than seventy (70) days after adoption of the ordinance calling for a special election; and 2) reducing the time to hold a special election from 180 days to 100 days if it can be consolidated with a statewide election. The revisions to the Proposed Riverside County Charter are attached.

Additionally, the Board authorized Supervisors Bob Buster and John Benoit to file a ballot argument (and any rebuttal) on behalf of the Board in support of the proposed Riverside County Charter, and further authorized the designated Board members to determine which other voters or associations may join in signing the argument/rebuttal.

County Counsel recommends the Board adopt Ordinance No. 897 and approve the revised Proposed Riverside County Charter attached to Resolution No. 2010-151. If approved, the single issue charter for the filling of Board vacancies will be placed before the voters on the November 2, 2010 ballot.

2 RESOLUTION NO. 2010-151

3 PROPOSING A RIVERSIDE COUNTY CHARTER FOR ADOPTION  
4 BY THE VOTERS AT A SPECIAL ELECTION TO BE CONSOLIDATED  
5 WITH THE STATEWIDE GENERAL ELECTION ON NOVEMBER 2, 2010

6 WHEREAS, in accordance with the provisions of California Government Code section  
7 23711, the Board of Supervisors of the County of Riverside, on its own motion, may propose a charter  
8 and submit the proposal for adoption to the voters at any general or special election; and

9 WHEREAS, the Board of Supervisors of the County of Riverside has determined that it is  
10 in the best interests of the County of Riverside that a charter be enacted for the County of Riverside; now,  
11 therefore,

12 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of  
13 Riverside, State of California, in regular session assembled on May 4, 2010, that pursuant to California  
14 Government Code section 23711 the Proposed Riverside County Charter attached hereto and incorporated  
15 herein shall be submitted for adoption to the qualified voters of the County of Riverside at a special  
16 election to be consolidated with the statewide general election on November 2, 2010.

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24 FORM APPROVED COUNTY COUNSEL  
25 BY: PAMELA J. WALLS 4/29/10  
26 DATE

## PROPOSED RIVERSIDE COUNTY CHARTER

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### PREAMBLE

We, the citizens of Riverside County, with a desire for self-determination in selecting our county elected officials and to initiate the process to govern our county by charter government, do hereby adopt this charter.

### ARTICLE I - BOARD OF SUPERVISORS

#### 101. Governing Body.

The governing body of the county is a Board of Supervisors of five (5) members elected by and from designated supervisorial districts.

#### 102. Terms of Office

The term of the office of supervisor is four (4) years.

#### 103. Filling of Vacancies

Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor, the vacancy shall be filled as follows:

A. The remaining members of the Board shall, within thirty (30) days of the vacancy, fill the vacancy by doing one of the following: (i) appointing a successor for the unexpired term; (ii) calling a special election and appointing a successor to serve until the election and qualification of a candidate at the special election; or (iii) calling a special election. If the

remaining members of the Board fail to fill the vacancy within the thirty-day (30) period, the remaining members of the Board shall lose the discretion to fill the vacancy and shall immediately call a special election to fill such vacancy. A special election shall be held in the supervisorial district in which the vacancy occurred, on a date specified by the Registrar of Voters that is no less than fifty-six (56) days, but no more than seventy (70) days, after adoption of the ordinance calling the special election, except that special election may be held within one hundred (100) days after the adoption of such ordinance if the special election is consolidated with the next regularly scheduled statewide election. The person receiving the highest number of votes in the special election shall fill the vacancy for the unexpired term.

B. If only one candidate qualifies for a special election, the remaining members of the Board shall appoint that candidate to the vacancy for the unexpired term. The appointee shall serve exactly as if elected to such vacancy, and no special election to fill the vacancy shall be held.

C. The Board may authorize a special election to be conducted wholly by mail, unless the special election to be conducted by mail would occur on the same date as, or would be consolidated with, a statewide election. In no event shall a special election be conducted on the day after a state holiday.

## ARTICLE II - GENERAL

### 201. Initiative and Referenda.

This charter does not abridge or modify the rights of citizens to propose initiatives and referenda (including amendments to this charter) as provided for in the general laws of the State of California.

### 202. General Law Governs.

Except as expressly set forth in this charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the County of Riverside.

### 203. County Ordinances Enacted by the Voters Remain in Effect.

Ordinances of the County of Riverside adopted by the voters prior to the enactment of this charter shall remain in full force and effect and may only be modified or repealed by a vote of the people.

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1           Section 3.     The special election precincts, polling places, precinct board members and  
2 election officers shall be the same as those provided for the statewide general election to be held  
3 November 2, 2010, and the election shall be held in all respects as if there were only one election and one  
4 form of ballot, namely the form of ballot used at the statewide general election.

5           Section 4.     This ordinance shall take effect immediately upon its adoption.

6                                 BOARD OF SUPERVISORS OF THE COUNTY  
7                                 OF RIVERSIDE, STATE OF CALIFORNIA

8                                 By: \_\_\_\_\_  
9   Chairman

10         ATTEST:

11         CLERK OF THE BOARD

12         By: \_\_\_\_\_  
13                         Deputy

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16                 (SEAL)

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23         FORM APPROVED COUNTY COUNSEL  
24         BY: Pamela J. Walls     4/29/10  
              PAMELA J WALLS                 DATE

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27         PJW:ny  
           05/03/10

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