

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

July 28, 2020

**FROM**

**CURT HAGMAN, Chairman, Board of Supervisors**

**JANICE RUTHERFORD, Second District Supervisor, Board of Supervisors**

**SUBJECT**

Adoption of Ordinance to Approve the Revised County Charter and Place on the Ballot for the Election Scheduled for November 3, 2020

**RECOMMENDATION(S)**

Adopt **Ordinance No. 4389** relating to the approval of the revised County Charter and placing the matter on the ballot for the election of November 3, 2020, which was introduced on July 14, 2020, Item No. 70.

(Presenter: Kenneth C. Hardy, Supervising Deputy County Counsel 387-5401)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Create, Maintain and Grow Jobs and Economic Value in the County.**

**Improve County Government Operations.**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item may result in the use of additional Discretionary General Funding (Net County Cost). The Registrar of Voters (ROV) estimates all costs plus overhead related to conducting the election for the initiative will be approximately \$4.7 million. If additional appropriation is necessary, a request for additional Discretionary General Funding (Net County Cost) will be submitted at a later date.

This election cost estimate does not include potential additional costs related to compliance with COVID-19 health and safety guidelines and potential new State mandates, which could be eligible for Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Funds if no other COVID-19 or election related federal or state funding is available.

**BACKGROUND INFORMATION**

The proposed ordinance relating to approval of a revised County Charter was introduced on July 14, 2020 (Item No. 70). The recommendation before the Board of Supervisors today will adopt the ordinance on the Consent Calendar.

On July 9, 2019 (Item No. 3), the Board of Supervisors established an ad hoc committee, consisting of Curt Hagman, Chairman of the Board of Supervisors, and Janice Rutherford,

**Adoption of Ordinance to Approve the Revised County Charter and  
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July 28, 2020**

Second District Supervisor, to review and propose amendments to modernize the County Charter. On October 29, 2019, the Board of Supervisors held a workshop on the matter, at which time the ad hoc committee and staff presented information and options to the Board of Supervisors and to the public regarding a proposed revised County Charter. Soon thereafter the County posted an e-mail address inviting members of the public to submit comments or questions on the proposed revised County Charter.

A county charter is only effective if approved by the electorate. The charter of a county is its “constitution,” which allows a county to have a greater amount of local self-government. By adopting or revising a county charter, voters can exercise constitutional discretion over the county’s governing board, officers, employees, and other structural issues of the county.

The reasons for the proposed revised County Charter are multiple. The County Charter was approved in 1913 and, although amended many times, contains much of its original language. The ad hoc committee believes that there is an opportunity now to:

- delete obsolete provisions, like requiring the Board of Supervisors Chair to have an office in the Board chambers;
- delete provisions that, while originally useful many years ago, are now redundant with more recent state law; and
- modernize the use of pronouns and other terms to make the Charter more up-to-date.

Equally important, placing the proposed revised County Charter on the November ballot will provide the public with the opportunity to vote on the crucial issues of:

- requiring the County Public Health Officer orders addressed to the public-at-large to be reviewed by the elected representatives of the people, that is, the Board of Supervisors;
- the term limits of the Board of Supervisors;
- the compensation of the Board of Supervisors and Countywide elected officials;
- the filling of vacancies of elected officials, including removing the Governor’s role in this;
- the creation of a redistricting commission to ensure public input on the drawing of Supervisorial district boundaries;
- addressing emergency preparedness in the future; and
- safe-guarding the electoral process by requiring County election campaign finance regulations and effective enforcement thereof.

Finally, the ad hoc committee notes that the proposed revised County Charter is a more streamlined document. A more understandable charter helps the public with its crucial role in holding the County, its elected officials, and employees accountable. The proposed revised County Charter, attached hereto, sets forth the details of the proposal of the ad hoc committee, and the presentation material identifies the main substantive changes. Upon approval by the Board of Supervisors, the proposed revised County Charter would be ordered to be placed on the ballot for the election scheduled for November 3, 2020.

**PROCUREMENT**

Not applicable.

**Adoption of Ordinance to Approve the Revised County Charter and  
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July 28, 2020**

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455) on July 20, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919) on July 20, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on July 20, 2020.

**Adoption of Ordinance to Approve the Revised County Charter and  
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July 28, 2020**

Record of Action of the Board of Supervisors  
County of San Bernardino

**Public Comment:** None

**DEFERRED/APPROVED**

Moved: Janice Rutherford Seconded: Dawn Rowe

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: July 28, 2020



cc: File - Supervisors w/ attach  
File – County Charter w/ ordinance  
jm 07/29/2020