

# CHARTER OF THE COUNTY OF PLACER

## PREAMBLE

We, the citizens of Placer County, in order to secure the benefits of home rule, increase citizen participation in county government, improve efficiency, and provide for a responsible and cooperative county government, do hereby adopt this:

## CHARTER

### ARTICLE I: NAME, POWERS AND THEIR EXERCISE

- Sec. 101     Name and Boundaries. The name of the county is "Placer County." Its boundaries and county seat shall be and remain as they are at the time this Charter takes effect.
- Sec. 102     Powers. The county has and shall have all the powers which are now or may hereafter be provided by the Constitution and the laws of the State of California and by this Charter.
- Sec. 103     Exercise of Powers. The powers mentioned in the preceding section shall be exercised only by a Board of Supervisors or through agents and officers acting under its authority or authority conferred by law.

# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE II: BOARD OF SUPERVISORS**

Sec. 201     **Governing Body.** The Board of Supervisors is the governing body of Placer County. The Board consists of five (5) members.

Sec. 202     **Districts.** The county is divided into five (5) supervisorial districts. The boundaries of the supervisorial districts shall be and remain as they are at the time this Charter takes effect until otherwise changed pursuant to the general law.

Sec. 203     **Supervisors, Election by District, District Residency Required.** Each member of the Board of Supervisors shall be a resident of one of the five (5) supervisorial districts. Each member shall have been a resident of the district he seeks to represent for at least thirty (30) days immediately preceding the deadline for filing nomination papers for the office of supervisor and shall reside in the district during his incumbency. Members of the Board of Supervisors shall be elected by the voters of the district in which they each reside.

*Note: On Nov. 6, 1984 the voters adopted proposed Charter Amendment "C" which designated election of supervisors by district of residence.*

Sec. 204     **Meetings.** The Board shall provide by ordinance for a manner, time and place of holding all regular meetings.

*Note: An amendment repealing the first sentence was approved by the voters Nov. 2, 1982.*

Sec. 205     **Term of office.** Except as otherwise provided in this Charter, members of the Board of Supervisors shall be nominated and elected pursuant to the general law for a term of four (4) years. Members of the Board of Supervisors may be removed as provided under the general law.

# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE II: BOARD OF SUPERVISORS (Continued)**

Sec. 206     **Vacancies.** If a vacancy occurs on the Board of Supervisors, it shall be filled by the unanimous vote of the remaining members, and if they shall fail to make such appointment within thirty (30) days of the occurrence of any such vacancy, then such vacancy shall be filled by the Governor; provided that any appointment under this section shall be of a person who for at least thirty (30) days prior to his appointment has been a resident of the supervisorial district in which the vacancy exists.

Sec. 207     **Compensation.** Members of the Board of Supervisors shall receive compensation as established by ordinance from time to time. Until the effective date of the first such ordinance subsequent to the effective date of the Charter, members of the Board of Supervisors shall continue to receive the same compensation as now provided for by law.

Each member of the Board of Supervisors shall receive compensation in the maximum amount of \$30,000 per annum, which amount shall include the actual cost to the county of all benefits of whatever kind or nature, including but not limited to salary, per diem compensation, allowances, expense reimbursement, credit cards, health insurance, life insurance, leave, and retirement.<sup>1</sup>

*Note:* A proposed amendment to increase compensation of the Board of Supervisors to \$48,000 per year plus an annual cost-of-living increase was disapproved by the voters Nov. 4, 2008.

*Note:* A proposed amendment to allow a one-time adjustment to the compensation of the Board of Supervisors to \$35,000 was disapproved by the voters Nov. 3, 1998.

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<sup>1</sup> The second paragraph of Section 207 was added in initiative Measure A, adopted by Placer County voters on June 2, 1992. On December 29, 1993, in the case of Ferreira v. Williams, Placer County Superior Court Case No. SCV-00553, the court ruled that mandatory employer contributions for social security, workers' compensation, unemployment insurance, PERS, and reimbursement for actual expenses cannot be included within the compensation cap.

# CHARTER OF THE COUNTY OF PLACER

## ARTICLE III: GENERAL POWERS AND DUTIES OF THE BOARD OF SUPERVISORS

### Sec. 301 **In General.**

- (a) The Board shall have all the jurisdiction and authority which or which may hereafter be granted by the Constitution and the laws of the State of California or by this Charter.

*Note: The text of the original provision was renumbered as subpar. (1), without change in text, Nov. 2, 1982.*

- (b) It is the purpose of this Charter to allow the people of Placer County to have self-government and home rule; silence in the Charter on a given subject does not relegate the county to compliance with the general law.

*Note: Added Nov. 2, 1982.*

# CHARTER OF THE COUNTY OF PLACER

## ARTICLE III: GENERAL POWERS AND DUTIES OF THE BOARD OF SUPERVISORS

### (Continued)

Sec. 302     **Duties.** The Board shall:

- (a) Appoint, or provide for the appointment, by ordinance of all county officers other than elective officers, and all officers, assistants, deputies, clerks, and employees whose appointment is not provided for by this Charter. The Board shall, from time to time, provide by ordinance for the compensation of elective officers and its appointees, unless such compensation is otherwise fixed by this Charter.

All appointments not otherwise provided for in this Charter, except in the cases of appointees to the unclassified service, shall be made pursuant to the County Civil Service System, as it now exists or hereafter may be amended by ordinance.

- (b) Provide, by ordinance, for the number of assistants, deputies, clerks, and other persons to be employed from time to time in the several offices and institutions of the county, and for their compensation.

*Note: A proposed amendment to subparagraphs (b) and (c) to allow use of resolutions was disapproved by the voters Nov. 2, 1982.*

- (c) Provide, by ordinance, for the creation of offices other than those required by the Constitution and laws of the State, and for the appointment of persons to fill the same, and to fix their compensation.

*Note: A proposed amendment to subparagraphs (b) and (c) to allow use of resolutions was disapproved by the voters November 2, 1982.*

- (d) Adopt the annual budget of the county.
- (e) Establish a system of priorities and levels of service which are to be provided by the county to the public and among and between departments of the county.
- (f) Perform or provide for the performance of such functions as are required by statutes of the State of California.
- (g) Take such measures as may be necessary from time to time to implement the provisions of this Charter.
- (h) Contracting for Services. The Board may contract with an independent contractor to provide any services required of, or performed by, the county if it is more economical to do so.

*Note: Added Nov. 2, 1982.*

# CHARTER OF THE COUNTY OF PLACER

## ARTICLE III: GENERAL POWERS AND DUTIES OF THE BOARD OF SUPERVISORS (Continued)

Sec. 303      **Other Enumerated Powers.** The Board may:

- (a) Provide, by ordinance, for the creation of offices, boards and commissions other than those required by the constitution and laws of the State, and for the appointment of persons to fill such offices, boards and commissions, and prescribe their powers, terms of office and duties, and fix their compensation.
- (b) Create, abolish, consolidate, segregate, assign or transfer the powers and duties of any appointive office, department division, board of commission to the extent not in conflict with this Charter.
- (c) Consolidate, segregate, assign or transfer the powers and duties of any elective office or division thereof to the extent authorized by the Constitution of the State of California and not in conflict with this Charter.
- (d) Require periodic or special reports of expenditures and costs of operation; examine all records and accounts, and inquire into the conduct of any office, commission department or other entity to which the county contributes funds.
- (e) Require the attendance of any officer or employee of the county at any meeting of the Board for the purpose of information, advice and assistance.
- (f) Contract with a city, district, public agency or political subdivision in the county for the performance by county officers or employees of any or all of the functions of such city, district, public agency or political subdivision.

# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE IV: OFFICERS OTHER THAN SUPERVISORS**

Sec. 401     **Elective Officers.** The elective officers of the county other than members of the Board shall be:

Sheriff-Coroner (consolidated)  
District Attorney  
Assessor  
Superintendent of Schools  
Auditor-Controller (consolidated)  
County Clerk-County Recorder(consolidated)  
Treasurer-Tax Collector (consolidated)

*Note: On Nov. 6, 1984 the voters rejected a proposed amendment "A" which sought to appoint a finance officer and delete the position of Auditor-Controller.*

Sec. 402     **Appointive Officers.** The appointive officers of the county shall be:

Chief Executive Officer who shall be the County Administrator  
County Counsel  
Public Administrator who shall handle estates of decedents

Such other officers as now are or which may be hereafter authorized by the general law of the State of California or this Charter and established in pursuance thereof.

*Note: A proposed amendment to add "Public Administrator" and to add "The Board of Supervisors may appoint the Director of Revenue and Reimbursement as ex officio License Collector" was disapproved by the voters Nov. 2, 1982.*

*Note: On Nov. 6, 1984, the voters approved Charter amendment "B" which separated the probate functions from the District Attorney, and created an appointed position of Public Administrator to handle the decedent's estates.*

# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE IV: OFFICERS OTHER THAN SUPERVISORS (Continued)**

Sec. 403     **Officers, Election and Term.** All elected officers of the county shall be nominated and elected in accordance with the general law. The term of office of any officer shall be as provided under the general law. Removal from office of any elected county office shall be as provided in the general law.

Sec. 404     **Elected Officers, Vacancies.** Whenever a vacancy occurs in any elective county office, other than a member of the Board of Supervisors, the Board shall fill such vacancy and the appointee shall hold office until the next general election and until his successor is elected and qualified.

Sec. 405     **Tenure of Office.** Terms of all officers, employees, and members of boards and commissions, unless otherwise by law or this Charter provided, shall be at the pleasure of the appointing power.

## **ARTICLE V: DUTIES OF OFFICERS**

Sec. 501     **In General.** Unless otherwise specified in this Charter, officers of the county other than members of the Board, shall have such duties as shall be prescribed by the Board from time to time and such other duties as shall be required of officers in charter counties by the Constitution and general laws of the State of California.

### Sec. 502     **COUNTY EXECUTIVE OFFICER**

(a)     **Appointment.** The County Executive Officer is the chief administrative officer of the county. The County Executive Officer shall be appointed by the Board on the basis of executive and administrative qualifications and experience. The County Executive Officer's performance shall be evaluated by the Board from time to time. The County Executive Officer serves at the Board's pleasure and may be removed by affirmative vote of three of its members.

(b)     **General Powers and Duties.** The County Executive shall be responsible to the Board of Supervisors for the proper and efficient administration of the affairs of the county as are or hereafter may be placed in the provisions of this Charter, or of any ordinance, resolution or order of the Board of Supervisors with respect to any necessary or proper coordination of functions of officials and boards not under his jurisdiction or control.



# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE V: DUTIES OF OFFICERS (Continued)**

### Sec. 503      **Other Duties.**

- (a) Coordinate the work of all offices and departments, both elective and appointive, and devise ways and means to achieve efficiency and economy in all county operations.
- (b) Appoint, suspend or remove subject to confirmation by the Board of Supervisors all appointive department heads except County Counsel. Appointments shall be on the basis of executive and administrative qualifications as determined by screening and selection procedures.
- (c) Formulate and present to the Board plans to implement policies and accomplish goals established by the Board.
- (d) Provide systematic planning of the budget, recommend long-range capital planning, and recommend an annual budget after reviewing requests of all departments and agencies for which the Board is responsible or which request county funds.
- (e) Have responsibility for the administration of the budget after its adoption by the Board.
- (f) Provide for an in-depth analysis and review of all county programs on a regular basis in such manner that the Board may make policy decisions.
- (g) Provide and implement systems of adequate checks and controls to safeguard county money and property.
- (h) Implement the system of priorities and levels of service established by the Board.
- (i) The County Executive Officer shall have such other power and shall perform such other duties as are consistent with this Charter as prescribed by the Board.

# CHARTER OF THE COUNTY OF PLACER

## ARTICLE V: DUTIES OF OFFICERS (Continued)

Sec. 504     **Board Meetings and Deliberations.** The County Executive Officer may attend any meeting of the Board of Supervisors except that attendance at a meeting at which the County Executive Officer's evaluation or removal is considered shall be at the Board's discretion. The County Executive Officer may participate in discussions of the Board but may not make motions or vote.

Sec. 505     **Cooperative with County Executive Officer.** All elective officers of the county and all officers appointed by the Board of Supervisors shall cooperate with the County Executive Officer.

Sec. 506     **Communication with Employees.** A Supervisor shall communicate recommendations or instructions to officers and employees under the County Executive Officer's supervision only through him/her. This section does not limit a Supervisor's right to obtain information.

Sec. 507     **County Counsel.** The County Counsel shall be appointed by the Board of Supervisors and serve according to the terms of Government Code Section 27641 as currently enacted or hereafter amended including any successor statute enacted by the State Legislature to replace it. Unless his duties are otherwise prescribed or modified by an ordinance of the Board, he shall have all the powers and duties of a County Counsel now or hereafter set forth in the general laws.

**Note:** On Nov. 4, 2008, the voters approved Charter amendment "S" which changed the terms of employment of the County Counsel from an at-will appointment to terms consistent with Government Code Section 27641.

# CHARTER OF THE COUNTY OF PLACER

## ARTICLE VI: GENERAL

- Sec. 601     **Charter Review.** The Board of Supervisors shall convene a Charter Review Committee within two (2) years of the effective date of this Charter and within five (5) years of the last Charter review thereafter. The committee shall review the Charter and, after at least two (2) public hearings, make recommendations for amendments to or revisions of this Charter to the Board.
- Sec. 602     **Fiscal Provisions.** General law shall govern the assessment of property, the levy and collection of taxes, the adoption of the county budget, and the appropriation, accounting and transfer of funds unless otherwise provided for in this Charter or by ordinance.
- Sec. 603     **General Law.** Unless the context of this Charter otherwise requires, the terms "general law" or "general laws" as used herein mean the Constitution and statutes of the State of California.
- Sec. 604     **Continuation of Laws in Effect.** All laws of the county in effect at the effective date of this Charter shall continue in effect according to their terms unless contrary to the provisions of this Charter, or until repealed or modified pursuant to the authority of this Charter or the general law.
- Sec. 605     **Continuation in Office.** Nothing in this Charter shall be construed to affect the tenure or office of any of the elective officers of the county 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 such officers shall be elected or appointed as in this Charter provided or as shall be provided pursuant to ordinances enacted under the authority of this Charter.
- Sec. 606     **Severability of Provisions.** If any section, subsection, sentence, clause or phrase of this Charter is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Charter. It being hereby expressly declared that this Charter, and each section, subsection, sentence, clause and phrase thereof would have been prepared and proposed, adopted, approved and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

# CHARTER OF THE COUNTY OF PLACER

## **ARTICLE VI: GENERAL (Continued)**

Sec. 607     **Initiative, Referendum, Recall and Charter Change.**

The electors of the county may be majority vote and pursuant to general law:

- (a)     Exercise the powers of initiative and referendum.
- (b)     Recall an elected officer who has held office for six months.
- (c)     Amend, revise or repeal this Charter.

Sec. 608     **Purchasing.**

- (a)     **Preference to County Products and Services:** When the combinations of price, quality, terms and other conditions of sale are substantially equal, the county shall give preference in purchasing to Placer County goods, services and suppliers.
- (b)     **Indexing of Bid Amounts:** Whenever bidding is required by general law, the threshold amount required for bidding shall be \$30,000 for roads and \$20,000 for contracts other than roads. Such threshold amounts shall then be adjusted annually by the percentage change in the Engineering News Record Index or subsequent index.

*Note: Added Nov. 2, 1982.*

Sec. 609     **Grammatical Corrections.** The Board of Supervisors may direct County Counsel to make spelling, punctuation or grammatical corrections in the County Charter or to change the sequence of specific Charter provisions as long as no change in the legal meaning or intent of the Charter results.

*Note: Added June 6, 1984.*

**RECORDING INFORMATION:** The approved Charter was recorded in the Placer County Recorder's Office on August 4, 1980, at 3:37 p.m., Number 28490.