

Section 25

Counties and Cities Questioning, Challenging, and Rejecting Regional Governance

10/16/1973 Board of Supervisors, El Dorado County, California - Resolution 487-73: Affirms County Jurisdiction, Questions and Opposes Division of State into Sub-State Regions

9/17/1974 Board of Supervisors, El Dorado County, California - Resolution 447-74: Exposes, Opposes, and Challenges Regional Government

10/22/1974 Board of Supervisors, Kern County, California - Resolution 74-576: Expression of Opposition to Erosion of Local Representative Government by Unwanted State and Federal Imposition of Regional Non-Elected Authorities

4/03/1979 City Council, Benicia, California - Resolution 79-70: Requesting Inquiry by State Government into the Constitutionality of Regional Government

6/07/1979 Board of Supervisors, Placer County, California - Letter to Governor Deukmejian Accompanying Resolution 79-263: Requesting Inquiry into the Constitutionality of Regional Government

6/12/1979 Board of Supervisors, Placer County, California - Resolution 79-277: Opposing and Resigning Placer County Membership in the California Tahoe Regional Planning Agency

6/15/1979 Board of Supervisors, Placer County, California - Letter to Senator Mills accompanying Resolution 79-263: Requesting Inquiry into the Constitutionality of Regional Government

11/06/1984 City Council, Benicia, California - Resolution 84-180: Requesting Inquiry by State Government into the Constitutionality of Regional Government

Section 25
Counties and Cities Questioning, Challenging, and Rejecting
Regional Governance

10/16/1973

Board of Supervisors, El Dorado County, California
Resolution 487-73:

Affirms County Jurisdiction, Questions and Opposes Division of State
into Sub-State Regions



RESOLUTION No. 487-73

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the El Dorado County Board of Supervisors is on record affirming support of the principle of local representative government, elected by popular vote of the citizens governed; and

WHEREAS, El Dorado County, through the use of existing methods and structures of government, has demonstrated that cooperation with neighboring counties and cities can solve mutual problems; and

WHEREAS, there is increasing evidence of a determined effort toward regional redistricting as a substitute for such cooperation, which effort does not originate at the local level, and appears to be developing into a direct attack on the autonomy of city and county government; and

WHEREAS, under the direction of the California Council on Intergovernmental Relations (an appointed body), the State has been divided into arbitrary multi-county regions (substate regionals), presumably with appointed regional councils replacing authority previously and properly reserved to elected municipal and county officials; and

WHEREAS, these substate regionals are intended to become local agencies for the administration of state and federal programs, and will not represent the citizens in the local areas; and

WHEREAS, this movement is not confined to the State of California, but is taking place in other states as well, and all such substate regionals interlock with the division of the United States into Ten Standard Federal Regions, as mandated by the President in an Executive Order (EO#11647, 12 February 1972) which placed California with Nevada and Arizona in "Region Nine" without the knowledge or consent of the citizens; and

WHEREAS, it would appear that EO #11647 is in direct violation of Article IV, Sections 3 and 4 of the Constitution of the United States and of the Tenth Amendment, as well as Article 1, Sections 2, 22, 23, and Article 3, Section 1 of the California Constitution as set forth below:

CONSTITUTION OF UNITED STATES

Article IV, Section 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States or Parts of States, without the Consent of the Legislatures of the States concerned, as well as of the Congress. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any claims of the United States or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against Invasion; and on Application of the Legislature or of the Executive (when the Legislature cannot be convened) against domestic Violence.

AMENDMENT X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

CONSTITUTION OF CALIFORNIA

ARTICLE 1. §2. Political power; purpose of government

Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it.

§22. Mandatory and prohibitory provisions.

Sec.22. The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

§23. Rights reserved to people

Sec.23. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE 3. §1. Constitution of the United States supreme law of land

Sec.1. The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land.

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WHEREAS the evident goal of the regionalization of local, state and federal governments is centralization of power and authority, which rightfully and constitutionally belongs to these several governments; transference of custody of the public purse to appointed officials; and, usurpation of the rights and freedoms of the citizens which are guaranteed by the Constitution of the United States and the Constitutions of the several states, including the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of El Dorado in the State of California, that the evidence in support of the above recitals is sufficiently strong to warrant immediate action; that fulfillment of their solemn oath of office to support and defend the Constitutions of the United States and of the State of California requires that this Board make known to all whom it may concern that, in the course of conducting the business of El Dorado County, matters have come to their attention which indicate the substance of the above to be true, and

- 1) that copies of this resolution be sent to the Boards of Supervisors of each and all of the several counties in the State of California, to the Sheriff of each county and to the County Supervisors Association of California.
- 2) that the Boards of Supervisors of the other counties be, and they are hereby requested to join with the El Dorado County Board in demanding of all persons responsible that no further action of any nature whatsoever be taken on any phase of this substate redistricting until such time as there can be a determination made of the desires and will of the several counties and their citizens with regard to its continuance.
- 3) that the El Dorado County Board of Supervisors invites suggestions from other counties as to methods of determining necessary procedures directed toward holding a joint investigation into this entire matter to provide opportunity for all persons having information and/or evidence of misrepresentation, fraud, conspiracy or sedition, or any other illegal activity connected with this movement of regionalization, to be heard.
- 4) that the El Dorado County Board urges other counties to use every means available to them to manifest the urgency of this matter and to inform their citizens of this concern; such means should include consideration of adoption of a resolution similar to this as evidence to those who represent their citizens at the state and federal levels of determination to insure that the solution to the problems which are the stated basis for this proposal is not ~~a greater ill than the problem.~~
- 5) that copies of this resolution also be sent to State Senator Clare Berryhill, Assemblyman Eugene Chappie, the Hon. Ralph C. Dills, Chairman of the State Senate Governmental Organization Committee, the Hon. Newton R. Russell, Chairman of the State Assembly Government Administration Committee, the Hon. Leon D. Ralph, Chairman of the Assembly Governmental Organization Committee, Senator Milton Marks and Assemblyman John T. Knox, Chairmen of the respective Local Government Committees, United States Senators Alan Cranston and John Tunney, Congressman Harold T. Johnson and the Governor and Lieutenant Governor of the State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 16th day of October, 1973, by the following vote of said Board:

18. ATTEST:

CARL A. KELLY, County Clerk and ex-officio
Clerk of the Board of Supervisors

By: Anita L. First
Deputy Clerk

Ayes: Franklin K. Lane, William V. D.
Johnson, W. P. Walker, Raymond E.
Lawyer

Noes: None

Absent: Thomas L. Stewart

Raymond E. Lawyer
Chairman, Board of Supervisors

NOTICE: CALIFORNIA FAMILIES UNITED AFFIRMS THAT THE ABOVE IS A TRUE AND ACCURATE COPY OF THE RESOLUTION ADOPTED BY THE EL DORADO COUNTY BOARD OF SUPERVISORS; THAT IT WAS NOT REPRODUCED AT PUBLIC EXPENSE; AND THAT IT WAS RETYPED SINGLE SPACE TO FIT CONVENIENTLY ON A SINGLE SHEET OF PAPER FOR OPTIMUM USE OF OUR AVAILABLE FUNDS. Additional copies .02¢ don. California Families United Information Center, P.O. Box 20352, Sacramento, California 95820