

Section 28g

**Board of Supervisors, Del Norte County, California
Resolution 90-70:**

**Requesting Inquiry Into the Constitutionality of State Regional
Government (8/27/1990)**

BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA

RESOLUTION NO. 90-70

A RESOLUTION OF THE DEL NORTE COUNTY BOARD OF
SUPERVISORS REQUESTING INQUIRY INTO THE
CONSTITUTIONALITY OF STATE REGIONAL GOVERNMENT

WHEREAS, the State of California has created and implemented specific types of regional government; and

WHEREAS, the State Legislature is proposing new regional government concepts that will assume the power and authority which traditionally has belonged to Municipal and County governments, and that will by-pass these traditional and constitutional bodies; and

WHEREAS, this new form of government is being created under different names such as Metropolitan Regions, City-County Consolidation Charters, Council of Governments (ABAG), Vision 2020, and specific legislation, such as AB 4242 which is presently being proposed at our state legislature. "AB 4242" would create regional development and infrastructure agencies at this time. This bill would specify that the plans, ordinances, and regulations of local agencies shall be consistent with the regional plan and rules and regulations of the agency. All of these constitute "Regional Government" and pose a threat to local autonomy; and

WHEREAS, the members of the Board of Supervisors of the County of Del Norte deem it extremely important that the traditional rights, duties and responsibilities be retained by the County as that level of government most responsive to the needs of its citizens and the Board deems it important therefore to determine the constitutionality of the regional government concept;

NOW THEREFORE, BE IT RESOLVED, that the Del Norte County Board of Supervisors does hereby request, that legislative representatives, State Senator Barry Keene, Assemblyman Dan Hauser, the Honorable Governor George Deukmejian and the State Attorney General Van de Kamp, and all other interested parties be directed to determine whether or not the various forms of regional government either currently established, or as proposed to be established, are constitutional in the method of creation, the

delegation of responsibilities and the equal representation requirements of the California and Federal Constitutions.

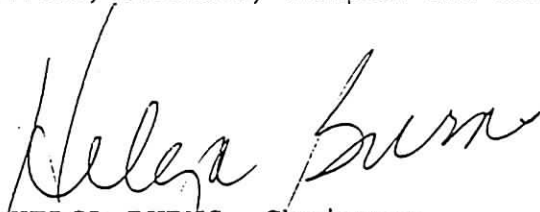
BE IT FURTHER RESOLVED, that the Del Norte County Board of Supervisors requests that the process for any investigation be in the form of a public hearing to allow testimony and public participation regarding these issues.

PASSED AND ADOPTED this 27th day of August 1990, by the Board of Supervisors, County of Del Norte, State of California, by the following polled vote:


AYES: Supervisors Smedley, Mellett, Crockett, Thompson and Burns

NOES: None

ABSENT: None


HELGA BURNS, Chairman
Del Norte County Board
of Supervisors

ATTEST:


KAREN L. WALSH, Clerk of the
Board of Supervisors, County of
Del Norte, State of California