

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF KERN, STATE OF CALIFORNIA**

In the matter of:

Resolution No. 2026-014

**CALLING AN ELECTION FOR THE PURPOSE
OF SUBMITTING TO THE VOTERS AN
ORDINANCE ESTABLISHING KERN COUNTY
AS A CALIFORNIA CHARTER COUNTY AND
ADDING THE CHARTER TO THE ORDINANCE
CODE**

I, NANCY ANDERSON, Clerk of the Board of Supervisors of the County of Kern, State of California, certify that the following resolution, on motion of Supervisor Parlier, seconded by Supervisor Couch, was duly passed and adopted by the Board of Supervisors of the County of Kern at a regular meeting on the 27th day of January, 2026, by the following vote:

AYES: Peters, Parlier, Flores, Couch, Perez
NOES: None
ABSENT: None



NANCY ANDERSON
County Administrative Officer
Clerk of the Board

Deputy Clerk

RESOLUTION

Section 1. WHEREAS:

(a) Article XI, Section 3(a) of the California Constitution authorizes counties to adopt charters governing matters of county governance, subject to approval by the voters of the county; and

(b) Government Code sections 23700 et seq. set forth the procedures by which a county board of supervisors may propose a county charter and submit an ordinance adopting the charter to the voters at an election; and

(c) The Kern County Board of Supervisors (the "Board") is the legislative body of the County and is vested with the authority to initiate the process for adoption of a county charter by ordinance subject to voter approval; and

(d) Under existing general law, vacancies on the Board are filled in a manner prescribed by state statute, which limits local discretion regarding whether such vacancies are filled by appointment or special election; and

(e) The Board desires to provide local control and flexibility in the method for filling vacancies on the Board, by allowing such vacancies to be filled either by appointment of the Board or by special election, as determined by the Board under circumstances specified in the charter; and

(f) The proposed county charter does not otherwise alter the form of government of Kern County and is limited in scope to the single issue of filling vacancies on the Board of Supervisors; and

(g) The Board finds that calling an election and submitting to the voters an ordinance adopting a county charter containing this single provision is in the best interests of the residents of Kern County and consistent with the authority granted by the California Constitution and state law; and

(h) Pursuant to California Elections Code section 9140, the Board has the authority to submit an ordinance on its own initiative to the voters of Kern County.

Section 2. IT IS RESOLVED by the Board of Supervisors of the County of Kern, State of California, as follows:

1. This Board finds the facts recited are true and that it has jurisdiction to consider, approve, and adopt the subject of this Resolution.

2. This Board hereby makes and incorporates all the findings recommended by Staff, whether verbally or in their written reports in support of this Resolution.

3. This Board hereby approves the Kern County Charter Ordinance which proposes to establish Kern County as a California Charter County.

4. This Board finds and determines that the applicable provisions of the California Environmental Quality Act of 1970 (CEQA), the State CEQA Guidelines, and the Kern County CEQA Guidelines have been observed in consideration of this request.

5. This Board finds and determines that pursuant to State CEQA Guidelines section 15061(b)(3) the submission of the proposed ordinance to the electorate for its consideration is exempt from the requirements of further environmental review under CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. However, if determined to be a project subject to the requirements of further environmental review under CEQA, such project would be exempt pursuant to section 15320 of the State CEQA Guidelines.

6. The Clerk of this Board shall cause a Notice of Exemption to be filed with the County Clerk.

7. Pursuant to California Elections Code section 9140 and Government Code section 23711, the Kern County Board of Supervisors exercises its authority to submit an ordinance to the voters of Kern County to adopt a county charter. A copy of the proposed ordinance to be submitted is attached to this Resolution as Exhibit A.

8. Said election is hereby ordered to be held on Tuesday, June 2, 2026 and shall be consolidated with the statewide election and any other elections to be held on said date, pursuant to the provisions of Elections Code section 10401.

9. At said election, the proposition to be voted upon shall appear upon the ballot substantially as follows:

"Shall Measure ____ (Establishing Kern County as a California Charter County) be adopted?"

This measure establishes Kern County as a California Charter County. The proposed Charter would allow for Members of the Board of Supervisors to appoint or call for a special election to fill a vacancy on the Board of Supervisors."

10. Pursuant to this Board's order for consolidation, the Auditor-Controller-County Clerk is hereby authorized and directed to implement said order for consolidation and to hold and conduct the consolidated election as provided in Elections Code sections 10400 et seq., including section 10418, and perform such duties in the exercise of such power and authority as may be available and appropriate, including but not limited to publication of notice of the election.

11. The Clerk of this Board shall transmit copies of this Resolution to the following:

County Clerk
County Administrative Officer
County Counsel

COPIES FURNISHED:
<i>See above</i>
<i>2/3/2026</i>

EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN ADDING CHAPTER 1.01 TO TITLE 1 OF THE KERN COUNTY ORDINANCE CODE, ESTABLISHING KERN COUNTY AS A CALIFORNIA CHARTER COUNTY

The following ordinance consisting of one (1) section, was duly and regularly passed and adopted by the Board of Supervisors of the County of Kern, State of California, at a regular meeting of the Board of Supervisors held on the _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

Chairman of the Board of Supervisors of
the County of Kern, State of California

(SEAL)

ATTEST:

NANCY ANDERSON
County Administrative Officer
Clerk of the Board

By _____, Deputy Clerk

THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN ORDAINS AS FOLLOWS:

Section 1. Chapter 1.01, Title 1, is added to the Kern County Ordinance Code, and shall read as follows:

Chapter 1.01 - COUNTY CHARTER OF THE COUNTY OF KERN.

1.01.010 - Findings and Declarations

- A. The Board of Supervisors of the County of Kern desires to exercise and establish a County Charter to ensure that local elected officials retain and may fully exercise all powers and authorities granted by the Constitution of the State of California, the laws enacted by the State Legislature, and the authority entrusted to them by the electors of Kern County.

- B. The purpose of this Charter is to provide for local self-government and home rule for the people of Kern County.
- C. California Government Code section 23711 authorizes a county board of supervisors to propose a county charter, to be ratified by electors at the next general election.
- D. California Government Code section 23712 provides that if the electors approve a proposed charter, it shall be deemed ratified, but shall not take effect until accepted and filed by the California Secretary of State pursuant to Government Code sections 23713, et seq.
- E. Only those provisions of a county charter that are authorized by the California Constitution shall supersede State laws in conflict therewith, and then only to the extent that such provisions are not limited by the California Constitution.

1.01.020 - Charter Preamble

- A. We, the people of Kern County do ordain, adopt, and establish this Charter to provide a county government that is responsive to the needs of its diverse communities, and that advances freedom, equality, justice, public health, public safety, infrastructure, and other functions appropriately provided by county government in a democratic and just manner.
- B. Except as expressly provided in this Charter, the County of Kern shall continue to be governed by applicable provisions of the Kern County Code, County Administrative Policies, and general laws of the State of California.

1.01.030 - Vacancies on the Board of Supervisors

- A. Filling of Vacancies. Notwithstanding any other provision of law, whenever a vacancy occurs in the office of supervisor on the Kern County Board of Supervisors (the "Board"), the Board may either:

- 1) Fill the vacancy by appointment, or
- 2) Call a special election to fill the vacancy.

Any appointee shall be a qualified elector residing in the supervisorial district in which the vacancy exists and shall hold office until the election and qualification of a successor. Nothing contained herein shall preclude an appointee from seeking election to said supervisorial office provided the appointee is otherwise qualified and eligible under applicable law.

- B. Election to Fill Vacancy. An election to fill a vacancy for the unexpired term shall be held at the next general election, unless the term expires on the first Monday after January 1 succeeding the election. The Board may call a special election to fill the vacancy, whether or not it has appointed a successor to fill the vacancy, provided that the date of such special election precedes the next general election.
- C. Failure to Appoint. The Board may decline to fill the vacancy by appointment. In the event that no appointment is made by the Board, the vacancy shall be filled by election in accordance with the terms of this Charter.

1.01.040 – Severability

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

1.01.050 – Conflicting Provisions

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby superseded by this Chapter. The adoption of this Ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

1.01.060 – Effective Date

This Ordinance shall take effect and be in full force and effect on June 2, 2026, after certification of the vote, if the measure is approved by a majority of the electors voting on the measure at the election held that day. This Ordinance shall then be operative on November 1, 2026, subject to acceptance and filing by the California Secretary of State. The Clerk shall cause this Ordinance to be published as required by law.

STATE OF CALIFORNIA
COUNTY OF KERN

I, Clerk of the Board of Supervisors, do hereby certify the foregoing
Bos Reso 2026-014; 1/27/2026; AM18

to be a full, true and correct copy of the original on file in my office.

Witness my hand and seal of the Board of Supervisors.

This 11th day of February, 2026

Clerk of the Board

Seal

By: _____

_____, Deputy

