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ELECTRONICALLY FILED
Superior Court of California,
County of El Dorado
02/27/2026 at 12:05:06 PM
By: Tricia Barker, Deputy Clerk

**EXEMPT FROM FILING FEES
PURSUANT TO GOV CODE §6103**

8 Attorneys for Plaintiff David A. Livingston,
9 in his official capacity as the County Counsel
10 for the County of El Dorado

11 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
12 IN AND FOR THE COUNTY OF EL DORADO

13 DAVID A. LIVINGSTON, in his official
14 capacity as County Counsel for the County of
El Dorado

15 Plaintiff,

16 v.

17 JEN RIMOLDI, an individual; FRANK
18 ADAIR, an individual; and DOES 1 through
19 20 inclusive

20 Defendants,

Case No. 26CV0544

**COMPLAINT FOR DECLARATORY
RELIEF**

[Code of Civil Procedure section 1060]

Complaint Filed: February 27, 2026
Trial Date: TBD

23 Plaintiff, David A. Livingston, in his official capacity as County Counsel for the County
24 of El Dorado (hereinafter, "Plaintiff") brings this action to obtain the Court's declaration regarding
25 the validity of a proposed initiative measure entitled "Compensation Equity & Accountability"
26 (hereinafter "Proposed Initiative") and the extent of County Counsel's duty to prepare the ballot
27 title and summary as required under Elections Code section 9105.

28 ///

1 **PARTIES**

2 1. Plaintiff David A. Livingston is the duly appointed County Counsel for the County of El
3 Dorado. Plaintiff brings this action within his official capacity as the County Counsel.

4 2. Plaintiff is informed and believes, and on that basis alleges, Defendant Jen Rimoldi is a
5 resident of the County of El Dorado and a proponent of the Proposed Initiative discussed below.

6 3. Plaintiff is informed and believes, and on that basis alleges, Defendant Frank Adair is a
7 resident of the County of El Dorado and a proponent of the Proposed Initiative discussed below.

8 4. Plaintiff is currently unaware of the true names and capacities of Defendants Does 1
9 through 20 and therefore sues them under fictitious names. Plaintiff will amend this Complaint to
10 allege their true names and capacities when they are ascertained. Plaintiff is informed and believes,
11 and on that basis alleges, that Defendants Does 1 through 20 are unknown proponents of the
12 initiative discussed below or agents of the proponents.

13 **FIRST CAUSE OF ACTION – DECLARATORY RELIEF AS TO ALL**
14 **DEFENDANTS**

15 5. Plaintiff incorporates by this reference the allegations of Paragraphs 1 through 4, inclusive,
16 as though fully set forth here.

17 6. On or about February 13, 2026, Defendants caused to be filed with the County of El Dorado
18 Registrar of Voters a “Notice of Intention to Circulate Petition” that includes the text of the
19 Proposed Initiative. A true and correct copy of the Notice of Intention to Circulate Petition and the
20 Proposed Initiative is attached to this Complaint as Exhibit 1 and incorporated herein by this
21 reference.

22 7. Plaintiff, in his official capacity as County Counsel, undertook a diligent and timely review
23 and analysis of the Proposed Initiative for the purpose of the preparation of a Ballot Title and
24 Summary pursuant to Elections Code section 9105.

25 8. An actual controversy has arisen and now exists between Plaintiff and the Defendants
26 relative to their respective rights and duties in association with the Proposed Initiative.

27 9. Plaintiff contends that the Proposed Initiative impermissibly seeks to restrict the ability of
28 the Board of Supervisors to set compensation for County elected officials and certain employees

1 in the manner they deem appropriate, and is invalid for multiple reasons, including, but not limited
2 to, the following:

3 a. The Proposed Initiative is not legislative in nature;

4 b. The Proposed Initiative infringes on matters exclusively reserved by Article XI, Section 4,
5 subdivision (f) of the California Constitution to the governing bodies of charter counties, in this
6 instance the County of El Dorado Board of Supervisors, and therefore not subject to the initiative
7 power of the local electorate;

8 c. The Proposed Initiative contains provisions that conflict with California constitutional and
9 statutory law;

10 d. The Proposed Initiative sets forth arbitrary standards; and

11 e. The Proposed Initiative is unconstitutionally vague.

12 10. Plaintiff is informed and believes, and on that basis alleges, that Defendants contend the
13 Proposed Initiative is valid and should be circulated for placement on the ballot.

14 11. Plaintiff desires a judicial determination of the parties' rights and duties with respect to the
15 Proposed Initiative, a declaration as to whether the Proposed Initiative as written is invalid under
16 the California Constitution and other relevant legal authorities, and a declaration as to whether
17 Plaintiff must prepare a ballot title and summary regarding the Proposed Initiative.

18 12. Pre-election declaratory judgment on Plaintiff's contentions is appropriate and necessary
19 to resolve the Parties' dispute as a matter of law before considerable and unnecessary funds and
20 resources are spent and to avoid misleading the public and voters on an initiative measure that
21 would be invalid if passed. Plaintiff has no adequate legal remedy concerning the invalidity of the
22 Proposed Initiative other than this action for declaratory relief.

23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff prays for judgment as follows:

- 25 1. A declaration excusing Plaintiff from his duties pursuant to Elections Code section 9105(a)
26 to prepare a ballot title and summary of the Proposed Initiative;
- 27 2. A declaration that the Proposed Initiative is invalid;
- 28 3. An award of costs of suit incurred herein; and

1 4. Such other and further relief as the Court may deem just and proper.
2
3

4 Dated: February 26, 2026

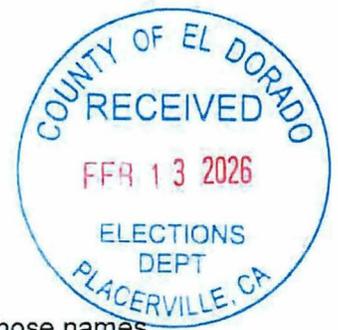
DAVID A. LIVINGSTON
COUNTY COUNSEL

6 By: 
7 _____

Ted D. Wood
Attorneys for Plaintiff David A. Livingston,
in his official capacity as the County
Counsel for the County of El Dorado

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EXHIBIT 1



NOTICE OF INTENTION TO CIRCULATE PETITION
Submitted on February 13, 2026

On behalf Hold El Dorado Accountable, notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of El Dorado for the purpose of protecting taxpayers by closing a loophole in the County Charter. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

PUBLIC STATEMENT

Hold El Dorado County accountable by passing this measure to:

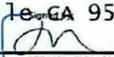
Protect Public Safety: This measure protects public safety by restating competitive wage standards for non-elected sworn peace officers, in other words Deputy Sheriffs, attracting and keeping qualified law enforcement officers to protect El Dorado County residents and keep the peace.

Protect Taxpayers: This measure protects taxpayers by prohibiting elected officials, county executives, and administrative officials from enriching themselves by misusing the Deputy Sheriff's wage standards, costing taxpayers millions of dollars in future expenditures.

Protect The Will Of The Voters: This measure reinstates the will of the voters. In 1995 the voters of El Dorado County approved, by nearly 70% of the vote, an amendment to the county charter intended to keep sworn peace officers' wages competitive and aligned with comparable jurisdictions. Even though that measure, known as Section 504, was intended for just sworn peace officers', the El Dorado County Board of Supervisors is now applying Section 504 to automatically raise wages for elected officials, lawyers, and highly paid administrators by an average of \$15 an hour, or \$31,000 a year each.

Protect El Dorado County's Quality of Life: This measure ensures our taxpayer dollars go to the voters' highest priorities. The El Dorado County Board of Supervisors has slashed vital community services – snowplowing, park programs, senior day care services, juvenile treatment centers, the Aquatic Center and more. Meanwhile, they are rubber-stamping hundreds of thousands of dollars of pay raises, diverting taxpayer dollars from public services and into the bank accounts of a handful of highly paid officials by misusing Section 504 of the County Charter.

The printed names, signatures, and business or residential addresses of the proponents are as follows:

Name	Residence or Business Address	Signature
Jen Rimoldi	2808 Mallard Lane, Suite A, Placerville, CA 95667	

REC979AE19 A472

Frank Adair	Frank Adair	3734 park drive Eldorado hills Ca9576;

We hereby request that County Counsel prepare a ballot title and summary for the following initiative to the voters.

INITIATIVE MEASURE TO BE SUBMITTED TO THE VOTERS FOR NOVEMBER 4, 2026 ELECTION

TITLE: This measure clarifies that compensation adjustments tied to the non-elected sworn peace officer wage benchmark apply only to sworn peace officers and not to elected officials or administrative staff. It requires annual wage benchmarking for non-elected sworn peace officers using the specified comparison agencies and prohibits compensation increases for elected or administrative officials based on the 504 Charter Amendment. The measure is intended to restore the intent of the prior voter-approved 504 Charter Amendment that ensured competitive wages for non-elected sworn peace officers.

Proposed Ballot Measure – Compensation Equity & Accountability

Purpose and Findings

WHEREAS, the voters of El Dorado County do not want our hard-earned taxpayer dollars used for unapproved purposes; and

WHEREAS, the voters previously approved amendments to the 504 charter by nearly 70% of the vote with the express intent of keeping county non-elected peace officer wages competitive and aligned with comparable jurisdictions; and

WHEREAS, the voters of El Dorado County did not intend for the 504 charter amendment to be used to increase the wages of elected officials, lawyers, and highly paid administrative staff; and

WHEREAS, maintaining competitive compensation for non-elected sworn peace officer wages is essential for recruitment, retention, and public safety; and

WHEREAS, it is the intent of the citizens and the County to return to the original intent of the 504 Charter Amendment by establishing clear, objective, and ongoing standards;

NOW, THEREFORE, BE IT RESOLVED that the following provisions shall be implemented and maintained:

SECTION 1. Findings and Purpose

The People of the County of El Dorado find and declare:

- A. Voters do not want taxpayer dollars used for compensation adjustments beyond those intended by prior voter-approved measures.
- B. The 504 Charter Amendment was approved by nearly 70 percent of voters to keep non-elected sworn peace officer wages competitive and aligned with comparable jurisdictions.
- C. Voters did not intend for the 504 Charter Amendment to increase the wages of elected officials, attorneys, or highly paid administrative staff.
- D. Maintaining competitive compensation for non-elected sworn peace officers is essential for recruitment, retention, and public safety.
- E. It is the intent of this measure to clarify that the original 504 Charter Amendment was for non-elected sworn peace officers only.

SECTION 2. Limitations on Elected and Administrative Official Compensation

- A. No elected or administrative official shall receive any compensation adjustment as a result of the 504 Charter Amendment or changes to non-elected sworn peace officers.

SECTION 3. Implementation

This ordinance shall be self-executing. The County shall take all necessary administrative steps to implement the provisions of this measure.

SECTION 4. Severability

If any provision of this ordinance is held invalid, the remaining provisions shall remain in full force and effect.

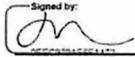
SECTION 5. Effective Date

This measure shall take effect pursuant to California Elections Code requirements following voter approval.

PROPONENT STATEMENT OF ACKNOWLEDGEMENT

I, Jen Rimoldi, acknowledge that it is a misdemeanor under State Law (Section 18650 of the California Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Signed by: 

Proponent Signature

Dated this 2/13/2026 day of _____, 2026