



COUNTY OF INYO

APPOINTMENT POLICY – BOARDS, COMMITTEES, AND COMMISSIONS FOR WHICH THE BOARD HAS APPOINTING AUTHORITY

I. PURPOSE:

The purpose of this policy is to establish the process whereby vacancies on Boards, Committees, and Commissions which are to be filled by appointment of the Board of Supervisors, will be made and to set the procedure for the Board to comply with the requirements of the Chapter 11 “Local Appointments List” of the Government Code Section 54970 et seq.

II. RESPONSIBILITIES:

A. Local Appointments List

It is the responsibility of the Clerk of the Board to complete, in compliance with Government Code Section 54970 et seq., the Local Appointments List on or before December 31 of each year. This list shall contain the following:

1. A list of all appointive terms which will expired during the next calendar year, with the name of the incumbent appointee, the date of the appointment, the date the term expires, and the necessary qualifications for the position.
2. A list of all Boards, Committees, and Commissions whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

B. County of Inyo Boards, Committees, and Commissions

It is the responsibility of the departments assigned to coordinate the activities of the individual County Boards, Committees, and Commissions to ensure that the Appointment Policy is followed, as it relates to the various such Boards, Committees, and Commissions for which they are responsible to provide staff support. In the event there is no responsible Department, such as for the Developmental Disabilities Board, the Clerk of the Board will be the responsible entity.



C. Cemetery Districts and the Bishop Rural Fire Protection District

The Clerk of the Board will notify Cemetery Districts and the Bishop Rural Fire Protection District of any scheduled vacancies which will occur on their Boards ninety (90) days prior to the vacancy occurring. The appointments will be made within ninety (90) days of the vacancy occurring in accordance with Government Code Section 1779. The procedure to fill such vacancies will follow those set forth in this procedure and as required by Government Code 54970 and will be originated by the Clerk of the Board.

III. DEFINITIONS:

A. **Vacancy:** A vacancy shall be defined per Government Code Section 1770.

B. **Scheduled Vacancy:** A scheduled vacancy occurs when the term-of-office has expired. Any incumbent wishing to retain their seat on a Board, Committee, or Commission, must seek re-appointment when their term has expired.

C. **Unscheduled Vacancy:** An unscheduled vacancy occurs when a term-of-office is vacated by the incumbent prior to the end of the term. (The individual Board, Committee, and Commission, may have specific by-laws which provide for how a vacancy is created. Should a vacancy arise per the by-laws, the Board, Committee, or Commission, must acknowledge the vacancy, per the by-laws, at a regularly scheduled meeting. This would be considered an unscheduled vacancy and the process to fill the unscheduled vacancy would need to be followed.)

IV. PROCEDURE FOR BOARD OF SUPERVISORS TO FILL VACANCIES:

A. Scheduled Vacancy

1. Sixty days prior to the expiration of the term-of-office, the responsible Department Head (or his/her designee) will notify the Board of Supervisors, in writing, of the upcoming vacancy. This notification must include:



- a. The name of the Board, Committee, or Commission in which the vacancy will occur;
 - b. The name and address of the person whose term is ending;
 - c. The date the term expires;
 - d. Any requirements for the position (e.g. district residency or professional or educational requirements, etc.); and
 - e. Any other pertinent information which will be useful in filling the vacancy.
2. Once the notification has been received in writing, the Clerk of the Board will advertise the upcoming vacancy (see Exhibit A). The vacancy will be noticed per the requirements for posting as set forth in Government Code Section 54974. It will be published once in the legal advertisement section of the local newspaper and posted in each of the County Libraries. The Notice will identify the Board, Committee, or Commission which has the vacancy and include the title of the position being vacated, the term-of-office to be filled, the deadline for filing the “request for appointment” with the Clerk of the Board’s Office, and the telephone number of the responsible Department, should the applicants have any questions. The Notice will be published and posted so that any potential applicant has a minimum of ten (10) working days from the date of the publication or posting of the notice, whichever is later, to seek the appointment.
 3. The Clerk of the Board will send a letter to the individual whose term is expiring notifying them of their need to apply for re-appointment (see Exhibit B). The letter will provide the applicant with a minimum of ten (10) working days in which to respond.
 4. The Clerk of the Board will also send a letter to any alternate members of the Board, Committee, or Commission having the vacancy, notifying them of said vacancy so that the Alternate may consider applying for appointment to a full-time position.
 5. The filing period for the vacancy will close per the “noticed date.” A copy of each of the requests for appointment, which were received on or before the filing deadline, will be forwarded to the responsible Department.
 6. The responsible Department will prepare an “agenda request item” to have the vacancy filled by the Board of Supervisors, prior to the expiration of the term of



the incumbent. The agenda item requesting the appointment should be worded in such a manner as to note the name of the Board, Commission, or Committee in which the vacancy will occur, the title of the vacancy, the length of the term, and the list of all of the applicants. The agenda item back-up documentation should include a copy of each applicants' correspondence requesting appointment.

If the number of requests for appointment exceeds the number of vacancies, the department head, or his/her designee, responsible for overseeing the committee/commission will invite the applicants to submit a more robust application and/or resume that will be presented to the Board of Supervisors as part of its deliberation process. The department head, or his/her designee, will also invite the applicants to appear at the meeting where the Board of Supervisors will be making the appointments to the commission/committee, at which time the applicants should be prepared to answer questions as the Board considers each candidate's qualifications.

7. Once the request for appointment is agendaized and the Board has filled the vacancy, the Clerk of the Board will notify the Department through a Board Order, amend the "Boards, Committees, and Commissions Book," notify the applicant of his/her appointment, and process the necessary "Oath of Office."
8. The responsible Department will orient the new appointee and, where necessary, provide them with the material and forms for completing and filing their assuming office Financial Disclosure Forms as required by the appropriate Conflict of Interest Code.
9. The Clerk of the Board will notify those applicants not appointed of the Board's decision, thanking them for their participation (see Exhibit C).

B. Unscheduled Vacancy

1. Immediately upon notification of an "unscheduled vacancy" on a Board, Committee, or Commission, the responsible Department Head (or his/her designee) will notify the Board of Supervisors, in writing, of the unscheduled vacancy. This notification must include:



- a. The name of the Board, Committee or Commission in which the vacancy will occur;
 - b. The name of the person who is unable to complete their term-of-office and the reason the vacancy occurred;
 - c. Verification of the Board, Committee, or Commission’s acceptance of the vacancy (a copy of the official record or a letter signed by the Chairperson of the Board, Committee, or Commission and a copy of any resignation documentation);
 - d. The date the term expires;
 - e. Any requirements for the position (e.g. district residency or professional or educational requirements, etc.); and
 - f. Any other pertinent information which will be useful in filling the vacancy.
2. Once the Clerk of the Board has received written notification, the vacancy notice will be published, not earlier than twenty (20) days before or not later than twenty (20) days after the vacancy occurs. The vacancy will be noticed per the requirements for posting as set forth in Government Code Section 54974. It will be published once in the legal advertisement section of the local newspaper and posted in each of the County Libraries. The Notice will identify the Board, Commission, or Committee which has the vacancy and include the title of the position vacated, the term-of-office to be filled, the deadline for filing the “request for appointment” with the Clerk of the Board’s Office, and the telephone number of the responsible Department, should the applicants have any questions. The Notice will be published and posted so that any potential applicant has a minimum of ten (10) working days from the date of the publication or posting of the notice, whichever is later, to seek the appointment.
 3. The Assistant Clerk of the Board will also send a letter to any alternate members of the Board, Committee, or Commission having the vacancy, notifying them of said vacancy so that the Alternate may consider applying for appointment to a full-time position.
 4. The filing period for the vacancy will close per the “noticed date” and a copy of each of the requests for appointment, which were received on or before the filing deadline, will be forwarded to the responsible Department.



5. The responsible Department, no later than twenty (20) days after the filing deadline or as otherwise required by law, will submit an “agenda request item” to have the vacancy filled by the Board of Supervisors. The agenda item requesting the appointment should be worded in such a manner as to note the name of the Board, Committee, or Commission in which the vacancy has occurred, the title of the vacancy, the length of the term, and the list of all of the applicants. The agenda item back-up documentation should include a copy of each applicants’ correspondence requesting appointment.

If the number of requests for appointment exceeds the number of vacancies, the department head, or his/her designee, responsible for overseeing the committee/commission will invite the applicants to submit a more robust application and/or resume that will be presented to the Board of Supervisors as part of its deliberation process. The department head, or his/her designee, will also invite the applicants to appear at the meeting where the Board of Supervisors will be making appointments to the commission/committee, at which time the applicants should be prepared to answer the questions as the Board considers each candidate’s qualifications.

6. Once the request for appointment is agendized and the Board has filled the vacancy, the Clerk of the Board will notify the Department through a Board Order, amend the “Boards, Committees and Commissions Book,” notify the applicant of his/her appointment, and process the necessary “Oath of Office.”
7. Emergency appointments to Boards, Committees, and Commissions will be made pursuant to Government Code Section 54974(b).
8. The responsible Department will orient the new appointee and, where necessary, provide them with the material and forms for completing and filing their assuming office Financial Disclosure Forms as required by the appropriate Conflict of Interest Code.
9. The Clerk of the Board will notify those applicants not appointed of the Board’s decision, thanking them for their participation (see Exhibit C).



V. EXTENSION OF CLOSING DATE

In the event there are insufficient applications to fill a vacancy or vacancies, the Clerk of the Board (or his/her designee) may at his/her discretion extend the closing date for requests for appointment, for a period of time not to exceed thirty (30) days.