

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO
AMENDING SECTION 3.04.120 ADDITIONAL COMPENSATION TO UPDATE
APPOINTMENT AUTHORITY AND ADD CLARIFYING LANGUAGE**

The Board of Supervisors of the County of Mendocino ordains as follows:

SECTION I

Section 3.04.120 of the Mendocino County Code is amended in its entirety to read as follows:

Section 3.04.120 – ~~Additional Compensation~~Interim Appointment of Interim Department Head.

~~Appointment as Acting Department Head. When a vacancy as department head exists due to death, resignation, retirement or incapacity, and the Board of Supervisors makes an appointment of an acting department head, the person so appointed shall receive a one (1) step increase or equivalent thereto in his existing salary. If it is known that such an appointment as acting department head will be of six (6) months, or longer duration, then the appointee shall receive an additional one (1) step increase or equivalent thereto in his existing salary. This increase shall continue during the term of his appointment as acting department head. During this appointment if the appointee is eligible for a merit salary increase as provided in Section 3.04.080 of this Title, he may receive such salary increase and additionally shall receive the aforementioned increase or equivalent thereto.~~

A. When an appointed department head vacancy occurs due to death, resignation, retirement, incapacity, or other reason, and the Board of Supervisors or Chief Executive Officer, as the appropriate appointing authority, appoints an interim department head who is an existing County employee, the individual so appointed shall receive a ten percent (10%) pay increase from their current appointed job classification for the duration of the interim appointment. This increase shall remain in effect for the duration of the interim appointment. In no case shall any pay increase exceed the established salary of the interim appointment position.

B. During the interim appointment, if the appointee becomes eligible for and is awarded a merit salary increase in their current appointed job classification pursuant to Section 3.04.080 of this Title, the employee will be awarded the merit increase while in the interim appointment, along with the additional 10% pay increase associated with the interim appointment based on the increased salary in their current appointed job classification. In no case will the adjusted salary exceed the established salary of the interim appointment position.

C. In the event that a salary schedule increase goes into effect while an employee is in an interim appointment, the employee will be awarded the salary schedule increase while in the interim appointment, with the additional 10% pay increase associated with the interim appointment based on the increased salary in their current appointed job classification. In no case will the adjusted salary exceed the established salary of the interim appointment position.

D. An employee working in an interim appointment shall not be entitled to receive any other compensation and benefits that may be associated with the interim appointment position.

E. The provisions of this section shall not apply to any appointments to fill a vacancy in an elected official position, pursuant to Government Code § 25304, as it now exists and may be amended, and other applicable law.

SECTION II.

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.

SECTION III.

All former ordinances and resolutions, or parts thereof, or inconsistent with the provisions of this ordinance are hereby superseded by the Ordinance. 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 or deposited pursuant to such ordinance.

SECTION IV.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2025, by the following roll call vote:

AYES:

NOES:

ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted
and **SO ORDERED**.

ATTEST: DARCIE ANTLE
Clerk of the Board

Deputy

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT,
County Counsel

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

BY: DARCIE ANTLE
Clerk of the Board

Deputy