

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 2.80 - TERMS OF MEMBERS APPOINTED TO BOARDS AND COMMISSIONS TO THE MENDOCINO COUNTY CODE

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

Section 1. Chapter 2.80 is hereby added to the Mendocino County Code to read as follows

CHAPTER 2.80 – Terms of Members Appointed to Boards and Commissions.

Sec. 2.80.010 – Purpose and Scope.

It is the purpose and intent of this chapter to fix the terms of office and methods of removal for appointees to any board, commission, committee or other entity, when those conditions are not otherwise specified. When any ordinance, initiative, resolution or other action by the County of Mendocino creates any body to which members are appointed by the Board of Supervisors or individual county supervisors, this chapter shall apply.

This chapter shall not apply to appointees serving on any board or commission external to the County of Mendocino, nor to any Joint Powers Agency of which the County is a member.

Sec. 2.80.020 - Terms.

The term of any appointment by the Mendocino County Board of Supervisors, or by any individual member of the Board of Supervisors, to any Mendocino County board, commission, or other county body shall be as follows:

- (A) If the term of office is fixed by any state or federal statute, regulation, or other law applicable to the board or commission, then the term as set forth in that law.
- (B) If no statute, regulation, or other law governs the term of appointment then:
 - (1) The term specified in the ordinance creating the board or commission or any other ordinance specific to that entity, if any;
 - (2) If the board or commission is created by any action other than an ordinance, then the term specified in any applicable resolution or other formal Board action; or
 - (3) If neither (1) nor (2) apply:
 - (a) Every member of a board or commission appointed by the Board of Supervisors shall serve a term of not more than two (2) years. This term shall expire on the day of the first regular meeting of the Board of Supervisors after the second January 1st following the member's appointment.
 - (b) Any member of a board or commission appointed by an individual supervisor shall serve a term as specified in 2.80.030(B)(3)(a), or until the expiration of the term of office of the supervisor that appointed said member, whichever comes first.

Sec. 2.80.030 - Continuance in office after expiration of term.

Every member of any board or commission whose term has expired shall continue to discharge the duties of his or her office until his or her successor has qualified.

This section shall not apply to any member who has been removed pursuant to section 2.80.040 of the Mendocino County Code or whose office has become vacant pursuant to Government Code section 1770 or other applicable law.

Sec. 2.80.040 – Removal.

Except as otherwise provided, members of any board or commission subject to this chapter shall serve at the pleasure of the Board of Supervisors. Members of boards or commissions may be removed prior to the expiration of their terms as follows:

- (A) Through any process for removal created by state law, including but not limited to, Government Code sections 1770 et seq. and 3060 et seq.;
- (B) Through any process for removal specified in the ordinances specific to that board or commission;
- (C) For any board or commission whose governing ordinances lack any provision for removal:
 - (1) By appointment of a successor prior to the expiration of the incumbent’s term;
 - (2) In the case of a member appointed by the Board of Supervisors, by a majority vote of the Board of Supervisors;
 - (3) In the case of a member appointed by an individual supervisor, by a four-fifths (4/5) vote of the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2021, by the following roll call vote:

AYES:
NOES:
ABSENT:

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

ATTEST: CARMEL J. ANGELO
Clerk of the Board

DAN GJERDE, Chair
Mendocino County Board of Supervisors

Deputy

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

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS,
County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy