

# THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/13/2011 by the following vote:

## Resolution No. 2011/498

### IN THE MATTER OF ADOPTING POLICY GOVERNING APPOINTMENTS TO INDEPENDENT BOARDS, COMMITTEES, AND COMMISSIONS, AND SPECIAL DISTRICTS

**WHEREAS**, the Board of Supervisors makes appointments to independent bodies not governed by the Board of Supervisors; and

**WHEREAS** the Board of Supervisors wishes to encourage participation of interested citizens in decisions affecting residents of this County;

**NOW, THEREFORE, BE IT RESOLVED** that the following procedures governing appointments to independent special districts, boards, commissions, and committees that are not governed by the Board of Supervisors (hereafter collectively referred to as "independent bodies") are adopted:

#### I. APPLICATION

**A.** The independent bodies to which this Resolution applies are listed on Exhibit A, "Independent and Quasi-Independent Bodies" attached hereto.

#### II. LOCAL APPOINTMENTS LIST

**A.** In accordance with the Maddy Local Appointive List Act of 1975 (Government Code section 54970 et seq.), the Board of Supervisors (hereafter "Board") will include in the Local Appointments List prepared by December 31st of each year, a list of all regular and ongoing independent bodies that have members appointed by the Board.

**1.** The Local Appointments List will be made available at the following locations: a) in a conspicuous place at the Office of the Clerk of the Board; and b) at all County Library branches; and c) on the Contra Costa County website.

**2.** The Local Appointments List will include a) a list of all appointive terms that will expire during the next calendar year; b) a list of all boards, commissions and committees whose members serve at the pleasure of the Board; c) the name of the incumbent, if any; d) the date of appointment for each filled seat; e) the necessary qualifications for service in each seat; f) the date on which the term for the seat expires, if any.

#### III. APPOINTMENT PROCEDURE

**A.** The Board makes appointments to two distinct types of seats on independent bodies, Supervisorial District Seats and At Large/ Countywide Seats. The following process will be followed for appointments to these two types of seats:

##### 1. Supervisorial District Seats

Applications may be delivered to either the Clerk of the Board or to the District Supervisor's office.

Applications received by a Supervisor's office are to be sent to the Clerk of the Board, and a copy is to be retained by the Supervisor's office. The Clerk of the Board will ensure that the Supervisor has a copy of all applications originally filed with the Clerk of the Board.

##### 2. At Large/Countywide Seats

Applications are sent to the Clerk of the Board. The Clerk of the Board will distribute the applications to the appropriate interviewer. When an independent body conducts interviews, the body's recommendation will be provided to a Board Committee for further review. In all cases, the Board Committee decides which applicants to nominate for full Board action. A list of those bodies that initially interview applicants for appointment is attached hereto as Exhibit B, "Bodies that interview applicants for at large/countywide appointments." A list of these ~~For all other bodies in Exhibit A, bodies for which~~ a Board Committee will

initially interviews applicants for appointment, ~~unless provided other direction by a Board Committee. is attached hereto as Exhibit C, "Bodies for which a Board Committee interviews applicants."~~

A Board Committee or an individual Supervisor may select a screening committee to assist in interviewing the applicants for appointment. A membership subcommittee of an independent body may serve this purpose.

**B.** An unscheduled vacancy occurs when an appointee leaves his/her seat before his/her term expires. Unscheduled vacancies in seats on independent bodies which are appointed by the Board will be listed on the Board's agenda within 20 days after the vacancy occurs. The Board will declare the positions vacant and instruct the Clerk of the Board to post the unscheduled vacancies. The Clerk of the Board will create and post the unscheduled vacancy notice within one business day of being instructed to do so by the Board. The notice will be placed at the following locations: 1) in a conspicuous place at the Office of the Clerk of the Board; ~~and 2) at all County Library branches; and 3)~~ on the Contra Costa County website. Additional outreach may be implemented by the Supervisorial District offices and/or the independent body. Pursuant to Government Code §54974(a), the Board will not make a final appointment for a minimum of ten working days after the Clerk has posted the unscheduled vacancy notice. If the Board finds an emergency exists, it may fill the unscheduled vacancy immediately, but the appointee will only serve on an acting basis until the final appointment is made.

**C.** Except where federal, State, or County statutes or regulations dictate otherwise, or in exceptional circumstances, the following applicants generally should not be appointed:

1. An applicant who has a family member already serving on the same independent body;
2. An applicant who would be repeatedly required to recuse himself from the body's business due to a conflict of interest.
3. An applicant with any of the conflicts of interest listed in Resolution 2011/55.

**D.** Board of Supervisors representatives on independent bodies serve at the pleasure of the Board and may be removed during their terms of office by a majority vote of the Board at its pleasure, provided such action is consistent with conditions imposed by law.

**E.** This Resolution ~~and Resolution 2011/497 supercedes~~supersedes Resolution ~~2002/377~~2011/498 in its entirety.