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1 (b) When the Clerk of the Board of Supervisors (the Clerk of the Board)
2 becomes aware of a vacancy or an impending vacancy in any County elective office,
3 the Clerk of the Board shall place an item on the public portion of the agenda for the
4 next regular meeting of the Board of Supervisors or on the agenda for a special meeting
5 of the Board of Supervisors. The agenda item shall describe the elective office that is or
6 will be vacant and clearly state that the Board of Supervisors will discuss and act upon
7 the filling of the vacancy and the procedures thereof.

8 (c) If the Board of Supervisors determines to fill the vacancy by appointment,
9 then at the meeting described in subdivision (b) or at another regularly scheduled
10 meeting or a special meeting, the Board of Supervisors shall:

11 (1) Set a date for making the appointment. The appointment shall be in
12 open session at a regular or special meeting of the Board of Supervisors. The date must
13 comply with any charter deadlines.

14 (2) Direct the Clerk of the Board to prepare an application form. The
15 form shall set forth any statutory or other requirements of holding office. The Board of
16 Supervisors may also specify additional application requirements, including but not
17 limited to the requirement that applicants complete a questionnaire.

18 (3) Set a date and time for when applications for appointment must be
19 submitted to the Clerk of the Board.

20 (4) Direct the Clerk of the Board to prepare and post a notice of
21 vacancy. The notice shall set forth any statutory or other requirements of holding office
22 and include information on where to obtain an application, the deadline for submission
23 of an application, and the date upon which the Board shall consider the applications.
24 The notice shall provide the period of time for which the appointee shall hold office.

25 (e) Applications shall be submitted to the Clerk of the Board no later than the
26 deadline set by the Board. Applications submitted after the deadline shall not be
27 considered. Submitted applications shall be available for inspection or copying by the
28 public upon request. The home address, personal telephone number, and personal e-

mail address of an applicant shall be considered confidential, shall not be considered public information, and shall not be disclosed unless required by law.

(f) At a regular or special meeting in open session, the Board of Supervisors shall determine whether or not to interview applicants and, if it chooses to conduct such interviews, the Board shall establish the interview process including but not limited to supplemental submittals from applicants and appropriate deadlines. If any candidate fails to comply with the process established by the Board, that candidate shall be automatically disqualified and removed from the candidate pool. The Board of Supervisors may at its discretion interview all applicants, certain applicants, or no applicants. If only certain applicants will be interviewed, then the Board of Supervisors shall, in open session, decide the manner in which the applicants will be chosen and, at the same meeting or a future meeting, choose the applicants to be interviewed. The Board of Supervisors may, if it chooses, conduct a second round of interviews.

(g) If all or some applicants are to be interviewed, then they will be interviewed in open session at a regular or special meeting of the Board of Supervisors. Each applicant may make an opening statement of approximately three minutes or as otherwise determined by the Chair of the Board of Supervisors. The order in which applicants shall be interviewed shall be determined by a random method. The order may be altered by the Chair due to the availability of an applicant or for some other good cause. Following each opening statement, each member of the Board of Supervisors may ask questions of the applicant.

(h) After completion of the interviews, the public shall have opportunity to address the Board of Supervisors concerning the appointment. The time allotted for each speaker shall be three minutes or as otherwise determined by the Chair.

(i) After completion of the interviews and public comment, the Board of Supervisors shall deliberate in open session about the appointment. Thereafter, the Board of Supervisors may take action to make the appointment. If the vacancy is in a Countywide elected office, then the appointment shall require a majority vote of the total

1 membership of the Board of Supervisors. If the vacancy is in the office of Supervisor,
2 then the appointment shall require a majority vote of the remaining members of the
3 Board of Supervisors.

4 (j) The Board of Supervisors may continue the matter, at any stage of the
5 proceeding, to a subsequent regular or special meeting, subject to applicable charter
6 deadlines.

7 (k) At its discretion, the Board of Supervisors may alter, supplement, or waive
8 any requirement of this section. Such altering, supplementing, or waiving must be done
9 in open session.

10
11 SECTION 3. The Board of Supervisors declares that it would have adopted this
12 ordinance and each section, sentence, clause, phrase, or portion of it irrespective of the
13 fact that any one or more sections, sentences, clauses, phrases, or portions of it are
14 declared invalid or unconstitutional. If for any reason any portion of this ordinance is
15 declared invalid or unconstitutional, then all other provisions of it shall remain valid and
16 enforceable.

17
18 SECTION 4. This ordinance shall take effect 30 days from the date of adoption.
19

20
21 _____
CURT HAGMAN, Chairman
Board of Supervisors
22

23 SIGNED AND CERTIFIED THAT A COPY
24 OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

25 LYNNA MONELL, Clerk of the
26 Board of Supervisors
27 _____
28

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of the County of San
5 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the _____ day of _____, 2020,
7 at which meeting were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote,
9 to wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
14 seal of the Board of Supervisors this ____ day of _____, 2020.

15 LYNNA MONELL, Clerk of the
16 Board of Supervisors of the
17 County of San Bernardino,
18 State of California

19 _____
20 Deputy

21 Approved as to Form:

22 MICHELLE D. BLAKEMORE
23 County Counsel

24 By: _____
25 JOLENA E. GRIDER
26 Deputy County Counsel

27 Date: _____
28