

**ORDINANCE NO. SCC 2024-03**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SHASTA  
ADDING PROCEDURE FOR FILLING VACANCIES OF ELECTED OFFICIALS  
TO THE SHASTA COUNTY CHARTER**

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

**SECTION I.**

This section is added to the Shasta County Charter, within the Shasta County Code, following SUBSECTION C, and shall read as follows:

**D. Unexpected Vacancies of an Elected Department Head**

1. Notwithstanding any other provision of law, whenever a vacancy occurs for a Shasta County elected department head position, the Shasta County Board of Supervisors (Board) may fill the vacancy by appointment, or by election. All appointees shall, at a minimum, meet all statutory requirements, required by California law for the specific elected position. The Board may require additional qualifications for applicants applying for appointment.
2. Appointees shall serve the remainder of the term or until the next regularly scheduled election, whichever is sooner, unless the Board orders a special election. Nothing contained herein shall preclude an appointee from seeking election to said office.
3. Process For Appointment
  - a. Where the Board votes to fill vacancy by appointment, upon notification of an elected department head vacancy, the Board may make direct appointment or may direct staff to run an open recruitment for the vacancy, for a period of no less than 4 weeks, beginning no later than 30 days from receipt of notice.
  - b. Upon request of the Board, the Director of Support Services, or their designee, may provide recommendations to the Board to aid in establishing screening criteria and the interview process prior to opening the recruitment.
  - c. The Board shall hold interviews of candidates in public, during an open session of a Board of Supervisor's meeting.
  - d. The Board will deliberate on candidates and may extend an offer to a candidate agreed upon by a simple majority of the Board.
  - e. Should a conditional offer be accepted by a candidate, the Board may direct staff to perform a background investigation and all other steps requested by the Board to complete the hiring process.
  - f. If the Board declines to select any of the candidates, the Board may direct staff to reopen the recruitment following the procedures

described herein, or the vacancy may be filled by special election or during the next scheduled election.

4. Process for Election

- a. Where the Board votes to fill a vacancy by election, the Board may direct staff to fill the vacancy by special election or consolidate with the next scheduled election to fill the vacancy for the remainder of the unexpired term by resolution.
- b. If the Board votes to conduct a special election, the date of such special election must precede the next regularly scheduled election by a minimum of 180 days. The Board will give staff at least 130 days' notice prior to the special election date in order to meet legal notice requirements and preparation.

5. Process for Acting Appointment

- a. The Assistant Department Head, or Deputy if there is not an Assistant, will serve as the Acting Elected until an appointment is made by one of the above-mentioned methods. The Board may also appoint an acting appointee to serve until the position is filled by election or permanent appointment.

**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 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, conflicting or inconsistent with the provisions of this Ordinance are hereby superseded by this 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, filed, or deposited pursuant to such ordinance.

**SECTION IV.**

This ordinance shall take effect and be in full force and effect on November 5, 2024, after certification of the vote, if the measure is approved by a majority of the electors voting on the

Ordinance No. SCC 2024-03

July 16, 2024

Page 3 of 3

measure at the election held that day. This ordinance shall then be operative on January 1, 2025. The Clerk shall cause this ordinance to be published as required by law.

**DULY PASSED AND ADOPTED** this 16th day of July, 2024, by the Board of Supervisors of the County of Shasta by the following vote:

AYES: Supervisors Jones, Kelstrom, Crye, and Garman  
NOES: Supervisor Rickert  
ABSENT: None  
ABSTAIN: None  
RECUSE: None



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KEYVIN W. CRYE, CHAIR  
Board of Supervisors  
County of Shasta  
State of California

ATTEST:

DAVID J. RICKERT  
Clerk of the Board of Supervisors

By:



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Deputy