



# County of Sonoma

## State of California

---

Date: January 10, 2023

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

---

☐ 4/5 Vote Required

---

**Resolution Of the Sonoma County Community Development Commission,  
State of California, Amending Article IV, Section 5 of its By-laws to Reinstate  
County Administrator's Authority to Appoint the Commission Executive  
Director**

**Whereas**, on December 16, 2008 the Community Development Commission adopted Resolution No. 08-1076, which delegated to the Sonoma County Administrator appointment authority over the Sonoma County Community Development Commission's Executive Director, and on January 26, 2010, the Community Development Commission adopted Resolution No. 10-0057, which amended the Commission by-laws such that the Community Development Commission would have the authority to appoint the Executive Director of the Community Development Commission; and

**Whereas**, Ordinance No. 5794 provides in part that the Sonoma County Administrator shall be the appointing authority for any other county position designated by resolution or ordinance by the Board of Supervisors; and

**Whereas**, Ordinance No. 3257 appoints the County of Sonoma Board of Supervisors to be the Community Development Commission, and the Board of Supervisors, in its capacity as the Community Development Commission, has broad authority over Community Development Commission staff, and wide discretion in determining how to best conduct Community Development Commission affairs; and

**Whereas**, the Community Development Commission finds that it would promote effective and efficient government and be in the public interest to reinstate the County

Administrator's authority to appoint and supervise the Community Development Commission Executive Director; and

**Whereas**, it is necessary to amend the Community Development Commission's by-laws to accomplish such reinstatement of appointment authority; and

**Whereas**, Article IV of the Community Development Commission by-laws provides that the by-laws of the Commission may be amended upon appropriate notice, and the approval of at least three Commissioners at a regular or special meeting; and

**Whereas**, proposed amendments to Article II, Section 5 of the by-laws of the Community Development Commission have been prepared and reviewed by County Counsel at the request of the County Administrator; and

**Whereas**, all members of the Community Development Commission have been provided with written notice of the proposed amendments to the by-laws consistent with and pursuant to Article IV of the Community Development Commission's by-laws; and

**Whereas**, consistent with the Community Development Commission's authority, by and through its by-laws as amended herein, and pursuant to the Ordinance approved by the Board of Supervisors providing authorization for the County Administrator to act as appointing authority for most County department heads and agency directors within its purview, the County Administrator is hereby delegated the authority to appoint the Community Development Commission's Executive Director.

**Now, Therefore, Be It Resolved**, that this Board of Commissioners hereby finds, determines, declares and orders as follows:

1. *Truth of Recitals.* That the foregoing recitations are true and correct
2. *Amended By-laws Adopted.* Section 5 of Article II of the Community Development Commission's By-laws are hereby deleted in their entirety and replaced with the following language:

"Section 5. Executive Director/Secretary. The Executive Director shall be the Secretary of the Commission. The Executive Director/Secretary shall serve as administrative chief of the Commission, shall be directly responsible to it, and, subject thereto, shall have complete control of the responsibility for the execution of the Commission's policies, the administration of its affairs, and the fulfillment of such other duties as from time to time the Commission may impose. The Executive Director shall appoint and have supervision of the Commission's personnel. At each meeting of the Commission, the Executive Director shall supply its members with such information and make such recommendations as shall be necessary to effect the purpose of the Commission and for the proper administration of its affairs. The Executive Director shall execute all documents of whatever description upon prior authorization of the Commission. As Secretary, the Executive Director shall keep in safe custody, the seal of heretofore mentioned Commission, and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Commission.

The compensation of the Executive Director shall be determined by the Commission, provided that a temporary appointee selected from among the members of the Commission shall serve without compensation (other than the payment of necessary expenses). The Executive Director/Secretary shall be appointed by the Sonoma County Administrator. Any person appointed to fill the office of Executive Director/Secretary or any vacancy therein, shall have such term as the Commission fixes, but no member of the Commission shall be eligible to this office, except as a temporary appointee. When the office of the Executive Director/Secretary becomes vacant, the Sonoma County Administrator shall appoint a successor, as provided in this Article."

3. *Delegation of Authority*. Effective immediately, the Sonoma County Administrator shall be the appointing authority over the Community Development Commission's Executive Director/Secretary, in accordance with this Resolution,

and shall have all inherent appointing authority powers including, but not limited to, the power to appoint, dismiss, supervise, and exercise control over the Community Development Commission's Executive Director.

4. *Effective Date.* This Resolution shall take effect immediately.

**Commissioners:**

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**