

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF JANUARY 26, 2022

REGULAR MEETING

TO: John Hidahl, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: Erica Sanchez, Interim Executive Officer

AGENDA ITEM #6: SELECTION OF THE ALTERNATE PUBLIC MEMBER TO
LAFCO

RECOMMENDATION

Staff recommends that the Commission select the Alternate Public Member to LAFCO.

REASON FOR RECOMMENDED ACTION

The Cortese-Knox-Hertzberg Act specifies that the Commission must have one member who represents the public at-large (Government Code §56331) and an alternate for that position. According to LAFCO Policies and Guidelines, all applicants for the Alternate Public Member position are to be interviewed by the Commission, followed by an open ballot vote by the regular members. Individuals serving as public members must not be an officer or employee of the County or a city or district within El Dorado County. The new Alternate Public Member will serve the remainder of the current four-year term through May 2024.

BACKGROUND

Former Commissioner Morrison's term as the Alternate Public Member expires in May, 2024. The Commission must select a candidate to serve the remainder of her four-year term. The announcement of the opening for the Alternate Public Member was posted in accordance with the Commission's Policies and Guidelines.

Process

According to the Policies and Guidelines, the Commission selects the new member according to the following process (Section 1.3.1, please refer to Attachment A):

- 1) All applicants shall be interviewed by the full Commission during the next regularly scheduled LAFCO meeting for which notice can be given... All applicants are expected to attend interview sessions.
- 2) Selection of the public member and alternate public member shall be subject to the affirmative votes of at least one City, County, and District member seated on LAFCO [Government Code §56325(d)].
- 3) A written ballot containing the names of all qualified applicants and the names of each Commissioner will be distributed to all voting members of the Commission. (*A voice vote will be held in place of the written ballot, because Commissioner Bass will be attending remotely.*) The applicant receiving four (4) or more votes in the correct categories shall be appointed.

Staff received two applications by the December 3, 2021 deadline. The applicants to be interviewed are Mr. Grant Leonard and Mr. William Wilde, their applications are included as Attachment B to this report. Both applicants have confirmed their in-person presence at the January meeting. Staff has provided a list of questions based upon previous interviews, as well as questions used by other LAFCOs for selecting their public members. These questions are listed on Attachment C. Commissioners can use any combination of the suggested questions or use their own.

Because Government Code §56325(d) states that the public and alternate member are “appointed by the other members of the commission,” (emphasis added), the Regular Public Member, Commissioner Powell, is not eligible to vote in this process.

Recommended Interview Procedure

LAFCO Policy does not specify a procedure for interviewing Public Member applicants. Staff recommends the following procedure, which has been used in the past:

- 1) The candidates are asked to wait in the lobby and will be called into the Hearing Room individually by the Chair in alphabetical order.
- 2) The Chair calls each applicant to the podium and asks the applicant to state his or her name and place of residence for the record.
- 3) The Commissioners and Alternates take turns asking the applicant questions relating to the Alternate Public Member position.
- 4) The applicant responds to each question individually before the next question is asked. A limit of five (5) questions per applicant is recommended by staff.

At the end of the interview, the Chair dismisses the applicant and calls the next applicant to the podium. The interviews continue in this manner until all applicants have been interviewed.

Recommended Voting Procedure

After all applicants have been interviewed, the Chair will recite the names of the eligible applicants to be voted on and a voice vote will be held. The Administrative Assistant will tally the votes and announce whether a runoff vote is needed. The candidate who receives four votes in the correct categories is appointed.

Alternatives

The Commission has the discretion, provided that it finds sufficient cause to do so, to bypass the interview process and use one of the following methods:

- 1) Appoint an Ad Hoc Committee to interview the candidates and return to the full Commission with a recommendation at the next regular meeting; or,
- 2) The Commission may suspend Policy 1.3.1 and appoint one of the candidates as the Alternate Public Member based solely upon the submitted applications.

Attachments:

- Attachment A: Commission's Policies and Guidelines Section 1.3.1
Attachment B: Applicant Materials
Attachment C: Recommended Questions