

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF DECEMBER 7, 2011*

### *REGULAR MEETING*

**TO:** Ron Briggs, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**AGENDA ITEM #8:** **CONSIDER AND PROVIDE DIRECTION TO STAFF ON A  
PROPOSAL REGARDING THE VACANT SPECIAL DISTRICT  
REPRESENTATIVE SEAT**

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#### **RECOMMENDATION**

Staff recommends that the Commission consider the following information regarding the special district election process and provide direction to staff on a proposal on how to fill the vacancy on former Commissioner Norris' seat.

#### **REASON FOR RECOMMENDED ACTION**

Harry Norris was defeated as he sought re-election on November 8, 2011. He is no longer a member of the El Dorado Irrigation District Board of Directors as of December 2, 2011. When a commissioner leaves the office of his/her home agency, the seat held on LAFCO is considered vacant and can only be filled through an election.

#### **BACKGROUND**

As indicated above, the special district representative seat on LAFCO previously occupied by former Commissioner Norris is now vacant due to his losing his re-election bid to his home agency office in November. As specified in Government Code 56332 (please refer to Attachment A), the vacancy must be filled either by convening the special district selection committee meeting, composed of representatives of all special districts in El Dorado County, or by election. In the past, vacancies were filled via election because convening the special district selection committee has proven to be infeasible [for the special district selection committee to be able to appoint someone, a quorum of special district presidents (or appointed delegates) must be present]. Since 2006, LAFCO has held four elections to fill a total of six vacancies. The last district election concluded in August of 2011 with the re-election of Commissioner Humphreys and the election of alternate Commissioner Frentzen.

Any person elected to fill former Commissioner Norris' seat may only serve until the expiration of his term, which is May 2013. Attachment B contains a summary of the costs and time associated with conducting elections. The average election lasts about six months. This means that if an election is started next January, the earliest possible date given staff workload, the successor will not be named until June 2012. This person will serve approximately one year. The cycle begins again in December 2012 for a new four-year term starting in May 2013.

With the average staff time to administer the election being almost 24 hours, resulting in average agency costs of over \$2,000, staff wonders whether having an election at this point is the best use of resources. As noted earlier, the recently concluded election installed two commissioners to new terms, so the interests of special districts will continue to be represented. Since LAFCO's budget is partially supported by special districts, it may be in their best fiscal interest to postpone the election up until it is time to fill the seat for May 2013.

However, the districts' sentiments over this are unknown at this time. Staff proposes sending letters to all special districts explaining the situation and the costs associated with the special district election. Any district that objects to leaving the seat vacant until May 2013 can submit a written request to LAFCO to hold the election. Any requests received that meets the threshold in Government Code §56332(b)3 will be immediately honored. This process is consistent with Government Code §56332(b)3.

The Commission can either direct staff to start the election process as soon as possible or to proceed with this proposed plan.

#### Attachments

Attachment A: Government Code Section §56332

Attachment B: Summary of Costs and Time Associated With Special District Elections