

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MAY 25, 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: INTERVIEW, SELECT AND APPOINT THE REGULAR PUBLIC
MEMBER TO LAFCO

RECOMMENDATION

Staff recommends that the Commission select the regular Public Member to LAFCO, to serve a new, four-year term from May 2022 to May 2026.

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 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.

BACKGROUND

Commissioner Powell's public member term ends in May 2022; therefore, the Commission must select a candidate to serve the next four-year term through May 2026. The public member vacancy notice was distributed and posted in accordance with the Commission's Policies and Guidelines on March 29, 2022; applications were accepted until May 16, 2022.

Process

According to P&G Section 1.3.1, all applicants shall be interviewed by the full Commission during a noticed public hearing. The Commission selects the public member according to the following process:

- (a) 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 (§56325(d)).
- (b) 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. The applicant receiving four (4) or more votes in the correct categories shall be appointed.
- (c) In the event of a tie vote, or if one candidate does not receive a majority vote from the Commission, a runoff vote or votes will be conducted.

Results of each ballot will be a matter of public record and be available to the public upon request under the Brown Act and Public Records Act. Ballots will be retained for a period of six (6) months.
- (d) If the alternate public member is selected as the new regular public member, the Commission has the discretion to fill the newly created vacancy in the alternate public member position by appointing someone from the pool of applicants who applied for the regular public member vacancy.

A total of four applications were received for the public member position. The candidates to be interviewed are Janet Hodson, Grant Leonard, Regular Public Member Michael Powell, and Alternate Public Member Bill Wilde. Candidate application materials are included as Attachment A.

A sample list of questions used in previous public member interviews, as well as questions used by other LAFCOs are listed on Attachment B. Commissioners can use any combination of the sample questions or use their own.

Government Code §56325(d) states that the public member is “appointed by the other members of the Commission,” therefore, Commissioner Powell, as the current Public Member of the Commission, is not eligible to vote in this process.

Recommended Interview Procedure

Staff recommends the following interview 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 public member position.
- 4) The applicant responds to each question individually before the next question is asked. Staff recommends 5-6 questions per applicant.

At the end of the interview, the Chair dismisses the applicant and calls the next applicant to the podium. The interviews will 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 applicants and a vote will be held.

- 1) The voting members of the Commission fill out their ballots and pass them to the Chair (refer to Attachment C).
- 2) The Chair passes the ballots to the Administrative Assistant to be tallied.
- 3) The Administrative Assistant tallies the votes and announces whether a runoff vote is needed. The candidate who receives four votes in the correct categories is appointed.

Attachments:

Attachment A: Public Member Applications
Attachment B: Recommended Questions
Attachment C: Ballot