

LOCAL AGENCY FORMATION COMMISSION  
POLICIES AND GUIDELINES

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**1 GENERAL<sup>1</sup>**

**1.1 TITLE**

This Commission shall be entitled and known as the El Dorado Local Agency Formation Commission (“El Dorado LAFCO”).

**1.2 MISSION**

The Local Agency Formation Commission coordinates logical and timely changes in local governmental boundaries (§56001); conducts special studies which review ways to reorganize, simplify and streamline governmental structures (§56031); and prepares spheres of influence for each city and special district within the County (§56425). The Commission promotes provision of efficient and economical services while encouraging protection of agricultural and open space lands (§56001, §56300). Further efforts include discouraging urban sprawl and encouraging orderly formation and development of local agencies based upon local conditions and circumstances (§56301).

Local Agency Formation Commissions are independent commissions that are not a part of county government. Each Commissioner is independent when weighing and reviewing information and when making determinations (Attorney General Opinion 98.802). The mission of the El Dorado County Local Agency Formation Commission is to act by implementing the Cortese-Knox-Hertzberg Act (§56381, §56001) and through the adoption of policies and guidelines (Approved June 5, 1997).

This document contains the policies, procedures and guidelines needed to implement LAFCO’s mission. The provisions of these policies, procedures and guidelines are not intended to preempt state law. In the event of a conflict between these policies and guidelines, and the provisions set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the provisions of the Act shall prevail.

**1.3 MEMBERSHIP**

1.3.1 **Membership:** El Dorado LAFCO shall be composed of seven regular members and four alternate members (§56325, §56332). All members must be residents of El Dorado County.

- 1) County: Two members and one alternate from the County Board of Supervisors are selected by that Board (§56325).

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<sup>1</sup>Note: All code notations in the Policies and Guidelines refer to California Government Code unless otherwise noted.

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- 2) City: Two City Council Members and one alternate are designated by the City Selection Committee (§56325).
- 3) Special Districts: Two members from the Special Districts and one alternate are selected by the Special Districts Selection Committee (§56332).
- 4) Public Member: The Public Member and one alternate Public Member are appointed by the other six Commissioners (§56325(d)) in the following manner:

**Application Process** (Approved 7/24/02)

- (a) The vacancy shall be posted by the Clerk of the LAFCO Commission within 21 days after the vacancy occurs (§54974). At the same time notice shall be published in a newspaper of general circulation and mailed to all cities, the Board of Supervisors, all independent districts, and any member of the public who has requested such notice in writing.
- (b) The application period will run 30 days from the date of posting. Applications with attached resumes shall be submitted to the LAFCO Clerk within 30 days of the date posted.
- (c) All applicants shall be interviewed by the full Commission during the next regularly scheduled LAFCO meeting for which notice can be given. If a large number of applicants submit applications, the interviews may be continued to a subsequent meeting. All applicants are expected to attend interview sessions.

**Selection 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.

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- (d) 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.
- (e) *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.*

- 1.3.2 **Alternate Commissioners:** Alternate Commissioners are encouraged to take an active role in El Dorado LAFCO business including discussions and deliberations on project proposals, CALAFCO legislative activities and training workshops, interagency coordination and communication, and participation in policy development and other working groups.

Alternate members may vote in place of the regular member who is absent or who disqualifies himself or herself from participating in an action (§56325). However, Alternate Commissioners, when not acting in the absence of a regular member, do not generally participate in closed sessions. The Commission, under the advice of the Executive Officer and Counsel, may invite the participation of Alternates in closed sessions on a case-by-case basis.

- 1.3.3 **Term of Office:** The term of each member shall be four years. Commissioners serve until the appointment and qualification of a successor or until removed by the appointing body (§56334). A Commissioner is required to vacate their seat if he or she ceases to be an officer of a city, county or district during his or her term (§56337). Terms begin on the first Monday of May (approved 1/24/02, amended 2/28/07).

- 1.3.4 **New Members:** New Commissioners joining El Dorado LAFCO shall meet with the Executive Officer for an orientation to the agency within 45 days of assuming office. New Commissioners are encouraged to attend courses or programs about the functions and responsibilities of LAFCO, particularly CALAFCO sessions, within their first year of service to LAFCO.