

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF MAY 21, 2008

REGULAR MEETING

TO: Francesca Loftis, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

AGENDA ITEM #4: 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 Commission. Individuals serving in these positions must not be an officer or employee of the County or a city or district within El Dorado. The term of the new Alternate Public Member will be from May 2008 to May 2012.

BACKGROUND

Upon then-Alternate Commissioner Loftis' selection as the Regular Public Member in February 2006, Commissioner Rowett was selected in May 2006 to finish serving the last two years of her term, which expires in May 2008. Consequently, the Commission must select a candidate to serve a new 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. The applicant receiving four (4) or more votes in the correct categories shall be appointed.

By the April 11, 2008 deadline, staff received two applications; Messrs. Mark N. Harris and Norman R. Rowett (please refer to Attachment B to review the applications). Both applicants have agreed to attend the May meeting for interviews. Staff has prepared a list of questions based upon previous interviews, as well as questions used by other LAFCOs for selecting their public members (see below and refer to Attachment C).

Because Government Code §56325(d) states that the public and alternate member is “appointed by the other members of the commission,” (emphasis added) it is staff’s opinion that Chair Loftis, as the regular *public* member of the Commission, is not eligible to vote in this process.

Recommended Interview Procedure

LAFCO Policy does not specify a procedure for interviewing the Alternate Public Member applicants. Staff recommends the following procedure:

- 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 will continue in this manner until all applicants have been interviewed.

Recommended Questions

Staff proposes the following interview questions:

- 1) Briefly explain why you want to be a LAFCO Commissioner and the ways your background has prepared you for this position.
- 2) What do you see as the connection between meeting regional housing goals and limiting urban sprawl?
- 3) What do you think are the biggest challenges facing this Commission?
- 4) Are you connected in any way with any current or probable LAFCO projects or actions? Please explain.

- 5) What is your vision for El Dorado County, as a whole, in the next 5, 10, and 25 years?

Recommended Voting Procedure

After all applicants have been interviewed, the Chair recites the names of the eligible applicants on the ballot (omitting anyone who was not present for an interview).

- 1) The voting members of the Commission fill out their ballots and pass them to the Chair (refer to Attachment D).
- 2) The Chair passes the ballots to the Policy Analyst to be tallied.

The Policy Analyst tallies the votes and announces whether a runoff vote is needed. The candidate who receives the most 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 June 25, 2008 regular meeting; or,
- 2) The Commission may appoint one of the two candidates as the Alternate Public Member based upon the submitted applications.

Attachments:

- Attachment A: Copy of the Commission's Policies Guidelines and Procedures Section 1.3.1
- Attachment B: Mark N. Harris Application
Norman R. Rowett Application
- Attachment C: Recommended Interview Questions
- Attachment D: Ballot