

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF JUNE 22, 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 #8: INTERVIEW, SELECT AND APPOINT THE ALTERNATE
PUBLIC MEMBER TO LAFCO

RECOMMENDATION

Staff recommends that the Commission select a new Alternate Public Member to LAFCO, to serve the remainder of the current four-year term, through May 2024.

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, 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

At the May 25, 2022 meeting, Alternate Public Member Bill Wilde was selected to serve as the next Regular Public Member, vacating the remainder of his Alternate Public Member term which runs through May 2024. LAFCO's Public Member Policy 1.3.1 states, "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." However, appointment of the alternate public member position was not agendized for the May 25 meeting, therefore no appointment was made. The Commission directed staff to agendize the appointment of the alternate member at the next meeting on June 22.

Process

Per Policy 1.3.1, applicants shall be interviewed by the full Commission during the next regularly scheduled LAFCO meeting for which notice can be given. The Commission selects the new 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.

Two candidates have applied and are eligible to be considered for the alternate public member position: Janet Hodson and Michael Powell. Ms. Hodson will be interviewed at the June 22 meeting; Mr. Powell is unable to be in attendance for the June meeting, however he was previously interviewed at the May 22 LAFCO meeting. A recording of that meeting was made available to all members of the Commission and is available to the public upon request. Both candidate's 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 Wilde, as the Public Member, is not eligible to vote in this process.

Recommended Interview Procedure

Since there is only one interview scheduled for the June meeting, staff recommends the following interview procedure:

- 1) The Chair calls the applicant to the podium and asks the applicant to state her name and place of residence for the record.
- 2) The Commissioners and Alternates take turns asking the applicant questions relating to the alternate public member position.
- 3) The applicant responds to each question individually before the next question is asked. Staff recommends 5-6 questions.

Recommended Voting Procedure

After the applicant has been interviewed, the Chair will recite the names of the candidates 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