

September 2, 2021 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street
Santa Barbara CA 93101

Update of LAFCO's Commissioner Handbook Regarding Public Email Policy

Dear Members of the Commission

RECOMMENDATION

It is recommended that the Commission consider amendments to Commissioner Handbook and provide direction to staff to return at a future meeting with any changes and/or additions regarding Section 6, Rules and Procedures regarding submittal of written or email public comments.

DISCUSSION

At the April 1, 2021 meeting, the Commission took action to amend Section 6 with direction to return with revisions for public email comment policies after the Governor's Executive Orders concerning COVID-19 modified meeting procedures expired or new orders were issued. On June 11, 2021 the Governor issued Executive Order N-08-21 which in affect return all meeting procedures back to normal status starting September 30, 2021. The following "Submittal of Written or Email Public Comments" Policies are attached as Attachment A.

Attachments

Attachment A – Draft Policy Concerning the Submittal of Written or E-mail Comments

Please contact the LAFCO office if you have any questions.

Sincerely,



Mike Prater
Executive Officer

6) Submittal of Written or Email Public Comments.

Written Public Comments. All written testimony, argument, evidence or documentation shall be submitted to the Clerk. Such submissions shall be hardcopy and include an original and 15 copies for distribution to the Commission and the staff. Any such submission more than 10 pages, including attachments, shall also be submitted electronically in a format acceptable to LAFCO.

All submissions to the Commission shall be filed with the Clerk no later than 12:00 P.M. two days before the Commission meeting. Such comments will be distributed to the Commission and posted online prior to the meeting.

Email Public Comment.

Email public comment may be submitted to the Clerk of the Commission no later than 5:00 P.M. on the business day before the Commission's meeting, limited to 250 words or less, including attachments. Comments timely received on an agenda item will be placed into the record and distributed accordingly.

Email submittals will only be accepted if submitted to lafco@sblafco.org. Email submitted directly to Commissioners, the Executive Officer or legal counsel will not be included in the record for items being heard unless approved by the Chair or motion and majority vote of the Commission.

Disclaimer. Email is not a legally recognized method for providing legal notice in California, except where agreed to by both the sender and the receiver of the email.

LAFCO agrees to accept email public comment only where the sender assumes the full risk of transmission. The sender shall bear the risk that the email may be inadvertently overlooked or deleted, the email server may crash, the email may end up in a spam filter or junk mail, lost in cyberspace, not recognized by staff as applying to a project pending before the Commission, or misdirected or misaddressed by the sender. The sender recognizes and accepts that any of the above may occur even if the sender requests return receipt and one is provided by LAFCO staff.

7. Remote Testimony. Where allowed by the Brown Act, a governor's executive order or other applicable law, public testimony may occur via webinar (e.g., Zoom) or telephone. Instructions for using these methods to testify at a Commission hearing will be published as part of the Commission Agenda for the meeting. Except where remote testimony is mandated by law, the Commission may decline to allow such testimony.