

# LAFCO

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**Santa Barbara Local Agency Formation Commission**  
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May 6, 2021 (Agenda)

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

## **Approve final amendments to Commissioner Handbook Section 4 (A) (4 & 5) "LAFCO Membership"**

Dear Members of the Commission

### RECOMMENDATION

It is recommended that the Commission review and approve the final amendments to Section 4 (A) (4 & 5) of the Commissioner Handbook.

### DISCUSSION

Per Commissions approval on April 1, 2021, the attached final amendments to Section 4 (A) (4 & 5) are presented for final confirmation.

The three "Intent" paragraphs were stricken and Section 4 (A) (5) (b & d) were reworded to allow the Commission to appoint a committee for screening letters of interest. The Commission in open session would appoint an individual as the Regular and Alternate Public Member to fulfill the vacancy.

### Attachments

Attachment A – Commission Handbook Section 4 (A)(4 & 5) LAFCO Membership Final Amendments

Sincerely,



Mike Prater  
Executive Officer

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## LAFCO MEMBERSHIP

### A. Selection of Members

The authority and procedures for selecting LAFCO members are contained in the Cortese/Knox/Hertzberg Act.

#### 1. City Members

The two regular City members and one alternate member must be members of a city council during the time they serve. They are chosen by, and serve at the pleasure of, the City Selection Committee

City Selection Committee meetings are open to the public. The Clerk of the Board of Supervisors serves as the secretary and recording officer.

The Committee consists of each mayor in the County. In the absence of the Mayor another member of that City Council may be appointed to attend and vote in place of the Mayor.

#### 2. County members

The two regular County members and one alternate member must be County Supervisors when they serve. They are appointed by, and serve at the pleasure of the Board.

#### 3. Special District Members

The two regular Special District members and one alternate member are appointed by the Special District Selection Committee. It consists of the presiding officer of each independent special district in the County. It's meetings are open to the public. The Executive Officer calls meetings of the Committee. Special District Commissioners must be members of the governing board of an independent special district while they serve.

#### 4. Public members

The regular Public member and alternate member are appointed by, and serve at the pleasure of, the regular City, County and Special District members of the Commission.

~~It is the intent of the City, County and Special District members that the position of Public Member be rotated on a regular basis to allow qualified members of the community to serve on the Commission.~~

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5. Selection of Public members

Government Code Section 56325 requires that selection of the public member and alternate public member be supported by at least one of the members in each of the other categories, i.e., City, County and Special District members.

~~It is the intent that an individual not hold two consecutive four year terms as the Public Member or as the Alternate Public Member. It is recognized that an individual may serve the remainder of an unexpired term of office as the Public Member or the Alternate Public Member before serving a full four year term in that position.~~

~~It is the intent that an individual after serving as the Alternate Public Member be appointed to the position of Public Member. Coincident with that appointment, a new Alternate Public Member shall be selected and appointed.~~

The method for selecting Public members is determined by the regular City, County and Special District members, as follows.

- a. A public announcement of the vacancy to solicit letters of interest.
- b. The Commission may Appoint a committee ~~appointed by the Chair~~ consisting of a City member, County member and Special District member to screens applications and letters of interest.
- c. Finalists are selected and interviewed by the committee, which shall recommend an appointment to the Commission.
- d. The Commission, in open session, considers the recommendation and appoints an individual as the Regular and Alternate Public Member.

B. Alternate Members

1. Alternates assure qualified Commissioners are entitled to vote when regular members are disqualified or absent.
  - a. The alternate City member may vote only in the place of a regular City member.
  - b. The alternate County member may vote only in the place of a regular County member.
  - c. The alternate Special District member may vote only in the place of a regular Special District member.
  - d. The alternate Public member may vote only in the place of the regular Public member.

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2. Alternate members participate fully in LAFCO proceedings with the exception they vote only in the absence or disqualification of a regular member.
  3. Alternate members are authorized to receive the same per diem stipend and expense reimbursement as regular members for their attendance.
  4. Alternates are encouraged to attend and participate in LAFCO meetings and CALAFCO conferences and workshops.

C. Disqualification from Participating

A member who is disqualified is prohibited from voting on the matter or discussing the matter at the Commission meeting as a member of LAFCO

1. Campaign Contributions

LAFCO Commissioners are affected by certain Political Reform Act rules which apply specifically to LAFCOs.

LAFCO members must submit annual conflict of interest disclosure statements with the LAFCO office for filing with the County Clerk.

LAFCO members are disqualified and are not able to participate in any proceeding involving an "entitlement for use" if, within the 12 months preceding the LAFCO decision, the Commissioner received \$250 or more in campaign contributions from the applicant, an agent of the applicant or any financially interested person who actively supports or opposes the LAFCO decision on the matter.

2. Disqualification of City Members

The City Selection Committee, when appointing City members to LAFCO, may provide that such members are disqualified from voting on annexations to their own individual cities.

3. Disqualification of Special District Members

The Special District Selection Committee, when appointing Special District members to LAFCO, may provide that such members are disqualified from voting on proposals affecting their individual districts.

4. Local Disqualification Rules and Regulations

Each LAFCO may adopt local rules and regulations with respect to disqualification of members, provided such rules do not provide for automatic disqualification of City or Special District members from participating in matters affecting their own individual agencies.

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D. Terms of Office

Terms of office expire on March 1.

The Commission on May 6, 2004 pursuant to Government Code Section 56334 determined the expiration date of the term of office of members appointed after January 1, 2005 will expire March 1 of the year the term of that member expires and for members appointed prior to January 1, 2005, the term of office shall be extended from the first Monday in May in the year that member's current term expires to March 1 of the following year.

*Adopted July 7, 1994*

*Revised October 6, 1994*

*Revised April 12, 1995*

*Revised May 8, 2003*

*Revised May 6, 2004*

*Revised December 16, 2004*

*Revised March 6, 2008*

*Revised April 1, 2021*