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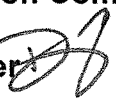
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)  
EXECUTIVE OFFICER'S REPORT**

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AGENDA ITEM NO. 6

**DATE:** July 8, 2020

**TO:** Fresno Local Agency Formation Commission

**FROM:** David E. Fey, Executive Officer 

**BY:** Amanda Olivas, Clerk to the Commission

**SUBJECT:** Text Amendment to the Fresno LAFCo Policies Manual Regarding the Public Commission Member

**RECOMMENDATION:** Approve amendment of section 520 (selection of public member)

**Background**

On April 3, 1986, the Commission adopted the first version of the Fresno LAFCo Policies and Procedures Manual (Policy Manual) with amendments being added as needed.

Policy Manual section 520 currently limits the Commission's Public and Alternate Public Member to two four-year terms.

At its June 10, 2020 hearing, the Commission directed staff to draft a text amendment of Policy Manual section 520 that removed the Public and Alternate Public Member term limitations.

Staff proposes as well that the Commission consider a non-substantial technical correction of this section that references a numbering system that no longer exists.

The proposed amendments are presented on Attachment A.

## Attachment A

### Fresno LAFCo Policies and Procedures Manual 520 (Selection of public member)

The term of public member is set by law to be four years, to expire the first Monday of the month of May. However, his or her term shall continue until the appointment and qualification of his or her successor. Prior to the expiration date, no later than March 20, the Executive Officer shall:

520.01 Publish a notice in a newspaper of general circulation in the County, stating the coming vacancy of the public member position. The notice shall conform to that notice approved by the Commission.

520.02 Post a notice outside the Commission hearing room, being the same notice as published.

520.03 Make available to all applicants an approved application form and a description of the duties and responsibilities of the public member, as described on the application.

No application shall be accepted if received after April 20, preceding the term expiration. A roster of all applicants and their application shall be mailed to the Commissioners making the selection at least ten days prior to the date of the selection.

A public hearing shall be held on the regularly scheduled hearing date in May, for the purpose of making the selection.

Each applicant shall be invited to an interview at the hearing by the Commissioners making the selection. The interview shall be for an approximate duration of five minutes. Each Commissioner may question the applicant directly.

As an alternative ~~to step 06 above~~, the Commission may, at its sole discretion, form a subcommittee to review all applications received, select the top candidates to be interviewed by the Commission, and make recommendations to the Commission.

The public member and alternate public member shall be selected by the Commission as follows:

Each Commissioner, other than the public member and alternate public member, shall have the right to nominate one candidate from among the applicants.

Selection shall be by majority affirmative vote of the Commission (excluding the public member and alternate public member), which shall include an affirmative vote by at least one of the members selected by each of the appointing authorities.

If no candidate should receive the required votes, one or more additional sets of nominations and votes may be conducted from among the candidates, with nominations and voting being conducted in the same manner as provided above, if such is supported by a majority of the Commissioners authorized to vote. If no candidate should receive the required votes, then a new recruitment shall be conducted.

The new public member and alternate public member shall begin their terms immediately. ~~No public member or alternate public member may serve more than two consecutive terms (eight years).~~

Revised: February 24, 1988; December 20, 2000; July 17, 2013