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

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**AGENDA ITEM No. 9**

**DATE:** March 9, 2016  
**TO:** Fresno Local Agency Formation Commission  
**FROM:** David E. Fey, AICP, Executive Officer   
**SUBJECT:** Recruitment for Public Member and Alternate Public Member

**RECOMMENDATIONS:**

1. Approve the attached form of notice pursuant to Policy 520 (Attachment B); and
2. Establish a subcommittee to review all applications received, select the top candidates to be interviewed by the Commission, and make recommendations to the Commission at its regular meeting in May, 2016.

**Summary**

The terms of public member and alternate public member are set by law to be four years and until a replacement is selected by the Commission. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) states that commission members' terms expire on the first Monday of the month of May. The Public Member's and Alternate Public Member's term are both set to expire May 2, 2016. The Attachment B is the recommended form of notice pursuant to Policy 520-01.

**Discussion**

The rules and process for selecting a new public member is contained in the CKH law and Fresno LAFCo Policy Section 520 (Attachment A). Section 56331 of CKH sets forth the appointment of a public member and contains a restriction that the public member (and alternate public member) not be an officer or employee of the county or any city or district with territory in the county. Attachment B is the form of notice staff proposes to publish in the Fresno Business Journal before March 20, 2016, and post outside the Commission hearing room. No application shall be accepted if received after April 20, 2016.

Staff also recommends that the Commission establish a subcommittee to review all applications received, select the top candidates to be interviewed by the Commission at its regular meeting on May 11, 2016, and make recommendations to the Commission at that meeting.

### Fresno LAFCo policy 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:

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.

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

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.

04 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.

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

06 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:

## Attachment A

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

08 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.

09 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

**NOTICE OF VACANCY  
FRESNO LOCAL AGENCY FORMATION COMMISSION  
ALTERNATE PUBLIC MEMBER**

**NOTICE IS HEREBY GIVEN** that the Fresno Local Agency Formation Commission is now accepting applications for the Public Member and Alternate Public Member to serve a term set by law to be four years beginning May 2, 2016, and ending the first Monday of May, 2020.

To obtain a copy of the application and see a description of the duties and responsibilities of the Commission's Public Member and Alternate Public Member, please go to the Fresno LAFCo website at [www.fresnolafco.org](http://www.fresnolafco.org).

You may also call the LAFCO office at (559) 600-0604 to arrange to pick up an application.

**PLEASE BE INFORMED THAT** the Public Member and Alternate Public Member must be residents of Fresno County. No person may serve as Public Member or Alternate Public Member who also serves as an officer or employee of a local public agency or who is a member of a public board, commission, or committee that has the authority to make advisory or final decisions relative to the use of land or the provision of services thereto. Such persons may be eligible for appointment but must resign any conflicting position upon appointment.

An application must be received no later than 4:00 p.m., April 20, 2016, in order to be considered for this position.

For additional information, contact Candie Fleming, Clerk to the Fresno LAFCo, at 2607 Fresno Street, Suite B, Fresno, CA 93721; Telephone: (559) 600-0604; or by e-mail: [cfleming@co.fresno.ca.us](mailto:cfleming@co.fresno.ca.us).

**DATED: "DATE"**