

REGULAR MEMBERS

CHAIR
Douglass Davert
Special District Member

VICE CHAIR
Donald P. Wagner
County Member

IMMEDIATE PAST CHAIR
Derek J. McGregor
Public Member

Lisa Bartlett
County Member

Wendy Bucknum
City Member

James Fisler
Special District Member

Mike Posey
City Member

ALTERNATES

Katrina Foley
County Member

Kathryn Freshley
Special District Member

Peggy Huang
City Member

Lou Penrose
Public Member

STAFF

Carolyn Emery
Executive Officer

Scott Smith
General Counsel

January 12, 2022

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Office Manager/Commission Clerk

SUBJECT: Appointment Processes for OC LAFCO Expiring Terms

BACKGROUND

In 2022, the terms of office expire for the following OC LAFCO member seats:

<i>OC LAFCO Expiring Terms</i>		
Incumbent	Member Seat	Current Term
Douglass Davert	Regular Special District Member	2018 – 2022
Kathryn Freshley	Alternate Special District Member	2018 – 2022
Derek J. McGregor	Regular Public Member	2018 – 2022
Mike Posey	Regular City Member	2018 – 2022
Donald Wagner	Regular County Member	2018 – 2022

Appointment Authority and Process

In accordance with Government Code Section 56334, the term of office for each OC LAFCO Commissioner shall be four years, and there are no term limits. Pursuant to the OC LAFCO Bylaws, the term of office for each Commissioner begins on July 1st of the year appointed and expires June 30th of the final year of the term. The following sections describe the appointment process for each seat that will expire in 2022.

County Member Seats

County member seats are appointed annually at the discretion of the Chair of the Board of Supervisors (BOS) with final approval by the County BOS. The appointments will be considered by the BOS at the January 11 board meeting. The member appointed for the expiring term will be administered the Oath of Office and seated at the July 13, 2022 Regular Commission meeting.

City Member Seats

The City Selection Committee (comprised of 34 Orange County City Mayors) is responsible for appointing the Regular and Alternate City Members to OC LAFCO. The process is administered by the Orange County Clerk of the Board (COB) and is usually conducted during the Committee's annual meetings, which take place in May and November each year. Commission staff will provide formal notification of the expiring term of the Regular City member seat to the COB by March 2022. Submittal of this notification letter satisfies OC LAFCO's responsibility with respect to this process. The member appointed will be administered the Oath of Office and seated at the July 13, 2022 Regular Commission meeting.

Special District Member Seats

OC LAFCO staff has a more prominent role in the appointment process for Special District Members that is governed by Government Code Section 56332 and the Special Districts Selection Committee By-Laws. A schedule of key appointment events and responsibilities for the Regular and Alternate Special District seats expiring June 30, 2022 is outlined below. The members appointed through this process will be administered the Oath of Office and seated at the July 13, 2022 Regular Commission meeting.

<i>Appointment Process Schedule for OC LAFCO Regular and Alternate Special District Member Seats</i>	
ACTION	DATE
LAFCO Executive Officer emails notification letters with nomination forms and Declaration of Qualification to Vote to independent special district presiding officers (c/o the clerk of the district) and special district general managers.	March 14, 2022
Deadline for submitting nominations and Declaration of Qualification to Vote for the Regular Special District and Alternate Special District members is due to OC LAFCO by 3:00p.m.*	April 22, 2022 (3 PM)
Ballot emailed to all special district presiding officers/designees (c/o clerk of the district).	May 2, 2022
Ballot due to OC LAFCO by 3:00 p.m.	June 3, 2022 (3 PM)
OC LAFCO staff (or designee) tabulates ballots and announces results.	June 7, 2022
Oath of Office Administered (Commission Hearing).	July 13, 2022
<i>* Pursuant to Government Code Section 56332(c)(1), if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected with no further proceedings.</i>	

Public Member Seats

The appointment process for the Public Member seat is conducted by the Commission. In accordance with the Commission’s policy for the appointment of the public members, upon the direction of the Chair, a special notice advertising the position and soliciting resumes from interested candidates will be prepared and distributed. The Commission’s Executive Committee screens all applications and selects the finalists to interview with the full Commission. However, any Commissioner may also nominate a candidate from the applications submitted to interview with the full Commission. A schedule of key appointment events and responsibilities for the Regular Public Member seat expiring June 30, 2022 is outlined below. The Regular Public Member appointed through this process will be administered the Oath of Office and seated at the July 13, 2022 Regular Commission meeting.

Appointment Process Schedule for OC LAFCO Regular Public Member Seat	
ACTION	DATE
Announcement of Regular Public Member Seat vacancy distributed to city and special district clerks, clerk of the BOS, OC libraries and published in the <i>OC Register</i>.	April 4, 2022
Application submittal period for Regular Public Member Seat vacancy.	April 4, 2022 – May 6, 2022
Application Screening Process conducted by the Commission’s Executive Committee.	May 9, 2022 – May 20, 2022
Commission interviews and appointment of Regular Public Member.	June 8, 2022
Oath of Office Administered (Commission Hearing).	July 13, 2022

RECOMMENDED ACTION

Staff recommends the Commission:

1. Receive and file the report on the appointment processes for the OC LAFCO expiring terms.

Respectfully submitted,



CAROLYN EMERY



CHERYL CARTER-BENJAMIN