

Chairman

Sam Abed, Mayor
City of Escondido

Vice Chairwoman

Jo MacKenzie, Director
Vista Irrigation District

Members

Catherine Blakespear, Mayor
City of Encinitas

Bill Horn, Supervisor
County of San Diego

Dianne Jacob, Supervisor
County of San Diego

Ed Sprague, Director
Olivenhain Municipal Water

Andrew Vanderlaan
Public Member

Lorie Zapf, Councilmember
City of San Diego

Alternate Members

Chris Cate, Councilmember
City of San Diego

Greg Cox, Supervisor
County of San Diego

Judy Hanson, Director
Leucadia Wastewater District

Harry Mathis
Public Member

Racquel Vasquez, Mayor
City of Lemon Grove

Executive Officer

Keene Simonds

Counsel

Michael G. Colantuono

MEMORANDUM

December 4, 2017

TO: Commissioners

FROM: Executive Officer

**SUBJECT: Agenda Item No. 9 |
Revised Recommendation on Appointee Eligibility**

The Commission is scheduled to consider policy amendments to address the appointment of a special district representative to serve on a consolidated oversight board to complete the draw-down of successor redevelopment agencies in San Diego County as part of Agenda Item No. 9. This memorandum addresses a revised recommendation from staff regarding the eligibility standards for potential appointees and is as follows.

Initial Recommendation:

The agenda report dated November 22, 2017 recommends – among other items – the Commission limit the pool of potential appointees to only board members from eligible special districts.

Revised Recommendation:

Staff proposes a revision to the referenced recommendation to expand the pool of potential appointees to also include appointed staff members from eligible special districts (i.e., general managers). This revision is consistent with comments received from the Commission's Special District Advisory Committee.

Attachment:

- 1) Updated Proposed Policy Amendments | Track-Change Format

**SAN DIEGO COUNTY
INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE RULES**

I. PURPOSE

The purpose of the Independent Special District Selection Committee shall be to appoint the regular and alternate special district members of the San Diego LAFCO, to fill unexpired terms when vacancies occur, and to select members of the Commission's Special Districts Advisory Committee. The Independent Special District Selection Committee shall also make other appointments as provided under State law and consistent with the rules provided under Section V of these policies.

II. MEMBERSHIP

Membership of the Independent Special District Selection Committee shall be composed of the presiding officer of the legislative body of each independent special district that either is located wholly within San Diego county, or that contains territory within the county that represents 50% or more of the assessed value of taxable property of the district.

III. MEETINGS

Notification and Solicitation of Nominations

The Executive Officer of the Commission shall give written notice to all eligible independent special districts of any meeting of the Independent Special District Selection Committee, specifying the date, time, and place. Each district shall acknowledge receipt of the Executive Officer's notice. Each district shall be encouraged to submit nominations, accompanied by a brief resume on the form provided by LAFCO. All nominations must be received by a specified date that shall be at least six weeks from the date of notification. Facsimile (FAX) copies of nominations may be submitted, if necessary, to meet the established deadline; however, replacement originals must be submitted as soon thereafter as possible.

Nominating Committee

All nominations received by the deadline shall be submitted for review and recommendations by a Nominating Committee appointed by the chairperson or vice chairperson of the Special Districts Advisory Committee. The Nominating Committee shall be composed of advisory committee members whose terms will not expire until the following year. Copies of the Nominating Committee's report and all nominations received by the deadline shall be sent to all eligible districts at least six weeks prior to the meeting.

Registration

Each member of the Independent Special District Selection Committee shall be entitled to one vote for each independent special district of which he or she is the presiding officer. In the event that the presiding officer is unable to attend a meeting of the Committee, the legislative body may appoint one of its members to attend in the presiding officer's place. Such a designated member shall submit written authorization at the time of registration. Each voting member shall register and complete a declaration of qualification. The voting member will then be given the required number of ballots and other voting materials.

Quorum

Members representing a majority of the eligible districts shall constitute a quorum for the conduct of Independent Special District Selection Committee business. No meeting shall be called to order (1) earlier than the time specified in the notice, and (2) until a quorum has been declared to be present. Before calling the meeting to order, the Executive Officer shall announce that a quorum is present and request that any voting member who has not yet registered do so at that time. Only those eligible members registered and present when a quorum has been declared and the meeting called to order shall be allowed to vote. No one will be permitted to register and vote after the meeting has been officially convened.

Voting

Voting shall be done using the ballots distributed to each eligible representative at the time of registration. The ballots shall include the names of all nominees, with the incumbents and the Nominating Committee's recommendations identified. Spaces also shall be provided for "write-in" votes. Voting representatives must be present at the time ballots are marked and collected. A candidate for a regular or alternate member of the Commission must receive at least a majority of the votes cast in order to be selected. In the event that no candidate receives the required number of votes, a run-off balloting shall be held between the two candidates receiving the highest and next-highest number of votes. In case of a tie in the "next- highest" category, the tied candidates will both (all) be included in the run-off balloting. Balloting will continue until one candidate receives at least a majority of votes cast.

Election of members of the Special Districts Advisory Committee shall require only a plurality vote.

IV. MAILED-BALLOT ELECTIONS

Authority

A mailed-ballot election may be conducted if the Executive Officer has determined that a meeting of the Independent Special District Selection Committee is not feasible.

Notification and Solicitation of Nominations

The Executive Officer of the Commission shall give written notice to all eligible independent special districts of the intention to conduct a mailed-ballot election. Each district shall acknowledge receipt of the Executive Officer's notice. Each district shall be encouraged to submit nominations, accompanied by a brief resume on the form provided by LAFCO. All nominations must be received by a specified date that shall be at least six weeks from the date of notification. Facsimile (FAX) copies of nominations may be submitted, if necessary, to meet the established deadline; however, replacement originals must be submitted as soon thereafter as possible.

Nominating Committee

All nominations received by the deadline shall be submitted for review and recommendations by a Nominating Committee appointed by the chairperson or vice chairperson of the Special Districts Advisory Committee. The Nominating Committee shall be composed of advisory committee members whose terms will not expire until the following year.

Distribution and Return of Ballots

All eligible districts shall be sent, by certified mail, return receipt requested, the following materials: (1) copies of all nominations received by the deadline, (2) a copy of the Nominating Committee's report and recommendations, (3) ballot(s) as required to vote for Commission and/or Special Districts Advisory Committee members, and (4) voting instructions. The ballots shall include the names of all nominees, with the incumbents and the Nominating Committee's recommendations identified. Spaces shall be provided for "write-in" votes. Each ballot shall be accompanied by a certification sheet to be completed by the presiding officer or designated alternate who cast that district's vote.

A specified period of time, not less than six weeks, shall be allowed for the districts to cast their votes and return their ballots. Ballots shall be sent by certified mail, return receipt requested. Facsimile (FAX) copies of ballots may be submitted, if necessary, to meet the established deadline; however, replacement originals must be submitted as soon thereafter as possible. A ballot received without a certification page will not be counted. All certified ballots received by the deadline shall be counted, and the results announced within seven days. Certified ballots representing a simple majority of the eligible districts must be returned for a valid election.

A candidate for a regular or alternate member of the Commission must receive at least a majority of the votes cast in order to be selected. In the event that no candidate receives the required number of votes, a run-off election shall be conducted, either by a second mailed ballot or a meeting of the Independent Special District Selection Committee, at the discretion of the Executive Officer.

Election of members of the Special Districts Advisory Committee shall require only a plurality vote.

Nothing in these Rules shall supersede Section 56332 of the California Government Code, which governs the establishment of the Independent Special District Selection Committee.

V. OTHER APPOINTMENTS

Appointment to Consolidated Redevelopment Oversight Board | Senate Bill 107

Effective July 1, 2018, the 17 redevelopment oversight boards in San Diego County will be consolidated into one seven-member board pursuant to Section 34179(j) of Health and Safety Code. One of the seven members of the consolidated redevelopment oversight board may be appointed by the Independent Special District Selection Committee. The following eligibility, standards, and procedures shall guide the appointment process.

- Eligibility | Nominee Criteria

Only representatives from (a) independent special districts as defined under Section 56044 of California Government Code that are also (b) enrolled in the Redevelopment Property Tax Trust Fund administered by the County of San Diego Auditor Controller's Office are eligible for appointments.

- Eligibility | Board Members ~~Only~~ and Appointed Staff

Only representatives that are elected or appointed board members or their appointed staff (i.e., general managers) from qualifying special districts are eligible for appointments.

- Standards | Alternate Appointment

An alternate appointment shall be made for purposes of serving and voting in the absence of the regular representative. The alternate shall also immediately assume the regular appointment term should the incumbent resign and/or is otherwise no longer eligible to participate.

- Standards | Term Limits and Recall

All regular and alternate appointments involve four-year terms commencing on July 1, 2018. Appointees serve at the pleasure of the Independent Special District Selection Committee and shall be subject to recall proceedings under Section 56332(b) of California Government Code.

- Procedures | Appointments Before July 1, 2018 Deadline

The Executive Officer shall initiate the inaugural election of regular and alternate representatives consistent with the procedures provided in Section IV of these policies no later than January 1, 2018 subject to the following modifications.

- The Executive Officer shall transmit all election materials by e-mail with prior concurrence of the presiding officer or their designated alternate.
- A majority of votes is not necessary for an appointment so long as a voting quorum is achieved. The nominee receiving the most votes among all ballots received will be appointed as the regular representative. The nominee with the second most votes among all ballots received will be appointed alternate.
- Ballots may be returned to the Executive Officer by e-mail.
- Within three business days of the deadline passing for ballots to be returned the Executive Officer shall provide formal notice to all presiding officers of the election results. The Executive Officer shall also immediately provide formal notice of the associated appointments to the County of San Diego Auditor-Controller's Office.

- Procedures | Subsequent Appointments

Should it be necessary the Executive Officer shall conduct subsequent elections to appoint a regular and/or alternate representative after July 1, 2018 and consistent with the above procedures as applicable.

Adopted: August 27, 1982

Amended: August 17, 1987
June 19, 1992
September 6, 1996
December 4, 2017 (proposed)