

ITEM NO. 4

San Francisco Local Agency Formation Commission

RESOLUTION NO. _____

**Resolution Amending General Policies and Procedures
For Staggered Appointment of Commissioners**

WHEREAS, on August 21, 2000, the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) initially appointed certain Supervisors as Commissioners and Alternate Commissioners, to the Local Agency Formation Commission (“LAFCO”) of the City and County of San Francisco;

WHEREAS, as of January 1, 2001, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.) (“Cortese-Knox-Hertzberg Act”) revised the required composition of each local agency formation commission;

WHEREAS, in accordance with the terms of the Cortese-Knox-Hertzberg Act, Section 1.2 of San Francisco LAFCO’s General Policies and Procedures provides that the Commission shall be composed of five members, four of which are appointed by the Board of Supervisors from their own membership, with two as county representatives and two as city representatives, and one of which is appointed as the Public-Member-At-Large by the other four members of the Commission;

WHEREAS, current law and Section 1.22 of San Francisco LAFCO’s General Policies and Procedures provides that the term of each member of the Commission shall be four years, and each Commissioner shall serve until the appointment and qualification of a successor or until removed by the appointing body; and

WHEREAS, San Francisco LAFCO desires to modify Section 1.22 of its General Policies and Procedures to stagger the terms of the initial members of the Commission appointed in 2001 to promote continuity in the Commission as allowed under law.

RESOLVED, That Section 1.22 of the General Policies and Procedures of San Francisco LAFCO is amended to read as follows:

“Section 1.22. The term of each member shall be four years. Commissioners serve until the appointment and qualification of a successor or until removed by the appointing body. To promote continuity, the initial successors to one of the County members and

one of the City members appointed in 2001 will not be appointed, until two years after the initial terms have expired (§56334).”

On a motion made by Commissioner _____, seconded by Commissioner _____, the foregoing Resolution was passed and adopted by the San Francisco Local Agency Formation Commission, State of California, this ____ day of _____, 2002, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair
San Francisco Local Agency Formation Commission

ATTEST:

Commission Clerk

**SAN FRANCISCO LOCAL AGENCY FORMATION COMMISSION
GENERAL POLICIES AND PROCEDURES**

ITEM NO. 4

1. GENERAL

1.1. MISSION

The San Francisco Local Agency Formation Commission (hereinafter San Francisco LAFCO" or "Commission") coordinates logical and timely changes in local governmental boundaries (§56001);¹ conducts special studies to review ways to reorganize, simplify and streamline governmental structures (§56031); and prepares spheres of influence for the City and County of San Francisco (hereinafter "City and County" or "San Francisco") and special districts that may be established within the City and County (§56425). The Commission promotes provision of efficient and economical services while encouraging protection of open space lands (§56001, §56300). Further efforts include encouraging orderly formation and development of local agencies based upon local conditions and circumstances (§56301).

Local Agency Formation Commissions are independent commissions that are not a part of City and County government. All Commissioners must exercise their independent judgment on behalf of the interests of residents, property owners and the public as a whole in furthering the purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (hereinafter "Cortese-Knox-Hertzberg Act" or "Act") (§56325.1). Each Commissioner is independent when weighing and reviewing information and when making determinations (Attorney General Opinion 98.802). The mission of the San Francisco Local Agency Formation Commission is to act by implementing the Cortese-Knox-Hertzberg Act and through the adoption of written policies and guidelines (§56381, §56001).

This document contains the policies, procedures and guidelines needed to implement LAFCO's mission. The provisions of these policies, procedures and guidelines are not intended to preempt state law. In the event of a conflict between these policies and guidelines, and the provisions set forth in the Cortese-Knox-Hertzberg Act, the provisions of the Act shall prevail.

1.2. THE COMMISSION

1.21. The San Francisco Local Agency Formation Commission shall be composed of five members (§56325).

1.22. The term of each member shall be four years. Commissioners serve until the appointment and qualification of a successor or until removed by the appointing body (§56334).

1.23. Four members from the Board of Supervisors of the City and County are selected by the Board (§56325; §56024; §56053), two as county representatives and two as city representatives. A Public Member-at-Large is appointed by the other four commissioners (§56331). One alternate is also selected for the city and county representatives, and an alternate for the public members also may be selected (§56325).

¹ Unless otherwise noted, all statutory references are to the California Government Code.

**SAN FRANCISCO LOCAL AGENCY FORMATION COMMISSION
GENERAL POLICIES AND PROCEDURES**

1.24. Alternate Commissioners are encouraged to take an active role in San Francisco LAFCO business, including discussions and deliberations on project proposals, CALAFCO legislative activities and training workshops, interagency coordination and communication, and participation in policy development and other working groups.

1.25. Alternate members may vote in place of any regular member who is absent or who disqualifies himself or herself from participating in an action (§56325).

1.26. A Commissioner is required to vacate their seat if he or she ceases to hold the originating office (§56334).

1.27. Commission members and alternates receive a stipend of \$100 per meeting and are reimbursed for reasonable and necessary expenses incurred in performing the duties of their office (§56334).

1.28. It is the policy of San Francisco LAFCO to be a member of the California Association of Local Agency Formation Commissions.

1.3. CONFLICT OF INTEREST

1.31. The Political Reform Act, Government Code Sections 81000 et seq., requires each state and local government agency to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code. This standard Code can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. The San Francisco LAFCO duly adopted a Conflict of Interest Code on October 30, 2000. The terms of such Conflict of Interest Code, and any amendments to it duly adopted by the Commission, are incorporated by reference herein.

1.32. The Conflict of Interest Code requires that the Executive Officer and members of the Commission shall file Statements of Economic Interests. Consultants to the Commission may also be required to file Statements of Economic Interest. The Executive Officer may determine, in writing, that individuals or firms contracting with the Commission for the provision of consulting services are not required to file Statements of Economic Interests. Any such written determination shall include a description of the contractee's duties and, based upon that description, a statement of the extent of economic disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

1.33. Statements of Economic Interests shall provide disclosure in all of the following categories: All sources of income, interests in real property, and investments and business positions in business entities located in or doing business in San Francisco.

1.34. Statements of Economic Interests shall be filed with the San Francisco Ethics Commission.