



**Local Agency Formation Commission**  
**Subdivision of the State of California**

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**April 2, 2012**  
**Agenda Item No. 6a (Public Hearing)**

March 26, 2012

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer

**SUBJECT: Appointment of Alternate Public Member**

The city and county members will consider making an appointment for the alternate public member position. Two candidates have applied and the appointment term is four years beginning May 2012 and ending May 2016.

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California Government Code Section 56325(d) states the composition of all 58 Local Agency Formation Commissions (LAFCOs) shall include one member representing the general public, referred to as the “public member.” This code section also states LAFCOs may designate one alternate public member. The regular and alternative public members are appointed to separate four-year terms and by statute cannot be officers or employees with local governmental agencies along with any other locally adopted policies. Additionally, to be appointed, the regular and alternate public members must receive at least one vote from a county and city member.

**A. Background**

*Policies on Appointing Public Members*

LAFCO of Napa County’s (“Commission”) policy regarding the appointment of the regular and alternate public members was adopted in October 2001 and most recently amended in April 2008. The underlying intent of the policy is to outline specific procedures to help ensure a uniform and transparent appointment process. The policy also includes prescribing additional eligibility requirements that appointees not serve on local public bodies with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

The Executive Officer is responsible under the policy for notifying notify the Commission no less than 120 days prior to an impending vacancy and whether the incumbent is eligible to seek reappointment. Upon notification, the Commission must direct the Executive Officer to (a) recruit candidates and schedule a hearing to make an appointment or (b) schedule a hearing to expedite the reappointment of the incumbent if they are eligible and have served no more than all or a portion of one term.

State law specifies all regular and alternate public member terms are to begin on the first Monday in the month of May. Accordingly, to maintain cohesion, it is the long-standing practice of the Commission to consider appointments to either position at its April meeting with continuances as needed.

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Lewis Chilton, Chair  
Councilmember, Town of Yountville  
Joan Bennett, Commissioner  
Councilmember, City of American Canyon  
Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

Brad Wagenknecht, Vice Chair  
County of Napa Supervisor, 1st District  
Bill Dodd, Commissioner  
County of Napa Supervisor, 4th District  
Mark Luce, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner  
Representative of the General Public  
Gregory Rodeno, Alternate Commissioner  
Representative of the General Public  
Keene Simonds  
Executive Officer

### ***Expiring Term of the Alternate Public Member***

Commissioner Gregory Rodeno's term as alternate public member expires on Monday, May 7, 2012. The Commission originally appointed Commissioner Rodeno as alternate public member beginning April 2007 to fill Brian J. Kelly's unexpired term ending in May 2008. The Commission reappointed Commissioner Rodeno to a new four-year term as alternate public member beginning May 2008.

### **B. Discussion/Analysis**

At its December 5, 2011 meeting, the Commission provided formal direction to staff to initiate an open recruitment for the alternate public member position. Towards this end, staff prepared an announcement inviting applications for the alternate public member position between January 17<sup>th</sup> and March 5<sup>th</sup>. The announcement was posted on the Commission's website and published in the Napa Valley Register on consecutive Sundays on January 22<sup>nd</sup> and January 29<sup>th</sup>. The announcement was also circulated to all local agencies subject to Commission oversight.

The Commission received two applications for the alternate public member position through the March 5<sup>th</sup> submittal deadline. These applications were received from Gregory Rodeno (incumbent) and Albert Iliff. Both applicants qualify for appointment.<sup>1</sup>

### **C. Alternatives for Commission Action**

The following alternative actions are available for consideration by the city and county members on the Commission.

**Alternative One:** Close the public hearing and appoint one of the two candidates to the position of alternate public member to a four year term commencing on May 7, 2012.

**Alternative Two:** Continue the public hearing to the next regular meeting and direct staff to provide additional information as needed

### **D. Recommendation**

It is recommended the city and county members appoint an alternate public member as identified in the preceding section as "Alternative One."

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<sup>1</sup> Candidate Iliff currently serves as a volunteer administrative technician with the California Highway Patrol at the Vallejo Substation. These duties do not conflict with eligibility requirements as prescribed under Commission policy.

**E. Procedures for Consideration**

This item has been agendized as a public hearing consistent with State law. The following procedures are recommended with respect to considering this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing (mandatory);
- 3) Invite candidates to address the Commission (policy); and
- 4) Consider taking one of the actions outlined in the preceding section.

Respectfully submitted,

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Keene Simonds  
Executive Officer

Attachments:

- 1) *Policy on the Appointment of the Public Member and Alternate Public Member*
- 2) Candidate Application: Gregory Rodeno (incumbent)
- 3) Candidate Application: Albert Iliff



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**  
***Policy on the Appointment of a Public Member and Alternate Public Member***

Adopted: October 11, 2001

Amended: December 5, 2005; April 7, 2008

**Authority**

California Government Code Section 56325(d) states the composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” This code section also states that the Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the Board of Supervisors and City Selection Committee.

**Eligibility**

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time he or she is an officer or employee of a local public agency. No person may also serve as public member or alternate public member if he or she is member of a local public board, commission, or committee with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

**Term of Office**

The term of office for public member and alternate public member shall be four years and shall end on the first Monday in May of the year in which the term expires. The public member and alternate public member shall continue to serve until his or her successor is appointed.

**Appointment Procedures**

**New Term for Public Member or Alternate Public Member**

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the public member or alternate public member, the following procedures will be taken:

1. At a regular meeting no less than 120 days prior to the scheduled expiration of public member or alternate public member’s term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take either of the following two actions set forth in 1.a) or 1.b).

- a) Direct the Executive Officer to recruit candidates and schedule a hearing date to consider making an appointment to the position. Tasks of Executive Officer shall include, but not limited to, the following:
  - i) Issue a notice announcing the vacancy and that the Commission is accepting applications for the position no less than 60 days prior to the scheduled hearing for the appointment. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in the Napa Valley Register.<sup>1</sup> The notice shall indicate if the incumbent is eligible for reappointment.
  - ii) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission no less than 14 days prior to the scheduled hearing for the appointment.
  - iii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.
  
- b) If the incumbent is eligible and has served no more than all or a portion of one term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of Executive Officer shall include, but not limited to, the following:
  - i) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted no less than 21 days prior to the hearing for which the reappointment has been scheduled.
  - ii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

### **Mid-Term Vacancy for Public Member**

If the position of public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the public member.
2. Appoint the alternate public member.
3. Fill the position in the manner prescribed for the appointment for a public member to a new term.

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<sup>1</sup> For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

### **Mid-Term Vacancy for Alternate Public Member**

If the position of alternate public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the alternate public member.
2. Fill the position in the manner prescribed for the appointment of an alternate public member to a new term.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

### **Conducting Public Hearings for Appointing a Public Member or Alternate Public Member**

It is the policy of the Commission that a public hearing to appoint either the public member or alternate public member shall be conducted as follows:

1. The Chair shall open the public hearing and first invite candidates to address the Commission. The Chair shall then invite public comments from the audience.
2. Upon the close of the public comment period, the Chair shall ask each commissioner to make one nomination. Commissioners may nominate anyone from the applicant pool, and an applicant may receive more than one nomination.
3. After each commissioner has made a nomination, the Chair shall ask if there is a second to any of the nominations. If there is a second, the Chair shall call for a vote on that nomination. If the vote is in the affirmative, the appointment is made. If the vote is not in the affirmative, the Chair shall call for a second to another of the nominations. This process shall continue until an appointment is made or all of the nominations are exhausted.
4. If all of the nominations are exhausted, the Chair may 1) begin the entire procedure again by calling for one nomination from each commissioner or 2) call for the use of the ballot system as described in Paragraph 5.

5. If the Chair calls for use of a ballot system, then the Clerk shall provide each commissioner with a ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of a candidate from among the applicants. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and shall provide each commissioner with a second ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of candidate from among those candidates that received votes in the previous round of voting. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and the Commission shall engage in another round of voting. This shall continue until a candidate is selected.

As mentioned, California Government Code Section 56325(d) specifies that the appointment of a public or alternate public member requires the vote of at least one commissioner appointed by the Board of Supervisors and one commissioner appointed by the City Selection Committee. If a candidate receives at least three votes, this requirement is fulfilled.





<b>b) Summarize your qualification to serve on the Commission.</b>	<p>I have been engaged in the private practice of law in Napa for over 35 years, primarily in the area of real estate development, agricultural, residential, commercial, industrial, and resort, from American Canyon to Pope Valley.</p> <p>I have been a grape grower in Napa for over 30 years, both in Oakville and Pope Valley.</p> <p>I have served on several boards, private, public and quasi-public, both elected and appointed. Details available</p> <p>I am currently an adjunct instructor in Business law at Napa Valley College.</p>
<b>c) List any formal education received beyond high school.</b>	<p>Stanford University, B.A. Psychology 1967</p> <p>University of California, Davis School of Law, J.D. 1970</p>
<b>d) List community activities and interests.</b>	<p>Villa Ragazzi Wines, Proprietor, current</p> <p>NVC Adjunct Instructor, current,</p> <p>Napa LAFCO, current</p> <p>Oakville Winegrowers Association, current</p> <p>Putah Creek Watershed Group 2006-2011, Chair</p> <p>25th DAA (aka Napa Valley Expo) 2001-2008, Chair</p>



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RECEIVED  
FEB 14 2012

NAPA COUNTY  
LAFCO

**APPLICATION FOR ALTERNATE PUBLIC MEMBER**

The Local Agency Formation Commission (LAFCO) of Napa County is accepting applications for its alternate public member position. The position involves a four year appointment made by city and county members already serving on LAFCO. The alternate public member is expected to actively participate in LAFCO meetings with respect to providing input on all regulatory and planning matters before the agency. The alternate public member also votes when the regular public member is not in attendance.

**Eligibility**

Applicants must be a resident of Napa County. Applicants also must not be currently employed by a local public agency or serving as a member on a local public body with the authority to make final or advisory decisions relative to land use or municipal service.

**Time Commitments**

LAFCO of Napa County currently meets on the first Monday of every month unless otherwise scheduled. Regular meetings are calendared to begin at 4:00 P.M. in the County of Napa Administration Building located at 1195 Third Street in Napa. Special meetings are calendared as needed. All members are expected to attend unless excused and currently receive a \$100.00 per diem for each regular or special meeting attended.

**Deadline for Applications**

Completed applications must be received by LAFCO by Monday, March 5, 2012. The city and county members are expected to consider making an appointment for the alternate public member position at its April 2, 2012 regular meeting. Questions are welcomed and should be directed to LAFCO Executive Officer Keene Simonds at (707) 259-8645 or [ksimonds@napa.lafco.ca.gov](mailto:ksimonds@napa.lafco.ca.gov).

I. General Information			
a) Name:	First	Last	
	ALBERT	ILIFF	
b) Address:	[REDACTED]		
	Street Address	City	Zip Code
c) Contact Information:	[REDACTED]		
	Phone Number	E-Mail	
d) Present Employer:	Retired		
	Employer Name	Employer Field	

## II. Questionnaire

(Applicants may use additional sheets to complete the following questions)

<p><b>a) Summarize your interest in serving on the Commission.</b></p>	<p>I'm interest in serving on the Commission because I enjoy serving my community in any capacity. Being active member of the community for several years and very important to me.</p>
<p><b>b) Summarize your qualification to serve on the Commission.</b></p>	<p>I volunteered on:                  American Canyon Police Dept.                  American Canyon Parks &amp; Recreation as a Commissioner                  Board of Directors Area Agency on Aging                  Calif Highway Patrol in Background Division, Transportation &amp; teach the Senior Driving Classes                  Napa County Public Transportation Agency                  Solano Grand Jury Sys. → → → over</p>
<p><b>c) List any formal education received beyond high school.</b></p>	<p>Solano Community College - General Studies, Plus 90 units in Criminal Justice Dept.                  Plus all the good information I received from the other Boards &amp; Commissioners                  I took a paralegal class passed with "Bs"</p>
<p><b>d) List community activities and interests.</b></p>	<p>Being selected to be a part of the "LAFD" would enable me to continue to contribute my efforts within the community on the growth and development of our County</p>

Letters of recommendation/reference are not required, but will be accepted and should be attached to the completed application at the time of submission.

D: Vallejo Police Dept. in Check Fraud & Recovery Dept.  
Selective Service Board in Sacramento, Ca.  
Veterans of Foreign Wars - Adjutant