

**EXECUTIVE OFFICER'S AGENDA REPORT
APRIL 26, 2017**

DATE: April 26, 2017

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer *SLP*

SUBJECT: APPOINTMENT OF A REGULAR PUBLIC MEMBER AND ALTERNATE PUBLIC MEMBER TO THE COMMISSION

RECOMMENDATION

Staff recommends that the Commission review the attached applications and appoint a Public Member and Alternate Public Member to LAFCO. The candidates have been invited to attend the meeting and will be available if there are questions from the Commission.

BACKGROUND

The current four-year terms of office for the Public Member (Commissioner Hawn) and Alternate Public Member (Commissioner Gammon) will end on May 1, 2017. A notice of these upcoming expiring terms was provided at the Commission's January meeting, along with a timeline for the recruitment process. A subcommittee of the Chair and Vice Chair was also appointed, in the event that there were a large number of applications needing screening.

RECRUITMENT PROCESS & CANDIDATES

The process for recruitment of public members on the Commission is outlined in Government Code section 56325(d) and the Commission's policies. Whenever a vacancy occurs in the public member or alternate public member position, a notice of vacancy must be posted and distributed to the clerk or secretary of the legislative body of each local agency within the county. On February 15, 2017, LAFCO Staff initiated the recruitment process by:

- Distributing a "Notice of Vacancy" to each city, the clerk of the board and special districts.
- Posting the recruitment notice on the 10th Street Place bulletin board, on the LAFCO website and LAFCO's Twitter feed.
- Emailing the notice to the local newspaper and a list of interested parties (70+ individuals) subscribed to LAFCO's mailing list.

In response to the above recruitment efforts, three applications were received within the application period (Feb. 15th – Mar. 20th). The candidates are:

- Matthew Beekman
- Patricia Gillum
- Brad Hawn (*eligible for Alternate Public Member*)

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Each of the candidate's applications are attached to this report for the Commission's review. As noted, although Commissioner Hawn's term of office as the Public Member is ending, he is eligible to apply for the Alternate Public Member position.

APPOINTMENT

According to State law, the regular public member and alternate public member positions are appointed by the other members of the Commission (City and County voting members). Any of the City and County voting members may nominate a candidate. Selection of the regular public member and alternate public member positions must receive a majority affirmation by the voting members, including an affirmative vote from at least one County Member, and one City Member for appointment to that position. In the event of a tie, the motion would fail and a new nomination could be made. Should new public members fail to be appointed, this item will be continued to the Commission's May 24, 2017 meeting. During the interim, the existing public members may continue to serve until the appointment of their successors.

Attachments:

- Exhibit A: Candidate Applications
- Exhibit B: Government Code & Commission Policies & Procedures Excerpts
- Exhibit C: Draft LAFCO Resolutions 2017-06 and 2017-07

EXHIBIT A

Candidate Applications

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Application for Appointment Public Member or Alternate Public Member

NAME <i>(First, MI, Last)</i>	Matthew Lee Beekman
ADDRESS	<i>Residence:</i>
	<i>Business: 5236 Geer Rd. Hughson, CA 95326</i>
TELEPHONE	<i>Residence:</i>
	<i>Business: 209-988-2823</i>
E-MAIL ADDRESS	mattlbeekman@gmail.com

(Attach separate sheet(s), if needed)

EDUCATIONAL BACKGROUND <i>(Note: There is no specific education requirement.)</i>	Political Economy of Industrial Societies (PEIS), BA Political Science, BA UC Berkeley 1995
EMPLOYMENT <i>(Attach resume, if desired)</i>	Self Employed: California Apiaries, LLC
<p>List all other boards, commissions, or committees you are now a member or have been in the past, including dates of service.</p> <p>Hughson City Council (Mayor, City Council Member) 2010-2016 Hughson Planning Commission 2005-2010 StanCog 2010-2016 Stanislaus LAFCO 2012-2015 CALAFCO 2012-2013</p>	
<p>Please list community interests/activities.</p> <p>Hughson Chamber of Commerce, culinary arts, enology</p>	

Please summarize the qualifications you feel are related to service on the Commission as a representative of the public.

My education and public service provide relevant qualifications to serve on the Commission as a representative of the public.

What is your understanding of the roles and responsibilities of the Commission?

The roles and responsibilities are largely planning and regulatory in nature. As a planning agency LAFCO's: develop and update SOI's for cities and districts; prepare MSR's; work cooperatively with public and private agencies and interests on growth, preservation and service delivery. As a regulatory agency LAFCO's manage the modification of existing agencies and creation of new ones; approve boundary changes; and controls extension of public services.

Why do you wish to serve on the Commission?

I wish to serve on the commission because I believe LAFCO's serve an essential part in local governance that can have a positive impact on a County's business climate, municipal fiscal health and overall quality of life. I also want to serve because my education and experience afford myself the opportunity to be a productive, constructive public representative.

Have you attended any meetings of the Commission? Yes

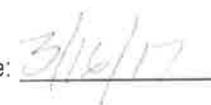
I hereby certify that I am a registered voter in the State of California, County of Stanislaus, and a citizen of the United States and will be at least 18 years of age by the time of the next election. I am not imprisoned or on parole for the conviction of a felony. I certify under penalty of perjury under the laws of the State of California, that the information on this application is true and correct.

I understand that no person appointed as a public member or alternate public member to Stanislaus LAFCO may be an officer or employee of the County or any city or district with territory in the County (Government Code Section 56331). I also understand that if appointed to Stanislaus LAFCO I will be required to comply with FPPC disclosure regulations and file annual statements of financial interests.

Signature: _____



Date: _____



**Return To:
Sara Lytle-Pinhey, Executive Officer
Stanislaus Local Agency Formation Commission (LAFCO)
1010 Tenth Street, 3rd Floor
Modesto, CA 95354**

Thank you for your interest in the Stanislaus Local Agency Formation Commission. Applications will be kept on file for one year.

1010 TENTH STREET, 3RD FLOOR
MODESTO, CA 95354



Application for Appointment Public Member or Alternate Public Member

NAME (<i>First, MI, Last</i>)	Patricia A. Gillum
ADDRESS	<i>Residence:</i>
	<i>Business:</i> 1801 Tully Road, Suite C2, Modesto, CA 95350
TELEPHONE	<i>Residence:</i>
	<i>Business: 209-525-9211</i>
E-MAIL ADDRESS	patricia_gillum@sbcglobal.net

(Attach separate sheet(s), if needed)

EDUCATIONAL BACKGROUND <i>(Note: There is no specific education requirement.)</i>	See Attached
EMPLOYMENT <i>(Attach resume, if desired)</i>	See Attached
List all other boards, commissions, or committees you are now a member or have been in the past, including dates of service. See Attached	

Please list community interests/activities.

I am an active community volunteer serving on several non-profit boards locally. See attached list of the major activities including a 25 year member of the Modesto 500 Lions Club.

Please summarize the qualifications you feel are related to service on the Commission as a representative of the public.

During my 8 year tenure on the Planning Commission at the City of Modesto, I became very acquainted with growth initiatives, general plans and updates, sphere of influence plans, environmental review and the issues surrounding them. I believe the items on the agenda and the consequences of the decisions would assist me in making sound and independent decisions on the LAFCO Board.

What is your understanding of the roles and responsibilities of the Commission?

To make decisions as part of an independent commission regarding orderly growth and other critical issues like preserving agricultural lands through assessment of proposals for items like changes in boundaries of the cities and district in Stanislaus County. All the while, being aware of the governing statutes for LAFCO and utilizing the many factors such as population, mutual economic interest, and water to make informed and beneficial decisions.

Why do you wish to serve on the Commission?

I am a life-long resident of Modesto and therefore Stanislaus County, and have lived west of Hwy 99 since 1988. I have witnessed the loss of farmland and sometimes unbridled residential growth in our area. I believe that the regional perspective that LAFCO affords would allow me, using my past experience, to help make sound decisions representing all Stanislaus County citizens.

Have you attended any meetings of the Commission?

I have watched many of the recorded meetings.

I hereby certify that I am a registered voter in the State of California, County of Stanislaus, and a citizen of the United States and will be at least 18 years of age by the time of the next election. I am not imprisoned or on parole for the conviction of a felony. I certify under penalty of perjury under the laws of the State of California, that the information on this application is true and correct.

I understand that no person appointed as a public member or alternate public member to Stanislaus LAFCO may be an officer or employee of the County or any city or district with territory in the County (Government Code Section 56331). I also understand that if appointed to Stanislaus LAFCO I will be required to comply with FPPC disclosure regulations and file annual statements of financial interests.

Signature: _____

Patricia A. Callan

Date: _____

3/19/17

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Stanislaus Local Agency Formation Commission (LAFCO)
1010 Tenth Street, 3rd Floor
Modesto, CA 95354**

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PATRICIA A. GILLUM

- Self-employed Certified Public Accountant since 1998 with over 40 years combined experience as a manager, controller, and accountant. A life-long resident of Modesto.
 - As a CPA specializing in small business accounting, small business start-ups, tax preparation (including non-profit returns), payroll, and general business consulting.
 - Current Peer Review passed 2014
 - CPA License #76705 (active) December 1998
 - As a controller for a local firm, handled all aspects of this company (general accounting, payroll, cost accounting, and supervision of office staff)
 - Administrative Assistant to Manager, Central Valley Bank

- Active in the Community:
 - City of Modesto Planning Commissioner 2006-2014
 - Chair 2012-2013
 - Citizens Redevelopment Committee
 - City of Modesto Board of Zoning Adjustment 2003-2005
 - Chair 2004-2005
 - Past District Governor, District 4A-1 International Association of Lions Clubs 2008-2009
 - International Excellence Award for Community Service
 - District Secretary 2005-2006
 - District Treasurer 2010-current
 - Modesto Chamber of Commerce Vice Chair of Internal Affairs 2010-present; member of board since 2007.
 - Distinguished Service Award from Modesto Chamber in 1997
 - Central Valley Center for the Vision and Hearing Impaired, Treasurer/Board member since inception in 2001-present.
 - Lions in Sight Director 2009-2011; Treasurer 2010-2011
 - Children's Crisis Center Board Member 20 years – President 1994-95
 - Leadership Modesto Steering committee from 1990-1993
 - Family Connections Adoption Board 1994-95
 - Community Qualities Forum, City of Modesto 2003

- Education:
 - CPA Certificate – December 24, 1998
 - Associate Degree Modesto Junior College
 - BS, Accounting; Magna Cum Laude – Stanislaus State University
 - Masters, Business Administration, with distinction – Stanislaus State University

Application for Appointment Public Member or Alternate Public Member

NAME (First, MI, Last)	BRANDY L MAUN
ADDRESS	Residence:
	Business: 920 13 TH STREET
TELEPHONE	Residence: 209-996-6340
	Business: SAME
E-MAIL ADDRESS	brandy.maun@CHGSTRUCTURAL.COM (Attach separate sheet(s), if needed)

EDUCATIONAL BACKGROUND (Note: There is no specific education requirement.)	PE, CIVIL ENGINEERING
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EMPLOYMENT (Attach resume, if desired)	CHG STRUCTURAL ENGINEERS OWNER
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List all other boards, commissions, or committees you are now a member or have been in the past, including dates of service.

MODESTO CITY COUNCIL
 MODESTO PBA
 MODESTO REDEVELOPMENT COMMISSION
 LAFCO CITY MEMBER
 LAFCD PUBLIC MEMBER

Please list community interests/activities.

Boiling Neighborhood CAPACITY
 Boiling Neighborhood MON'S
 GREEN FIELDS
 RECYCLED WATER PROJECT / INFRASTRUCTURE

Please summarize the qualifications you feel are related to service on the Commission as a representative of the public.

VERY FAMILIAR W/ UNFCO LAWS & PRACTICE

What is your understanding of the roles and responsibilities of the Commission?

OVERSEE ORDERLY GROWTH IN THE COUNTY

Why do you wish to serve on the Commission?

I ENJOY HOLDING A POSITION THAT IS IMPORTANT TO THE FUTURE OF OUR COUNTRY

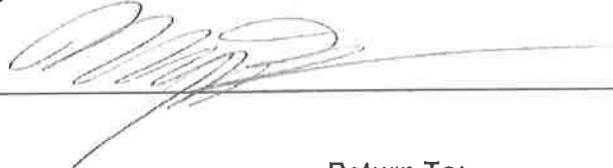
Have you attended any meetings of the Commission?

NO

I hereby certify that I am a registered voter in the State of California, County of Stanislaus, and a citizen of the United States and will be at least 18 years of age by the time of the next election. I am not imprisoned or on parole for the conviction of a felony. I certify under penalty of perjury under the laws of the State of California, that the information on this application is true and correct.

I understand that no person appointed as a public member or alternate public member to Stanislaus LAFCO may be an officer or employee of the County or any city or district with territory in the County (Government Code Section 56331). I also understand that if appointed to Stanislaus LAFCO I will be required to comply with FPPC disclosure regulations and file annual statements of financial interests.

Signature: _____



Date: _____

3/7/17

Return To:
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1010 Tenth Street, 3rd Floor
Modesto, CA 95354

Thank you for your interest in the Stanislaus Local Agency Formation Commission. Applications will be kept on file for one year.

EXHIBIT B

Government Code & Commission Policies & Procedures Excerpts

EXHIBIT B

Government Code Excerpts

Public Member

56325(d). One representing the general public appointed by the other members of the commission. The other members of the commission may also appoint one alternate member who shall serve pursuant to Section 56331. Appointment 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 other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.

Alternate Public Member; appointment, duties

56331. When appointing a public member pursuant to Sections 56325, 56326, 56326.5, 56327, 56328, 56328.5, and 56329, the commission may also appoint one alternate public member who may serve and vote in place of a regular public member who is absent or who disqualifies himself or herself from participating in a meeting of the commission. The public member and the alternate public member shall be residents of the county of the appointing commission.

If the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

Public Member restrictions

No person appointed as a public member or alternate public member pursuant to this chapter shall be an officer or employee of the county or any city or district with territory in the county, provided, however, that any officer or employee serving on January 1, 1994, may complete the term for which he or she was appointed.

Terms of Commissioners

56334. The term of office of each member shall be four years and until the appointment and qualification of his or her successor... The body which originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires, unless procedures adopted by the commission specify an alternate date to apply uniformly to all members. However, the length of a term of office shall not be extended more than once. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant.

Commission Policies & Procedures Excerpts

SECTION 1: LAFCO STRUCTURE AND ORGANIZATION

The Stanislaus Local Agency Formation Commission consists of the following members, as per Government Code Section 56325:

- Two members of the County Board of Supervisors and one alternate, appointed by the Board from its own members;
- Two City Council members and one alternate, appointed by the City Selection Committee composed of the mayors of each of Stanislaus County's nine (9) cities;
- One Public Member and one alternate, appointed by the other four Commission members after review of applications.

RULE 9: TERMS OF OFFICE - PUBLIC MEMBER

The public member shall be limited to one full four-year term of office. An appointment to fill an unexpired term of office may not be applied to the one full term of office.

RULE 10: TERMS OF OFFICE - ALTERNATE PUBLIC MEMBER

The alternate public member shall be limited to one full four-year term of office. An appointment to fill an unexpired term of office may not be applied to the one full term of office.

RULE 32: TIE VOTES OF COMMISSION

Three votes are necessary to approve a proposal or a motion. A proposal which receives a tie vote shall automatically be continued to the next Commission hearing. A subsequent tie vote at the next hearing of the proposal indicates automatic denial without prejudice.

RULE 43: REPLACEMENT OF VACATED POSITION

Upon the vacancy of an office pursuant to Rule 40, the Chairperson shall, in writing, request that the appropriate appointing authority appoint a new commissioner to the vacant position.
(Government Code Section 56336)

- A. Appointing authority for county members is the Stanislaus County Board of Supervisors.
- B. Appointing authority for the city members is the City Selection Committee.
- C. Appointing authority for the public members is the Commission. The Commission shall, pursuant to Section 56325 of the California Government Code, appoint a public member. An alternate public member shall also be appointed to be eligible to vote on any proposal or matter before the Commission in the absence or disqualification of the public member. Selection of the public and alternate public members shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities.

RULE 44: NOTICE OF VACANCY FOR PUBLIC MEMBER

Upon announcement that a vacancy for the public member or alternate public member will exist, the Executive Officer shall:

- A. Post a vacancy notice inviting all interested citizens of Stanislaus County to apply within thirty (30) days of posting. The Notice shall be posted at the following locations:
 - 1. LAFCO staff office;
 - 2. LAFCO official bulletin board for posting notices and/or LAFCO website;
 - 3. Any other location directed by the Commission;
 - 4. Provide a Notice of Vacancy to the clerk or secretary of the legislative body of each local agency within the County;
 - 5. Issue a press release for the purpose of further advertising the vacancy.
- B. The Executive Officer shall forward all applications to the members of the Commission. Only applications received by the Executive Officer may be considered for appointment. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.
- C. The Commission may select a personnel committee from among its membership for the purpose of reviewing applications and bringing its recommendation to the full Commission.
- D. The Commission may interview the recommended candidates, either privately or in public. Upon conclusion of the interviews, the Commission shall publicly make the selection by appointing a candidate as the Public or Alternate Public Member.
- E. The nominee receiving a majority of the votes cast by eligible Commission members will be appointed to the vacant position for either the unexpired or full term and/or until appointment and qualification of a successor.
- F. Effective January 1, 2001, Government Code Section 56325 requires that the Public and Alternate Public Member candidate must receive an affirmative vote from at least one County Member and one City Member for appointment to that position.

EXHIBIT C

**Draft LAFCO Resolutions
2017-06 and 2017-07**

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DRAFT

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: April 26, 2017

NO. 2017-06

SUBJECT: Appointment of Regular Public Member

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, pursuant to Government Code Section 56334, the term of office for each member shall be four years until appointment of their successor and the expiration date of the term of office for a public member shall be the first Monday in May in the year in which the term of the member expires;

WHEREAS, Commissioner Brad Hawn’s term of office as the Public Member is set to expire on May 6, 2017;

WHEREAS, pursuant to Government Code Section 56325(d), the Commission has caused notice for candidates for appointment to the position of Public Member; and,

WHEREAS, the Commission has received and reviewed the applications submitted by the recruitment deadline.

NOW, THEREFORE, BE IT RESOLVED that the Commission:

- 1. Appoints _____ as the Regular Public Member, to a full four-year term beginning on May 1, 2017, and ending on the first Monday in May 2021, or until appointment of a successor.

ATTEST: _____
Sara Lytle-Pinhey
Executive Officer

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: April 26, 2017

NO. 2017-07

SUBJECT: Appointment of Alternate Public Member

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, pursuant to Government Code Section 56334, the term of office for each member shall be four years until appointment of their successor and the expiration date of the term of office for a public member shall be the first Monday in May in the year in which the term of the member expires;

WHEREAS, Commissioner Annabel Gammon’s term of office as the Alternate Public Member is set to expire on May 1, 2017;

WHEREAS, pursuant to Government Code Section 56325(d), the Commission has caused notice for candidates for appointment to the position of the Alternate Public Member; and,

WHEREAS, the Commission has received and reviewed the applications submitted by the recruitment deadline.

NOW, THEREFORE, BE IT RESOLVED that the Commission:

- 1. Appoints _____ as the Alternate Public Member, to a full four-year term beginning on May 1, 2017, and ending on the first Monday in May 2021, or until appointment of a successor.

ATTEST: _____
Sara Lytle-Pinhey
Executive Officer