

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**  
**1112 I Street #100**  
**Sacramento, California 95814**  
**(916) 874-6458**

February 2, 2011

TO: Sacramento Local Agency Formation Commission

FROM: Public Member Nomination Sub-Committee  
(Commissioners Cohn, Peters and Rose)

RE: **REVISED Sub-Committee Recommendation – Commission Adoption of Term Limits for Public Member Positions**

**RECOMMENDATION**

This report is prepared by staff, at the direction of the Sub-Committee. The Sub-Committee recommends that your Commission adopt the following policy:

No Public Member, and no Alternate Public Member, appointed by the other six members of the Commission, shall be appointed to serve more than two consecutive terms. A Public Member, or Alternate Public Member, appointed to complete less than one (1) calendar year of an unexpired term shall be eligible to serve up to two consecutive terms in addition to the partial unexpired term.

**DISCUSSION**

The Sub-Committee has met and discussed this matter. The proposed policy is similar to that which is imposed upon Board and Commission appointees of the Sacramento City Council. That policy limits appointees to a maximum of two consecutive terms, as follows: (Please see Attachment A.)

Each of the state's 58 counties has a LAFCo, and each reflects local culture and dynamics. At the direction of the Sub-Committee, staff polled other LAFCOs throughout the state regarding the imposition of term limits on any offices. Of the 58 LAFCOs e-mailed, 17 replied. The majority of responses (15) indicated no term limits in place. The poll results are provided in Attachment B.

## ATTACHMENT A

### Sacramento City Code

#### **2.40.120 Limitation on number of consecutive terms served.**

A. No person appointed to any board or commission by the mayor with the concurrence of the city council or by the city council shall be appointed to serve more than two consecutive terms.

B. Subsection A of this section shall not apply:

1. If the appointee is the mayor or a member of the city council;
2. If the appointee is appointed jointly by the mayor or city council and any other appointing authority;
3. To the administration, investment and fiscal management board of the city employee's retirement system.

C. A member appointed to complete seventy-five (75) percent or more of an unexpired term shall be eligible to serve up to two consecutive terms; the unexpired term will be considered as the first full term of the two consecutive full terms.

A member appointed to complete less than seventy-five (75) percent of an unexpired term shall be eligible to serve up to two full consecutive terms in addition to the partial unexpired term.

D. If an ordinance creating a board or commission specifies a more restrictive limitation on length of service than is set forth in this section, the more restrictive provision shall apply. If an ordinance creating a board or commission is less restrictive, the two-term limitation of this section shall apply.

E. A person shall be eligible for reappointment to a board or commission two years after the last date the member served on the board or commission. (Ord. 2002-033 § 1; prior code § 60.04.017)

## ATTACHMENT B

The following term limits are imposed by various other LAFCOs:

Santa Barbara LAFCo: “It is the intent of the ...members that the position of Public Member be rotated on a regular basis to allow qualified members of the community to serve on the Commission.” The intent is that an individual not hold two consecutive terms.

Contra Costa LAFCo: Re-appointment of a Public Member without public announcement of vacancy is limited to two consecutive terms.

Ventura LAFCo: Neither the Public Member; nor the Alternate Public Member, may serve more than one term consecutively. However, the Member may “rotate” among the two positions, and is eligible for re-appointment to the previous position upon expiration of the term. (telephone communication DL 1/28.11)

Sacramento Commission Policies and Guidelines do not explicitly address the matter of term limits. The Public and Alternate Public Member are currently appointed pursuant to the following Sacramento Commission adopted Guidelines:

### IV. A(3) Public Members

There is one regular and one alternate, public member representing the general public. The public members are appointed by, and serve at the pleasure of, the regular city, county, and special district members...

The public member and alternate serve a four year term...

The manner of recruiting and selecting the public member is a policy decision for the regular city, county, and special district members...