

*Director Ward One
Harold Kelly*

*Director Ward Two
Tony Norris*

*Director Ward Three
Guy Kay*

*Director Ward Four
David Finigan*

*Director Ward Five
Myrna Abramowicz*

AGENDA

NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT BOARD OF DIRECTORS

Monday May 14, 2007 2:00 P.M.
1195 Third Street, Third Floor, Napa, CA

GENERAL INFORMATION

Agenda items will generally be considered in the order indicated below, except for Set Matters, which will be considered at the time indicated. Agenda items may from time to time be taken out of order at the discretion of the President.

The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the District Secretary. Requests for disability related modifications or accommodations, aids, or services may be made to the Secretary's office no less than then 48 hours prior to the meeting date by contacting (707) 259-8603.

Any member of the audience desiring to address the District on a matter on the Agenda, please proceed to the rostrum and, after receiving recognition from the President, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit you comments to the specific subject under discussion. Time limitations shall be at the discretion of the President.

State law requires agency officers (Directors and Officers) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

1. Call to Order
2. Public Comment

In this time period, anyone may address the Board of Directors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the President. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

3. Set Matters

None

4. Administrative Items

- A. Approval of Minutes of Board of Directors meetings of April 9, 2007.
- B. Approval of the Final Budget and expenditure authorization for the fourth quarter of FY 2006-07.
- C. Consideration and possible recommendation to the Napa County Board of Supervisors on proposed policies, principles and priorities for the Special Projects Fund.
- D. Consideration and adoption of the District's Conflict of Interest Code.
- E. Receipt of report from the ad hoc District logo committee and possible action related to adopting a proposed logo.
- F. Consideration of web address for use by the District.
- G. Discussion and possible direction to staff on preparation of comments on the County General Plan Update to be considered by the Board at the special meeting of the Board to be held on May 31, 2007.
- H. Project Updates (verbal report by General Manager), including discussion and possible direction to staff by the Board of Directors.

5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events and other matters of interest. No action will be taken by the Board on any announcements.

6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. No action will be taken by the Board other than whether and when to agendaize such matters.

- A. Cancellation of June 11, 2007 meeting and scheduling of special meeting on May 31, 2007 at 2 p.m.

7. Adjournment

MINUTES

NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT BOARD OF DIRECTORS

April 9, 2007 2:00 P.M.
1195 Third Street, Third Floor, Napa, CA

1. Call to Order

Meeting called to order @ 2:07 pm by President Kay. Directors Kay, Kelly and Abramowicz present. Director Norris is excused. Director Finigan absent.

2. Public Comment

None

3. Set Matters

None

4. Administrative Items

- A. Approval of Minutes of Board of Directors meetings of March 12, 2007 and March 30, 2007.

Minutes of March 12, 2007 and March 30, 2007 approved as presented.

HK-MA-GK-DF-TN

X X

- B. Consideration of (1) recommendation to County Board of Supervisors to exercise the Oat Hill Mine Road easement and approve Addendum #1 to Exhibit "A" of the Napa County Grant Agreement No. 6782 related to improving and operating the route as a non-motorized recreational trail, and (2) authorization of the Board President to sign the Addendum on behalf of the District.

John Woodbury led discussion regarding Oat Hill Mine Trail. He discussed the fact that portions of the trail are on private land and talked about the Cal Trans safety project at the intersection. He asked the board to approve all four actions listed under this item. He stated that Prop. 12 funding will be available to fund some of these

projects and that they will be obtaining volunteers for some projects, who will sign a liability waiver. Barry Christian of American Canyon spoke of his concerns regarding equestrians and bikers. Board approved.

4

MA-HK-GK-DF-TN

X X

- C. Receipt of report from the ad hoc District logo committee and possible action related to adopting a proposed logo.
Chairperson for this committee not present. Item continued until May 14th meeting.

5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events and other matters of interest. No action will be taken by the Board on any announcements.

John Woodbury announced that the Board of Supervisors has extended the comment period for the Draft General Plan and EIR until June 18th. This item will be put on the agenda for the May meeting and he asked all directors to provide him with their written comments.

The Bay Area Open Space Annual Conference will be held on June 13th. He will pick up any available handouts and material for directors unable to attend.

April 21st is Earth Day. There will be a booth there and John Woodbury asked any available directors to help.

April 22nd – Knoxville clean up day – organized by Sheriff Dept.

Milliken Watershed Study has been launched.

He announced that he toured Rector Ridge (Dept of Veterans Affairs property) with Betsy Wilson – several miles of possible trails.

He will be going with Bureau of Rec next week to Marin headlands to tour an environmental education camp site.

Myrna Abramowicz questioned if the board will be planning any work at Younville X-Roads in the near future and wondered if we could use Prop. 12 funds for capital improvements needed there (kiosk).

Myrna announced that she will be gone from June 11th thru June 18th and suggested that we reschedule the June meeting.

She announced that she had met with Leon Garcia, Mayor of American Canyon.

Guy Kay announced that he will also be gone from June 8th until June 18th and would miss the June meeting. He also stated that he is having computer problems and anyone that needs to reach him should do so by telephone.

Harold Kelly announced that he will be participating in Earth Day festivities but will not be present at the Knoxville clean up day.

6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. No action will be taken by the Board other than whether and when to agendaize such matters.

Cheryl Harris commented to the board that the Bay Area Open Space Council Conference last year was fantastic and recommended that directors attend if they are able. She also asked if the Board could prioritize possible projects and suggested that they try and outreach more to the community through newspaper, website or newsletter.

John Woodbury stated that there will be a press release in the newspaper after the board action next week.

7. Adjournment

Board voted to adjourn @ 3:12 p.m.

MA-HK-GK-TN-DF

X X

GUY KAY, Board President

Barb Ruffino

ATTEST:

BARB RUFFINO
Acting District Secretary

Key

Vote: HK = Harold Kelly; TN = Tony Norris; GK = Guy Kay; DF = David Finigan; MA = Myrna Abramowicz

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused



STAFF REPORT

Date: May 14, 2007
 Agenda Item: 4.B
 Subject: Approval of Final Budget for the Fourth Quarter of FY 2006-07

Recommendation

- (1) Approve the Final Budget for the Fourth Quarter of FY 2006-07 and authorize the General Manager to approve payment of invoices consistent with this budget.
- (2) Receive report of payments made in April, 2007

Background

The Board of Directors at its February 22, 2007 meeting approved a draft grant agreement with the County of Napa, and a draft budget for the District covering the Fourth Quarter of FY 2006-07, subject to modifications that may be adopted by the Board of Supervisors in approving the grant agreement. The Board of Directors also authorized the General Manager to approve payments of invoices consistent with the budget.

The Board of Supervisors approved the grant agreement on March 27, 2007. The primary difference between the draft agreement approved by the District Board, and the grant agreement adopted by the Board of Supervisors, is that the cost of the November 2006 election, and the cost of District liability insurance, as well as offsetting revenues, were included within the District budget, as opposed to being paid directly by the County. This change makes no difference in the amount of funds available to the District for its operations in the fourth quarter.

The final budget for the Fourth Quarter is as follows:

Budget Fourth Quarter FY 2006-07

County Staff Services	\$54,420
Transportation and Travel	\$1,000
Office Expense	\$750
Insurance: Liability	\$786
District Elections	\$112,394
Total	\$169,350

During the month of April, the General Manager approved two invoices:

Alliant Insurance Services	District Liability Insurance	\$785.83
Napa County Elections Division	November 2006 Election	\$112,393.85



STAFF REPORT

Date: May 14, 2007
Agenda Item: 4.D
Subject: Consideration and adoption of the District's Conflict of Interest Code

Recommendation

- (1) Adopt the attached draft District Conflict of Interest Code

Background

On March 7, 2007 the District Board of Directors adopted Resolution 07-02, indicating its intent to adopt a Conflict of Interest Code at its May 14, 2007 meeting and directing the District Secretary to publish a notice of this intent and solicit comments from the public.

No comments on the draft Conflict of Interest Code have been received.

Upon approval of the Code by the Board of Directors, the Code will be filed with the Napa County Board of Supervisors, who are the designated reviewing body. The Code will become effective once it has been confirmed by the Board of Supervisors.

**PROPOSED CONFLICT OF INTEREST CODE OF THE
NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT**

1. Incorporation of Standard Terms. The terms of the model code set forth in Section 18730 of Title 2 of the California Code of Regulations, as such may be amended from time to time by the FPPC, are adopted and incorporated by reference as if set forth fully herein.

2. List of Designated Employees. For purposes of the requirements of the Act and the provisions of the model code, the Designated Employees of the District shall be the persons holding those offices and performing the functions of those positions set forth in Appendix "A", attached hereto and incorporated by reference herein.

3. List of Disclosure Categories. For purposes of the requirements of the Act and the provisions of the model code, the disclosure categories for the Designated Employees of the District shall be those categories set forth in Appendix "B", attached hereto and incorporated by reference herein.

4. Documents Comprising Conflict of Interest Code. For purposes of the Act, the provisions of this Resolution, the model code, and Appendices "A" and "B" shall together constitute the Conflict of Interest Code of the District on and after the date of confirmation by the Napa County Board of Supervisors.

5. Effective Date of Code. The effective date of the Conflict of Interest Code shall be the date of confirmation by the Napa County Board of Supervisors acting as code reviewing body for the District.

6. Documents to be filed with the Board of Supervisors. The District Secretary is hereby directed to file three certified copies of the Conflict of Interest Code approved by the District Board with the Napa County Board of Supervisors, the code reviewing body for the District, along with a brief description of the duties and terms of all consultants working for the District who have been determined by the District General Manager as of the effective date of this Conflict of Interest Code to be exempt from the Designated Employee "contract consultant" category for calendar year 2007, and the reasons for such exemption. The District Secretary shall send to the Elections Division of the Napa County Clerk-Recorder's Office (or its successor in interest) an updated list whenever such exempt consultant positions are added, dropped, or a change in the nature of the contracted duties makes them subject to broad or limited disclosure as Designated Employees.

7. Time of Filing Statements of Economic Interests. All persons who are required, either by this Conflict of Interest Code or by virtue of their listing in

Government Code section 87200 as public officials who manage public investments, to file Statements of Economic Interests (“Statements”) shall file initial Statements with the District Secretary for filing with the code reviewing body within thirty days after the effective date of the Code. When taking office after the time of such listing, such persons shall file assuming office Statements within 10 days after first assuming such positions if they fall under Government Code section 87200 as public officials who manage public investments and within 30 days if considered to be Designated Employees by the District’s Conflict of Interest Code. However, if they are re-elected or re-appointed without a break in service such persons need not file an assuming office Statement at the time of such re-election or re-appointment. Every such person shall thereafter file an annual Statement by April 1 of each year, covering reportable interests for the twelve-month period ending on the preceding December 31. Every such person who leaves office shall file, within 30 days of leaving office, a Statement disclosing reportable interests held or received at any time during the period between the closing date of the last Statement required to be filed and the date of leaving office.

8. Place of Filing. Designated Employees and those public officials of the District who are required to file Statements in consequence of Government Code section 87200 shall file the required Statements with the District Secretary who shall retain copies of the original Statements and forward the original Statements to the Elections Division of the Napa County Clerk-Recorder (or its successor in interest). For purpose of such filing with the District Secretary, the address of the District Secretary shall be 1195 Third Street, Suite 210 Napa, California 94559.

9. Public Inspection of Conflict of Interest Code and Statements. Commencing on the effective date of the Conflict of Interest Code or any amendment thereof, a copy of the Conflict of Interest Code and such amendments shall be maintained in the office of the District Secretary who shall make such copies and the copies of all Statements on file with the District Secretary available for public inspection and copying during regular business hours. No conditions whatsoever shall be imposed upon persons desiring to inspect the copy of the Conflict of Interest Code and amendments thereof, nor shall any information or identification be required from such persons. Copies shall be provided in accordance with and subject to charges imposed generally by the Public Records Act (Government Code sections 6250 et seq.) and District resolutions pertaining to copying of public records of the District.

10. Annual Review Statement.

(a) No later than October 1 of each even-numbered year, the District shall submit to the Napa County Board of Supervisors, as code reviewing body for the District, a written statement signed by the District General Manager his/her designee, that either:

(1) The District has reviewed the Conflict of Interest Code, that the Conflict of Interest Code designates accurately all positions which make or

participate in the making of governmental decisions for the District, that the disclosure assigned those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those designated positions, and that the Conflict of Interest Code contains the provisions required by Government Code section 87302; or

(2) The District has reviewed the Conflict of Interest Code and has determined that amendment is necessary to designate all positions which make or participate in the making of governmental decisions for the District, or to update the disclosure categories assigned to require the disclosure of all investments, business positions, interests in real property and sources of income which may be affected materially by the designated positions, or to include other provisions required by Government Code section 87302. If the statement contains this report, the District shall submit the amendment to the Napa County Board of Supervisors within 90 days of the report.

(b) Changed circumstances which require amendment of the Conflict of Interest Code shall include, but not be limited to:

(1) The creation of positions which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

(2) The reclassification, renaming, or deletion of previously-designated positions;

(3) The addition, deletion, or modification of statutorily-required provisions of this Conflict of Interest Code; or

(4) The addition, deletion, or modification of the specific types of investments, business positions, interests in real property, and sources of income which are reportable unless such changes have been automatically incorporated into this Conflict of Interest Code as the result of inclusion of the changes into the model code by the Fair Political Practices Commission.

APPENDIX “A”

LIST OF DESIGNATED EMPLOYEES

Because of the nature of the powers and duties conferred on the District by the provisions of Chapter 3 of Division 5 of the Public Resources Code, the policies adopted by the Board of Directors of the District, and the terms of support services and consultant agreements approved by the Board of Directors, the following positions within the District may involve the making or participation in the making of decisions of the District which may foreseeably have a material effect on financial interests of the holders of the positions. Most of the positions listed are of long-term duration, although some are limited-term positions, but all are listed because their scope of District or work involves either making final decisions for the District which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the “Designated Employees” of the District shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants or their employees or subcontractors:

DESIGNATED EMPLOYEE POSITIONS

Members of the Board of Directors

General Manager

District Legal Counsel (Napa County Counsel, serving ex-officio, including any deputy county counsel when assigned to advise and/or represent the District)

District Auditor (Napa County Auditor, serving ex-officio)

Contract Consultants for the District. Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The General Manager may determine in writing that a particular contract consultant, although a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to comply or fully comply with all of the disclosure requirements described in Appendix “B”. This written determination shall include a description of the contract

consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as the District's copy of the Conflict of Interest Code.

PUBLIC OFFICIALS OF THE DISTRICT WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the District Treasurer (the Napa County Treasurer-Tax Collector serving ex-officio) manages public investments and therefore is required by statute to file a Statement of Economic Interests pursuant to Government Code section 87200.

APPENDIX “B”

DISCLOSURE CATEGORIES

Rationale. The decisions which the Designated Employees may make or participate in making for the District may involve exercising or directly influencing the exercise of any of the powers conferred on the District by Division 5 of the Public Resources Code, including the expenditure of funds for public recreation purposes.

Except where otherwise determined for specified contract consultants pursuant to Appendix “A”, the decisions by the Designated Employees in the routine course of their work for the District may have the potential to impact at a level commonly recognized as “material” by the Political Reform Act of 1974, as amended, and the regulations adopted by the Fair Political Practices Commission (“FPPC”) to implement that Act, any or all of those types of financial interests listed in all of the Disclosure Schedules of the Statement of Economic Interests Form approved by the FPPC.

For this reason, all of the Designated Employees under this Conflict of Interest Code, other than specified contract consultants whose disclosure responsibilities or exemption therefrom are determined in writing on a case-by-case basis as described in Exhibit “A”, shall comply with the broadest possible Disclosure Category applicable under the then-current Statement Form and Schedules, disclosing all sources of income, interests in real property, and investments and business positions in business entities.