



**Napa County Regional Park
and Open Space District**

Vacant
Director, Ward One

Tony Norris
Director, Ward Two

Michael Haley
Director, Ward Three

Dave Finigan
Director, Ward Four

Barry Christian
Director, Ward Five

AGENDA

BOARD OF DIRECTORS SPECIAL MEETING

Friday, August 23, 2013 at 11:00 A.M.

1195 Third Street, Third Floor, Napa, Calif. 94559

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 than 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.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Directors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the NCRPOSD Office at 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code §§6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

1. Call to Order and Roll Call

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

11:00 am Consideration and potential approval of next steps concerning filling the Board of Directors Ward 1 vacancy.

4. Adjournment

Next scheduled Regular Board Meeting: Monday, September 9, 2013, 2:00 p.m.



Napa County Regional Park
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STAFF REPORT

Date: August 23, 2013
 Agenda Item: 3
 Subject: Consideration and potential adoption of process for filling the vacancy in the Board of Directors for Ward 1

Recommendation

1. Determine that the Board of Directors will seek to fill the vacancy through appointment.
2. Direct staff to prepare, distribute and accept applications to fill the vacancy.
3. Set an application due date of Wednesday, September 4, 2013.
4. At the regular Board meeting of September 9, based on the number and character of applications, determine the date and manner of candidate interviews.
5. Conduct interviews as desired and consider appointment of Director for Ward 1 at a special Board meeting during the week of September 16, 2013.

ENVIRONMENTAL DETERMINATION

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Background

Harold Kelly submitted his resignation as District Director for Ward 1 on Thursday August 15, 2013 (see attached)

As discussed below, the vacancy triggers rather quick deadlines for notifying the Registrar of Voters and for filling the vacancy.

Pursuant to State law (Government Code Section 1780) the District must notify the Registrar of Voters within 15 days of the effective date of the vacancy, or the date the Board is notified of the vacancy, whichever is later. General Manager John Woodbury notified the Registrar on Tuesday, August 20, 2013.

The vacancy may either be filled by appointment, or by special election. If it is filled by election, the election date is required to be held on the next established election date that is more than 130 days

from the date of vacancy (November 4, 2014). Staff does not recommend this option because it would leave the Board of Directors with only four members for more than a year, which could create problems with obtaining quorums at Board meetings, as well as leave the residents of Ward 1 without direct representation.

If the position is not to be filled through election, the Board of Directors has 60 days from the date they were notified of the vacancy to fill the vacancy (Monday, October 14,, 2013). If the District Board does not make the appointment within that time frame, the Board of Supervisors has 90 days from the date the District was notified of the vacancy (Tuesday, November 12, 2013) to make the appointment. If neither the District Board nor the Board of Supervisors appoint to fill the vacancy, then the vacancy would be filled by election at the next scheduled general election.

Staff recommends the District Board seek to fill the vacancy by appointment within the 60 day time frame. This is important to both the conduct of regular District business as well as to assure representation for the residents of Ward 5.

The only legally required notification under the appointment process is to post a notice of the vacancy in at least three prominent locations within the District at least 15 days before the District Board makes the appointment. However, staff recommends the District take the additional steps and issuing a press release announcing the vacancy and appointment process the District will use, requesting applications from interested persons, and conducting interviews of all or a selected subset of any applicants.

The regular Board meeting of October 14, 2013 is exactly 60 days from the date the Board was notified of Harold Kelly's resignation. While the Board could defer the final decision to that date, it leaves no room for changes in the schedule should they be needed. The time frames recommended by staff in the recommendation section of this memo would therefore have applications due the Wednesday before the next regular Board meeting, so that the Board has a chance to review how many applicants there are and at the regular September meeting determine whether/how to interview candidates. One special meeting of the Board would then need to be scheduled for later in September for any interviews and appointment. This approach maximizes the amount of time that Directors will have to consider applications, check backgrounds and make the appointment.

The above schedule only provides 18 days for candidates to submit their applications, and at most two weeks from the date of publication of the vacancy and application process. This is rather tight. If the Board believes more time is needed to publish the vacancy and for potential candidates to apply, an alternative would be for the Board to assume that all candidates will be interviewed, make all applications due on Friday, September 20, 2013, and schedule a special board meeting for interviews and appointments the week starting September 30, 2013.



Napa County Regional Park
and Open Space District

**APPLICATION FOR APPOINTMENT TO BOARD OF DIRECTORS
NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT***

1195 Third Street, Second floor, Napa, CA 94559

*Please submit applications no later than 4 pm on **Wednesday, September 4, 2013**
at the second floor of the Napa County Administration building at
1195 Third Street, Napa, CA 94559.*

1. FULL NAME: _____

2. DATE: _____

3. CURRENT OCCUPATION (*within last 12 months*):

4. CURRENT LICENSE(S) (*date of issue and/or expiration including status*):

5. EDUCATION/EXPERIENCE (*list schools, dates enrolled, degree obtained if any*):

8. NAME AND OCCUPATION OF SPOUSE WITHIN LAST 12 MONTHS, IF MARRIED
(for identifying potential conflicts of interest)

9. PLEASE EXPLAIN YOUR REASONS FOR WISHING TO SERVE AND HOW YOU FEEL YOU COULD CONTRIBUTE:

10. PERSONAL INFORMATION *(the following information is provided in confidence, but may be used by the Board of Directors when making the appointment, or be used by the District following appointment for purposes of communicating with the appointee)*

a. Email address: _____

b. Home address: _____

c. Telephone (home): _____

Telephone (office): _____

Telephone (cell): _____

11. REFERENCES *(address, phone and email information is provided in confidence; the names of references is public information)*

a. Name: _____ Phone: _____

Address: _____

Email: _____

b. Name: _____ Phone: _____

Address: _____

Email: _____

c. Name: _____ Phone: _____

Address: _____

Email: _____

PLEASE NOTE:

APPOINTEES WILL BE REQUIRED TO TAKE THE OATH OF OFFICE AS REQUIRED BY STATE LAW. APPOINTEES WILL BE REQUIRED BY STATE LAW AND DISTRICT CONFLICT OF INTEREST CODE TO FILE FINANCIAL DISCLOSURE STATEMENTS. THIS APPLICATION IS TO FILL A MID-TERM VACANCY ONLY FOR AN OTHERWISE ELECTED POSITION.

All applications will be kept on file for one year. Applications are public records that are subject to disclosure under the California Public Records Act. Information provided by the applicant is **not** regarded as confidential **except** for the addresses and phone numbers of references and the applicant's personal information including home and work addresses, phone numbers and email address.



August 23, 2013

FOR IMMEDIATE RELEASE

CONTACT:

John Woodbury
General Manager
jwoodbury@ncrposd.org
707 259-5933

Applications Sought for Board of Directors Ward 1

Do you have the interest, experience and talent to serve as a Director for the Napa County Regional Park and Open Space District representing Ward 1. The District is seeking to fill the vacancy caused by the resignation of Harold Kelly, who had served on the Board of Directors representing Ward 1 since the formation of the District. Ward 1 is located in the southwest part of Napa County, including Carneros, part of Browns Valley, and most of southern and central City of Napa--see attached map).

Applications are due by **Wednesday September 4, 2013** by 4 pm. The appointment to fill the vacancy will be made by the four current Directors of the park district. The appointment will be effective through the end of former Director Kelly's term, which ends on January 12, 2015. The seat will be filled for a full four-year term by the voters of Ward 1 at the general election in November of 2014. Whoever is appointed to fill the current vacancy would be eligible to run for the subsequent four-year term. Directors receive no compensation.

The Board of Directors provides policy direction for the District, adopts the District budget, monitor District revenues and expenses, approves contracts and evaluates performance. Most importantly, Directors represent the people and interests of their respective Wards, and serve as the primary liaison between the District and the public.

The Napa County Regional Park and Open Space District was established by the voters of Napa County in November of 2006. The District is guided by a Master Plan adopted by the Board of Directors in 2009. The Master Plan identifies three main goals for the District:

- (a) Provide opportunities for outdoor recreation
- (b) Preserve, restore and protect open space lands, natural resources and special habitats
- (c) Provide historical, cultural and environmental educational programming

The District is currently funded through a combination of grants and program revenues, including about 6.4 percent of the Transient Occupancy Tax collected by Napa County, other competitive public and private grants, and program income. A major challenge facing the Board of Directors over the next several years is to develop new and stable funding to supplement these existing sources of revenue.

The District currently owns over 4,000 acres of open space. Projects include:

- Bothe-Napa Valley State Park and the Bale Grist Mill State Historic Park, in partnership with the Napa Valley State Parks Association
- Napa River and Bay Trail in and north of the American Canyon, in partnership with the City of American Canyon, and extending the trail north to the City of Napa
- Oat Hill Mine Trail
- Moore Creek Park
- Berryessa Vista Wilderness Park
- Camp Berryessa, a youth and group oriented outdoor education camp (scheduled to open in the fall of 2014)
- Berryessa Peak Trail

Application materials, the District Master Plan and other information about the Napa County Regional Park and Open Space District can be downloaded at

www.NapaOutdoors.org.

