



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

Harold Kelly  
*Director Ward One*

Tony Norris  
*Director Ward Two*

Guy Kay  
*Director Ward Three*

Dave Finigan  
*Director Ward Four*

Myrna Abramowicz  
*Director Ward Five*

## AGENDA

### BOARD OF DIRECTORS REGULAR MEETING

**Monday August 9, 2010 2:00 P.M.**  
1195 Third Street, Third Floor, Napa, CA 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 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 your 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 Supervisors 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 Conservation, Development and Planning Department Office at 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 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 sections 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

None

4. Administrative Items

- A. Consideration of and potential approval of Minutes of Board of Directors meeting of July 14, 2010.
- B. Consideration of and potential approval of amendments to the District Conflict of Interest Code.
- C. Consideration of preliminary (unaudited) annual financial report for FY 2009/2010.
- D. Consideration and potential approval of a Memorandum of Understanding with the Bureau of Reclamation and a professional services agreement with an environmental consulting firm, to conduct CEQA and NEPA review for the proposed Camp Berryessa facility, and to amend the FY 2010-2011 District budget to pay for the environmental review.
- E. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager.
- F. Receipt of the final response to the 2009-2010 County Grand Jury report.
- G. Review of the District Projects Status Report.

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 agendize such matters, unless specifically noted otherwise.

7. Adjournment



Napa County Regional Park  
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Director Ward Five

## MINUTES

### BOARD OF DIRECTORS REGULAR MEETING

Monday July 12, 2010 2:00 P.M.  
1195rd Street, Third Floor, Napa, CA 94559

1. Call to Order and Roll Call

Meeting was called to order by President Abramowicz.  
Directors Finigan, Kay, Norris and Kelly were present.

2. Public Comment

None.

3. Set Matters

2:10 P.M. Presentation by the City of American Canyon, and direction to staff, regarding City request for District to hold a conservation easement on the Clark Ranch West property northwest of the intersection of Eucalyptus Road and Wetlands Edge Drive.

Community Development Director Brent Cooper gave the presentation. Directors requested specific details of the proposed easement before making a decision.  
No action taken.

4. Administrative Items

A. Consideration of and potential approval of Minutes of Board of Directors meeting of May 10, 2010 and June 14, 2010.

Minutes were approved as presented.

DF-TN-GK-MA-HK

X

B. Consideration and potential approval of professional services agreement to conduct surveys and tests and prepare plans for the proposed Moore Creek Park.

Directors voted to go forward with Professional Services Agreements as follows:

Delta Consulting and Engineering	Not to exceed \$6,960
Terra Firma Surveys, Inc.	Not to exceed \$3,230
Jacobsen and Associates, Architects	Not to exceed \$21,000
TN-GK-DF-MA-HK	
X	

C. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager.

Report received. No action taken.

D. Consideration of and potential approval of response to the 2009-2010 County Grand Jury report.

Directors voted to approve the response to the recommendations contained in the 2009-10 Napa County Grand Jury Final Report with minor amendments.

GK-TN-DF-MA-HK  
X

E. Review of the District Projects Status Report.

John Woodbury gave the report with discussions on Napa River Bay Trail, Moore Creek, Camp Berryessa, Napa River Ecological Reserve, Oat Hill Mine Trail, and River to Ridge Trail.

5. Announcements by Board and Staff

- Director Dave Finigan reminded staff of the need to prepare a Third Year Report for the District.
- Director Myrna Abramowicz announced that the River Festival will be held September 5, 2010.

6. Agenda Planning

7. Adjournment

Meeting was adjourned to the regular Park and Open Space District meeting of August 9, 2010.

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Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: August 9, 2010  
Agenda Item: 4.B  
Subject: Consideration of and potential approval of amendments to the District Conflict of Interest Code.

### Recommendation

Approve the proposed amendments to the District Conflict of Interest Code.

### Background

The District's existing Conflict of Interest Code designates the Elections Division of the Napa County Clerk/Recorder's Office as the repository for changes in the list of positions and disclosure categories covered by the requirements of the District's Conflict of Interest Code. Beginning this year, that office will no longer maintain such lists for special districts. The District's Code therefore needs to be amended.

The District Secretary already serves as the filing officer for annual Statements of Economic Interest for designated positions, the District Secretary maintains original copies of all consultant contracts, and each consulting contract indicates whether that contractor is subject to the reporting requirements of the Code. The District Secretary is thus the logical position to have responsibility for maintaining a current list of who is subject to the reporting requirements of the Code.

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

Proposed August 9, 2010

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 20072010, 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.



Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: August 9, 2010

Agenda Item: 4.C

Subject: Consideration of preliminary (unaudited) annual financial report for FY 2009/2010

### Recommendation

Receive the report from the District Auditor.

### Background

The preliminary (unaudited) annual financial report for the period July 1, 2009 through June 30, 2010 will be distributed to the Board at the meeting. The District Auditor Tracy Schulze will discuss the report and be available to answer any questions.



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: August 9, 2010

Agenda Item: 4.D

Subject: Consideration and potential approval of a Memorandum of Understanding with the Bureau of Reclamation and a professional services agreement with an environmental consulting firm, to conduct CEQA and NEPA review for the proposed Camp Berryessa facility, and to amend the FY 2010-2011 District budget to pay for the environmental review.

### Recommendation

- (1) Authorize the Board President or General Manager to execute a Memorandum of Understanding between the District and the Bureau of Reclamation describing how the two agencies will share responsibility for completing environmental review for the proposed Camp Berryessa facility.
- (2) Amend the District FY 2010-11 Budget as necessary to pay for completing environmental review for the proposed Camp Berryessa facility, with the recommended amendment to be presented by the General Manager at the meeting.
- (3) Approve a Professional Services Agreement to prepare combined CEQA/NEPA environmental review, with the recommendation of which professional services firm to retain to be presented by the General Manager at the meeting.

### Background

The District has been working with the Bureau of Reclamation in evaluating the feasibility of and developing a proposal for the redevelopment of the former Boy Scouts of American Camp Berryessa into an environmental/outdoor education and group camping facility. The District has completed a feasibility study which the District Board has previously reviewed, and the District and Reclamation are finalizing a land use agreement which grants the District the authority to construct and operate such a facility. Prior to the District Board and Reclamation executing this land use agreement, the proposed facility must be reviewed pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

Based on currently-available information, it should be possible to prepare a combined CEQA/NEPA document, and for the District to adopt a Mitigated Negative Declaration (MND) under CEQA, and for Reclamation to adopt a Finding of No Significant Impact (FONSI) under NEPA.

District and Reclamation staff are finalizing a Memorandum of Understanding that describes the respective roles of the two agencies. Under this MOU, the District will be responsible for retaining and paying for a consultant to prepare all a combined CEQA/NEPA document, and for adopting the MND. Reclamation will be responsible for adopting the FONSI, as well as completing Section 106 (historical and cultural resources) consultation with the State Historic Preservation Office.

District staff has discussed funding for the proposed facility with State Coastal Conservancy staff. Conservancy staff is favorable to recommending that the Conservancy provide nearly all (\$1.5 million) of the funding necessary to implement Option A as described in the feasibility study, provided the land use agreement with Reclamation can be completed in time to bring the funding proposal to the Conservancy Board prior to the end of this calendar year.

It is therefore imperative that CEQA and NEPA review be completed very quickly.

Given the need for a quick turnaround time, the environmental review must be prepared by a firm which is already familiar with Reclamation's internal processes and expectations, as well as with Lake Berryessa. The District therefore requested from Reclamation, and Reclamation provided, the names of five consulting firms with the requisite experience. A Request for Proposals was sent to these five firms, and three responses were received.

The proposed cost of the environmental review varies widely among the three respondents, as follows:

Tetra Tech	\$84,035
North State Resources	\$26,617
CDM	\$39,962

The variance in cost is due to different approaches and proposed levels of detail. Since Reclamation must approve the NEPA review, the approach which is utilized and the level of detail provided must be acceptable to Reclamation.

The responses are now being reviewed by District and Reclamation staff, and District staff hopes to have a recommended firm in time for Board consideration at its August 9, 2010 meeting.

The cost of this environmental review is not currently budgeted. A proposal for how to amend the adopted budget to pay for the review will be provided at the Board meeting.



Napa County Regional Park  
and Open Space District

**STAFF REPORT**

Date: August 9, 2010  
 Agenda Item: 4.E.  
 Subject: Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager

Recommendation

Receive the report.

Background

Section III.A (7) authorizes the General Manager to bind the district for supplies, materials, labor and other valuable consideration, in accordance with board policy and the adopted District budget, up to \$10,000 for non-construction purposes and up to \$25,000 for construction purposes, provided that all such expenditures are subsequently reported to the Board of Directors. Section III.A(8) of the By-Laws authorizes the General Manager to apply for grants and receive donations, subject to reporting such actions to the Board of Directors. Pursuant to this authorization, the following information is provided to the Board.

Date                      Purpose                                      Source / Recipient                                      Amount

7/21/2010	Moore Creek Property Insurance	Alliant Insurance	\$644.00
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July 12, 2010

The Honorable Stephen T. Kroyer  
Presiding Judge, Superior Court of California—Napa County  
825 Brown Street  
Napa, CA 94559

RE: Response to Grand Jury Report of May 24, 2010

Dear Judge Kroyer:

The Napa County Regional Park and Open Space District Board of Directors appreciates the thoughtful and supportive comments made by the Grand Jury in its Final Report on the Napa County Regional Park and Open Space District which was issued on May 24, 2010. As required by Section 933(c) of the California Penal Code, the District Board has approved the following response to the three recommendations made in the Final Report.

*Recommendation #1: The District present the annual budget to the public in such a way as to state clearly which funds are obtained from the County and which are from outside grants for operations, capital improvements, and acquisitions.*

*Response #1: The District already implements this recommendation.*

The District's budget for each year since formation of the District does clearly separate which funds are obtained from the County and which are from outside grants, as well as distinguish between capital, acquisition and operational purposes. The County's Budget, on the other hand, does not separate out the various distinctions of the funding, which may be what this recommendation is referencing. Although it would be beneficial to the District to have the County's budget reflect the same line items as in the District budget, it is not under the District's control to do this. The County does maintain detailed support of the funding breakdown and it is consistent with the District's Budget.

It should be noted that the graph on page nine of the Final Report is somewhat misleading in that it combines operating and capital grants from the County to the District, and therefore concludes that County support for the District has been roughly twice what was projected for operating expenses prior to formation of the District. In fact, as the District budget documents indicate, the County's grant funding for District *operating* expenses has averaged less than the \$300,000 to \$350,000 per year projected by the County prior to the establishment of the District.

*Recommendation #2: The District disclose to the public, by notation, the SPAF funding and disbursements in both the District's annual budget and audit report.*

*Response #2: The District will include a notation in the Management Analysis for the next District audit regarding the potential for a future District role in the acquisition of Skyline Park, as recommended in the Final Report.*

The set-aside for the Skyline Park Acquisition Fund is solely a County budget matter, and is not in any way controlled by the District. Skyline Park is managed by the County, through a lease with the State; the District at this time has no legal or formal role in the management of the park. It is the County, not the District, which is the sponsor of state legislation that would authorize the sale of the land to the County. Nonetheless, as noted in the District's Master Plan, the District supports acquisition of the property from the state, and should that legislation pass, and the County and the State successfully enter into a purchase and sale agreement, it may turn out that the County and District will agree that management and/or ownership of the park should be transferred to the District.

Since the District's adopted Master Plan does indicate that there could be a future management and/or ownership role for the District related to Skyline Park, the District Manager will provide a brief statement in the Annual Audit indicating this potential role and the funding which has been set aside by the County.

*Recommendation #3: The District staff prepare a plan and timeline for a reduction in County funding and present it to the BOD.*

*Response #3: The District Board does not believe this recommendation is warranted at this time but will revisit this issue in 2011 as part of the already planned first update to the District's Master Plan.*

The District has devoted considerable thought to the long-term finances of the District. The District's Master Plan, adopted in January 2009 and subsequently received by the County Board of Supervisors, lays out a multi-year financial and organizational strategy. The strategy says, in essence, that the District must establish a positive track record of accomplishment, responsiveness and efficiency, using its current, albeit limited, funding, before it should consider asking the voters for additional funding.

The Final Report notes the District has operated diligently and frugally, and made substantial progress toward its goals. The Final Report also notes the District has the legal authority to ask the voters for certain types of dedicated tax revenues, and that prior to the formation of the District, it was anticipated that within a few years after formation the District would seek voter approval for dedicated tax revenues. In light of these observations, Recommendation #3 appears to be saying the District should seek a tax increase (since there is currently no other way to reduce County financial support without eliminating the District). The District appreciates the Grand Jury's faith in the District that is implied by this recommendation, and the District Board would very much like to have a dedicated and predictable source of long-term funding.

However, shortly after the formation of the District, the local, national and international economies were hit extremely hard. In addition to the hardship that this has caused to individuals and businesses, the economic situation has placed serious fiscal burdens on all levels of government and the programs and services provided by the public sector. In light of this, the District Board believes

that now is not the appropriate time to be contemplating adding to the burdens facing local taxpayers.

Given the current state of the economy, the key challenge for the District at this time is to focus on the planning and permitting for as many as possible of the worthy projects included in its Master Plan. Only after it has done all that it can with its current funding should the District decide whether it makes sense to ask the voters for new, dedicated revenues to complete and operate the projects which cannot be pursued without additional funding. Should it decide to pursue approval of dedicated tax funding, this approach will allow the District to provide the voters with the detail they deserve regarding how their taxes would be used.

It should also be noted that the amount of funding provided by the County for parks and open space is primarily a policy matter for the County Board of Supervisors. While the voter-approved ballot measure which increased the Transient Occupancy Tax in 2004 placed the new revenues into the General Fund, without specific earmarks, parks and open space was clearly identified as one of the purposes for which the new funds were intended. Given the magnitude of unfunded park and open space needs in Napa County, as long as the County Board of Supervisors continues to support and have faith in the work of the District, the District believes any future District efforts to obtain new funding should be for the purpose of accomplishing more, and not reducing the County's use of TOT funds for park and open space purposes.

On a final note, the District Board appreciates the Commendations included in the Final Report. We are especially proud of our successful and ever-increasing use of volunteers. We have focused considerable efforts on building a strong volunteer base, not only because of the economic value which volunteers provide, but also because we believe strong community involvement is essential to the long-term effectiveness of the District, and our success in preserving and allowing public enjoyment of Napa County's special open spaces.

Sincerely,

Myrna Abramowicz  
President, Board of Directors

Plan of Projects

Status Report for August 9, 2010

Name of Project	Description	Status
Bay Area Ridge Trail Realignment		
	Amendment to the proposed alignment of the Bay Area Ridge Trail extend north to the Oat Hill Mine Trail	Ridge Trail Board has approved evaluating the amended alignment. District staff is working with the Ridge Trail and other partners to prepare the evaluation. Sonoma County agency staff have prepared an initial analysis of trail alignments on the Sonoma side of the Napa-Sonoma border.
Bay/River Trail -- American Canyon to Napa		
	An 8+ mile recreational trail between the cities of American Canyon and Napa generally following the Napa River and interior levees of associated wetlands.	
	Phase One--Euclyptus Drive to Green Island Road	Feasibility study completed. Phase one (American Canyon to Green Island Rd) CEQA review and Use Permit done. The contract for a \$1,032,300 California River Parkway Grant has been signed. Agreements between the Waste Management Authority, City of American Canyon and the District for the landfill loop have been signed. The District-DFG Agreement has been signed. The Authority has approved the necessary amendment to the landfill closure permit. <u>DFG expects to complete levee repair work by early September, at which time the next step is for the District to obtain the services of a civil engineering firm to prepare plans and specifications.</u>
	Phase Two--Green Island Road to Soscol Ferry Road	Questa has completed the draft PUC permit application for a public crossing of the SMART tracks. <u>Negotiations with SMART and NCRA to gain their support for the public crossing are continuing.</u> DFG has agreed, subject to further environmental review, to allow the trail to run along the eastern edge of Fagan Marsh. <u>LSA Associates expects to complete biological survey work for this segment and have a draft report to staff by the end of August.</u>
	Phase Three--Soscol Ferry Road to Napa Pipe	All permits and permissions have been obtained, and construction bid documents are done. The project is ready to go to construction as soon as funding can be obtained. NCTPA has included this project in its request to MTC for funding in the regional 2011 Transportation Improvement Plan.
Berryessa Estates	Acquire 480 acres next to Berryessa Estates from BLM at no fee through their Recreation and Public Purpose Act procedure. Would serve as a wilderness park for local residents eventually be the northern trailhead for a trail between Berryess Estates and Pope Canyon.	The District has applied to BLM for the no-fee transfer of this property. CDF and the Pope Valley Volunteer Fire Department have added a proposal to construct a fire substation on a corner of the property. A community meeting with about two dozen attendees was held March 10, 2009 at the Pope Valley Farm Center to get input from and determine level of support in the community. The District has completed the donation to the District of a small, 0.2 acre property that provides critical access to the northeast corner of the property. The District has allowed excess soil from a nearby public project to be disposed of on this property, which saves them money and facilitates the eventual construction of the fire substation; <u>staff is working on a drainage easement to the County to assure the County takes care of the extension of the storm drain under this new fill.</u> CDF crews did extensive fire break work in 2009 to protect the residences next to the BLM land. It appears CDF crews will be available again in 2010 and will clear brush along the main ridgeline where the future trail alignment is proposed.
Berryessa Vista	Planning and stewardship of this 224 acre wilderness park.	Volunteers working with the District have completed detailed GIS mapping showing all existing roads, creek crossings, vista points and potential campsites. Continuing damage by off-road vehicles trespassing on the property was noted. No further work is anticipated until Lake Berryessa Trail planning is completed by Berryessa Trails and Conservation.
Blue Ridge/Berryess Peak Trail	Obtain right of way and construct trail to provide public access to extensive federal lands on Blue Ridge and to Berryessa Peak	Obtained donated trail easement from the Ahmann family to close gaps between existing public lands on Blue Ridge. Undertook a reconnaissance of the trail route in December 2008. Based on this reconnaissance, a revised easement description was drafted, approved by the landowner and recorded. Botanical surveys field work needed for CEQA review is complete. At Negative Declaration and Use Permit hearing was approved December 16, 2009 by the County Planning Commission. An Operations and Management Plan has been approved by the property owner and the District. District staff and volunteers have flagged the route of the trail through the Ahmann property.
Camp Berryessa	Redevelopment of former Boy Scout Camp into a group/environmental education camp.	MOU with Bureau of Reclamation gave the District an 18 month period to develop a feasibility study for the camp. BOR has completed its cultural survey of the site. The District has completed the feasibility report, and BOR has reviewed and supports the conclusions. The District has prepared a draft land use agreement, which is undergoing review by BOR. The Coastal Conservancy has expressed preliminary support for funding most of the cost of construction for Option A. <u>Proposals for preparation of needed CEQA/NEPA review were received on August 10, 2010 with contract award by the District expected on Aug 9, 2010.</u>
District Non-profit Foundation	Organize a non-profit foundation to raise funds for District projects	The District Board has approved the goals, objectives and basic structure for a non-profit foundation to assist the District with fundraising. Board members are contacting potential future members of the foundation governing board.

<p>Lake Hennessey North Shore Trails Would open up several miles of existing dirt access road, and construct approximately 1 mile of new single track trail, into a loop trail system on the north side of Lake Hennessey, and connecting to the planned Moore Creek Open Space Park trail system.</p>	<p>This project is being combined with the Milliken Ridge Trail project for purposes of seeking City of Napa approvals to construct and operate trails on their property. The Napa City Council in November, 2009 directed city staff to work with the District to finalize an agreement for the proposed Hennessey trails. A plant survey of the new section of trail was completed on April 3, 2010. <u>Staff is currently preparing the environmental review document for this project.</u></p>
<p>Milliken Reservoir Trails and Picnic Area Would construct approximately 3 miles of Bay Area Ridge Trail plus additional feeder and loop trails, along with a staging and picnic area</p>	<p>The feasibility study has been completed, and accepted by the Board of Directors. The Napa City Council in November, 2009 approved city staff recommendation to hold off on the Milliken Reservoir trails project until the Hennessey trail project is up and running.</p>
<p>Moore Creek Open Space Park Development Development of open space park on 673 acres acquired by the District adjacent to City of Napa watershed lands at Lake Hennessey to protect habitat, provide recreational trails, and overnight camping facilities.</p>	<p>Wells at the gate house and ranch house dug, pumps installed and water quality tested. The ranch house well is probably too salty to use <u>bids are being sought to complete hookup of the gatehouse well.</u> An agreement for surveying the boundary between the District property and adjacent private property to the east has been signed, but the survey is going slowly; <u>District Counsel has corresponded with the owner's attorney regarding completing the work.</u> Volunteers have demolished a large old shed , constructed a new boundary/pool fence at the ranch house, planted and irrigated 250 willows, oaks and buckeyes to stabilize a section of creek bank; demolished 3 additional decrepid structures, removed thousands of invasive French broom plants, and done a lot of tree pruning and weed removal to reduce fire risk, and hauled off more than 50 yards of trash. <u>Work on a Proposed Negative Declaration, Use Permit application and operating agreement with the City of Napa continues. Contracts for engineering and architectural services were approved in June 2010.</u></p>
<p>Napa River Ecological Reserve Restoration Remove invasive plants and restore native vegetaion in the entryway meadow, replace damaged signage and information panels, restorate the interior trail and interpretive elements, and if feasible install a seasonal bridge, using a \$100,000 grant from the State Coastal Conservancy.</p>	<p>The California Conservation Corps completed a first round of mechanical weed removal and installed an all-weather surface on the trail from the parking area to the river levee, in May 2010. In June the CCC did follow up chemical spraying and completed construction of the interpretive path. <u>Staff is working with local teachers to development curriculum and set up educational field trips for the next school year.</u></p>
<p>Oat Hill Mine Trail Improvements to first 1/2 mile of trail next to Calistoga</p>	<p>The project is on hold pending resolution of litigation. The judge hearing the legal challenge to the trail in December 2008 denied the substance of the issues raised by the plaintiff. The plaintiff in late April 2009 selected new legal counsel to represent him; this was the third legal counsel he has used on this case. The court case was scheduled to be heard on December 16, 2009, was postponed until February due to the judge's illness, was postponed until March due to plaintiff's illness, and on March 1st in the courtroom the plaintiff fired his attorney and obtained a continuance until June. At the June court hearing the judge threw out the lawsuit for failure of the plaintiff to have an attorney and to pursue the litigation in a timely way. Still remaining to be heard is a cross-complaint by the County which is intended to get judicial approval for a specific surveyed right-of-way. County staff is preparing the necessary survey documents.</p>
<p>Oat Hill Mine Trail Transfer of 40 acre parcel from BLM</p>	<p>The District in 2008 applied to BLM for a non-fee transfer to the District of a 40 acre parcel at Maple Springs on the Oat Hill Mine Trail; this application is pending.</p>
<p>Rector Ridge/Stags Leap Ridge Trail Construction of staging area and 6+ miles of Ridge Trail climbing east from Silverado Trail near Rector Creek.</p>	<p>CEQA on this project was completed several years ago--staff is preparing an update to the Negative Declaration due to the passage of time since the original approval. The project concept has been approved by the District Board, and is being positively viewed by the Veterans Home administration. District and Veterans Home staff met on June 30, 2009 to develop a strategy to allow the project to go forward. In late February 2010 the Veterans Home staff indicated they may have a revised strategy for moving forward; but after discussion this did not appear like the way to go, so discussions are continuing.</p>
<p>River to Ridge Trail Lot line adjustment to legalize River to Ridge Trail as constructed (it curently encroaches on private property in two locations)</p>	<p>Deeds accomplishing the adjustment in property boundaries between Syar and the State have been recorded. If the County ends up not being able to purchase Skyline Park, including the area with the River to Ridge Trail, then the County and the state will need to record a new trail alignment easement description.</p>
<p>River to Ridge Trail Correct drainage problems to trail can be used year-round.</p>	<p>Two volunteer work weekends in March and April and two more in May of 2010 were organized by the District to clear brush, improve drainage, and surface about 300 feet of the trail with quarry fines to control problems with mud. About 50 feet of the trail still needs to be surfaced with quarry fines.</p>

Skyline Park Trail Improvements	Major volunteer event to reroute and repair trails	<u>Staff is working with SPCA and V-O-CAL to sponsor a weekend work party on October 15-17, 2010 with approximately 100 volunteers to reroute and repair trails experiencing serious erosion problems. SPCA will donate \$1,000 toward expenses.</u>
Skyline Park Facility Improvements	Partner-sponsored improvement include a second greenhouse and a covered equestrian arena.	The proposals for a second greenhouse and a covered arena were approved by the Department of General Services and by the County Board of Supervisors. The sponsors of these projects are now raising funds for implementation.
South Napa Wetlands Habitat Area	Transfer to the District those wetlands owned by the Napa County flood control district between the Napa River, Highway 29 and Newport Drive for use as habitat and nature-based recreation.	Transfer approved in concept by the flood control district. Park District staff has prepared the first draft of a transfer agreement. The Flood District and staff are continuing to research details related to completing the transaction. Attorney's for the flood district have concluded it would be better from their perspective for the flood district to retain ownership of the property, but to grant an access and habitat restoration easement to the district.
Vallejo Lakes	Possible purchase of 1100 acres of surplus Vallejo Water District lands, of which 200 acres are located in Napa County	Staff-level discussions between the District, the Land Trust of Napa County, the County of Solano and the Solano Land Trust indicate a common desire to work together to purchase this property adjacent to Skyline Park. The City Council of the City of Vallejo has officially authorized staff to pursue surplusing of the property. District staff and our partners are continuing to research issues related to the property, including potential public access locations, potential trail alignments, and easements and other encumbrances which affect the property. The State Coastal Conservancy has indicated an interest in assisting with the funding necessary to purchase the property. We are now waiting for the City to complete title research for the property so that an appraisal can be prepared. The surplusing process has slowed down due to new discussions between the City and residents of Green Valley over overall water supply arrangements. The District is working with the American Land Conservancy to find funding for the acquisition.
Vine Trail	A Class I bicycle/pedestrian path extending from Calistoga to the Vallejo Ferry Terminal	The District has entered into an MOU with the Vine Trail Coalition to provide assistance as requested by the Coalition in receiving funds, preparing plans and environmental documents, constructing and operating the trail. The District, the Bay Area Ridge Trail, the San Francisco Bay Trail and the Vine Trail Coalition have prepared a joint Case Statement for the combined trail network for fundraising purposes. The District on February 5, 2010 submitted an appropriations request for FY 2011 to Senator Feinstein, and a similar request to Congressman Thompson on February 26, 2010 on behalf of the Vine Trail Coalition.
Wild Lake Ranch	Possible joint management of trails, camping and picnic areas through agreement between the Land Trust, which acquired the property.	The District is participating in the development of a strategic plan for the property, together with other public lands in the area, that is being led by the Land Trust of Napa County. The advisory committee has met once, and completed a field trip to inspect the property. The planning process was put on hold due to the freeze in the state bond-funded grant; however, the freeze was mostly lifted in August and the planning process has restarted. A community input meeting was held on March 24, 2010. <u>The Wildlife Conservation Board is considering purchasing a \$6 million easement from the Land Trust at its August meeting; the purchase will enable the Land Trust to repay its outstanding loans and start an endowment for managing the property.</u>

**Completed Projects****Berryessa Vista Acquisition**

Purchase of 224 acres from the Land Trust of Napa County for use as a public park completed in early 2008 using State Prop 12 funds.

**Connolly Ranch**

Construction of patio, restrooms and cooking facilities completed in 2008 using State Prop 12 funds.

**Oat Hill Mine Trail**

The Oat Hill Mine Trail was formally opened in May 0f 2008, after a major volunteer work party doing signage installation, brush removal and erosion control.

**Linda Falls**

Conservation easement accepted in spring 2008 from Land Trust of Napa County to provide additional protection for this 39 acre property, which is owned by the land trust

**Master Plan Development**

The Master Plan for 2008-2013 was approved in January 2009

**Moore Creek Open Space Park**

Acquisition of 673 acres in the Moore Creek Watershed completed in December 2008. Trail reroute to remove two stream crossings mostly completed in May 2009. New heater installed in gatehouse in

**Napa River Ecological Reserve Improvements**

Parking area paved, and rock barrier installed to control vehicular access in 2007. Trash enclosure constructed and entry signs restored by volunteers in 2008. Deteriorated kiosk removed in 2008. The District in July 2008 assumed the County's role in managing the preserve under the joint management agreement with DFG. A new maintenance contract with the non-profit organization Options 3 was started in January 2009. The old deteriorated information kiosk, which had become a serious eyesore, was removed in November 2008.

**Napa River Flood Control Easement**

Conservation easement accepted by District in 2007 to facilitate Flood District project and grant funding

**Newell Preserve Improvements**

As part of the arrangement with the land trust on the District's purchase of Berryessa Vista, the land trust was willing to use some of the proceeds from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon came up dry. The City has dropped plans for digging any more test wells. Provide on-site water supply for group campground and so from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon cattle can be restricted from access to riparian areas.

**River to Ridge Trail Enhancements**

Installation of animal silhouettes along the entryway fence illustrating the types of birds and mammals that can be found in the area completed by Eagle Scout candidate in 2008. In November 2008 five Valley Oak trees were planted at the Highway 221 entrance to the trail with the assistance of a volunteer from CNPS.

**River to Ridge Trail Entrance Enhancements**

A new information kiosk was installed at the entrance in December 2008 as part of a Boy Scout project. Several Live Oak seedlings were donated by CNPS and have been planted at the entrance to improve its appearance.

**Skyline Park Improvements Phase I**

Erosion control work on Lake Marie Road, and paving of campground loop road, completed in 2007 using State Prop 12 funds.

**Skyline Park Protection**

Three past legislative efforts to authorize sale to the County failed due to unrelated disagreements between the state legislature and administration. Separately, the County in September 2009 approved a new park overlay zone and an updated Master Plan for Skyline Park.

**Skyline Park Concessionaire Agreement Renewal**

District staff negotiated renewal of concessionaire agreement on behalf of the County. The renewal involved changes to the fee schedule and amendments to and approval of subagreements with three non-profit partner organizations.