



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/7/2014

Agenda Placement: 7N

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Minh Tran - County Counsel
County Counsel
REPORT BY: CHRIS APALLAS, DEPUTY COUNTY COUNSEL III - 259-8248
SUBJECT: Appointment of Director to Los Carneros Water District

RECOMMENDATION

Los Carneros Water District Board (District Board) requests the appointment of Mark DeSoto to its Board with term of office to commence immediately and expire at noon on Friday, December 1, 2017.

EXECUTIVE SUMMARY

The District Board held its regular general election in November 2013. Four positions were open to be filled with only three people filing for candidacy. These three individuals were previously appointed, leaving one open position. Elections Code section 10515 (b) authorizes the Board of Supervisors, as supervising authority of the District Board, to appoint any person to the office who is qualified. The person appointed shall qualify, take office and serve exactly as if elected at a general district election for the office. Mr. DeSoto has indicated his willingness to serve as Director and the District Board requests his appointment

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

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 AND DISCUSSION

Los Carneros Water District was created in 1978 under the California Water District Law. (Water Code sec. 34000 et seq.) The District's main goal is to assist landowners in the Los Carneros region by obtaining funding for, and constructing a recycled water pipeline to be used for irrigation purposes. The District Board consists of seven (7) members, four (4) of whom were up for election in November 2013. However, only three (3) of the incumbents filed declarations of candidacy with neither the fourth incumbent nor any resident of the District filing for the fourth position.

As such, Elections Code section 10515 (b) states "If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election for the office."

Mr. DeSoto has come forward and expressed his desire to be appointed to the District Board and the District Board has sent to Chairman Wagenknecht its recommendation that he be appointed. Mr. DeSoto meets the qualification requirements to serve as a Director given his status of landowner within the District. His appointment is necessary due to the fact that the previous director's term expired at noon on December 6, 2013. Mr. DeSoto shall serve a four-year term as if he was elected and his term shall expire at noon, on Friday, December 1, 2017.

SUPPORTING DOCUMENTS

A . District Letter Requesting DeSoto Appointment

CEO Recommendation: Approve

Reviewed By: Helene Franchi