



Agenda Date: 10/18/2005
Agenda Placement: 8F
Set Time: 11:15 AM
Estimated Report Time: 30 minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: John Woodbury, Principal Planner , 259-5933
SUBJECT: Park and Open Space Advisory Committee Recommendation on Creation of Park and Open Space District

RECOMMENDATION

Director of Conservation, Development, and Planning requests the following:

1. Accept a report concerning the Napa County Parks and Open Space Advisory Committee (NCPOSAC) recommendation concerning the formation of a park and open space district;
2. Support the vision of an integrated park and open space system benefiting the residents of the County, as recommended by the NCPOSAC, by approving a strategy for forming a park and open space district pursuant to Section 5500 *et seq* of the California Public Resources Code, to include the following specific actions:
 - a. Endorse the concept of forming an independent park and open space district through a district formation ballot measure on the November 2006 General Election, along with the election of its first Directors; and
 - b. Endorse development of a long-term funding measure for consideration by the voters in June or November of 2008.

EXECUTIVE SUMMARY

The Napa County Parks and Open Space Advisory Committee was formed by the Board of Supervisors in mid-2002 to advise the Board on how to enhance public enjoyment, understanding and appreciation of the County's natural resource heritage.

Since then, the Committee has sought input from members of the public and various community groups about their hopes and needs. The Committee has also developed a comprehensive database of open space lands already owned by the public or protected through conservation easements. Subsequent analysis of this database revealed numerous opportunities for meeting the goals laid out by the Board of Supervisors.

The Committee has in addition researched numerous organizational and funding options for how to most

effectively and efficiently meet these goals.

Based on this analysis, the Committee is recommending a special park and open space district organizational structure. In the Committee's judgement a special district would provide the strongest sustainable focus, provide the greatest potential for building a close partnership that includes all of the cities within the County, and provide the greatest flexibility for generating new dedicated funding.

The Committee is recommending an approach which combines features from several of the scenarios which were reviewed. The recommended course of action offers a realistic path over a three year period for growing the institutional and financial capacity needed to enhance park and open space amenities and services for County residents. It recognizes that the needed institutional and financial capacity cannot be created all at one time, and so recommends an incremental approach. It also assumes strong partnerships with the cities, other public agencies, non-profit organizations and the private sector.

The Committee also recommends placing a long-term funding measure for the District on the 2008 ballot. This timing has three main advantages: it avoids a conflict with local funding measures for transportation and schools planned for June and November of 2006, it eliminates the need to simultaneously hold elections for District formation, District Directors, and District funding, and it puts the funding measure before the voters in a Presidential election year when turnout is highest.

The sequence of actions recommended by the Committee are summarized in Attachment A (Recommended Action Plan). Details on the alternative scenarios considered by the Committee are provided as background for the Board in Attachment B and Attachment C (Organizational and Funding Options/Organizational and Funding Options II)

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Staffing for FY 2005-6 is already funded. Staffing for FY 2006-7 and 2007-8 has been agreed to by the Board, but not yet budgeted. The source of funds will be the Special Projects Fund or the General Fund, as determined by the Board. If the Advisory Committee recommendation is approved, the General Fund will need to support continued staffing for one additional year (FY 2008-9).
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Parks and Open Space Advisory Committee recommendation is in response to the Board of Supervisor's charge to the committee to develop a strategy for improving outdoor recreation and open space benefits for County residents.
Is the general fund affected?	Yes
Future fiscal impact:	There is no fiscal impact in the current fiscal year. The recommended approach assumes continuing staff support for the Parks and Open Space Advisory Committee, and subsequently to the proposed new Park and Open Space District, through the end of FY 2008-9. The marginal cost of this staffing is approximately \$100,000 annually.

Consequences if not approved: The goal of improving public open space access and outdoor recreation opportunities would not be met unless an alternative strategy could be successfully developed.

Additional Information: None

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

The Board of Supervisors appointed the Napa County Parks and Open Space Advisory Committee in mid-2002 to advise the Board on methods for enhancing public enjoyment, understanding and appreciation of the County's natural resource heritage. Since then the Committee has learned there is strong public interest in protecting the County's natural and historical resources, facilitating nature-based recreation, and providing outdoor "classrooms" that can be used by school and community groups.

By developing a database of existing public lands, the Committee has discovered many opportunities for improving resource stewardship and enhancing access to these already publicly-owned lands. Analysis of the database has also demonstrated that the ecological integrity of and the recreational benefits provided on existing public lands would be improved through carefully targeted acquisitions to establish logical boundaries.

In December of 2004 the Committee advised the Board that formation of a special park and open space district appeared to hold the greatest promise for meeting the goals laid out by the Board. At that time the Board approved creation of a new, three-year staff position to support the Committee in researching and recommending a specific course of action.

In June of 2005 the Committee made another progress report to the Board. The report highlighted park and open space goals, opportunities and needs. The report noted that with more than three-fourths of the population now living within the incorporated areas of the County, a large and increasing portion of the population has few opportunities to appreciate the County's remarkable expanses of open space.

At the June presentation the Board expressed general interest in the approach the Committee was pursuing, and asked specifically for more information on how a new district would be formed and funded.

Since that meeting, the new staff support position has been filled, and the Committee has focused on organizational and funding options. The options considered by the committee are summarized in a series of scenarios in Attachment B and Attachment C (Organizational and Funding Options/Organizational and Funding Options II).

The Committee is recommending a course of action which combines features from several of the scenarios which were reviewed. The recommended course of action offers a realistic path over a three year period for growing the institutional and financial capacity needed to enhance park and open space amenities and services for County residents. It recognizes that the institutional and financial capacity needed to meet the County's park and open space goals cannot be created all at one time, and so recommends an incremental approach. It assumes strong partnerships with the cities, other public agencies, non-profit organizations and the private sector.

The Committee recommends the County pursue formation of a park and open space district as provided in California law. Section 5500 et seq of the State Public Resources Code specifies how such districts are to be formed and how they may operate, while Section 5506.4 includes special provisions tailored to Napa County. Under these provisions, a park and open space district in Napa County would include the following key provisions:

1. District formation must be approved by majority vote of the electorate.
2. The District shall have five directors, who shall be elected by the electorate. County Supervisors are not permitted to serve as the directors of the District.
3. The District jurisdiction shall include all of Napa County including incorporated areas.
4. The District shall not have, and may not exercise, the power of eminent domain.
5. The District may contract with Napa County to provide staffing.

This recommendation is based on the Committee's judgment that a directly-elected special district is the most effective structure for delivering projects and services. It provides the strongest sustainable focus, avoids potential future county-city disagreements from spilling over into and complicating park and open space efforts, and offers the greatest potential for future funding measures.

Attachment A (Recommended Action Plan) describes in more detail the actions that would be needed to implement the Committee's recommended approach.

SUPPORTING DOCUMENTS

- A . Recommended Action Plan
- B . Organizational and Funding Options
- C . Organizational and Funding Options II

CEO Recommendation: Approve

Reviewed By: Andrew Carey