



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/10/2020

Agenda Placement: 6N

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Jeffrey Brax - County Counsel
County Counsel

REPORT BY: Shana Bagley, Deputy County Counsel - 707-253-4523

SUBJECT: Requests for Appointment to Open Seats on Governing Boards of Special Districts

RECOMMENDATION

County Counsel requests that the Board appoint in lieu of election the qualified candidates to the following special district boards in which the number of candidates did not exceed the number of positions up for election:

1. Appoint to the governing board of the Los Carneros Water District those individuals named in the Certificate of Facts for the terms specified pursuant to California Election Code section 10515;
2. Appoint to the governing board of the Circle Oaks County Water District those individuals named in the Certificate of Facts for the terms specified pursuant to California Election Code section 10515;
3. Appoint to the governing board of the Spanish Flat Water District that individual named in the Certificate of Facts for the term specified pursuant to California Election Code section 10515; and
4. Appoint to the governing board of Napa River Reclamation District those individuals named in the Certificate of Facts for the terms specified pursuant to California Water Code section 50742.

EXECUTIVE SUMMARY

Pursuant to their principal acts, the Circle Oaks County Water District, Spanish Flats Water District, and Los Carneros Water District (the Districts) are governed by the Uniform District Election Law (UDEL) set forth in Election Code 10500, which requires them to hold a governing board election on the first Tuesday after the first Monday in November of odd-numbered years. On July 14, 2020, pursuant to Elections Code section 10404, District resolution, and Board approval, the District elections were consolidated with the even-numbered year General Election. The Registrar of Voters conducts the elections for the Districts at their request and is reimbursed by the Districts for any costs incurred. Elections Code 10515 provides that if the number of declared candidates does not exceed the seats to be filled, the Registrar of Voters shall submit a certificate of these facts to the Board of Supervisors, requesting that the Board appoint to the office(s) the person or persons who have filed declarations of

candidacy.

While not governed by UDEL, Napa River Reclamation District's principal act also provides for appointments in lieu of election where there are not more candidates who filed nomination papers than there are seats to be filled. The District has prepared and attached a certificate of facts with the list of appointees. County Counsel on behalf of the District asks that the Board appoint the persons referenced in the NRRD certificate to the NRRD governing board for the terms shown in the certificate.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed: Effective and Open Government

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

Pursuant to their principal acts, the Circle Oaks County Water District, Spanish Flat Water District, and Los Carneros Water District (the Districts) are governed by the Uniform District Election Law (UDEL) set forth in Election Code 10500, which requires them to hold a governing board election on the first Tuesday after the first Monday in November of odd-numbered years. On July 14, 2020, pursuant to Elections Code section 10404, District resolution, and Board approval, these District elections were consolidated with the even-numbered year General Election. The Registrar of Voters conducts the elections for the Districts at their request and is reimbursed by the Districts for any costs incurred. Elections Code 10515 provides that if the number of declared candidates does not exceed the seats to be filled, the Registrar of Voters shall submit a certificate of these facts to the Board of Supervisors, requesting that the Board appoint to the office(s) the person or persons who have filed declarations of candidacy.

While not governed by UDEL, Napa River Reclamation District's principal act provides for appointments in lieu of election where there are not more candidates who filed nomination papers than there are seats to be filled. The District has prepared and attached a certificate of facts with the list of appointees. County Counsel on behalf of the District asks that the Board appoint the persons identified in the NRRD certificate to the NRRD governing board for the terms shown in the certificate.

SUPPORTING DOCUMENTS

- A . NRRD Certificate of Facts
- B . Other Districts Certificate of Facts 11-3-2020
- C . Other Districts Certificate of Facts - Attachment 11-3-2020

CEO Recommendation: Approve

Reviewed By: Helene Franchi