



Agenda Date: 5/23/2006
Agenda Placement: 6T

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Maiko Klieman, Management Analyst I, 707-253-4180
SUBJECT: Permission for Mark Luce to absent himself from the State for more than 30 days

RECOMMENDATION

County Executive Officer requests that the Board grant permission to Supervisor Luce to absent himself from the State for more than 30 days pursuant to Government Code Section 1063.

EXECUTIVE SUMMARY

Supervisor Luce will be out of state between July 3, 2006 to July 29, 2006 to visit Africa for a humanitarian effort. Government Code section 1063 provides that "No officer of a county or judicial district shall absent himself from the state for more than 30 days unless either: (a) Upon business for the state, county or judicial district, (b) With the consent of the board of supervisors of the county. Although his trip is currently scheduled for only 26 days, the County Executive Officer requests that the Board approve Supervisor Luce to be absent from the state for more than 30 days in case the trip gets extended for any reason.

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

Supervisor Luce will be out of state between July 3, 2006 to July 29, 2006 to visit Africa for a humanitarian effort. Government Code section 1063 provides that "No officer of a county or judicial district shall absent himself from the state for more than 30 days unless either: (a) Upon business for the state, county or judicial district, (b) With the consent of the board of supervisors of the county." Although his trip is currently scheduled for only 26 days, the County Executive Officer requests that the Board approve Supervisor Luce to be absent from the state for more than 30 days in case the trip gets extended for any reason.

Section 1063 further provides "In no case shall such officer absent himself from the state for more than two months without the consent of the board of supervisors, with the written approval of the Governor, nor shall such absence continue for a period exceeding six months in any one year." Since Supervisor Luce is currently scheduled to be absent from the state for only 26 days, the written approval from the Governor is unnecessary.

Section 1770 provides that "An office becomes vacant on the happening of any of the following events before the expiration of the term: (f) His or her absence from the state without the permission required by law beyond the period allowed by law." This being the case, the County Executive Officer recommends that the Board approve Supervisor Luce to absent himself from the state for more than 30 days.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman