



Local Agency Formation Commission
LAFCO of Napa County

1700 Second Street, Suite 268
Napa, CA 94559
(707) 259-8645
FAX (707) 251-1053
<http://napa.lafco.ca.gov>

DECEMBER 4, 2006
AGENDA ITEM NO. 8b

November 27, 2006

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Pending Vacancy on LAFCO: Regular Public Member (Action)

The Commission shall consider options to fill the unexpired term of vacating Commissioner Guy Kay. Commissioner Kay has provided notice of his intent to resign as regular public member effective December 14, 2006 in order to assume office with the Napa County Regional Park and Open Space District. The position has an unexpired term that ends in May 2010.

In November, Commissioner Guy Kay provided notice of his intent to resign as regular public member effective December 14, 2006 in order to assume office with the Napa County Regional Park and Open Space District. Commissioner Kay has informed staff that he will provide formal written notice of his resignation at the December 4, 2006 meeting. The position has an unexpired term that ends in May 2010. The Commission should decide how it wishes to fill this pending vacancy.

The Commission's *Policies Regarding the Positions of Public Member and Alternate Public Member* provides guidance to the Commission with respect to the appointment of a public member upon a mid-term vacancy. A summary of available options follows.

- The Commission can appoint one of the three remaining candidates that applied for the position in April 2006. These candidates include Brian Kelly, Dr. Vic Nienu, and Wendy Ward (application materials attached). This option remains available to the Commission through April 2007.
- The Commission can appoint the alternate public member, Brian Kelly. If this option is exercised, the Commission should direct staff to initiate a search for candidates to assume the current term of the alternative public member position that ends in April 2008 in the manner prescribed in its adopted policies.
- The Commission can direct staff to initiate a new search for candidates in the manner prescribed in its adopted policies. If this option is exercised, staff will immediately circulate an announcement to local news outlets regarding the opening and filing period for the position. This would allow candidates to be presented to the Commission at its February 5, 2007 meeting as part of a public hearing. (This date would be the earliest time the Commission could consider an appointment due to its policy requiring that the announcement of the opening and filing period for the position occur no less than 60 days prior to the hearing.)

Dr. Andrew Alexander, Vice-Chair
Mayor, City of Calistoga

Kevin Block, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alt. Commissioner
Councilmember, City of American Canyon

Bill Dodd, Chair
Supervisor, 4th District

Brad Wagenknecht, Commissioner
Supervisor, 1st District

Mark Luce, Alt. Commissioner
Supervisor, 2nd District

Guy Kay, Commissioner
Representative of the General Public

Brian Kelly, Alt. Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

RECOMMENDATION

It is recommended for the Commission to take the following action:

- 1) Determine how it wishes to fill the pending vacancy for the regular public member and take the appropriate steps as described in this report.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Commission Policy: Appointment of the Public Member Upon Mid-Term Vacancy
- 2) Application Materials from Brian Kelly, Dr. Vic Nienu, and Wendy Ward (April 2006)