



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

April 7, 2014

Agenda Item No. 6c (Public Hearing)

March 31, 2014

TO: Local Agency Formation Commission

FROM: Laura Snideman, Executive Officer

SUBJECT: Appointment of Regular Public Member

The city and county members will consider making an appointment for the regular public member position. One candidate has applied and the appointment term is four years beginning May 2014 and ending May 2018.

California Government Code Section 56325(d) states the composition of all 58 Local Agency Formation Commissions (LAFCOs) shall include one member representing the general public, referred to as the “public member.” This code section also states LAFCOs may designate one alternate public member. The regular and alternative public members are appointed to separate four-year terms and by statute cannot be officers or employees with local governmental agencies or in conflict with any other locally adopted policies. Additionally, to be appointed, the regular and alternate public members must receive at least one vote each from a county and city member.

A. Background

Policies on Appointing Public Members

LAFCO of Napa County’s (“Commission”) policy regarding the appointment of the regular and alternate public members was adopted in October 2001 and most recently amended in April 2008. The underlying intent of the policy is to outline specific procedures to help ensure a uniform and transparent appointment process. The policy also prescribes additional eligibility requirements that appointees not serve on local public entities that have authority to make advisory or final decisions relative to land use or the provision of municipal services. The Executive Officer is responsible under the policy to notify the Commission no less than 120 days prior to an impending vacancy and whether the incumbent is eligible to seek reappointment. Upon notification, the Commission must direct the Executive Officer to (a) recruit candidates and schedule a hearing to make an appointment or (b) schedule a hearing to expedite the reappointment of the incumbent if they are eligible and have served no more than all or a portion of one term.

Expiring Term of the Regular Public Member

Commissioner Brian J. Kelly’s term as regular public member expires on Monday, May 5, 2014. The Commission originally appointed Commissioner Kelly as regular public member beginning May 2006. The Commission reappointed Commissioner Kelly to a new four-year term as regular public member beginning May 2010.

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Brian J. Kelly, Chair
Representative of the General Public

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Laura Snideman
Executive Officer

B. Discussion/Analysis

At its February 3, 2014 meeting, the Commission provided formal direction to staff to initiate an open recruitment for the regular public member position. Towards this end, staff prepared an announcement inviting applications for the regular public member position through March 14, 2014. The announcement was posted on the Commission's website and published in the Napa Valley Register. The Commission received one application from Brian J. Kelly (incumbent) for the regular public member position.

C. Alternatives for Commission Action

The following alternative actions are available for consideration by the city and county members on the Commission.

Alternative One: Close the public hearing and appoint the lone candidate to the position of regular public member to a four-year term commencing on May 5, 2014.

Alternative Two: Continue the public hearing to the next regular meeting and direct staff to provide additional information as needed

D. Recommendation

It is recommended the city and county members appoint a regular public member as identified in the preceding section as "Alternative One."

E. Procedures for Consideration

This item has been agendized as a public hearing consistent with State law. The following procedures are recommended with respect to considering this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing (mandatory);
- 3) Invite candidate to address the Commission (policy); and
- 4) Consider taking one of the actions outlined in the preceding section.

Respectfully submitted,

Laura Snideman
Executive Officer

Attachments:

- 1) Policy on the Appointment of the Public Member and Alternate Public Member
- 2) Candidate Application: Brian J. Kelly (incumbent)



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
Policy on the Appointment of a Public Member and Alternate Public Member

Adopted: October 11, 2001

Amended: December 5, 2005; April 7, 2008

Authority

California Government Code Section 56325(d) states the composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” This code section also states that the Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the Board of Supervisors and City Selection Committee.

Eligibility

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time he or she is an officer or employee of a local public agency. No person may also serve as public member or alternate public member if he or she is member of a local public board, commission, or committee with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

Term of Office

The term of office for public member and alternate public member shall be four years and shall end on the first Monday in May of the year in which the term expires. The public member and alternate public member shall continue to serve until his or her successor is appointed.

Appointment Procedures

New Term for Public Member or Alternate Public Member

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the public member or alternate public member, the following procedures will be taken:

1. At a regular meeting no less than 120 days prior to the scheduled expiration of public member or alternate public member’s term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take either of the following two actions set forth in 1.a) or 1.b).

- a) Direct the Executive Officer to recruit candidates and schedule a hearing date to consider making an appointment to the position. Tasks of Executive Officer shall include, but not limited to, the following:
 - i) Issue a notice announcing the vacancy and that the Commission is accepting applications for the position no less than 60 days prior to the scheduled hearing for the appointment. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in the Napa Valley Register.¹ The notice shall indicate if the incumbent is eligible for reappointment.
 - ii) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission no less than 14 days prior to the scheduled hearing for the appointment.
 - iii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

- b) If the incumbent is eligible and has served no more than all or a portion of one term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of Executive Officer shall include, but not limited to, the following:
 - i) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted no less than 21 days prior to the hearing for which the reappointment has been scheduled.
 - ii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

Mid-Term Vacancy for Public Member

If the position of public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the public member.
2. Appoint the alternate public member.
3. Fill the position in the manner prescribed for the appointment for a public member to a new term.

¹ For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

Mid-Term Vacancy for Alternate Public Member

If the position of alternate public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the alternate public member.
2. Fill the position in the manner prescribed for the appointment of an alternate public member to a new term.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the public member or alternate public member shall be conducted as follows:

1. The Chair shall open the public hearing and first invite candidates to address the Commission. The Chair shall then invite public comments from the audience.
2. Upon the close of the public comment period, the Chair shall ask each commissioner to make one nomination. Commissioners may nominate anyone from the applicant pool, and an applicant may receive more than one nomination.
3. After each commissioner has made a nomination, the Chair shall ask if there is a second to any of the nominations. If there is a second, the Chair shall call for a vote on that nomination. If the vote is in the affirmative, the appointment is made. If the vote is not in the affirmative, the Chair shall call for a second to another of the nominations. This process shall continue until an appointment is made or all of the nominations are exhausted.
4. If all of the nominations are exhausted, the Chair may 1) begin the entire procedure again by calling for one nomination from each commissioner or 2) call for the use of the ballot system as described in Paragraph 5.

5. If the Chair calls for use of a ballot system, then the Clerk shall provide each commissioner with a ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of a candidate from among the applicants. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and shall provide each commissioner with a second ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of candidate from among those candidates that received votes in the previous round of voting. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and the Commission shall engage in another round of voting. This shall continue until a candidate is selected.

As mentioned, California Government Code Section 56325(d) specifies that the appointment of a public or alternate public member requires the vote of at least one commissioner appointed by the Board of Supervisors and one commissioner appointed by the City Selection Committee. If a candidate receives at least three votes, this requirement is fulfilled.



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APPLICATION FOR REGULAR PUBLIC MEMBER

The Local Agency Formation Commission (LAFCO) of Napa County is accepting applications for its regular public member position. The position involves a four year appointment made by city and county members already serving on LAFCO. The regular public member is expected to actively participate in LAFCO meetings with respect to providing input and voting on all regulatory and planning matters before the agency.

Eligibility

Applicants must be a resident of Napa County. Applicants also must not be currently employed by a local public agency or serving as a member on a local public body with the authority to make final or advisory decisions relative to land use or municipal service.

Time Commitments

LAFCO of Napa County currently meets on the first Monday of every month unless otherwise scheduled. Regular meetings are calendared to begin at 4:00 P.M. in the County of Napa Administration Building located at 1195 Third Street in Napa. Special meetings are calendared as needed. All members are expected to attend unless excused and currently receive a \$125.00 per diem for each regular or special meeting attended.

Deadline for Applications

Completed applications must be received by LAFCO by Monday, March 14, 2014. The city and county members are expected to consider making an appointment for the regular public member position at its April 7, 2014 regular meeting. Questions should be directed to LAFCO Analyst Brendon Freeman at (707) 259-8645 or bfreeman@napa.lafco.ca.gov.

General Information			
a) Name:	BREAN	KEELY	
	First	Last	
b) Address:	1192 3rd St	Napa	94559
	Street Address	City	Zip Code
c) Contact Information:	(707) 259-8645	bkeely@lafco.ca.gov	
	Phone Number	E-Mail	

d) Present Employer:

SELF

Employer Field

BUSINESS COACH

II. Questions

(Applicants may use additional sheets to complete the following questions.)

a) Summarize your interest in serving on the Commission.

CO-OWNER & SERVE COMMUNITY AS I HAVE ON LARCO FOR 10+ YRS.

b) Summarize your qualification to serve on the Commission.

RESUME ATTACHED + 10 YRS OF LARCO BOARD + ALTERNATE

c) List any formal education received beyond high school.

RESUME

d) List community activities and interests.

R E S U M E

Letters of recommendation/reference are not required, but will be accepted and should be attached to the completed application at the time of submission.

 5/18/14

BRIAN J. KELLY

ROLE

Part-time Chief Financial Officer and Management Coach:

- Supporting company ownership in achieving revenue generation and equity growth, i.e. long-term value;
- Working in concert with the CEO developing strategy, analyzing assets & financial investments, managing projections; as well as enhancing & supporting controller functions.
- Participate in leadership through developing and enhancing a vision, and creating a strategy to implement. Have grown revenue and profitability while managing risk throughout organizations. Work to motivate teams to deliver results through my leadership and organizational skills in strategy, finance, and marketing.

LEADERSHIP SKILLS

Over 30 years of senior management positions involving:

- Strategic Planning - Developed visions and implemented plans that emphasized revenue growth
- Strategic Marketing - Leveraged brands for success including corporate-wide sales and service programs
- Financial Management - Utilized financial analytics and budgeting to drive bottom line profit
- Risk Management - Analyzed and managed risks across disciplines
- Human Resources - Led teams of up to 100 employees emphasizing training and development

EMPLOYMENT

Brian Kelly & Associates – Small Business Consulting, Napa, CA – 2/11 to present, and 11/00 to 2/04

- Advise companies on strategic planning; vision implementation; finance, marketing and human resource opportunities.
- Helping businesses and their leadership in strategic thinking and the creation of organizational value through revenue generation.
- Supporting financial management, including functioning in the role of a part-time Chief Financial Officer. Referrals and references available.
- Bring over 20 years of experience helping businesses and their leadership in strategic thinking and the creation of organizational value.
- Major current client – Napa Chamber of Commerce – as Consulting CEO - 11/13 to 6/14

Charter Oak Bank, President, CEO & Director - Napa, CA - 02/04 to 02/11

- Organized, capitalized and led a community bank headquartered in the Napa Valley
- Grew client base to 5% market share (of Napa County) with \$150 million in assets
- Implemented a sales and marketing program transforming entire staff into a sales focused organization

Wells Fargo Bank, Senior Vice President, Vineyards Market Business Banking - Napa, CA - 03/00 to 11/00

Napa National Bank, President, CEO & Director - Napa, CA - 06/88 to 03/00 (acquired by Wells Fargo in 2000)

- Re-capitalized and revived a community bank headquartered in the Napa Valley
- Achieved over 5% market share (of Napa County) with \$175 million in assets
- Developed creative loan programs for wine industry facing the phylloxera blight
- Sold bank to Wells Fargo in 3/00 at a premium price of 3.3 times book value, 50% above industry norm

Bank of America, Vice President & Commercial Banking Manager - San Francisco Bay Area - 01/70 to 05/87

- Executed various administrative and commercial lending functions in the Bay Area
- Achieved “Statewide Corporate Banking Manager of the Year” out of 40 competing units. Led in growth and loan quality and posted results among the top profitable units.
- Acted as Member and Chair of bank’s Junior Advisory Council (0.5% high potential employees)
- Successfully turned around problem units in the operational, investment and credit arenas

ADDITIONAL EXPERIENCE

Insurance Brokerage - Developed sales and service experience, generating over \$1 million in premiums in first year.

Academic – Volunteer services in various teaching arenas including our community college, teaching finance and general business courses.

Community Support - Over the past twenty years, volunteered on numerous community nonprofit boards of trustees. Chaired and led over 15 of these organizations, including our local hospital, Business-Education Partnership, Chamber of Commerce, Local Area Formation Commission and Rotary Club.

EDUCATION

University of California, Berkeley, Haas School of Business, Advanced Management Program (2001)

Completed a six-month program at graduate school of business updating 20-year-old MBA; regular coursework since

University of California, Berkeley, MBA (1978) - majored in Finance, minored in Management

California State University, Hayward, B.S. (1974) - majored in Management

PAST COMMUNITY LEADERSHIP

2009, 2014 **Local Agency Formation Commission (Napa County LAFCO) - Chair**
2007-08 **Aldea Children and Family Services – Chair of the Board, and Capital Campaign Co-chair**
2006-08 **Napa Valley Conference & Visitors Bureau - Chair**
2000-02 **City of Napa, General Plan – Housing Element Steering Committee - Co-Chair**
1998-00 **Boys & Girls Club of the Napa Valley - Capital Campaign Co-Chair**
1998-99 **Business-Education Partnership - Co-Chair**
1996-97 **Queen of the Valley Hospital - Chair**
1994-95 **Napa Sunrise Rotary - President**
1992 **Napa Chamber of Commerce - President**

COMMUNITY INVOLVEMENT

Current: **Local Agency Formation Commission (Napa County LAFCO)**, Public Member since 2005; Chair 2009 & 2014 (Political boundary changes, spheres of influence, discouraging urban sprawl, orderly local formation)
Napa Chamber of Commerce, Member since 1989 (President 1992, Board Member 1990-95)
Consulting CEO 11-13 thru 06-14
Napa Sunrise Rotary, Member since 1989 (President 1994-95) (fraternal organization)
Napa Valley Leadership Council, Member since 1996

Prior: **Aldea**, Capital Campaign Co-chair 2008, Chair of the Board 2007-08, Board Member 2005-08
American Center for Wine, Food & the Arts, Community Advisory Committee, Chair 1998-2001 (museum)
Boys & Girls Club of the Napa Valley, Capital Campaign Co-Chair 1998-2000
Business-Education Partnership, Co-Chair 1998-99, Board Member 1993-99 (county-wide partnership)
California Bankers Association, Member since 1989; St Government Relations Cmt 2005-08 & Chair 2007-09;
City of Napa, General Plan - Economic Strategic Plan Steering Committee, Member 1998-99
City of Napa, General Plan – Housing Element Steering Committee, Co-Chair 2000-02
Community Foundation of the Napa Valley, Board Member 1994-2000, Chair of Cmt on Board 1999-00
Great Napa Valley Duck Race, Executive Steering Committee 1993-95
Jarvis Conservatory, Board Member 1998-2005 (fine arts education and performance facility)
Honorary Commander – Travis Air Force Base since 2012
Hospice of Napa Valley, Board Member 1997-2002; Capital Campaign Chair 2001-02
Leadership Napa Valley, Business Day Program Coordinator 1993-2002
Napa City-County Library, Strategic Planning Committee 1999
Napa Valley Conference & Visitors Bureau, Board Member 2005-08 (tourism management), Chair 2006-08
Napa Valley Corporate Champions for Childcare, Board Member 1992-94
Napa Valley Economic Development Council, Board Member 2001-02
Napa Valley Unified Education Foundation, Treasurer 1992-94, Board Member 1990-96
Napa Valley Opera House, Board Member 1989-95 (fundraise to build performing arts facility)
Napa Valley Vintners Community Health Center, Board Member 2001-2011 (collaborative health care)
Napa Valley Wine Auction, Community Relations Chair 1994-1997
Pear Tree Lane Homeowners Association, Board Member and Treasurer 2005-07; Chair 2008
Queen of the Valley Hospital, Chair Board of Trustees 1996 – 1997; Board member 1991-1997;
Strategic Planning Committee 2001-2004;
St. John the Baptist Catholic Church, Capital Campaign – Major Gifts Chair 2002-2004
Strategic Planning Committee 2002-03
Vintage High School Athletic Boosters Club, President 1998-99

AWARDS

Healthy Moms & Babies – 2009 Making A Difference Award - 2009
Napa Valley Education Foundation – Business Advocate For The NVUEF - 2008
American Association of Planners – National Award of Merit
for City of Napa Housing Element as Committee Co-Chair - 2002
University of California, Berkeley – Order of the Golden Bear - 2002
Napa Sentinel - Citizen of the Year – Dec. 2001
Napa Valley Chamber of Commerce / KVON – Citizen of the Year – Jan. 2001
Boys & Girls Club of the Napa Valley – Man of the Year – 2000
Napa County Hispanic Network Lifetime Achievement Community Award, 1996
Volunteer Center of Napa County - Corporate Outstanding Community Service Award, 1996
Rotary International – No. California District Club of the Year, rec'd. Presidential year – 1994-95
Rotary International - Napa Sunrise Rotarian of the Year – 1993-94

PUBLICATIONS

Napa Valley, Edited by Patton Howell, 2000
Chapter - “Making Community Your Business”