



MEMO

To: NCRA Board of Directors

From: Executive Director Stogner

Date: February 8, 2017

Subject: **Agenda Item F.5 – Consideration and Possible Approval of Selection Process for Vacant City Representative Seat on the NCRA Board of Directors**

By way of background, existing law says the following with respect to appointment to the NCRA Board of Directors:

Existing Law – Government Code 93000

Section 93011

- (a) The authority shall be governed by a board of directors, composed as follows:
1. Two persons appointed by each of the boards of supervisors of the Counties of Humboldt and Mendocino. If the County of Marin or the County of Sonoma elects to join the authority, the board of supervisors of the county so joining shall appoint two persons to the board of directors.
 2. A city representative, selected by the cities served by the rail line.
 3. A board member of the Golden Gate Bridge, Highway and Transportation District, who shall serve as a nonvoting, ex officio director of the authority.
- (b) All directors, except the ex officio director, shall serve for terms of two years and until their successors have qualified.
- (c) Notwithstanding any other provisions of law including the common-law doctrine that precludes the simultaneous holding of incompatible offices, a local government officer may

be appointed and may serve as a member of the authority's board of directors if the person also meets the other applicable qualifications of this title.

In March of 2013, the NCRA Board of Directors adopted criteria for selection of the City Representative as follows:

1. The City Representative shall be committed to fulfilling the mission of the NCRA by "maintaining railroad service to the north coast area of California" as stated in the NCRA enabling legislation;
2. The City Representative shall be a sitting Mayor or Councilmember from a city served by the NCRA to which rail service has not yet been restored;
3. The City Representative seat shall rotate every two years among those counties that contain one or more cities served by NCRA to which rail service has not yet been restored;
4. Consistent with the above criteria, the initial order of rotation shall be Humboldt, Mendocino and Sonoma;
5. Staff shall notify the City Selection Committee of the appropriate County requesting that it convene for the purpose of selecting a NCRA City Representative consistent with the above criteria.

Former Willits City Councilmember Holly Madrigal was appointed by the Mendocino County City Selection Committee to fill the city seat vacated by Fortuna City Councilmember, Doug Strehl, in June 2015. Ms. Madrigal recently resigned her position on the Willits City Council creating a vacancy on the NCRA Board.

Under the circumstances, the NCRA Board could request the Mendocino County City Selection Committee to appoint a sitting councilmember or Mayor in Mendocino County who meets the above criteria for the balance of Ms. Madrigal's term (Feb-June), or the NCRA Board could choose to request the next county in the rotation, Sonoma County, to have its City Selection Committee appoint a sitting Mayor or Councilmember from Sonoma County that meets the criteria to serve a 2-year term as the City Representative on the NCRA Board.

Staff Recommendation:

Rather than request the City Selection Committee of Mendocino County to make what amounts to a 4-5-month appointment, staff recommends that the Board request the Sonoma County Mayors and Councilmembers' Association to make a 2-year appointment at its earliest opportunity that meets NCRA's criteria for appointment to the city seat on the NCRA Board of Directors.