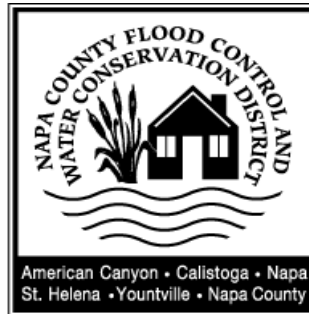


Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559



Agenda

Tuesday, March 18, 2025

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor**

Flood Control and Water Conservation District

Joelle Gallagher, District 1 (Chairperson)
Scott Sedgley, City of Napa (Vice Chairperson)
Liz Alessio, District 2
Anne Cottrell, District 3
Paul Dohring, City of St. Helena
Irais Lopez-Ortega, City of Calistoga
Amber Manfree, District 4
Marjorie Mohler, Town of Yountville
Christopher DeNatale, City of Napa
Belia Ramos, District 5
Pierre Washington, City of American Canyon

GENERAL INFORMATION

The Napa County Flood Control and Water Conservation District meets as specified in its adopted annual calendar in regular session at 1195 Third Street, Suite 305, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580.

The agenda is divided into three sections:

CONSENT ITEMS - These matters may include routine financial or administrative actions, as well as the final adoption of two-reading ordinances and are approved by a single vote.

PUBLIC HEARINGS - These items are noticed public hearings pursuant to government code.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas.

All materials relating to an agenda item for an open session of a regular meeting of the Napa County Flood Control and Water Conservation District which are delivered to the Clerk and are provided to a majority or all of the Directors of the Board, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the District Secretary, 1195 Third Street, Suite 305, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA please proceed to the podium and, after receiving recognition from the Chairperson, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chairperson or Board.

AGENDA AVAILABLE ONLINE AT www.countyofnapa.org or www.napaflooddistrict.org

How to Watch or Listen to the Napa County Flood Control and Water Conservation District Meetings

The Napa County Flood Control and Water Conservation District will continue to meet pursuant to the adopted 2024 calendar available at the following link:

<https://www.countyofnapa.org/1429/Board-of-Supervisors-Special-Districts-C>

The District realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the Napa County Flood Control and Water Conservation District meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa, CA 94559.
2. Watch on Zoom via www.zoom.us/join and enter Meeting ID 827-699-932-82 or listen on Zoom by calling 1-669-444-9171 then enter Meeting ID 827-699-932-82.
3. Watch via the Internet – view the Live Stream via Granicus by going to the following link:
http://napa.granicus.com/ViewPublisher.php?view_id=5
4. You may submit public comment for any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:
Via email: send your comment to the following email address:
publiccomment@countyofnapa.org. EMAILS WILL NOT BE READ ALOUD.

If you have any questions, contact us via telephone at (707) 253-4580 or email clerkoftheboard@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

- A. Approve minutes from the February 11, 2025 meeting.

[25-307](#)

Attachments: [February 11, 2025](#)

4. PRESENTATIONS AND COMMENDATIONS

5. CONSENT ITEMS

- A. Approve and authorize Amendment No. 5 to Agreement No. F-103 (FC) with Somach, Simmons & Dunn with an annual maximum cost of \$120,000 for fiscal year 2024-25 for specialized services necessary to advise, assist, and represent the District in its dispute over proper interpretation of the 2013 Area of Origin Settlement Agreement with the California Department of Water Resources. (Fiscal Impact: \$120,000 FY24-25 only Expense; Flood District-Water Supply Contracts; Budgeted; Discretionary)

[25-311](#)

Attachments: [Agreement](#)

- B. Approve and authorize Amendment No. 1 to Agreement No. 230184B (FC) with Miller Starr Regalia, increasing the maximum amount by \$500,000 to a new total of \$700,000 to further provide legal services with the majority of the expected work being in support of the Floodwalls North of the Bypass Project's land acquisition phase and approval of Budget Amendment increasing Legal Services appropriations offset by the decrease of Land appropriations. (Fiscal Impact: \$500,000 Expense, Flood Project Budget, Not budgeted; Discretionary)
[4/5 vote required]

[25-369](#)

Attachments: [Agreement](#)

- C. Approve and authorize Purchase and Sale Agreement No. 250060B (FC) for the acquisition of one Flood Protection Levee Easement, one Slope Easement, and one Temporary Construction Easement on property located at 2414 Shoreline Drive (APN 044-314-004), Napa, California owned by Owen Gray and Marianne Gray, at a price of \$55,750 and authorize the District Manager to sign related real estate documents on behalf of the District. (Fiscal Impact: \$55,750 Expense; Flood Project; Budgeted; Discretionary)

[25-370](#)

Attachments: [Agreement](#)

6. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

7. PUBLIC COMMENT

At this time, anyone may address the Board of the Napa County Flood Control and Water Conservation District regarding any subject not on today's agenda over which the Board has jurisdiction. Individuals will be limited to a three-minute presentation. No action will be taken by the Board of the Napa County Flood Control and Water Conservation District as a result of any item presented at this time.

8. ADMINISTRATIVE ITEMS

A. Discussion and direction regarding continued membership of the North Bay Watershed Association (NBWA) and reassignment of District Board representative. (Fiscal Impact: \$6,000 Expense, Flood District - Watershed Projects, Discretionary) [25-292](#)

B. Presentation on the annual water supply outlook for Napa County and its communities. (No Fiscal Impact) [25-312](#)

Attachments: [Presentation \(Added after the meeting\)](#)

9. PUBLIC HEARINGS

10. DISTRICT MANAGER'S/ENGINEER'S REPORTS AND ANNOUNCEMENTS

11. BOARD OF DIRECTORS REPORTS AND ANNOUNCEMENTS

12. BOARD OF DIRECTORS FUTURE AGENDA ITEMS

13. CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [25-453](#)
(Government Code section 54956.8)
Properties: APN 044-301-027
Negotiating Party: Richard Thomasser, Flood District Manager
Pinnkathok, Chamroeun
Under Negotiation: Price/Terms/Conditions of Payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [25-361](#)
(Government Code section 54956.8)
Properties: APN 044-301-022
Negotiating Party: Richard Thomasser, Flood District Manager and
Elise Nerlove
Under Negotiation: Price/Terms/Conditions of Payment

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [25-401](#)
(Government Code section 54956.8)
Properties: APN 044-230-005
Negotiating Party: Richard Thomasser, Flood District Manager
Bess, David W. et al
Under Negotiation: Price/Terms/Conditions of Payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(d)(1))

Napa County Flood Control and Water Conservation District v.

David W. Bess, Ray Bertolucci, et al

Napa Superior Court Case No. 24CV002234

D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[25-404](#)

(Government Code section 54956.8)

Properties: APN 044-230-004

Negotiating Party: Richard Thomasser, Flood District Manager and
Larry Ellis, Inc.

Under Negotiation: Price/Terms/Conditions of Payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(d)(1))

Napa County Flood Control and Water Conservation District v.

Larry Ellis, Inc., et al

Napa Superior Court Case No. 24CV002139

E. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[25-397](#)

(Government Code section 54956.8)

Properties: APN 044-230-006

Negotiating Party: Richard Thomasser, Flood District Manager
Mark Anthony Grassi & Jami Lee Tr

Under Negotiation: Price/Terms/Conditions of Payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(d)(1))

Napa County Flood Control and Water Conservation District v. Mark

Anthony Grassi and Jami Lee Grassi, Trustees Of The 1992 Grassi F et al

Napa Superior Court Case No. 24CV002146

F. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[25-318](#)

(Government Code section 54956.8)

Properties: APNs 044-230-002, 044-230-003

Negotiating Party: Richard Thomasser, Flood District Manager, Cruz
Calderon Jose et al

Under Negotiation: Price/Terms/Conditions of Payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Government Code section 54956.9(d)(1))

Napa County Flood Control and Water Conservation District v. Jose Cruz

Calderon, et al

Napa Superior Court Case No. 24CV002127

- G.** CONFERENCE WITH REAL PROPERTY NEGOTIATOR [25-466](#)
(Government Code section 54956.8)
Properties: APN 044-301-028, -029, -030, 033, and 044-314-006
Negotiating Party: Richard Thomasser, Flood District Manager
Property Owners: Sharon and Lee Riggs, Allan and Connie Nicholson,
David and Vickie Tompkins, and Donald and Shelley Gomez
Under Negotiation: Price/Terms/Conditions of Payment

14. ADJOURNMENT

**ADJOURN TO THE NAPA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT REGULAR MEETING, TUESDAY, MARCH 25, 2025 AT
1:30 PM.**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON FRIDAY, MARCH 14, 2025 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE DISTRICT SECRETARY AND AVAILABLE FOR PUBLIC INSPECTION.

Neha Hoskins (By e-signature)

NEHA HOSKINS, District Secretary