



Meeting Minutes

Napa County 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

Tuesday, March 18, 2025

9:00 AM

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

1. **CALL TO ORDER; ROLL CALL**

Present: Chairperson Joelle Gallagher, Vice-Chairperson Scott Sedgley, Directors Liz Alessio, Anne Cottrell, Christopher DeNatale, Paul Dohring, Irais Lopez-Ortega, Amber Manfree, Marjorie Mohler and Pierre Washington. Director Belia Ramos was excused. The meeting was called to order by Chairperson Joelle Gallagher.

2. **PLEDGE OF ALLEGIANCE**

District Manager Richard Thomasser led the assembly in the Pledge of Allegiance.

3. **APPROVAL OF MINUTES**

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

[25-307](#)

Motion Text: Approve the Minutes.

Voting Yes: Mohler, Lopez-Ortega, Alessio, Cottrell, DeNatale, Dohring, Manfree, Sedgley, Washington, and Gallagher

Voting No: None

Excused: Ramos

Recusals: None

Result: Passed

4. PRESENTATIONS AND COMMENDATIONS

None

5. CONSENT ITEMS

Motion Text: Approve the Consent Calendar as amended.

Voting Yes: Cottrell, Alessio, DeNatale, Dohring, Lopez-Ortega,
Manfree, Mohler, Sedgley, Washington, and Gallagher

Voting No: None

Excused: Ramos

Recusals: None

Result: Passed

- 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 (DWR). (Fiscal Impact: \$60,000 Expense; Flood District-Water Supply Contracts; Budgeted; Discretionary)

[25-311](#)

Item pulled for discussion. See item 6.

Enactment No: F-103 (FC) Amend. 5

- 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](#)

Item pulled for discussion. See Item 6.

Enactment No: A-230184B (FC) Amend. 1

- 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](#)

Enactment No: A-250060B (FC)

6. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

- 5A

District Manager Richard Thomasser made presentation.

Engineering Manager - Water Resources Chris Silke made presentation.

Discussion held.

Motion Text: Approve the requested actions.

**Voting Yes: Alessio, Dohring, Cottrell, DeNatale, Lopez-Ortega,
Manfree, Mohler, Sedgley, Washington, and Gallagher**

Voting No: None

Excused: Ramos

Recusals: None

Result: Passed

- 5B

District Manager Richard Thomasser made presentation.

Engineering Manager - Water Resources Chris Silke made presentation.

Discussion held.

Motion Text: Approve the requested actions.

**Voting Yes: Alessio, Dohring, Cottrell, DeNatale, Lopez-Ortega,
Manfree, Mohler, Sedgley, Washington, and Gallagher**

Voting No: None

Excused: Ramos

Recusals: None

Result: Passed

7. PUBLIC COMMENT

None

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](#)

Watershed and Flood Control Operations Manager Jeremy Sarrow made presentation.

District Manager Richard Thomasser made presentation.

Discussion held.

Motion Text: Appoint Director Marjorie Mohler as the representative and Director Irais Lopez-Ortega as the alternate to the North Bay Watershed Association and for staff to bring back a future agenda item on the different regional water agencies and the possibility of some of them merging.

Voting Yes: Mohler, Cottrell, Alessio, Dohring, DeNatale, Lopez-Ortega, Manfree, Washington, and Sedgley

Voting No: None

Excused: Gallagher and Ramos

Recusals: None

Result: Passed

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

Engineering Manager - Water Resources Chris Silke made presentation.

Discussion held.

9. PUBLIC HEARINGS

None

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

District Manager Richard Thomasser reported on the 100% plans and specs to be delivered by the end of the month for backcheck. Also, Thomasser reminded the Board that there is a meeting on Tuesday, March 25, 2025 at 1:30pm. One item of importance is a possible adoption of the Subsequent Environmental Impact Report for the Floodwalls North of the Bypass project. There are also Hearings of Necessity on the agenda that will require a 2/3 vote. Based on this Thomasser urged the Board to provide availability as soon as possible. Secondly, there is a target month of June for the Project Partnership Agreement for the United States Army Corp of Engineers. Acquisition should take place by September. The status of the remaining property acquisitions are as follows: 16 remain in negotiations, 6 in litigation, 23 acquired or in escrow, and all properties need to be acquired by the end of September. Deputy County Counsel Shana Bagley requested that District Manager Thomasser report out the following: There is a property on the corner of Soscol and McKinstry known as the “nosecone parcel” next to the Wine Train parking lot's vacant lot, that on 11/1/2005, the Board declared 1317 McKinstry Street as surplus property (a vacant parcel over half an acre). The District staff would like to move forward to formally surplus the land in pursuant to the Surplus Land Act under the government code and to begin the process of selling the parcel. Since the Board has already declared it as surplus, staff can begin to move towards the next step of notifying local public agencies and housing sponsors.

11. BOARD OF DIRECTORS REPORTS AND ANNOUNCEMENTS

Director Anne Cottrell reported on a conversation with a member of the public in regard to improving fish habitats and creeks within Napa County and how obstructions can be removed from the creeks. She requested information from staff on the Flood Control and Water Conservation District’s involvement.

Discussion held.

Director Amber Manfree reported on attending a Groundwater Sustainability Technical Advisory Group Meeting and wanted to provide an update regarding a presentation provided by the Regional Director of California Trout Jacob Katz on how to improve fish habitats for fish in the watershed.

12. BOARD OF DIRECTORS FUTURE AGENDA ITEMS

None

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
Closed Session held. No reportable action.
- 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
Elise Nerlove
Under Negotiation: Price/Terms/Conditions of Payment
Closed Session held. No reportable action.
- 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
Closed Session held. No reportable action.
- 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
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
Closed Session held. No reportable action.

- 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

Closed Session held. No reportable action.

- 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

Closed Session held. No reportable action.

- 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

Closed Session held. No reportable action.

14. ADJOURNMENT

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

Neha Hoskins (By e-signature)

NEHA HOSKINS, District Secretary