

Napa County



Agenda

Tuesday, May 3, 2022

1:30 PM

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

Flood Control and Water Conservation District

Scott Sedgley, City of Napa (Chairperson)
Brad Wagenknecht, District 1 (Vice-Chairperson)
Irais Lopez-Ortega, City of Calistoga
Diane Dillon, District 3
John Dunbar, Town of Yountville
Geoff Ellsworth, City of St. Helena
Leon Garcia, City of American Canyon
Ryan Gregory, District 2
Beth Painter, City of Napa
Alfredo Pedroza, District 4
Belia Ramos, District 5

GENERAL INFORMATION

Except when otherwise specified in its adopted annual calendar, the Napa County Flood Control and Water Conservation District meets the first Tuesday of every month at 1:30 P.M. 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.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of the **CONSENT CALENDAR**, if the time for hearing **SET MATTERS** has not arrived, the **ADMINISTRATIVE ITEMS** will be considered.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

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 provided to a majority or all of the members of the Board by Board members, 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 rostrum 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 2021 calendar available at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/2924/Flood-Control-and-Water-Conservation-Calendar-PDF?bidId>

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. Watch on your TV - Napa Valley TV Channel 28 (programming subject to local pre-emption rules and schedules).
2. Listen on your cell phone via Zoom at 1-669-900-6833 then enter Meeting ID 842-343-169 once you have joined the meeting.
3. Watch via the Internet – view the Live Stream
 - a. via Zoom at the following link: <https://www.zoom.us/join> then enter Meeting ID 842-343-169.
 - b. via Granicus by clicking on 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.

Via telephone: please call the Napa County Flood Control and Water Conservation District Public Comment Line at (707)-299-1776.

Please mute all audio devices and do not use the speakerphone to prevent echoing.

Please provide your name and the agenda item on which you are commenting. Calls will be placed on hold and heard in the order received. The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and California Assembly Bill 361. If you have any questions, contact us via telephone at (707) 253-4421 or email clerkoftheboard@countyofnapa.org.

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

- A. Clerk of the Board/Secretary of the District Board requests approval of minutes from the May 4, 2021, June 8, 2021, June 22, 2021, August 17, 2021, October 5, 2021, November 2, 2021, December 7, 2021, February 1, 2022, March 1, 2022 and April 5, 2022 meetings. [22-633](#)

Attachments: [May 4, 2021](#)
[June 8, 2021](#)
[June 22, 2021](#)
[August 17, 2021](#)
[October 5, 2021](#)
[November 2, 2021](#)
[December 7, 2021](#)
[February 1, 2022](#)
[March 1, 2022](#)
[April 5, 2022](#)

4. PRESENTATIONS AND COMMENDATIONS

5. CONSENT ITEMS

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. District Manager will provide an update regarding the State Water Project and recent curtailment actions by the State Water Resources Control Board affecting the North Bay Aqueduct. [22-895](#)

Attachments: [Presentation \(added after meeting\)](#)

- B.** District Manager requests the following related to land acquisitions associated with the next phase of the Napa Flood Control Project: [22-946](#)

1. Discussion and possible direction regarding the process and timeline for land acquisitions for Contract 3 North - Floodwalls North of the Bypass; and
2. Approval of and authorization for the Chairperson to sign an agreement with Associated Right of Way Services, Inc., (ARWS) for the term of May 3, 2022 through June 30, 2023 with a maximum compensation of \$511,000 and an automatic rollover for a maximum of two additional years.

Attachments: [Agreement](#)
[Presentation \(added after meeting\)](#)

9. SET MATTERS OR PUBLIC HEARINGS

- A.** PUBLIC HEARING 1:30 PM [22-870](#)

District Engineer requests the following actions regarding Joint Zone Project 96-1 assessments:

1. Conduct a Protest Hearing on the proposed Fiscal Year 2022-2023 Assessments;
2. Tally any written protests filed and not withdrawn by the end of the protest hearing by registered voters residing in, and owners of assessable property located within the three zones of the Joint Zone Project;
3. If the tallied protests are:
 - a. Less than 25% in each Zone -- The Board may adopt the proposed resolution:
 - i. Finding that the submission of proposed assessment to a vote by qualified electors is not required;
 - ii. Approving and levying the annual assessments for Fiscal Year 2022-2023 and
 - iii. Authorizing and directing the filing of the Fiscal Year 2022-2023 assessment roll with the Napa County Auditor for posting to the Fiscal Year 2022-2023 Napa County Property Tax Roll (Maintenance and Watershed Management Program-Project No. 96-1).
 - b. 25% or greater in any of the Zones - The Board must either:
 - i. Abandon the assessment for that Zone; or
 - ii. Place the issue of the proposed assessments in that Zone before the voters in that Zone.

Attachments: [Resolution](#)

B. PUBLIC HEARING 1:30 PM

[22-899](#)

District Manager requests the following actions related to the Rutherford Reach Benefit Zone Assessment District 2008-1:

1. Open Public Hearing to consider any objections or protests with respect to the proposed Fiscal Year 2022-2023 assessments; and
2. Close Public Hearing and adopt a Resolution authorizing and levying assessments for Fiscal Year 2022-2023 on qualifying properties.

Attachments: [Resolution](#)

- 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**
- 14. ADJOURNMENT**

**ADJOURN TO THE NAPA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT REGULAR MEETING, TUESDAY, JUNE 7, 2022 AT 1:30
P.M.**

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, APRIL 29, 2022 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