



## Legislation Text

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**File #:** 23-0668, **Version:** 1

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**TO:** Board of Supervisors  
**FROM:** Tracy Cleveland - Agricultural Commissioner/ Sealer of Weights & Measures  
**REPORT BY:** Jaspreet Faller - Staff Services Analyst II  
**SUBJECT:** Adoption of a Resolution Accepting the Engineer's Report for the Winegrape Pest & Disease Control District and Setting a Public Hearing on the Proposed Levy of Assessment

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### **RECOMMENDATION**

Agricultural Commissioner/Sealer of Weights and Measures requests adoption of a Resolution providing for the following:

1. Accept the Engineer's Report for the Napa County Winegrape Pest & Disease Control District for Fiscal Year 2023-24 and the proposed levy assessment for the district;
2. Set a Public Hearing for June 6, 2023 at 9:00am to hear protests to the establishment of the proposed assessment;
3. Direct the Clerk of the Board to comply with the requirements of Article XIII D of the California Constitution with respect to notice requirements for the proposed assessment; and
4. Designate County staff to answer questions regarding the assessments and protest proceedings.

### **EXECUTIVE SUMMARY**

The Winegrape Pest and Disease Control District provides funding for inspection, detection, and education regarding winegrape diseases and associated pests with the goal of preventing spread of disease. By accepting the Engineer's Report, which sets forth the proposed assessment, and setting a public hearing to hear protests, the recommended action will commence the annual assessment process for the Winegrape Pest and Disease Control District for Fiscal Year 2023-24.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes

Where is it budgeted? The Engineer’s Report recommends the levy of an assessment for Fiscal Year 2023-24 in the amount of \$484,175 which is deposited into a special designated account held with the Auditor (9512-9512000). In addition, the Agricultural Commissioner budgets a portion of the collected assessment (\$330,000) as revenue which the Department receives after the District Board authorizes payment from the special designated account for services provided by the Agricultural Commissioner. The remaining collected assessment funds remain in the special designated account to pay for other authorized expenses.

Is it Mandatory or Discretionary? Mandatory

Is the general fund affected? No

Future fiscal impact: There is no fiscal impact beyond FY2023-24

Consequences if not approved: If the Board does not approve the requested actions, the process to levy the assessment and schedule the required public hearing will not occur, thus the levying and collection of the assessment cannot occur, resulting in no funding available to operate the activities of the Napa County Winegrape Pest and Disease Control District.

County Strategic Plan pillar addressed: Effective and Open Government

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

In 2002, the Board of Supervisors established the Napa County Winegrape and Pest Disease Control District (NCWPDCD) to assist in the funding of the inspection, detection, and education of Pierce’s Disease as stated in the Napa County Glassy-winged Sharpshooter (GWSS) work plan with the goal of preventing the spread of Pierce’s Disease by the GWSS. In 2006, property owners subject to the assessment approved the NCWPDCD’s use of assessments for activities included in the Commissioner’s Vine Mealybug (VMB) work plan and for any other potential winegrape pests. Assessment funds are used to pay for the cost of visually inspecting plant material entering the County to ensure it is free from GWSS; placing and inspecting GWSS & VMB monitoring traps; developing an emergency rapid response program in the event GWSS is discovered in the community; releasing biocontrol agents to manage VMB populations; and educating the citizens and businesses of the community about the threat these pests pose to our agricultural economy.

Pursuant to Napa County Code section 3.54.040, an Engineer’s Report for the NCWPDCD, dated May 4, 2023, has been prepared and submitted to the Clerk of the Board by Kristin Lowell, Inc. The proposed assessments are based upon an allocation of program costs over all properties subject to assessment within the NCWPDCD (i.e., parcels of one or more planted vineyard acres - approximately 45, 250 acres). The assessments will be utilized to assist the funding of the Napa County GWSS work plans, VMB work plans, research, and outreach and education. The report recommends a levy of an assessment for FY23-24 in the amount of \$484,175 for a per acre assessment of \$10.70.

The NCWPDCD Board conducted a public meeting on March 22, 2023 and adopted a budget reflecting the

above figures. The total estimated cost for the Agricultural Commissioner to implement the Napa County GWSS work plan and related District activities for FY23-24 is approximately \$840,000 with funding coming from the California Department of Food & Agriculture, the County, and the proposed assessments. If State funding for the County's GWSS program were reduced, the Pest District Board, Department, and County would have to determine which of the previously funded State components would need to continue to best safeguard the integrity of the County's GWSS prevention efforts. In addition, the District Board, Department, and County would also have to identify funding for any activities for which State funds were no longer available.

It is important to note that the requested action before the Board today involves accepting the Engineer's Report as presented and calling for a public hearing in order to levy assessments to pay for the Pest District Board's recommended FY23-24 budget. The District Board currently has a limited amount of funds in reserve, which if authorized by the District Board, could be used for some program expenditures. This would be insufficient to supplant any reduced or eliminated State funding. In addition, the District Board has the authority to raise the per-acre assessment to the maximum \$20 per-acre allowed by law. If something happens in the future, the County and the District Board will have to reconvene, prepare an amended budget, and recommend that a special assessment be levied to cover any increased costs that might result from a lack of State funding for the program.