



Meeting Minutes

Napa County Flood Control and Water Conservation District

Scott Sedgley, City of Napa (Chairperson)
Joelle Gallagher, District 1, (Vice Chairperson)
Anne Cottrell, District 3
Paul Dohring, City of St. Helena
Leon Garcia, City of American Canyon
Ryan Gregory, District 2
Irais Lopez-Ortega, City of Calistoga
Marjorie Mohler, Town of Yountville
Beth Painter, City of Napa
Alfredo Pedroza, District 4
Belia Ramos, District 5

Tuesday, October 22, 2024

9:00 AM

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

1. CALL TO ORDER; ROLL CALL

Present: Chairperson Scott Sedgley, Directors Anne Cottrell, Leon Garcia, Sharon Gmelch, Ryan Gregory, Irais Lopez-Ortega, Marjorie Mohler, and Beth Painter. Director Paul Dohring arrived during Item 9A, and Director Ryan Gregory left during Item 13B. Vice-Chairperson Joelle Gallagher, Directors Alfredo Pedroza, and Belia Ramos were excused from the meeting. The meeting was called to order by Chairperson Scott Sedgley.

2. PLEDGE OF ALLEGIANCE

Chairperson Scott Sedgley lead the assembly in the Pledge of Allegiance.

3. APPROVAL OF MINUTES

A. Approve minutes from the September 17, 2024 meeting.

[24-1788](#)

Motion Text: Approve the Minutes.

Voting Yes: Garcia, Painter, Cottrell, Gregory, Lopez-Ortega, Mohler, and Sedgley

Voting No: None

Excused: Dohring, Gallagher, Pedroza, and Ramos

Abstain: Gmelch

Result: Passed

4. PRESENTATIONS AND COMMENDATIONS

None

5. CONSENT ITEMS

Motion Text: Approve the Consent Calendar.
Voting Yes: Gregory, Mohler, Cottrell, Garcia, Gmelch, Lopez-Ortega, Painter, and Sedgley
Voting No: None
Excused: Dohring, Gallagher, Pedroza, and Ramos
Abstain: None
Result: Passed

A. Adopt a Resolution establishing the Fiscal Year 2024-25 appropriation limit and estimated revenues subject to the limit for the Community Facilities District-Oakville to Oak Knoll Maintenance, Monitoring, and Restoration Project (CFD OVOK) as required by Article XIII B of the California Constitution. (No Fiscal Impact; Mandatory) [24-1472](#)

Enactment No: R-2024-16 (FC)

B. Approve and authorize Agreement No. 250217B (FC) with River Focus, Inc., for professional services related to the Napa Creek/Napa River Flood Protection Project and other District projects and programs. (Fiscal Impact \$50,000 Expense; Flood District Fund; Budgeted; Discretionary) [24-1675](#)

Enactment No: A-250217B (FC)

C. Approve and authorize Amendment No. 2 for Agreement 220222B (FC) with Sonoma RSA+, Inc., increasing the maximum compensation by \$100,000 to a new total of \$400,000 for surveying services associated with the Napa River/Napa Creek Flood Protection Project - Floodwalls North of the Bypass and other District projects and programs. (Fiscal Impact: \$400,000 Expense; Flood Project; Budgeted; Discretionary) [24-1714](#)

Enactment No: A-220222B (FC) Amend. 2

D. Approve and authorize Purchase and Sale Agreement No. 250061B (FC) for the acquisition of one Flood Protection Levee Easement, one Slope Easement, one Temporary Construction Easement and one Grant of Public Water Utility Easement on property located at 2452 Shoreline Drive (APN 044-301-019), Napa, California owned by Jonathan Harrison and Kristina Harrison, Husband and Wife, as Community Property with Right Of Survivorship at a price of \$63,980 and authorize the District Manager to sign related real estate documents on behalf of the District. (Fiscal Impact: \$63,980 Expense; Flood Project; Budgeted; Discretionary) [24-1741](#)

Enactment No: A-250061B (FC)

E. Approve and authorize Purchase and Sale Agreement No. 250027B (FC) for the acquisition of one Flood Protection Levee Easement, one Slope Easement, one Temporary Construction Easement and one Grant of Public Water Utility Easement on property located at 2440 Shoreline Drive (APN 044-301-025), Napa, California owned by Jennifer L. Milgrom and Louis M. Milgrom, Wife and Husband, as community property with right of survivorship at a price of \$31,560 and authorize the District Manager to sign related real estate documents on behalf of the District. (Fiscal Impact: \$31,560 Expense; Flood Project; Budgeted; Discretionary) [24-1742](#)

Enactment No: A-250027B (FC)

F. Approve and authorize Purchase and Sale Agreement No. 250170B (FC) for the acquisition of one Flood Protection Levee Easement, one Slope Easement and one Temporary Construction Easement on property located at 2422 Shoreline Drive (APN 044-301-034), Napa, California owned by Nancy L. Montez and Michael J. Montez, Wife and Husband, As Community Property with Right Of Survivorship at a price of \$48,300 and authorize the District Manager to sign related real estate documents on behalf of the District. (Fiscal Impact: \$48,300 Expense; Flood Project; Budgeted; Discretionary) [24-1743](#)

Enactment No: A-250170B (FC)

G. Adopt a Resolution to amend the District Bylaws related to parliamentary procedure and to update the Purchasing Policy to include State Water Project supply management authorities for the Engineering Manager. (No Fiscal Impact; Discretionary) [24-1772](#)

Enactment No: R-2024-17 (FC)

6. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None

7. PUBLIC COMMENT

None

8. ADMINISTRATIVE ITEMS

None

9. PUBLIC HEARINGS

- A. PUBLIC HEARING - Napa River/Napa Creek Flood Control Project, Flood Walls North of the Bypass

[24-1734](#)

Conduct a Public Hearing to adopt a Resolution of Necessity with respect to portions of certain property with APNs 044-230-002 and 044-230-003 owned by Jose Cruz Calderon, A Married Man, As His Sole and Separate Property, as to an Undivided 50% Interest and Maximino Ballines, an Unmarried Man, as to an Undivided 50% Interest, as Tenants in Common. (No Fiscal Impact; Discretionary)
[2/3 vote required]

Chairperson Scott Sedgley opened the Public Hearing.

Watershed & Flood Control District Manager Richard Thomasser made presentation.

Eric Bryan Seuthe, attorney for the property owners, made a brief comment.

Discussion held.

Chairperson Scott Sedgley closed the public Hearing.

Motion Text:	Adopt the Resolution.
Voting Yes:	Painter, Dohring, Cottrell, Garcia, Gmelch, Gregory Lopez-Ortega, Mohler, and Sedgley
Voting No:	None
Excused:	Gallagher, Pedroza, and Ramos
Result:	Passed
Enactment No:	R-2024-18 (FC)

B. PUBLIC HEARING - Napa River/Napa Creek Flood Control Project, Flood Walls North of the Bypass

[24-1725](#)

Conduct a Public Hearing to adopt a Resolution of Necessity with respect to portions of certain property with APN 044-230-004 owned by Larry Ellis Inc. (No Fiscal Impact; Discretionary)
[2/3 vote required]

Chairperson Scott Sedgley opened the Public Hearing.

Watershed & Flood Control District Manager Richard Thomasser made presentation.

Discussion held.

Chairperson Scott Sedgley closed the public Hearing.

Motion Text:	Adopt the Resolution.
Voting Yes:	Garcia, Cottrell, Dohring, Gmelch, Gregory, Lopez-Ortega, Mohler, Painter, and Sedgley
Voting No:	None
Excused:	Gallagher, Pedroza, and Ramos
Result:	Passed

Enactment No: R-2024-19 (FC)

C. PUBLIC HEARING - Napa River/Napa Creek Flood Control Project, Flood Walls North of the Bypass [24-1726](#)

Conduct a Public Hearing to adopt a Resolution of Necessity with respect to portions of certain property with APN 044-230-005 owned by David W. Bess, an unmarried man, as to an undivided 75% interest and Ray E. Bertolucci and Claudia J. Bertolucci, trustees of the Ray E. Bertolucci and Claudia J Bertolucci family trust, dated on July 18, 2011, as to an undivided 25% interest. (No Fiscal Impact; Discretionary)
[2/3 vote required]

Chairperson Scott Sedgley opened the Public Hearing.

Watershed & Flood Control District Manager Richard Thomasser made presentation.

Discussion held.

Chairperson Scott Sedgley closed the public Hearing.

Motion Text:	Adopt the Resolution.
Voting Yes:	Painter, Gregory, Cottrell, Dohring, Garcia, Gmelch, Lopez-Ortega, Mohler, and Sedgley
Voting No:	None
Excused:	Gallagher, Pedroza, and Ramos
Result:	Passed

Enactment No: R-2024-20 (FC)

D. PUBLIC HEARING - Napa River/Napa Creek Flood Control Project, Flood Walls North of the Bypass [24-1731](#)

Conduct a Public Hearing to adopt a Resolution of Necessity with respect to portions of certain property with APN 044-230-006 owned by Mark Anthony Grassi, Trustee of the 1992 Grassi Family Trust. (No Fiscal Impact; Discretionary)
[2/3 vote required]

Chairperson Scott Sedgley opened the Public Hearing.

Watershed & Flood Control District Manager Richard Thomasser made presentation.

Discussion held.

Chairperson Scott Sedgley closed the public Hearing.

Motion Text:	Adopt the Resolution.
Voting Yes:	Lopez-Ortega, Gregory, Cottrell, Dohring, Garcia, Gmelch, Mohler, Painter, and Sedgley
Voting No:	None
Excused:	Gallagher, Pedroza, and Ramos
Result:	Passed

Enactment No: R-2024-21 (FC)

- 10. DISTRICT MANAGER'S/ENGINEER'S REPORTS AND ANNOUNCEMENTS
None
- 11. BOARD OF DIRECTORS REPORTS AND ANNOUNCEMENTS
None
- 12. BOARD OF DIRECTORS FUTURE AGENDA ITEMS
None

13. CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [24-1663](#)
(Government Code Section 54956.8)
Properties: APN 044-314-007
Negotiating Party: Richard Thomasser, Flood District Manager, Kazakova
Maria & Valdovinos Greghk
Under Negotiation: Price/Terms/Conditions of Payment

Closed Session held. No reportable action.

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [24-1702](#)
(Government Code Section 54956.8)
Properties: APN 044-204-003
Negotiating Party: Richard Thomasser, Flood District Manager, California
Vacation Holdings Group, LLC
Under Negotiation: Price/Terms/Conditions of Payment

AND

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
(Gov. Code § 54956.9(d)(1))
Name of case: California Vacation Club, a California nonprofit mutual
benefit corporation V. Napa County Flood Control and Water Conservation
District and California Vacation Holdings Group, LLC, a Florida limited
liability company and DOES 1 through 10, inclusive. Case NO.
24CV001395. First Amended Verified Complaint for: (1) Breach of
Governing Documents, (2) Preliminary and Permanent Injunctions and (3)
Declaratory Relief.

Closed Session held. Deputy District Counsel Shana Bagley reported on the following: By motion made by Director Garcia, seconded by Director Painter the Board voted unanimously to authorize County Counsel to defend the action filed by California Vacation Holdings Group, LLC.

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR [24-1756](#)
(Government Code Section 54956.8)
Properties: APN 044-301-020
Negotiating Party: Richard Thomasser, Flood District Manager, Healy, Ryan
and Courtney
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, NOVEMBER 26, 2024
AT 9:00 AM.**

NEHA HOSKINS, District Secretary