



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/11/2020
Agenda Placement: 9E
Set Time: 2:30 PM
Estimated Report Time: 30 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112
SUBJECT: Discussion on the Status of Discussions with Bureau of Reclamation regarding Lake Berryessa

RECOMMENDATION

County Executive Officer requests the Board of Supervisors receive an update on discussions with the Bureau of Reclamation regarding concession management at Lake Berryessa.

EXECUTIVE SUMMARY

Staff will provide an update on discussions with the Bureau of Reclamation regarding discussions for concession management at Lake Berryessa.

PROCEDURAL REQUIREMENTS

No action required.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No
County Strategic Plan pillar addressed: Healthy, Safe, and Welcoming Place to Live, Work, and Visit

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

On June 21, 2016, the Board of Supervisors directed staff to enter into negotiations for a Managing Partner Agreement between the County and the Bureau of Reclamation (BOR). BOR has the ability to enter into a Managing Partner Agreement with a non-federal partner for concession management. Under a Managing Partner Agreement, the responsibility to develop and manage public recreation areas is transferred to the partner agency. While there are federal policies and guidelines on how management agreements can be structured, items within the agreement are generally negotiable. The responsibilities and requirements of each agency are outlined in the agreement and, while BOR would retain oversight, the partner agency would assume responsibility for bidding and awarding third-party agreements to provide concession-related services and facilities.

Staff began negotiations with the BOR and quickly learned that it was difficult to negotiate a fair and accurate agreement when the type and interest of concessions are unknown. On December 6, 2016, the Board of Supervisors entered into a Memorandum of Understanding (MOU) with the Bureau of Reclamation to gauge the commercial interest in Lake Berryessa and determine if the types and scope of recreation opportunities are of interest to potential developers and viable under federal, state and local policies and laws. Under this MOU, the County, at its own expense and authority, developed a Request for Information/Interest (RFII) in Lake Berryessa concessions. The results of the RFII will determine whether the County can identify viable concessions partners within the uses identified in the Lake Berryessa Visitor Services Plan and negotiate the Managing Partner Agreement based on the interest generated. Entering into this MOU did not commit the County or the BOR to a Managing Partner Agreement.

Also on December 6, 2016, the Chair signed an agreement with Ragatz Sedgwick Realty (now Ragatz Realty). Ragatz Realty was selected through a Request for Proposal process for its knowledge and experience in developing hotels, resorts and other recreational opportunities worldwide. Under this agreement, Ragatz Realty was contracted to identify concession opportunities at Lake Berryessa. On May 9, 2017, the Board of Supervisors amended this agreement to include additional work including "Phase II" whereby the consultant would assist the County with marketing the opportunity to potential vendors. The Board of Supervisors received an initial report from Ragatz Realty on August 1, 2017.

On October 16, 2018 and May 14, 2019, the the Board of Supervisors received a report from staff and provided direction on a possible phasing plans and continued negotiations with Reclamation.

On November 18, 2019, staff presented an update on the work done by Supervisor Dillon and Supervisor Pedroza to finalize terms for a Managing Partner Agreement. The terms sheet conceptually approved is attached. At the November meeting, a tentative timeline was presented that indicated that the Managing Partner Agreement would be finalized in February 2020.

Given the Board of Supervisor's meeting calendar, February 11th is the final meeting in February 2020. Staff from the County and the Bureau of Reclamation have continued to meet to finalize the legal language in the Managing Partner Agreement document. Staff from the County and the Bureau of Reclamation will be present to provide a status update, including the Federal internal review process, as we work to finalize and bring to the Board of Supervisors an agreement for consideration.

SUPPORTING DOCUMENTS

A . Term Sheet

CEO Recommendation: Approve

Reviewed By: Helene Franchi