



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/17/2020

Agenda Placement: 10A

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Minh Tran - County Executive Officer  
County Executive Office

**REPORT BY:** Molly Rattigan, Deputy County Executive Officer - 253-4112

**SUBJECT:** Lake Berryessa Managing Partner Agreement

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### **RECOMMENDATION**

County Executive Officer requests approval of and authorization for the Chair to sign a Managing Partner Agreement with the United States Bureau of Reclamation regarding concession management at Lake Berryessa effective November 1, 2020.

### **EXECUTIVE SUMMARY**

Staff has finalized a Managing Partner Agreement with the Bureau of Reclamation regarding concession management at Lake Berryessa. The agreement is attached. Staff is recommending approval of and authorization for the Chair to sign the agreement.

### **PROCEDURAL REQUIREMENTS**

1. Staff Report
2. Public Comment
3. Motion, second and vote on item.

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

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Partial funding will be provided by the Bureau of Reclamation.
Is it Mandatory or Discretionary?	Discretionary

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Discretionary Justification:	The Bureau of Reclamation has been unable to identify concessionaires to operate resort and concession services at Lake Berryessa. Napa County staff has reached an agreement that will allow the County the opportunity to manage concessions at three of the resort areas.
Is the general fund affected?	Yes
Future fiscal impact:	The proposed agreement is 55 years.
Consequences if not approved:	If this item is not approved, the concessions management responsibility would be retained by the Bureau of Reclamation.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit
Additional Information:	

### **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.

Staff presented to the Board of Supervisors on February 11, 2020 that negotiations were almost complete and a document was expected to be presented in March 2020.

Staff has completed negotiations and the Bureau of Reclamation has approved the attached agreement. Under the proposed agreement, Napa County would assume management of the Spanish Flat, Monticello Shores and Steele Park resort areas effective November 1, 2020. The County of Napa also retains the ability to assume management of four additional areas based on future discussions. Additionally, if the County is unable to identify concessionaires to successfully operate at Lake Berryessa, the County has the ability to opt-out of the agreement.

Staff will present the key areas of the document at the meeting and next steps to begin implementation by November 1, 2020. Staff recommends approval of the attached agreement.

### **SUPPORTING DOCUMENTS**

A . Proposed Managing Partner Agreement

CEO Recommendation: Approve

Reviewed By: Helene Franchi