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Agenda Date: 6/2/2015

Agenda Placement: 6I

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** A. Humberto Izquierdo for Greg Clark - Agricultural Commissioner  
Agricultural Commissioner

**REPORT BY:** Jaspreet Faller, Staff Services Analyst II - 253-4973

**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 requests adoption of a resolution providing for the following:

1. Acceptance of the Engineer's Report for the Napa County Winegrape Pest and Disease Control District for Fiscal Year 2015-2016 and the proposed levy of assessment for the district;
2. Set a Public Hearing for June 16, 2015 at 9:00 A.M. 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 Counsel to answer questions regarding the assessments and protest proceedings.

### **EXECUTIVE SUMMARY**

The recommended action will commence the annual assessment process for the Winegrape Pest & Disease Control District for the 2015-2016 Fiscal Year by accepting the Engineer's Report, which sets forth the proposed assessment, and setting a public hearing to hear protests to the proposed assessment.

### **FISCAL 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 2015-2016 in the amount of \$226,375 which is deposited into a special designated account held with the Auditor (3900-26400-70164). In addition, the Agricultural Commissioner budgets (\$215,000) much of the collected assessment as revenue which the Department receives after the District Board authorizes payment from the special designated account for services provide by the Agricultural Commissioner. The remaining collected assessment funds remain in the special designated account, claims are paid directly upon authorization by the District Board.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	There is no impact beyond fiscal year 2015-2016 since the assessment is specifically for that fiscal year alone.
Consequences if not approved:	If the Board does not take the requested actions, the process to levy the assessment and schedule the required public hearing will not occur and the levying and collection of the assessment will not occur, resulting in there being no funding available to operate the activities of the Napa County Winegrape Pest and Disease Control District.

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**

In 2002, the Board of Supervisors established the Napa County Winegrape Pest and 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) Workplan 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) Workplan. Assessments 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 and VMB monitoring traps; educating the citizens and businesses of community about the threat these pests pose to our agricultural economy; and developing an emergency rapid response program in the event GWSS is discovered in the community.

Pursuant to Napa County Code section 3.54.040, an Engineer's Report for the NCWPDCD, dated May 20, 2015, 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 45,275 acres). The assessments will be utilized to assist the funding of the Napa County Glassy-winged Sharpshooter Workplan and Vine Mealybug Workplan. The report recommends the levy of an assessment for Fiscal Year 2015-2016 in the amount of \$226,375 for a per acre assessment of \$5.00. The proposed assessment amount is less than the previous year's assessment amount of \$5.85, due to not budgeting the transfer of revenue to reserves.

The NCWPDCD Board conducted a public meeting on March 19, 2015, and adopted a budget reflecting the above figures. The total estimated cost for the Agricultural Commissioner to implement the Napa County GWSS Workplan and related District activities for FY 2015-2016 is approximately \$643,000 with funding coming from the California Department of Food and 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 program 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 FY2015-2016 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 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.

#### **SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Molly Rattigan