



Agenda Date: 7/11/2006
Agenda Placement: 8B
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 15 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Greg Clark for Dave Whitmer - Agricultural Commissioner
Agricultural Commissioner
REPORT BY: Greg Clark, Assistant Agricultural Commissioner/Sealer, 253-6169
SUBJECT: Public Hearing to hear protests and tabulate assessment ballots, and adopt a resolution imposing assessments on behalf of the Napa County Winegrape Pest and Disease Control District.

RECOMMENDATION

Agricultural Commissioner/Sealer of Weights and Measures requests the following actions relating to the Napa County Winegrape Pest and Disease Control District (District):

1. Open Public Hearing to consider any objections or protests with respect to proposed assessments and the proposal to expand the scope of use District assessments for winegrape pests and diseases other than just the glassy-winged sharpshooter and Pierce's disease;
2. Close Public Hearing;
3. Recess and direct Clerk of the Board or Clerk's designees to tabulate ballots from qualifying landowners on the proposal to expand the scope of use of District assessments; and
4. Reconvene item, receive ballot results and, depending on the outcome of the balloting, adopt one of two alternative resolutions authorizing and levying assessments for Fiscal Year 2006-2007 on qualifying properties in the District.

EXECUTIVE SUMMARY

In August, 2002, the District obtained authorization from owners of property containing one or more acres of planted vineyards ("qualifying property owners") to levy an assessment of up to \$20 per acre per year to fund the detection, prevention, and treatment of the glassy-winged sharpshooter and Pierce's disease through partially funding the Napa County Glassy-Winged Sharpshooter Workplan.

The District is now seeking approval from qualifying property owners to use a portion of the previously approved assessments, as determined appropriate by the District Board, to fund the detection, prevention, and treatment of other winegrape pests and diseases in addition to glassy-winged sharpshooter and Pierce's disease.

The public hearing is to consider objections or protests to the proposed annual assessment for both the glassy-

winged sharpshooter program, and the proposal to expand the scope of use of assessments to respond to additional winegrape pests and diseases. Depending on the result of assessment balloting, the Board may adopt one of two alternative resolutions. If the assessment balloting is successful (less than 1/3 ballots in opposition), the Board is requested to adopt the resolution imposing a Fiscal Year 2006-2007 assessment on qualifying property owners in the amount of \$4.95. In the event the assessment balloting is unsuccessful, the Board is requested to adopt the resolution imposing a Fiscal Year 2006-2007 assessment on qualifying property owners in the amount of \$3.95.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Agricultural Commissioner
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This revenue source is used in combination with State Grant funding and General Fund revenue in a financial partnership developed to prevent Pierce's Disease and the spread of the glassy-winged sharpshooter. Funding for the vine mealybug activities will come from the General Fund and assessments from vineyard owners.
Is the general fund affected?	Yes
Future fiscal impact:	It is anticipated that the District will continue to participate in a financial partnership, for activities related to glassy-winged sharpshooter, and vine mealybug in the event the proposal to expand the use of assessment funds passes.
Consequences if not approved:	There would be a decrease in the level of service for this program.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The formation of the District and original imposition of assessments was analyzed in a Negative Declaration adopted March, 2002, and the instant activity is further statutorily exempt from CEQA pursuant to 14 California Code of Regulations 15273 (State CEQA Guidelines) in that the assessments are utilized to assist in funding the Agricultural Commissioner's programs related to winegrape pests and diseases.

BACKGROUND AND DISCUSSION

The Napa County Winegrape Pest and Disease Control District (District) was formed in 2002 for the purpose of providing funding for the prevention of Pierce's Disease and the spread of the glassy-winged sharpshooter. In August, 2002, qualifying property owners approved the imposition of an assessment not to exceed \$20 per acre per year to carry out that objective. The District, under the authority of Food and Agricultural section 6295.1, now seeks approval, through an assessment balloting proceeding, to obtain authorization to expand the scope of use of the assessments to address impacts associated with winegrape pests and diseases in addition to glassy-

winged sharpshooter and Pierce's disease.

Pursuant to Napa County Code section 3.54.040, alternative Engineers' Reports, one for just the glassy-winged sharpshooter and Pierce's disease, and one for expanded use of assessments to treat additional winegrape pests and diseases, have been prepared and submitted to the Board of Supervisors by Kristin Lowell, Inc.

Both proposed assessments are based upon an allocation of program costs over all properties subject to assessment within the District - approximately 45,528 acres. If the proposal to obtain authority to expand the use of assessments is approved by qualifying property owners, the report recommends the levy of an assessment for Fiscal Year 2006-2007 in the amount of \$225,355.30 for a per acre assessment of \$4.95. The District's contribution to the County's GWSS Workplan would be \$179,726, with the remainder of the total assessment utilized to respond to vine mealybug. If the qualifying property owners do not approve the expanded assessment use proposal, the assessment proposed will be \$3.95 per planted acre, and used only to respond to glassy-winged sharpshooter and Pierce's disease.

The total estimated cost for the Agricultural Commissioner to implement the Napa County GWSS Workplan and the vine mealybug program for Fiscal Year 2006-2007 is \$764,432.86, with funding coming from the California Department of Food and Agriculture, the County, a contribution of \$30,000 from the winegrape growing industry, and the proposed assessments.

SUPPORTING DOCUMENTS

- A . Resolution Imposing Assessments (Expanded Scope)
- B . Resolution Imposing Assessments (Non-Expanded Scope)

CEO Recommendation: Approve

Reviewed By: Andrew Carey