

RESOLUTION NO. 2019-64

**RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY,
STATE OF CALIFORNIA, ACCEPTING THE FILING OF THE
ENGINEER'S REPORT AND SETTING A PUBLIC HEARING ON THE
ENGINEER'S REPORT AND THE PROPOSED LEVY OF ASSESSMENTS
WITHIN COUNTY SERVICE AREA NO. 3 FOR STREET MEDIAN
LANDSCAPING, STREET AND HIGHWAY LIGHTING, STREET
SWEEPING, AND STRUCTURAL FIRE PROTECTION AS AUTHORIZED
BY CHAPTER 2.5 PART 2 OF DIVISION 2 OF TITLE 3 OF THE
GOVERNMENT CODE AND CHAPTER 3.10 OF THE NAPA COUNTY
CODE FOR FISCAL YEAR 2019-2020**

WHEREAS, in 1979, the Board of Supervisors of Napa County ("Board") formed County Service Area No. 3 ("CSA No. 3") pursuant to the County Service Area Law, Government Code section 25210 et seq. ("County Service Area law"), as a mechanism for providing certain enhanced governmental services to the unincorporated area surrounding the Napa County Airport; and

WHEREAS, in 1994 by Resolution No. 94-27, the Board added the enhanced services of structural fire protection, median landscaping, street and highway lighting, and street sweeping to the governmental services that could be provided in CSA No. 3; and

WHEREAS, the Board desires to continue to provide the enhanced services of structural fire protection, median landscaping, street and highway lighting, and street sweeping (collectively referred to as "Services") within various zones of CSA No. 3 during Fiscal year 2019/2020; and

WHEREAS, the Board proposes to finance the Services through the imposition of assessments on the parcels of real property in CSA No. 3 that will receive special benefits from the Services (collectively referred to as "Assessments"); and

WHEREAS, County Service Area law provides that the Board may establish zones within any county service area with assessments varying with the extent of benefit to each zone derived from the Services provided to the property within such zone; and

WHEREAS, the assessments which the Board desires to adopt for Fiscal Year 2019/2020 do not exceed an assessment formula or range of assessments previously specified in a notice given to the public pursuant to Government Code section 54954.6(c)(2)(G) and approved in 1997 by the voters in the area where the assessments are proposed to be imposed pursuant to the requirements of Article XIII D (4) of the California Constitution; and

WHEREAS, the Board has caused to be prepared, and has received for filing with the Clerk of the Board ("Clerk"), a written Engineer's Report ("Report") with respect to the Assessments, which Report, dated April 30, 2019, was prepared by a professional engineer certified by the State of California and which is referred to and incorporated herein by reference; and

WHEREAS, pursuant to County Service Area law and Chapter 3.10 of the Napa County Code, the Report includes a description of each parcel of real property receiving any of the Services and the amount of the assessments for such parcel computed in conformity with County Service

Area law and Napa County Code sections 3.10.30 and 3.10.40; and

WHEREAS, after considering the Report, the Board wishes to declare its intention to levy the Assessments for the Fiscal Year 2019/2020 in accordance with the Report.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Supervisors of Napa County, State of California, hereby declares its intention, pursuant to the County Service Area law and Chapter 3.10 of the Napa County Code, to levy the Assessments upon real property in CSA No. 3 for Fiscal Year 2019/2020, in the manner and amounts as set forth in the Report.

2. The Report prepared by Kristin Lowell, Inc., dated April 30, 2019, has been filed with the Clerk of the Board of Supervisors and is hereby accepted for filing with this Board by this Resolution. A copy of this Report shall be maintained on file with the Clerk of the Board of Supervisors at 1195 Third Street, Suite 310, Napa, California, and shall be available for public inspection at that location during regular County business hours.

3. For purposes of levying the Assessments, and pursuant to Government Code section 25217.4, the Board hereby establishes zones within CSA No. 3 in which the following enhanced services will be provided during Fiscal Year 2019/2020, as set forth more fully in the Report:

- Zone 1: median landscaping
- Zone 2: structural fire protection
- Zone 3: street and highway lighting and street sweeping

4. The Assessments will be levied at a rate of assessment not to exceed the rate schedule and maximum rates based on the assessment formulas set forth in the Report.

5. With respect to the Assessments proposed to be levied for Fiscal Year 2019/2020, the designated rates are based on the special benefit to be derived by each identified parcel from the Services provided to that parcel as further set forth in the Report, and no individual assessment will exceed the reasonable cost of the proportional special benefit conferred on the parcel to which it relates.

6. At 9:00 a.m., or as soon thereafter as circumstances allow, on June 11, 2019, in the chambers of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, the Board shall hold a public hearing ("public hearing") with respect to the enactment of the Assessments. At the public hearing, the Board shall consider any protests with respect to the Assessments, as further set forth herein, and shall determine whether, and to what extent, to adopt the proposed Assessments.

7. The Board designates the Napa County Director of Public Works/Director of Aviation, through the Director's designee the Napa County Airport Manager, 2030 Airport Road, Napa, California 94558, telephone number (707) 253-4300, as the person to answer questions regarding the Assessments.

8. Pursuant to County Service Area law and Napa County Code section 3.10.50(B)(2)(b), the Clerk shall publish notice of the public hearing at least once per week for two successive weeks, as provided by Government Code section 6066, in a newspaper of general circulation published in Napa County, which noticing shall be completed prior to the date set for the public hearing.

9. Upon conclusion of the public hearing, the Board may adopt, revise, change, reduce, or modify downward any of the Assessments which have not received a majority protest and shall make its determination upon each Assessment or charge as described in the Report, all as authorized by Napa County Code section 3.10.50(C). The Board shall then confirm the Report as so modified and order the Assessments to be levied and collected in conformity therewith.


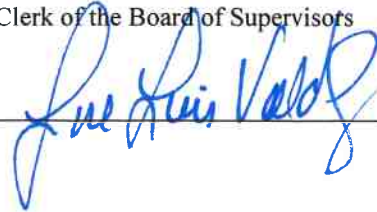
10. In accordance with Napa County Code section 3.10.110, each of the Assessments imposed by the Board at the conclusion of the public hearing shall be collected on the tax bill at the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at a regular meeting of the Board of Supervisors of the Napa County, State of California, held on the 21st day of May, 2019, by the following vote:

AYES:	SUPERVISORS	WAGENKNECHT, PEDROZA, DILLON, RAMOS and GREGORY
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

NAPA COUNTY, a political subdivision of the State of California

By: 
 RYAN GREGORY, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>Jeffrey M. Richard</u> (e-signature) Chief Deputy County Counsel Date: April 22, 2019	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: May 21, 2019 Processed By:  Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By: 
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