



Agenda Date: 10/10/2006
Agenda Placement: 10A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Andrew Carey, Management Analyst, 253-4477
SUBJECT: Measure G, Napa Valley Unified School District bond measure

RECOMMENDATION

Discussion and possible action concerning Measure G, the Napa Valley Unified School District bond measure, which has been placed on the November 7, 2006 ballot for the district's voters to consider. (Supervisor Wagenknecht)

EXECUTIVE SUMMARY

Supervisor Wagenknecht has asked that Measure G be placed on the Board's agenda for discussion. Measure G, if approved by the voters on the Napa Unified School District, would authorize \$183,000,000 in school bonds for a variety of purposes. The text of the measure has been duplicated in the background section of this staff report.

Because Measure G is a local issue, and not of regional, statewide, or national significance, the Board's policy requiring unanimous agreement concerning adopting a position concerning legislation and ballot measures does not apply.

FISCAL IMPACT

Is there a Fiscal Impact? No

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

Supervisor Wagenknecht has asked that Measure G be placed on the Board's agenda for discussion. Measure G, if approved by the voters on the Napa Unified School District, would authorize \$183,000,000 in school bonds for a variety of purposes. The test of measure G reads as follows:

"To improve school facilities and safety conditions, reduce school overcrowding, and qualify for state matching funds, shall Napa Valley Unified School District issue \$183,000,000 in bonds at interest rates within the legal limit, with annual financial audits and independent citizen's oversight, for purposes including:

- | constructing a new high school;
- | constructing new classrooms;
- | improving disabled access;
- | creating science classrooms and improving classroom technology;
- | expanding New Technology High School, including computer labs;
- | improving earthquake safety at athletic facilities;
- | enhancing school security?"

The Board may or may not take action on the ballot measure presented for discussion. However, unlike legislation under consideration in the State Legislature and in the United States Congress, the Board is limited in the actions it may take in regard to state or local ballot measures placed before the voters. The Board and County staff may not expend public funds attempting to persuade the public to vote for or against any ballot measure. What constitutes attempting to persuade the public to vote for or against a ballot measure is presently being considered by the California Supreme Court. However, based on prior court decisions, it is reasonably clear that the Board may take a public position on any ballot measure so long as taking the position cannot be construed as suggesting how the public should vote.

Board members may also verbally express their opinions on ballot measures in a public meeting where there is the opportunity for public discussion and presentation of the pros and cons of the measures. Finally, these rules do not impact the 1st Amendment Right of Board members to take a position outside of a Board meeting.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey