

RESOLUTION NO. 2019-103

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS
CALLING A SPECIAL ELECTION AND CONSOLIDATING IT WITH
THE MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION FOR THE
PURPOSE OF ENABLING THE PEOPLE OF NAPA COUNTY TO VOTE
ON THE QUESTION OF WHETHER ORDINANCE NO. 2019-01
SHOULD BE APPROVED, IMPOSING A RETAIL TRANSACTIONS AND
USE TAX AT THE RATE OF ONE QUARTER OF ONE PER CENT
(0.25%) FOR FIFTEEN YEARS TO BEGIN 120 DAYS FROM THE DATE
OF THE ELECTION**

WHEREAS, the Napa County Regional Park and Open Space District (“District”) was formed and operates pursuant to Public Resources Code section 5500 et. seq., and Napa County Resolution Nos. 06-110 and 06-111; and

WHEREAS, the District was created for the purposes of protecting watersheds, water quality, forests, wildlife habitat and other open space resources and enhancing the delivery of regional parks, recreation, and outdoor benefits to the residents of Napa County; and

WHEREAS, the District has adopted a Master Plan, updated July 8, 2019, which lays out a comprehensive approach to protecting and restoring water resources and open spaces, and managing parks and trails for public recreational purposes; and

WHEREAS, the Napa County Board of Supervisors finds that the Master Plan and goals of the District provide a unique and valued cultural, environmental and educational resource to the citizens of Napa County; and

WHEREAS, the District is currently funded partly through Napa County’s Transient Occupancy Tax Special Projects Fund and through various funds secured by the District; and

WHEREAS, current funding levels are insufficient to enable the District to achieve the goals of the District’s Master Plan; and

WHEREAS, the District has recommended, and the Board of Supervisors agrees, that Napa County voters should be presented with the opportunity to vote on whether a transaction and use tax of one quarter of one per cent (.25%) should be imposed for a period of fifteen (15) years to enable the District to continue to preserve the quality of life of Napa County residents by protecting and restoring water resources, watersheds, rivers, creeks, natural areas and wildlife habitat, restoring native ecosystems, reducing the risk of catastrophic wildfire, maintaining and enhancing walking, hiking, biking and equestrian trails, and providing outdoor education especially for youth, as more particularly described in the proposed tax measure (Ordinance No. 2019-01); and

WHEREAS, Ordinance No. 2019-01 has been prepared for the purpose of enabling the people of Napa County to vote on the question of whether to impose a one-quarter of one per cent (.25%) retail transactions and use tax for fifteen (15) years; and

WHEREAS, Revenue and Taxation Code section 7285.5 authorizes the Board of Supervisors to levy a transactions and use tax throughout the entire county with two-thirds vote of the people; and

WHEREAS, on August 20, 2019, the Board of Supervisors, by two-thirds vote, approved Ordinance No. 2019-01 and must now place the Ordinance before the voters for approval or rejection.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Elections Code sections 9140 and 12001, the Board hereby orders and proclaims that the question of whether a transaction and use tax at the rate of one-quarter of one percent (.25%) shall be imposed for fifteen (15) years, shall be submitted to the voters of Napa County at a special election as Measure K to be held and conducted on the 3rd day of March 2020, and the Registrar of Voters is hereby instructed to place the matter on the March 3, 2020 ballot and include the full text of Ordinance No. 2019-01 in the official ballot materials as the proposition to be voted on at said election. The statement of the question to appear on the ballot shall be in substantially the following form:

Water, Parks and Open Space, Restoration and Preservation Measure. To protect drinking water by preserving and restoring watersheds, rivers, creeks; protect natural open spaces and wildlife habitat; reduce wildfire risk; and maintain local parks and trails; shall Napa County enact a 1/4 percent sales tax for the Napa County Regional Park and Open Space District raising an estimated nine million dollars annually for fifteen years with citizen oversight, annual audits, and funds that cannot be taken by the State?	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

BE IT FURTHER RESOLVED that said special election shall be, and it is, hereby consolidated with the Presidential Primary Election to be held on said day, and all precincts established and all election officers appointed for said presidential primary election shall be the precincts and election officers for said special election, and said election officers shall conduct said election and make return thereof according to the law.

BE IT FURTHER RESOLVED that Elections Code sections 9160 *et seq.* shall apply to the election.

BE IT FURTHER RESOLVED that the District will reimburse the County for the cost of the election.

BE IT FURTHER RESOLVED that the polls shall be open from the hours of 7:00 a.m. to 8:00 p.m. on said election day. The manner of holding the election and the procedure for voting for and against the question presented shall be as set forth in the Elections Code for a local special election, which is consolidated with the Presidential Primary Election.

BE IT FURTHER RESOLVED that the impartial analysis by the County Counsel in the form required by Elections Code section 9160 shall be prepared and filed with the Registrar on or before 5:00 p.m., on December 6, 2019 and included in the official ballot materials.

BE IT FURTHER RESOLVED that a fiscal impact statement by the County Auditor, which is authorized by Elections Code section 9160(c), is not required.

BE IT FURTHER RESOLVED that notice be, and it hereby is, given that the final date for submission to the Registrar of Voters of arguments not to exceed 300 words in length for or against the measure shall be on or before 4:30 p.m. December 13, 2019, and that such arguments shall be submitted to the Registrar at the Election Division, 1127 1st St Ste E, Napa, California, 94559.

BE IT FURTHER RESOLVED, that notice be, and it hereby is, given that the final date for submission to the Registrar of Voters of rebuttal arguments for or against the measure, to the extent rebuttal arguments are permitted by section 9167 of the Elections Code, shall be on or before 5:00 pm on December 20, 2019 and that such arguments shall be submitted to the Registrar at the Election Division, 1127 1st St Ste E, Napa, California, 94559, and included in the official ballot materials.

BE IT FURTHER RESOLVED that the Registrar of Voters conducting the election may publish a notice of the election in a newspaper of general circulation within the County of Napa not later than fifty (50) days prior to the election.

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THE FOREGOING RESOLUTION was duly and regularly adopted at a regular meeting of the Board of Supervisors of the County of Napa, State of California, held on the 20th day of August, 2019, by the following vote:

AYES: SUPERVISORS RAMOS, WAGENKNECHT, DILLON,
PEDROZA and GREGORY


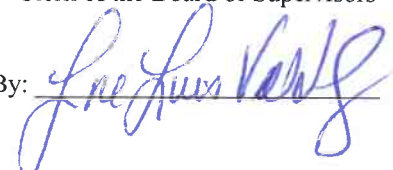
NOES: SUPERVISORS NONE

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

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>S. Darbinian</u> Deputy County Counsel</p> <p>Date: <u>8/12/19</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: August 20, 2019 Processed By:  Deputy Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By: </p>
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