

RESOLUTION NO. 2022-___

**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 MEDIAN LANDSCAPING,
STREET AND HIGHWAY LIGHTING, STREET SWEEPING, AND
STRUCTURAL FIRE PROTECTION FOR FISCAL YEAR 2022-2023**

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 extended 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 the 2022-2023 fiscal year; 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 herein indicates its intention to adopt, constitute assessments which do not exceed the 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, section 4 of the California Constitution; and

WHEREAS, the Board has caused to be prepared, and on this date has received for filing with the Clerk of the Board (“Clerk”), a written Engineer's Report (“Report”) with respect to the Assessments prepared by a professional engineer certified by the State of California and which Report 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 2022-2023 fiscal year in accordance with the Report, and to that end to set a public hearing on the Report and the level of Assessments proposed in the Report;

NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors 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 the 2022-2023 fiscal year, in the manner and amounts as set forth in the Report.

2. The Report prepared by David Taussig and Associates, dated May 2, 2022, entitled “Preliminary Engineer’s Report, Napa County CSA No. 3, Fire Protection and Street Maintenance Assessment District” 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 extended services will be provided during the 2022-2023 fiscal year, 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 the 2022-2023 fiscal year, 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 exceeds the reasonable cost of the proportional special benefit conferred on the parcel to which it relates.

6. On June 7, 2022, at 9:15 a.m., or as soon thereafter as circumstances allow, in the chambers of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, the Board shall hold a public hearing (“public hearing”) where any interested person shall be permitted to present written or oral testimony regarding the content and accuracy of the Report, and express support or opposition to the proposed Assessments.

7. The Board designates the Napa County Director of Public Works, 1195 Third Street, Suite 101, Napa, CA 94559, telephone number (707) 253-4351, as the person to answer questions regarding the Assessments.

8. Pursuant to County Service Area law and Napa County Code section 3.10.050(A)(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 to correct computational errors and shall make its determination upon each Assessment as described in the Report, all as authorized by Napa County Code section 3.10.050(B). 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 17th day of May, 2022, by the following vote:

AYES: SUPERVISORS _____

 NOES: SUPERVISORS _____
 ABSTAIN: SUPERVISORS _____
 ABSENT: SUPERVISORS _____

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>Thomas C. Zeleny</u> Interim County Counsel</p> <p>Date: <u>May 5, 2022</u> PL Doc. No. 72118</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____ Processed By: _____ _____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
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