

CITY OF ST. HELENA

RESOLUTION NO. 2022-16

RESOLUTION: PLACING A MEASURE TO APPROVE THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE MUNICIPAL IMPROVEMENTS ON THE JUNE 7, 2022 BALLOT, REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION, AND SETTING PROCEDURAL DETAILS

RECITALS

- A. WHEREAS, on February 8, 2022, the City Council adopted, by a two-thirds vote of all its members, Resolution No. 2022-11 determining the necessity to incur a bonded indebtedness to finance municipal improvement projects of the City; and
- B. WHEREAS, the City Council is required by the California Constitution as well as other applicable provisions of California law to submit the proposal for bonded indebtedness to the voters for their consideration; and
- C. WHEREAS, on the date hereof, the City Council adopted, by a two-thirds vote of all its members, AN ORDINANCE ORDERING THE SUBMISSION OF A PROPOSITION INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF ST. HELENA AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON JUNE 7, 2022, FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS (the "Ordinance"), which orders the submission to the voters of a proposition authorizing bonded indebtedness to the voters of the City of St. Helena for their consideration;

RESOLUTION

The City Council of the City of St. Helena hereby resolves as follows:

Section 1. Pursuant to its right, power and authority under the California Constitution and the laws of the State of California, the City Council on its own motion hereby orders submitted to the voters at an election to be held in the City on June 7, 2022, a ballot measure designated by letter by the Napa County Registrar of Voters authorizing the sale of general obligation bonds to finance the costs of municipal improvement projects of the City described in the Ordinance, to appear on the ballot in substantially the following form:

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| <p>BOND MEASURE H</p> <p>"St. Helena Water Service Protection. To protect local water quality/supply, improve drought resilience by: repairing/replacing St. Helena's 1940s-era drinking water system, including pipes, aging/deteriorating drinking water, stormwater and sewage infrastructure; keeping sewage, pollution, trash, chemicals from local rivers, creeks and streams; protecting safe, sustainable, local water sources; shall City of St. Helena's measure authorizing \$19,150,000 in bonds, levying approximately \$14.82 per \$100,000 of assessed value, raising about \$1.2 million annually while bonds are outstanding, requiring citizen oversight, be adopted?</p> | <p>BONDS YES</p> |
| | <p>BONDS NO</p> |

Section 2. The full text of the proposed measure to be submitted to the voters is set forth in the Ordinance and incorporated herein by reference as if set forth in full. The full text of the Ordinance shall be printed in the voter information guide. The proposed measure shall not take effect unless approved by a 2/3rds vote of the voters voting on the question.

Section 3. The City Council hereby finds that the estimates and projections contained in the measure and in the tax rate statement required by Section 9401 of the California Elections Code and prepared in connection with the measure, have been made based on currently available information, but depend on a number of variables which are subject to variation. Such estimates and projections have been made in good faith and are not binding or intended to be limitations on the terms of the Bonds. The City Manager (including any interim) is hereby authorized to finalize and execute the tax rate statement, and to file the tax rate statement with the Napa County Registrar of Voters.

Section 4. Pursuant to Section 10002 and 10403 of the California Elections Code, the City hereby requests that the Board of Supervisors of Napa County and the Napa County Registrar of Voters consolidate the City's general obligation bond measure with the Statewide general election to be held on June 7, 2022, and further requests the services of the Napa County Registrar of Voters in carrying out the election for the City's general obligation bond measure, including sending to the City's registered voters all required election materials, conducting the election, canvassing the vote received, and taking all steps necessary and required for the holding of this election within the City. The City Clerk of the City of St. Helena shall receive the canvass as it pertains to the election on the measure from the County, and shall certify the results to the City Council, as and to the extent required by law.

Section 5. The City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the California Elections Code. The location of the central counting place for the ballots to be cast at the election shall be as established by the Board of Supervisors of Napa County and/or the Napa County Registrar of Voters. The precincts, ballot drop box locations and hours of operations, vote center locations and hours of operations, vote-by-mail procedures and timing, and

election officers, and all other persons and procedures for the election shall be the same as those utilized by Napa County.

Section 6. The City acknowledges that the compensation for election officers, polling place rental fees and any other fees or costs of the election shall be based on the rates set by the Napa County Board of Supervisors which are in effect at the time of the consolidated election, and the County shall be reimbursed by the City for such services as they are performed.

Section 7. The City Council directs the City Clerk to submit to the City Attorney a copy of the measure, and the City Attorney is hereby authorized and directed to prepare an impartial analysis of the ballot measure showing the effect of the measure on the existing law and operation of the measure. The impartial analysis shall be submitted by the City Attorney to the City Clerk on or before Friday, March 11, 2022 at 5:00 p.m., shall not exceed 500 words in length, and otherwise shall comply in all respects with the applicable provisions of the California Elections Code.

Section 8. The last day for filing direct arguments for or against the measure shall be Friday, March 18, 2022 at 4:30 p.m., and all such arguments shall be filed with the St. Helena City Clerk, 1572 Railroad Avenue, St. Helena, California 94574 and shall not exceed 300 words in length. Each argument shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk. Arguments received prior to the deadline shall be confidential until the deadline. The City Clerk, upon receipt of arguments and after the filing deadline, shall immediately transmit copies to any known opposing parties who may then submit rebuttals within the time period described in Section 9 below.

Section 9. The last day for filing rebuttal arguments for or against the measure shall be Friday, March 25, 2022 at 5:00 p.m., and all such arguments shall be filed with the St. Helena City Clerk, 1572 Railroad Avenue, St. Helena, California 94574 and shall not exceed 250 words in length. The rebuttal arguments shall be accompanied by the "Form of Statement to be filed by Author(s) of Argument" as provided by the City Clerk. Arguments received prior to the deadline shall be confidential until the deadline.

Section 10. Pursuant to Section 9295 of the California Elections Code, there shall be a 10-day public review period for the impartial analysis, arguments submitted for or against the measure, and rebuttal arguments. These time periods are established as follows: (a) with respect to the impartial analysis, commencing on Friday, March 11, 2022 at 5:00 p.m. and closing on Monday, March 21, 2022 at 5:00 p.m., (b) with respect to arguments submitted for or against the measure, commencing on Friday, March 18, 2022 at 4:30 p.m. and closing on Monday, March 28, 2022 at 4:30 p.m., and (c) with respect to rebuttal arguments, commencing on Friday, March 25, 2022 at 5:00 p.m. and closing on Monday, April 4, 2022 at 5:00 p.m.

Section 11. The City Clerk shall comply with all provisions of law establishing priority of arguments for printing and distribution to the voters and shall take all necessary actions to cause the selected arguments to be printed and distributed to the voters. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 12. In all particulars not recited in the Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 13. The City Clerk is directed to give notice of the election and synopsis of the City's general obligation bond measure in the time, form, and manner as required by law.

Section 14. The City Clerk is authorized to transmit a certified copy of this resolution to the Napa County Board of Supervisors and the Napa County Registrar of Voters.

Section 15. Each of the City Manager (including any interim) and the City Clerk are hereby authorized and directed to work with the appropriate officials of Napa County to carry out the purposes and intent of this Resolution, including preparing, signing and/or filing any supplemental documents, agreements, or materials.

Section 16. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Section 17. This Resolution shall take effect immediately upon its adoption.

Approved at a Regular Meeting of the St. Helena City Council on February 22, 2022, by the following vote:

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| Mayor Geoff Ellsworth: | Yes |
| Vice Mayor Paul Dohring: | Yes |
| Council Member Anna Chouteau: | Yes |
| Council Member Lester Hardy: | Yes |
| Council Member Eric Hall: | Yes |

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafopoulos, City Clerk

