

RESOLUTION NO. 94-2

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF NAPA, STATE OF CALIFORNIA,
ESTABLISHING ASSESSMENTS UNDER GOVERNMENT
CODE SECTION 76000(b) UPON CIVIL PENALTIES
IMPOSED FOR PARKING AND STANDING VIOLATIONS**

WHEREAS, Government Code section 76000 (b) provides that there shall be levied in each county where a Courthouse Construction Fund has been established under Government Code section 76100 and a Criminal Justice Facilities Fund has been established under Government Code section 76101 an additional assessment of \$5.00 on each citation issued for a parking, standing or equipment or registration violation for which a civil penalty may be imposed pursuant to Vehicle Code section 40200 et seq., if the board of supervisors has determined that imposition of such assessments is necessary to the county for the establishment of adequate courtroom or criminal/justice facilities or automation systems or other authorized purposes of such Funds; and

WHEREAS, the foregoing funds were established by the Napa County Board of Supervisors on August 20, 1991 by Board Resolution No. 91-91 at which time assessments under Government Code section 76000(a) were imposed on violations other than parking violations; and

WHEREAS, in conjunction with implementation of the decriminalization of parking violations mandated by Chapter 1244, Statutes of 1992 and Chapter 1093, Statutes of 1993, the Board of Supervisors has determined that imposition of the additional assessments on parking and related violations under Government Code section 76000(b) is now necessary if the County of Napa is to be able to continue to provide adequate courtroom facilities and automated justice facilities;

NOW, THEREFORE, it is hereby resolved by the Board of Supervisors as follows:

1. The Board of Supervisors finds that imposition of an assessment of \$2.50 under Government Code section 76000(b) on each citation issued for a parking, standing or related equipment or registration violation, of which \$1.50 is to be placed in the Courthouse Construction Fund established by Resolution No. 91-91 to be spent for the uses specified in such Resolution, is necessary if the County of Napa is to continue to provide adequate courtroom space because the new system will shift the burden of judicial appeals of contested citations and collection of civil judgments for unpaid citations to the civil courts, displacing space needed for criminal justice activities.

2. The Board of Supervisors finds that imposition of an assessment of \$2.50 under Government Code section 76000(b) on each citation issued for a parking, standing or

related equipment or registration violation, of which \$1.50 is to be placed in the Criminal Justice Facilities Construction Fund established by Resolution No. 91-91 to be spent for the uses specified in such Resolution, is necessary if the County of Napa is to continue to provide adequate courtroom space automated information systems because the new system will shift the burden of judicial appeals of contested citations and collection of civil judgments for unpaid citations to the civil courts, displacing space needed for criminal justice activities, and require revision of current automated information systems to reflect the decriminalization of these violations.

3. Under Vehicle Code section 40200 et seq. as revised in 1992 and 1993, the foregoing assessments apply to citations issued for all parking, standing, and related equipment and registration violations committed within the County of Napa, including those committed within the boundaries of incorporated cities, on State and federal property, and on the campuses of public and private colleges. Upon adoption of this Resolution and delivery of a certified copy thereof to each such jurisdiction, all such jurisdictions within the County of Napa as well as those county departments responsible for processing of such citations written in the unincorporated area of the County and the Town of Yountville, shall collect such assessments, directly or through any contract processing agency which they may have retained, on all civil penalties collected for violations of this nature committed within their jurisdictions and shall remit the assessment amounts so collected no less frequently than monthly, to the Napa County Treasurer for further disbursement in accordance with law.

4. Upon receipt of the assessments from a processing agency as provided in Paragraph 3, above, the County Treasurer shall distribute the amounts as follows:

Courthouse Construction Fund:	\$1.50 per citation (30% (30% of funds received)
Criminal Justice Facilities Construction Fund:	\$1.50 per citation (30% of funds received)
State Controller (Gov.Code sec. 76000(c)):	\$2.00 per citation (40% of funds received)

5. The Clerk of the Board of Supervisors is hereby instructed to transmit, on the next business day following adoption of this Resolution, a certified copy of the Resolution to the clerks of the Napa County Courts, via the Court Executive Officer. The Clerk of the Board is also instructed to transmit on the next business day following adoption of this Resolution, a certified copy of this Resolution to the City Clerk of each incorporated city located within the County of Napa, the Napa County Sheriff, the Napa County office of the California Highway Patrol, the clerks of the governing boards of Napa Valley College and Pacific Union College, the Administrators of Napa State Hospital and the Veterans' Home in Yountville, the rangers-in-charge of each State Park and State Forest located within Napa County, and the local administrators of the Bureau of Reclamation and Bureau of Land

Management for the Lake Berryessa area.

6. Nothing in this Resolution is intended to modify, alter, or rescind in any fashion the provisions of Resolution No. 91-91.

THE FOREGOING RESOLUTION was duly and regularly adopted by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 4th day of January, 1994, by the following vote:

AYES:	SUPERVISORS	<u>BATTISTI, VARRELMAN, FERRIOLE,</u>
		<u>RIPPEY AND NEGRI</u>
NOES:	SUPERVISORS	<u>NONE</u>
ABSENT:	SUPERVISORS	<u>NONE</u>

ATTEST:

MARY JEAN MCLAUGHLIN, Clerk
of the Board of Supervisors

By Teri Sisson

TERI SISSON

Supervising Clerk of the Board

APPROVED JAN 04 1993
BOARD OF SUPERVISORS
COUNTY OF NAPA

MARY JEAN MCLAUGHLIN
CLERK OF THE BOARD

BY Teri J. Bush Deputy

APPROVED AS TO FORM

Office of County Counsel

By: Margaret L. Hurd

Date: December 29, 1993

NAPA STATE HOSPITAL
ADMINISTRATION OFFICE
2100 NAPA-VALLEJO HIGHWAY
NAPA CA 94558

VETERANS' HOME OF CALIFORNIA
ADMINISTRATION OFFICE
P.O. BOX 1200
YOUNTVILLE CA 94599

BALE GRIST MILL STATE HISTORIC PARK
RANGER-IN-CHARGE
3369 N ST. HELENA HIGHWAY
ST. HELENA CA 94574

BOTHE NAPA VALLEY STATE PARK
RANGER-IN-CHARGE
3801 N ST. HELENA HIGHWAY
CALISTOGA CA 94515

ROBERT LOUIS STEVENSON STATE PARK
RANGER-IN-CHARGE
3801 N ST. HELENA HIGHWAY
CALISTOGA CA 94515

DEPARTMENT OF FORESTRY
1572 RAILROAD AVENUE
ST. HELENA CA 94574

County Counsel

Bureau of Reclamation

Bureau of Land Management

Karen (CAO)

AMERICAN CANYON CITY HALL
CITY CLERK'S OFFICE
2185 ELLIOTT DRIVE
AMERICAN CANYON CA 94589

CALISTOGA CITY HALL
CITY CLERK'S OFFICE
1232 WASHINGTON STREET
CALISTOGA CA 94515

NAPA CITY HALL
NAPA CITY CLERK'S OFFICE
955 SCHOOL STREET
NAPA CA 94559

ST. HELENA CITY HALL
CITY CLERK'S OFFICE
1480 MAIN STREET
ST. HELENA CA 94574

YOUNTVILLE TOWN HALL
TOWN CLERK'S OFFICE
6550 YOUNT STREET
YOUNTVILLE CA 94599

NAPA COUNTY SHERIFF'S DEPARTMENT

CLERK OF SUPERIOR COURT

CLERK OF MUNICIPAL COURT

COURT EXECUTIVE OFFICE

CALIFORNIA HIGHWAY PATROL

NAPA VALLEY COLLEGE
CLERK OF THE GOVERNING BOARD
NAPA-VALLEJO HIGHWAY
NAPA CA 94558

PACIFIC UNION COLLEGE
CLERK OF THE GOVERNING BOARD
ANGWIN CA 94508