

RESOLUTION NO. 2023-_____ (LBRID)

**RESOLUTION OF THE GOVERNING BOARD OF THE LAKE
BERRYESSA RESORT IMPROVEMENT DISTRICT APPROVING AN
ARGUMENT IN FAVOR OF BALLOT MEASURE “U” AND
SUBMITTING SAID ARGUMENT TO THE REGISTRAR OF VOTERS
TO INCLUDE IN THE OFFICIAL BALLOT MATERIALS.**

WHEREAS, the Lake Berryessa Resort Improvement District (“District”) is a Resort Improvement District organized pursuant to sections 13000 et seq. of the Public Resources Code; and

WHEREAS, the Board of Supervisors is the Governing Board of the District (“Board”) pursuant to Public Resources Code section 13031; and

WHEREAS, on November 28, 2023, the Board adopted Resolution No. 2023-_____ (LBRID) calling a special election to establish the District’s appropriations limit for the period commencing July 1, 2024 and ending June 30, 2028, and requesting the Board of Supervisors to authorize the Registrar of Voters to conduct the special election in consolidation with the Presidential Primary Election on March 5, 2024; and

WHEREAS, the authority and procedure for submitting ballot arguments in a district special election is governed in the same manner as county measures, pursuant to Elections Code sections 9168 and 9342; and

WHEREAS, Elections Code section 9162 authorizes the Board to file a written argument not to exceed 300 words in length for or against a measure; and

WHEREAS, the Board concludes that filing an argument in favor of Measure U is appropriate; and

WHEREAS, Elections Code section 9166 provides that if more than one argument for or against a measure is submitted to the elections official within the time prescribed, the argument submitted by the Board shall have first preference and priority for inclusion in the Official Ballot materials;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Lake Berryessa Resort Improvement District, that the “Argument in Favor of Measure U” which is attached hereto as Exhibit “A” is hereby approved and incorporated herein by reference.

BE IT FURTHER RESOLVED, that on behalf of the Board, the Clerk of the Board is directed to submit the attached “Argument In Favor of Measure U” to the Registrar of Voters to be included in the Official Ballot materials.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
 by the Governing Board of the Lake Berryessa Resort Improvement District at a regular meeting
 held on the 5th day of December, 2023, by the following vote:

AYES: MEMBERS _____

NOES: MEMBERS _____

ABSTAIN: MEMBERS _____

ABSENT: MEMBERS _____

LAKE BERRYESSA RESORT IMPROVEMENT
 DISTRICT, a special district of the State of
 California

 BELIA RAMOS, Chair of the Governing Board

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Thomas C. Zeleny</u> Chief Deputy County Counsel</p> <p>Date: <u>November 15, 2023</u> PL Doc. No. 103636</p>	<p>APPROVED BY THE BOARD OF SUPERVISORS, AS THE GOVERNING BOARD OF THE LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Secretary of the District</p>	<p>ATTEST: NEHA HOSKINS Secretary of the District</p> <p>By: _____</p>
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EXHIBIT “A”

Lake Berryessa Resort Improvement District Argument In Favor Of Measure U

The Lake Berryessa Resort Improvement District (“District”) faces significant operational, maintenance, and compliance challenges due to the age of its facilities. The funds to meet these challenges come from a voter-approved special tax, property owner-approved special assessments, and collection of water and sewer user rates.

When District voters approved the T-1 special tax in 1998, they also had to approve a higher appropriations limit to allow the District to spend the revenues raised. Under Proposition 4, such new limits remain in effect for only 4 years. In 2020, District voters re-approved the appropriations limit of \$430,000 for Fiscal Years 2020-2021 through 2023-2024, with annual adjustments for population growth or increased cost of living for Fiscal Years 2021-2022 through 2023-2024.

Measure U will authorize a new appropriations limit in the amount of \$510,000.00 for Fiscal Year 2024-2025, subject again to annual adjustments during Fiscal Years 2025-2026 through 2027-2028. The proposed limit is sufficient to allow all tax revenues raised to be spent for District needs as intended by the voters.

Measure U does not increase or impose new taxes on District residents. It only allows the District to fully use revenues already authorized by the voters of the District towards providing water and sewer service in compliance with applicable regulations. A “YES” vote on Measure U will continue to ensure District residents delivery of quality water and effective treatment and disposal of wastewater into the future; whereas a “NO” vote would severely impair the District’s ability to provide necessary services and to maintain facilities. As a result, we believe it is essential to the best interests of all residents of the District that the proposed appropriations limit be approved.