



Legislation Text

File #: 23-0175, **Version:** 1

TO: Board of Supervisors
FROM: David Morrison, Interim County Executive Officer
REPORT BY: John Buzolich, Deputy County Executive Officer - Admin
SUBJECT: Resolution Substituting Officers for Transfer of Tobacco Settlement Funds

RECOMMENDATION

Interim County Executive Officer requests adoption of a Resolution substituting officers authorized to direct transfer of Tobacco Settlement funds.

EXECUTIVE SUMMARY

In order to continue to receive and transfer Tobacco Settlement funds the County must update its list of officers designated to take such actions. Adoption of the resolution today will authorize David Morrison, Tracy Schulze, and Robert Minahen to direct the transfer of the County's settlement funds on behalf of the County.

FISCAL & STRATEGIC PLAN IMPACT

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| Is there a Fiscal Impact? | Yes |
| Is it currently budgeted? | Yes |
| Where is it budgeted? | Funding is appropriated in the General Fund |
| Is it Mandatory or Discretionary? | Discretionary |
| Discretionary Justification: | If this resolution is not approved, the County may incur delays and/or additional costs to pursue or recoup these Tobacco Settlement funds. |
| County Strategic Plan pillar addressed: | Effective and Open Government |

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Attorney General of the State of California and representatives of a number of California counties and cities, including Napa County (“County”), entered into a Memorandum of Understanding (“MOU”), which allocates a portion of settlement proceeds stemming from litigation against various manufacturers of tobacco products. The County has, in consideration for receiving its portion of the settlement proceeds as allocated to cities and counties in the MOU, executed the Agreement Regarding Interpretation of MOU and the Release, approved by the Judicial Council Coordination Proceedings 4041 Court.

The Board of Supervisors (“Board”) adopted a resolution on March 7, 2000, authorizing specified officers to direct the transfer of the County’s settlement funds on behalf of the County. The Board subsequently adopted other resolutions from time to time, amending the list of officers as personnel changed. The County again needs to substitute different officers for those previously authorized to direct the transfer of the County’s settlement funds on behalf of the County. Adoption of the resolution today will authorize the Interim County Executive Officer, David Morrison, the Auditor-Controller, Tracy Schulze, and the Treasurer-Tax Collector, Robert Minahen and their successors in office to be able to direct the transfer of the County’s settlement funds on behalf of the County.