

**Town of Yountville**  
**Resolution Number 23-4233**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE  
CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL  
ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2024, FOR THE SUBMISSION TO  
THE VOTERS OF ONE QUESTION RELATED TO MEASURE U (INCREASE IN  
APPROPRIATIONS (GANN) LIMIT) AND REQUESTING THE NAPA COUNTY BOARD OF  
SUPERVISORS CONSOLIDATE AND RENDER SPECIFIED SERVICES TO THE TOWN  
RELATING TO THE CONDUCT OF THE STATEWIDE PRIMARY ELECTION TO BE  
HELD ON THE SAME DATE.**

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**Recitals**

- A. Section 1 of Article 13B of the California Constitution establishes the Town's total annual Appropriations Limit or "Gann" Limit. Section 4 of Article 13B of the California Constitution authorizes the Town's electorate to change the Town's Appropriations Limit, subject to and in conformity with constitutional and statutory voting requirements.
- B. Elections Code section 9222 authorizes the Town Council to call a special election for the purpose of submitting a Town-initiated proposition to the voters.
- C. Elections Code section 12001 requires the Town Council issue a proclamation or resolution to call a special local election.
- D. Elections Code section 1400 requires special elections be held on one of the established election dates set by Division 1 of the Elections Code or on the date of any statewide special election, except as provided in Elections Code section 1003. Elections Code section 1000 establishes March 5, 2024 as an established election date.
- E. Town staff recommends that the Town Council approve the holding of a Special Municipal Election on Tuesday, March 5, 2024, for the submission to the voters of one question related to Measure U (Increase In Appropriations (Gann) Limit).
- F. In accordance with Elections Code sections 340 and 1202, the Statewide Primary Election is to be held on March 5, 2024.
- G. Elections Code section 10418 authorizes the consolidation of statewide and special elections. Elections Code section 10403 requires the Town Council adopt a resolution to request the Napa County Board of Supervisors consolidate the Special Municipal Election with the Statewide Primary Election and to permit the County Registrar of Voters to perform certain services in conjunction with the Special Municipal Election.
- H. It is desirable that the Special Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and that within the Town the precincts, polling places (vote centers), election officers, and ballot measures of the two elections be the same; that the Napa County Election Division canvass the returns of the consolidate election; and that the election be held in all respects as if there were only one election.

**Resolution Number 23-4233**

**Now therefore, the Town Council of the Town of Yountville does resolve, declare, determine and order, as follows:**

1. That all of the foregoing recitals are true and correct and incorporated herein by reference.
2. That, pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the Town of Yountville, Napa, County, California, on Tuesday, March 5, 2024 a Special Municipal Election.
3. That the Town Council, pursuant to its right and authority, does order submitted to the voters at the Special Municipal Election the following question:

A. That Measure U (Increase In Appropriations (Gann) Limit) is to appear on the ballot as follows:

<p>“To fully utilize TOT and sales tax generated from visitors for public services, parks &amp; recreation, police and fire emergency programs, shall the appropriations limit set by Article 13B of the California Constitution be increased by \$3,000,000 and the growth in TOT for each year commencing fiscal year 2022/2023 through fiscal year 2026/2027? By approving this appropriation limit, no new taxes are created nor will any existing tax be increased.”</p>	<p>Yes</p>
	<p>No</p>

4. That the proposed complete text of Measure U shall be printed in the voter information section of the sample ballot submitted to the voters.
5. That, pursuant to the requirements of Elections Code section 10403, the Napa County Board of Supervisors is hereby requested to consent and agree to the consolidation of a Primary Municipal Election with the Statewide Primary Election on Tuesday, March 5, 2024 for the purpose of submitting Measure U to the voters.
6. That the ballots to be used at the election shall be in form and content as required by law.
7. That the Town Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary to properly and lawfully conduct the election, and to perform all other acts necessary or required by law to implement this Resolution and related to the election.
8. For the purposes of said Election, the Town of Yountville is hereby divided into the following precincts: 3511660, 3511661, 3511662 and 3511663. The precincts shall be those used for the Statewide Primary Election and, where necessary, the Napa County Elections Official may adjust precinct lines to coincide with the boundaries of the jurisdiction.
9. That the polls (vote centers) for the election shall be open at 7:00 o'clock a.m. of the day of the election and shall remain open continuously from that time until 8:00 o'clock p.m. of the same day when the polls (vote centers) shall be closed.
10. That notice of the time and place of holding the election is given and the Town Clerk is authorized, instructed, and directed to give further or additional notice of the election, in the time, form, and

**Resolution Number 23-4233**

manner as required by law.

11. That the Town Clerk is directed to provide a copy of Measure U to the Town Attorney and the Town Attorney shall prepare an impartial analysis. The analysis shall not exceed 500 words in length and shall be filed in the Office of the Yountville Town Clerk, 6550 Yount Street, Yountville, California, no later than Friday, December 8, 2023 at 5:00 p.m. The Town Clerk shall immediately forward the impartial analysis as a Word document to the Napa County Registrar of Voters.
12. The Town Council wishes to establish deadlines for the filing of arguments for and against Measure U and to provide for rebuttal arguments as follows:
  - a. Printed arguments shall be titled either "Argument In Favor Of Measure" or "Argument Against Measure." Arguments in favor of or in opposition to any measure may not exceed 300 words in length and shall be filed at the office of the Yountville Town Clerk, 6550 Yount Street, Yountville, California, not later than Friday, December 15, 2023 at 5:00 p.m.
  - b. Printed rebuttal arguments shall be titled either "Rebuttal; Argument In Favor Of Measure" and "Rebuttal Argument Against Measure". Rebuttal arguments for any measure may not exceed 250 words in length and shall be filed with the Office of the Yountville Town Clerk, 6550 Yount Street, Yountville, California, not later than Friday, December 22, 2023 at 5:00 p.m.
  - c. If more than one argument for or more than one argument against any Town measure is submitted, the Town Clerk shall select one of the arguments in favor and one argument against the measure, as set forth in Elections Code section 9287.
13. That the Napa County Board of Supervisors is requested to issue instructions to the Napa County Election Division to take any and all steps necessary for the holding of the consolidated election including printing and supplying ballots for the Special Municipal Election; mailing the Town's sample ballots to the voters of the Town as part of the material mailed to voters for the Statewide Primary Election; and perform other such services as may be required for the consolidation and conduct of the Special Municipal Election with the Statewide Primary Election.
14. That in all particulars not recited in this resolution, the Special Municipal Election shall be held and conducted as provided by law for holding municipal elections.
15. That the Napa County Election Division is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, in the manner prescribed in Elections Code section 10418, and only one form of ballot shall be used.
16. In accordance with Elections Code section 10410, the election precincts, polling places and voting booths shall, in every case, be the same, and there shall be only one set of election officers in each of the precincts.
17. The Town Council recognizes that additional costs will be incurred by the Napa County Election Division by reason of this consolidation. The Town shall reimburse the Napa County Election Division in full for the services performed upon presentation of a properly submitted itemized bill to the Town, as set forth in Elections Code section 10002.
18. That the Town Clerk is hereby directed to file a certified copy of this resolution with the Napa


**Resolution Number 23-4233**

County Board of Supervisors and the Napa County Election Division and issue instructions to the Napa County Election Division to take any and all steps necessary for the holding of the election.


- 19. That the adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code section 21000, et seq. ("CEQA") and 14 Cal. Code Reg. section 1500, et seq. ("CEQA Guidelines"). The calling of a Municipal Election is not a project within the meaning of CEQA pursuant to CEQA Guidelines section 15378, subsection (b)(4) [governmental fiscal activities which do not commit to any specific project] and section 15061, subsection (b)(3) [common sense exemption].
- 20. That the Town Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.
- 21. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 17th day of October 2023 by the following vote:

AYES: McKee-Cant, Knight, Reeves, Trippe, Mohler  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

DocuSigned by:  
  
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 Margie Mohler, Mayor

ATTEST:

DocuSigned by:  
  
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 Eddy Gomez, Town Clerk