

RESOLUTION NO. _____

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, ACCEPTING THE FILING OF THE
ENGINEER'S REPORT AND SETTING A PUBLIC HEARING ON THE
ENGINEER'S REPORT AND THE PROPOSED LEVY OF
ASSESSMENTS FOR NAPA COUNTY WINEGRAPE PEST AND
DISEASE CONTROL DISTRICT FOR 2023/2024**

WHEREAS, in 2002, the Napa County Board of Supervisors ("Board") formed the Napa County Winegrape Pest and Disease Control District ("District"), pursuant to Food and Agricultural Code Sections 6293 et seq., as a mechanism for providing funding for the inspection, detection, prevention and education of Pierce's Disease caused by the glassy-winged sharpshooter, and deal with other winegrape pests and diseases; and

WHEREAS, the Board proposes to finance the activities of the District through the imposition of assessments ("Assessments") on the parcels of real property in the District containing one or more planted vineyard acres, which will receive special benefits from the District; and

WHEREAS, the Board indicates its intention to adopt the Assessments and that the Assessments do not exceed the range of Assessments previously specified in a notice given to the public pursuant to Government Code Section 54954.6(c)(2)(G) and approved in 2006 by the owners of the parcels of real property within the District containing one or more acres of planted vineyard, pursuant to the requirements of Article XIII D (4) of the California Constitution; and

WHEREAS, the Board has caused to be prepared, and has received for filing with the Clerk of the Board ("Clerk"), a written Engineer's Report ("Report") with respect to the Assessments, prepared by a professional engineer certified by the State of California and which is referred to and incorporated herein by reference; and

WHEREAS, pursuant to Article XIII D of the California Constitution, and Chapter 3.54 of the Napa County Code, the Report includes a description of each parcel of real property receiving any of the benefits of the District, and the amount of Assessment for each parcel computed in conformity with Napa County Code Sections 3.54.030 and 3.54.040; and

WHEREAS, after considering and accepting the Report, the Board wishes to declare its intention to levy the Assessments for the 2023/2024 fiscal year in accordance with the Report, and to that end to set a public hearing on the Report and the level of Assessments proposed in the Report;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board hereby finds and determines that the above recitals are true and correct.

2. The Napa County Board of Supervisors, State of California, hereby declares its intention, pursuant to the provisions of Food and Agricultural Code Sections 6293 et seq. and Chapter 3.54 of the Napa County Code, to adopt the Assessments upon real property containing one or more planted vineyard acres in the District for the 2023/2024 fiscal year, all as set forth in the Report. The Report schedules the Assessment for fiscal year 2023/2024 in the amount of \$10.70 per acre.

3. The Report prepared by Terrance E. Lowell, P.E. for Kristin Lowell, Inc., dated May 4, 2023, entitled "Napa County Winegrape Pest and Disease Control Assessment District Engineer's Report" has been filed with the Clerk of the Board of Supervisors and is hereby accepted for filing with this Board by this Resolution. A copy of this Report shall be maintained on file with the Clerk at 1195 Third Street, Suite 310, Napa, California, and shall be available for public inspection at that location during regular County business hours.

4. With respect to the Assessments proposed to be levied for the 2023/2024 fiscal year, the designated rates are based on the special benefit to be derived by each identified parcel from the activities of the District as further set forth in the Report, and no individual assessment exceeds the reasonable cost of the proportional special benefit conferred on the parcel to which it relates.

5. That on June 6, 2023 at 9:00 a.m., or as soon thereafter as circumstances allow, in the chambers of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, the Board shall hold a public hearing with respect to the enactment of the Assessments. At the public hearing, any interested person shall be permitted to present written or oral testimony. The Board shall consider any protests with respect to the Assessments, and shall determine whether, and to what extent, to adopt the proposed Assessments.

6. The Board designates Andre Napolitano of the Napa County Agricultural Commissioner's Office, 1710 Soscol Ave., Suite 3, Napa, California 94559, telephone number (707) 253-4357, as the person to answer questions regarding the Assessments and protest proceedings.

7. Pursuant to the provisions of Food and Agricultural Code Sections 6293 et seq. and Napa County Code Section 3.54.040(B), the Clerk shall publish notice of the public hearing at least once per week for two successive weeks, as provided by Government Code Section 6066, in a newspaper of general circulation published in Napa County, which noticing shall be completed prior to the date set for the public hearing.

8. Upon conclusion of the public hearing, the Board may adopt, revise, change, reduce, or modify any Assessment to be charged, and shall make its determination upon each Assessment as described in the Report, all as authorized by Napa County Code Section 3.54.040(C). The Board shall then confirm the Report as so modified and order the Assessments to be levied and collected in conformity with applicable law.

9. In accordance with Napa County Code Section 3.54.050, each of the Assessments imposed by the Board at the conclusion of the public hearing shall be collected on the tax bill at

the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
at a regular meeting of the Board of Supervisors of Napa County, State of California, held on the 16th day of May, 2023, by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the
State of California

BELIA RAMOS, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <i>Chris R.Y. Apallas</i> Deputy County Counsel Date: April 18, 2023 Doc. No. 89640	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: Processed by: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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