

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, AUTHORIZING AND LEVYING ASSESSMENTS FOR THE NAPA COUNTY WINEGRAPE PEST AND DISEASE CONTROL DISTRICT FOR THE 2023/2024 FISCAL YEAR**

**WHEREAS**, in 2002, the Board of Supervisors of Napa County ("the Board"), formed the Napa County Winegrape Pest and Disease Control District (the "District") pursuant to Food and Agricultural Code sections 6293 et seq., as a mechanism for providing funding for inspection, detection, prevention and education concerning Pierce's disease spread by the Glassy-winged sharpshooter; and

**WHEREAS**, in 2006, qualifying property owners and the Board voted to expand the scope of the District to include diseases and pests affecting wine grapes other than Pierce's disease and Glassy-winged sharpshooter; and

**WHEREAS**, the Board desires to continue to provide for the activities of the District during the 2023/2024 fiscal year and to continue to fund such services through the assessment rate methodology and special benefit analysis approved in 2006 by the Board, following compliance with the public notice and hearing requirements of Government Code section 54954.6(c)(2)(G), and approved 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 of the California Constitution; and

**WHEREAS**, pursuant to Food and Agricultural Code sections 6293 et seq. and Napa County Code section 3.54.040, a written Engineer's Report ("Report") was prepared at the request of the Board, by a registered professional engineer certified by the State of California, that contains all the information required for such Report by Chapter 3.54 of the Napa County Code and that sets forth the individual assessments for the affected properties necessary to fund the activities of the District for fiscal year 2023/2024; and

**WHEREAS**, in accordance with Napa County Code section 3.54.040, upon the filing of the Report with the Clerk of the Board, the Clerk of the Board fixed June 6, 2023, at 9:00 a.m. in the Board of Supervisors' Meeting Room, Suite 305, Third Floor, County Administration Building, 1195 Third Street, Napa, California 94559, as the time, date, and place for public hearing on the Report and for the filing of any objections or protests thereto; and

**WHEREAS**, the Clerk of the Board published notice of the public hearing at least once a week for two successive weeks in a newspaper of general circulation published in Napa County, as provided in Government Code section 6066; and

**WHEREAS**, further notice is not required by Prop. 218 because the proposed assessments are calculated using the same rate and benefit methodology as that approved by

property owners in 2006 and are therefore not considered, under Government Code section 53750 and Napa County Code section 3.54.010 to be “increased” or “new” assessments as that term is used in Prop. 218; and

**WHEREAS**, on June 6, 2023, at the time and place noted above, the Board held a public hearing at which the Board heard and considered all objections and protests filed with respect to imposition of the assessments proposed in the Report; and

**WHEREAS**, the Board, having considered the Report and all the information submitted by the public, believes it is in the best interests of the District, and the affected property owners to levy for fiscal year 2023/2024 the assessments as calculated in the Report.

**NOW, THEREFORE, BE IT RESOLVED** by the Napa County Board of Supervisors as follows:

1. The Board hereby finds and determines that the above recitals are true and correct.
2. Pursuant to Napa County Code section 3.54.040(C), the Board hereby confirms the contents and recommendations of the Report; levies an assessment in the amount of \$10.70 per planted vineyard acre for those qualifying properties within Napa County Winegrape Pest and Disease Control District for fiscal year 2023/2024 as more particularly set forth in the Engineer’s Report dated May 4, 2023; and orders collection of the assessments in conformance with Chapter 3.54 of the Napa County Code.
3. In accordance with Napa County Code section 3.54.050, each assessment levied under (2), above, shall appear as a separate non-tax item on the property tax bill for the affected parcel of real property, and shall thereafter be collected 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.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

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 6th day of June, 2023, by the following vote:

AYES: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

NOES: SUPERVISORS: \_\_\_\_\_

ABSTAIN: SUPERVISORS: \_\_\_\_\_

ABSENT: SUPERVISORS: \_\_\_\_\_

NAPA COUNTY, a political subdivision of the State of California

By: \_\_\_\_\_

BELIA RAMOS, Chair of the Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <i>Chris R.Y. Apallas</i> Deputy County Counsel</p> <p>Date: <u>April 18, 2023</u> Doc. No. 89637</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: Processed by: _____</p> <p>_____ Deputy Clerk of the Board</p>
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