

RESOLUTION R2018-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, LEVYING ASSESSMENTS IN THE OXBOW BUSINESS PROMOTIONS ASSESSMENT AREA FOR 2019 IN ACCORDANCE WITH NAPA MUNICIPAL CODE CHAPTER 3.29, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA.

WHEREAS, in order to implement the State of California Streets and Highways Code sections 36500, et seq. and City Agreement No. 9354 between the City of Napa and the Napa Downtown Association (NDA), Management of Assessment Districts, approved on June 19, 2007, the City of Napa City Council adopted Resolution No. R2018-062 on June 5, 2018, approving the “2019 Annual Report and Budget for the Oxbow BPAA; and declaring its intent to levy assessments upon businesses within the Oxbow BPAA as outlined in Napa Municipal Code Section 3.29 (Oxbow Business Improvement Area); and

WHEREAS, said “2019 Annual Report and Budget for the Oxbow BPAA” provided as Exhibit “A” to this Resolution contains the Napa Downtown Association (NDA) responses to specific measures from the California Streets and Highways Code Section 36533 including 2019 NDA advisory board members; 2017 NDA Budget to Actuals, 2018 NDA Budget, and the 2019 NDA Budget Estimate for the Oxbow BPAA, including expected revenues and expenses; and the Oxbow BPAA Boundary Map; and

WHEREAS, the “Oxbow BPAA” is located generally in the downtown Napa area bounded by Soscol Avenue, Silverado Trail, Fourth Street, and River Terrace Way, and more particularly shown in Exhibit A, “2019 Annual Report and Budget for the Oxbow BPAA”; and

WHEREAS, a public hearing notice of the City Council’s intention to hold a public hearing to levy said assessment was published in the Napa Valley Register on Friday, June 8, 2018, and posted in publicly accessible locations; and the Napa Downtown Association was notified of this agenda item prior to the meeting date; and

WHEREAS, said notice was given that the “2019 Annual Report and Budget for the Oxbow BPAA” containing all documents, location maps, and information relating to the improvements and activities to be funded by said assessments was approved by the City Council on June 5, 2018, and is on file in the office of the City Clerk of the City of Napa, CA, 955 School Street, Napa, CA; and

WHEREAS, said public hearing was held by the City Council of the City of Napa on June 19, 2018 at the hour of 3:30 p.m., and at the hearing all persons desiring to be heard on all matters pertaining to the levying of assessments in the Oxbow BPAA were heard; and

ATTACHMENT 1

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.

2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA, pursuant to CEQA Guidelines Section 15323 (normal operation of facilities for public gatherings).

3. The City Council hereby confirms the "2019 Annual Report and Budget for the Oxbow BPAA" as described in the recitals of this resolution. Improvements and activities to be provided by the NDA during its 2019 fiscal year include:

Promote Public Events and Furnish Music in the Benefit Zone:

Promote three events: 1) "Napa Live: Inside and Out" (to be held in July, August, September, and October); 2) "Blues, Brews & BBQ" (August); and 3) "Hometown Halloween" (October). All of these events take place within the Oxbow BPAA. While all businesses in the area receive a general benefit from the Oxbow BPAA activities, businesses who pay the 40 percent Oxbow BPAA assessment receive a special benefit of free booth space at events hosted by the NDA, which normally cost \$350 per restaurant booth and \$200 per wine booth. On average, Oxbow BPAA businesses are given six free booths per year.

All of the above events occur within the Oxbow BPAA. While all businesses in the area receive a general benefit from the Oxbow BPAA activities, these events specifically result in more than 140 hours of activity located within the Oxbow BPAA, which in turn allows for generation of sales during these time periods that would otherwise not have taken place save for the events. These events would not occur without the DNA securing permits, arranging the entertainment, and obtaining the appropriate licenses. Line items associated with these activities include event entertainment, alcoholic beverages, supplies/materials, permits, and contract services as shown in the 2018 budget.

Promotion of Tourism within the Benefit Zone

The DNA works to ensure that Oxbow businesses are featured on printed materials such as "The Napa Wine Tasting Card" and the "Shop Downtown Napa Guide," both of which are distributed broadly and promoted on the DoNapa website and numerous print and on-line publications. Line items associated with these activities include advertising, contract services, printing and reproduction, and supplies/materials as shown in the 2018 budget.

Program Management and Support

To carry out the event activities, the pedestrian signage program, holiday decorating, business outreach and facilitation, and marketing/tourism support – all of which benefit Oxbow BPAA businesses –proportional expenses, associated with payroll, rent, insurance, taxes, and utilities, as shown in the 2018 budget are attributed to the Oxbow BPAA.

4. The City Council hereby authorizes the levying and collection of assessments on businesses within the Oxbow BPAA for 2019 as outlined in Napa Municipal Code Section 3.29.

5. Assessments shall be collected for the year at the same time and in the same manner as the collection of the business license taxes from each business in the Area. Collection shall be made by the Finance Director of the City or such other official of the City responsible for the collection of such taxes and assessments.

6. The Finance Director is hereby authorized to disperse assessment revenue from the 2019 Oxbow BPAA to the NDA, to be used by NDA in accordance with the Oxbow BPAA 2019 Annual Report and City Agreement 9354.

7. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19th day of June 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney