

RESOLUTION R2020-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, LEVYING TAXES IN THE
OXBOW BUSINESS PROMOTIONS ASSESSMENT AREA
FOR 2021 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 36000, et seq. and City Agreement No. 9354“Napa Downtown Association Agreement, Management of Assessment Districts”, between the City of Napa and the Napa Downtown Association (“DNA”) approved on June 19, 2007, the City of Napa City Council adopted Resolution No. R2020-070 on June 2, 2020 approving the “2021 Annual Report and Budget for Oxbow BPAA”; and declaring its intent to levy taxes upon businesses within the Downtown Business Promotional Tax Area as outlined in Napa Municipal Code Section 3.29 (Oxbow Business Improvement Area); and

WHEREAS, said “2021 Annual Report and Budget for the Oxbow BPAA” attached as Exhibit “A” to this Resolution and incorporated herein by reference contains the NDA’s responses to specific measures from the California Streets and Highways Code Section 36533 including 2021 NDA advisory board members; 2019 NDA Budget to Actuals, 2020 NDA Budget, and the 2021 NDA Budget Estimate, including expected revenues and expenses; and the Oxbow BPAA Boundary Map;

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, “2021 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 taxes was published in the Napa Valley Register on Friday, June 5, 2020, and posted in publicly accessible locations; and the NDA was notified of this agenda item prior to the meeting date; and

WHEREAS, said notice was given that the “2021 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 2, 2020 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 16, 2020 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 taxes 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 "2021 Annual Report and Budget for the Oxbow BPAA" as described in the recitals of this resolution.

4. The City Council hereby authorizes the levying and collection of assessments on businesses within the Oxbow BPAA for 2021 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 2021 Oxbow BPAA to the NDA, to be used by NDA in accordance with the Oxbow BPAA 2021 Annual Report and City Agreement 9354.

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

ATTACHMENT 1

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 16th of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney