

**BEFORE THE BOARD OF SUPERVISORS OF THE  
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION DECLARING ITS INTENTION	)	RESOLUTION NO. 24-030
TO ESTABLISH THE AMADOR COUNTY WINE	)	
HERITAGE DISTRICT (ACWHD) AND FIXING	)	
THE TIME AND PLACE OF A PUBLIC MEETING	)	
AND A PUBLIC HEARING THEREON AND GIVING	)	
NOTICE THEREOF	)	

**WHEREAS**, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the County of Amador (County) to establish business improvement districts for the purposes of promoting tourism; and

**WHEREAS**, Amador Vintners Association (AVA), Amador County winery owners, and representatives from the County have met to consider the formation of the ACWHD; and

**WHEREAS**, AVA has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the ACWHD, a service plan and budget, and a proposed means of governance; and

**WHEREAS**, the proposed ACWHD includes wineries in the cities of Plymouth, Amador and Sutter Creek and

**WHEREAS**, consent to include wineries in their respective jurisdictions will be requested from the cities of Plymouth, Amador and Sutter Creek; and

**WHEREAS**, wineries who will pay fifty percent (50%) or more of the assessment under the ACWHD have petitioned the Board of Supervisors of the County of Amador (Board of Supervisors) to establish the ACWHD.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS THAT:**

1. The recitals set forth herein are true and correct.
2. The Board of Supervisors finds that wineries that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the formation of the ACWHD. The Board of Supervisors accepts the petitions and adopts this Resolution of Intention to form the ACWHD and to levy an assessment on all wineries, existing in the future, within the ACWHD boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The Board of Supervisors finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.

4. The Board of Supervisors declares its intention to establish the ACWHD and to levy and collect assessments on all wineries within the ACWHD boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The ACWHD shall include all wineries, existing and in the future, within the boundaries of the County of Amador, including the cities of Plymouth, Amador City and Sutter Creek, as shown in the map attached as Exhibit A.
6. The name of the district shall be Amador County Wine Heritage District (ACWHD).
7. The annual assessment rate is one percent (1%) of gross direct to consumer sales revenue on winery sales. Based on the benefit received, assessments will not be collected on purchases made outside of the County of Amador. Revenue generated from the ACWHD is intended only to provide programs and services for assessed businesses, all of which are located in the County of Amador. Sales made outside of the ACWHD boundaries are not subject to assessment due to a lack of benefit. Assessment dollars will not be spent on any programs or activities to benefit individual winery businesses outside of the County of Amador.

During the five (5) year term, the assessment rate may be increased annually by the ACWHD Owners' Association upon approval from the Board of Supervisors by a maximum of one-half of one percent (0.5%) of gross direct to consumer sales revenue per year. The total assessment rate may not exceed two percent (2%). The assessment rate may also be decreased but shall not drop below the initial assessment rate of one percent (1%). Any proposed assessment rate increase or decrease approved by the Owners' Association shall be included in the annual report and shall not be effective until approved by the Board of Supervisors.

8. The assessments levied for the ACWHD shall be applied toward marketing and brand awareness, and quality and education programs to promote assessed wineries in ACWHD to increase winery sales revenue, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which ACWHD assessments are levied as long as they are used consistent with the requirements of this resolution, the Ordinance, and the Plan.
9. The proposed ACWHD will have a five (5) year term, beginning June 1, 2024, or as soon as possible thereafter, and ending five (5) years from its start date, unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds shall not be issued.
11. The time and place for the public meeting to hear testimony on establishing the ACWHID and levying assessments are set for April 9, 2024, at 9:00 AM, or as soon thereafter as the matter may be heard, at the Board Chambers located at 810 Court Street, First Floor, East Wing, Jackson, CA 95642. Following the public meeting, the Board of Supervisors shall move to introduce the Ordinance to form the ACWHID and continue the levy of assessments.

12. The time and place for the public hearing establish the ACWHID and the levy of assessments are set for May 14, 2024, at 9:00 AM, or as soon thereafter as the matter may be heard, at the Board Chambers located at 810 Court Street, First Floor, East Wing, Jackson, CA 95642. The Clerk of Board of Supervisors is directed to provide written notice to the wineries subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than March 30, 2024.
13. At the public meeting and hearing, the testimony of all interested persons for or against the establishment of the ACWHID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the wineries within the proposed ACWHID that will pay more than fifty percent (50%) of the estimated total assessment of the entire ACWHID, no further proceedings to establish the ACWHID shall occur for a period of one (1) year.
14. Following a successful public hearing, at the same Board of Supervisors meeting on May 14, 2024, held at Board Chambers located at 810 Court Street, First Floor, East Wing, Jackson, CA 95642, the Board of Supervisors may conduct a hearing to adopt the Ordinance to form the ACWHID and to continue the levy of assessments. At the conclusion of the hearing, the Board of Supervisors may adopt the Ordinance, forming the ACWHID and levying the assessments.
15. The complete Plan is on file with the Clerk of the Board of Supervisors and may be reviewed upon request.
16. This resolution shall take effect immediately upon its adoption by the Board of Supervisors.

**I HEREBY CERTIFY** that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the Board of Supervisors on the 12 day of March 2024 by the following vote:

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 12<sup>th</sup> day of March 2024, by the following vote:


AYES: Brian Oneto, Patrick Crew, Frank Axe, Jeff Brown

NOES: None

ABSENT: Richard Forster

  
\_\_\_\_\_  
Brian Oneto, Chairman, Board of Supervisors

ATTEST:

  
\_\_\_\_\_  
JENNIFER BURNS  
Clerk of the Board of Supervisors Amador County, California

**EXHIBIT A**  
**District Boundaries**

