

Initiative Measure to Be Submitted Directly to the Voters

The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Napa for the purpose of enacting changes to the Napa County Code. A statement of reasons of the proposed action as contemplated in the petition is as follows:

- Our children are Napa County's greatest resource, yet many face significant barriers to their ability to thrive. Napa County has a substantial population of children in poverty. Poverty and near poverty are significant indicators of long term physical, mental and behavioral health issues, substance use, low educational achievement and failure to thrive. Poverty and related problems for children are exacerbated by the higher cost of living in Napa County.
- We find that Napa County, with its extraordinary need, could better fund many of the services appropriate for her children. This measure would establish the Napa County Fund for Children to assure that attention is given to this important population, and so that a reasonable additional sum is directed to meet their needs.

/s/ Sara Cakebread
Sara Cakebread
990 Allison Ave.
St. Helena, CA 94574

/s/ Joelle Gallagher
Joelle Gallagher
2130 Pine St.
Napa, CA 94559

To the Honorable Registrar of Voters of the County of Napa: We, the undersigned, registered and qualified voters of the County of Napa, hereby propose an initiative measure to amend the County of Napa General Plan. We petition you to submit this measure to the Board of Supervisors of the County of Napa for submission of the measure to the voters of the County of Napa at the earliest general or special election for which it qualifies. The measure provides as follows:

The people of the County of Napa do hereby ordain as follows:

SECTION 1. This measure shall be known as the “Yes on Napa Kids: The Napa County Child Wellness Act.”

SEC. 2. Findings: Child Poverty, Opportunity and Neglect.

1. Our children are Napa County’s most valuable resource, yet many face significant barriers to their ability to thrive. Napa County has a substantial population of children in poverty. Poverty and near poverty are significant indicators of long term physical, mental and behavioral health issues, substance use, low educational achievement and failure to thrive. In 2014, 46.2% of children in Napa County public schools qualified for the federal free and reduced lunch programs, a key indicator of poverty. 11.4% of Napa County households with children under age 18 live below the federal poverty level, which for a family of four in 2013 was \$23,550 per year. 35% of Napa County households with children live at or below \$48,500 per year for a family of four.

2. Poverty and related problems for children are exacerbated by the higher cost of living in Napa County. The California self-sufficiency standard for a two-parent family with one preschool age and one school age child in Napa County is \$74,110, compared to a statewide figure of \$63,679 (<http://www.insightcced.org/tools-metrics/self-sufficiency-standard-tool-for-california/>).

3. Every county has state-generated and county-sponsored programs to address the needs of impoverished children, but the levels of expenditure and the specific allocation of funds are subject to substantial discretionary variation. We find that Napa County, with its extraordinary need, could better fund many of the services appropriate for her children. We establish the Napa County Fund for Children to assure that attention is given to this important population, and so that a reasonable additional sum is directed to meet their needs. We respectfully find that there are severe gaps in programs and services to meet the needs of our children in at least the following areas of high priority:

a. Early Childhood Learning and Preschool: An estimated 30% of children entering kindergarten in Napa County start school without any previous early childhood learning. Children starting school with no previous early learning experience, especially those whose primary language is not English, are unable to close the achievement gap with children who participate in quality early learning programs, leading to higher dropout rates, depression, and an increased risk of substance abuse and antisocial behavior.

b. Child Care: The number of children in need of quality child care exceeds the total number of spaces in existence; Napa County has enough licensed child care available for one out of every five children in need of care. In the case of young children, families unable to pay for or access child care often have to keep older children home from school to take care of the younger ones or cut back on food and other basic needs.

c. Out of School Time Programs: There are limited options available for affordable, accessible out of school time activities for children not involved in school-based activities such as sports. Out of school time and extended learning activities have been shown to increase school attendance and engagement in learning, improve academic performance, keep children and youth healthy and safe and help working families succeed.

d. Child Abuse Prevention: Comprehensive child abuse prevention and education programs reduce the risk of abuse and improve the social and emotional functioning of children and youth impacted by abuse and family violence. Reducing incidents of and problems resulting from child abuse have also been shown to have a significant cost benefit. Over 1,300 mandated reports of child abuse/neglect were received in 2014 in Napa County, and 94 children were removed from their homes as a result of abuse. As the 2010 federally-funded National Incidence Study of Child Abuse and Neglect found, three times as many children in Napa County are estimated to have been maltreated as are actually reported to Child Protective Service (CPS) agencies. The estimated number of abused children in need of assistance in Napa County is likely closer to 4,000. Children who are abused or neglected often exhibit emotional, cognitive, and behavioral problems. The 2010 federally-funded Fourth National Incidence Study of Child Abuse and Neglect found that children in low socioeconomic status households experienced more than five times the rate of maltreatment as other children.

e. Physical and Mental Health: 18.3% of Napa County preschoolers and more than 40% of fifth, seventh, and ninth graders in Napa County are overweight or obese, a condition that can lead to early onset diabetes and other long term negative health outcomes. Over 35% of Napa County students in grades 7, 9 and 11 report feelings of depression. Being depressed can lead to higher rates of other emotional and behavioral health problems, drug use, aggressiveness, and suicidal behavior. And 35.2% of children with special healthcare needs had difficulty accessing community-based services for health and social service needs.

4. In April 2015, the Napa County Board of Supervisors adopted the Napa County Children's Bill of Rights as a guideline for all County and local agencies, parents, guardians and private entities. Through passage of this initiative, the voters support and encourage all County and local agencies to adopt, publicize, and incorporate the Children's Bill of Rights into programs and policies for the benefit of our youth.

5. Additional resources are needed to implement the Napa County Children's Bill of Rights.

a. Excluding juvenile detention, for fiscal year 2014-2015, Napa County public funding for children and families represented less than eight and a half percent (8.5%) of discretionary funding and only two percent (2%) of the total Napa County budget. Children constitute 22% of the population of the County, lack lobbying and campaign contribution assets, and warrant high priority.

b. State resources for child care have not been fully restored following the great recession, resulting in only one in five eligible children being able to access quality child care.

c. While reports of child abuse are on the rise, child abuse prevention funding in Napa County has remained static for over 10 years and is inadequate to provide needed education and child abuse prevention programming.

6. Napa County does not invest enough resources in her children, in school readiness, prevention of child abuse or prevention of children's health problems. Napa County's expenditures on children primarily focus on addressing needs after problems arise. The source of funds where the Board of Supervisors has the most freedom to decide where to support services with local taxpayer money is called "discretionary revenue." The 2015-2016 Napa County budget categorized \$112,475,093 million as discretionary revenue.

SEC. 3. Purpose and Intent.

This Initiative is adopted by the People pursuant to California Constitution Article II, sections 1 and 11. Nothing in this Initiative is intended to conflict with any applicable state law regarding county budgetary procedures, functions or timelines. Rather, it is the intent of the voters that this measure can and should be harmonized with applicable state laws and interpreted in such a way as to preserve the People's right of initiative.

SEC. 4. Chapter 3.49 is hereby added to Title 3 of the Napa County Code, as follows:

3.49.010. Definitions.

1. "Community-based organization," as used in this chapter, means any nonprofit organization that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code and that serves the children and families of Napa County, including local chapters, offices, or subsidiaries of nonprofit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

2. "County discretionary revenues," as used in this chapter, means all revenue sources which were categorized as unencumbered and undesignated revenues not reserved for any special purpose nor set aside for any specific program, nor restricted by legal or contractual requirement, in the 2015-2016 budget for the County of Napa ("the County"). Such sources include property taxes, supplemental property taxes, sales and use taxes, transient occupancy taxes, property transfer taxes, franchise fees, fines, forfeitures, penalties, revenue from the use of money and property, charges for services, intergovernmental revenues, and miscellaneous revenues.

3. "Transitional age youth," as used in this chapter, means persons over the age of 16 who are in transition from state custody or foster care.

3.49.020. Establishment of the Napa County Fund for Children.

(a) Effective July 1, 2017, the Napa County Fund for Children (the “Fund”) is hereby established in the County Treasury to be used to expand children’s services in the County consistent with the provisions of this Act.

(b) The Fund is hereby declared to be a trust fund and shall be maintained for accounting purposes separate and apart from all other County funds.

3.49.030. Amount and Source of Funding.

(a) Beginning with the 2017-2018 fiscal year and each fiscal year thereafter through the 2027-2028 fiscal year, the County Auditor-Controller shall allocate to the Fund the sums described in paragraphs (b) through (d) of this section for use by the Board of Supervisors in accordance with this Act. The revenues allocated to the Fund may come from County discretionary revenues or from other County-controlled funds, as directed by the Board of Supervisors.

(b) The revenues to be allocated to the Fund shall be calculated as follows:

(1) For fiscal year 2017-2018, an amount equivalent to 0.2% of County discretionary revenue in that fiscal year, in order to establish the Fund infrastructure and develop the Initial Funding Allocation Plan.

(2) For fiscal year 2018-2019, an amount equivalent to one percent (1%) of County discretionary revenue in that fiscal year, together with any interest earned on the Fund in the previous fiscal year.

(3) For fiscal year 2019-2020, an amount equivalent to two percent (2%) of County discretionary revenue in that fiscal year, together with any interest earned on the Fund in the previous fiscal year.

(4) For fiscal year 2020-2021, an amount equivalent to three percent (3%) of County discretionary revenue in that fiscal year, together with any interest earned on the Fund in the previous fiscal year.

(5) For fiscal years 2021-2022 and each fiscal year thereafter through fiscal year 2027-2028, an amount equivalent to four percent (4%) of County discretionary revenue in those fiscal years, together with any interest earned on the Fund in the previous fiscal year.

(c) If the County Auditor-Controller makes an error of calculation for a fiscal year, the County Auditor-Controller shall correct the error by making an adjustment to the allocation for the next fiscal year.

(d) In any applicable fiscal year, the Board of Supervisors may decline to spend the monies in the Fund for the purposes enumerated in this chapter and may use those funds for any purpose not otherwise prohibited by law, provided that the Board of Supervisors, by a two-thirds vote, finds any of the following:

(1) That the County faces a fiscal emergency because County revenues will fall substantially below the estimate upon which the budget for that fiscal year was based or that County expenditures for the fiscal year will increase to substantially over that estimate of County revenues; or

(2) That the additional expenditures required by this Initiative would not benefit children as intended by this chapter; or,

(3) That expenditures in accordance with this chapter would unlawfully interfere with a statewide policy requiring county uniformity; or

(4) That expenditures in accordance with this chapter would seriously impair the provision of essential governmental functions and endanger the health and safety of the People of Napa County.

(e) Prior to allocating funds for alternative uses pursuant to subdivision (d), the Board of Supervisors shall make findings demonstrating that one of the conditions in paragraphs (1) through (4) of subsection (d) of this section exists, publish those findings more than two weeks prior to a public hearing on the proposed alternative uses of the funds, and take public comment on such alternative uses at a duly-noticed public hearing pursuant to the Ralph M. Brown Act (Government Code section 54950 et seq.).

3.49.040. Goals.

The Board of Supervisors shall allocate revenues from the Fund using the following guidelines and goals:

- (a) To ensure that Napa County's children and youth are healthy, ready to learn, ready to succeed in school and live in stable, safe and supported families and communities;
- (b) To focus on the prevention of problems affecting children and youth and on supporting and enhancing the strengths of children, youth, and their families;
- (c) To strengthen a community-based network of services throughout the County;
- (d) To ensure that children and youth with the highest needs receive maximum benefit;
- (e) To distribute funds based on best practices and successful and innovative models in order to ensure maximum impact;
- (f) To maximize citizen participation in the decision making process for funding priorities and citizen involvement in promoting child well-being;
- (g) To distribute funds equitably among services for all youth, from infancy to transitional-age youth, to the maximum extent possible;
- (h) To provide children with gender-responsive and culturally-competent services;
- (i) To strengthen collaboration around shared outcomes among all service providers for children, youth and their families, including collaboration among public agencies and nonprofit organizations;
- (j) To fill gaps in services; and
- (k) To leverage other resources whenever feasible.

3.49.050. Eligible Uses and Allocations.

- (a) Except as provided in Section 3.49.030, the County shall only use monies from the Fund for programs and services for children, youth, transitional age youth, and their families for the following types of programs or services:
 - (1) Early childhood learning and preschool programs that will help mitigate the long-term achievement gap between children who participate in quality early learning programs and those who do not.
 - (2) Out of school time programs such as mentoring, job training, educational enrichment, and cultural and recreational programs.
 - (3) Affordable childcare services, as well as teacher training and resources for all childcare providers.
 - (4) Child abuse prevention and education programs, which keep children safe by preventing the circumstances that lead to abuse.
 - (5) Health, wellness and family support programs and services that promote children's physical and mental health and overall well-being.
- (b) Agencies eligible to receive funding shall be nonprofit, community-based organizations and county departments that serve children. The County shall allocate no more than 20% of the amount allocated from the Fund for direct services in any year to all County departments combined, excluding services contracted to community-based organizations by County departments.
- (c) No more than 10% of the amount allocated from the Fund in any fiscal year shall be used for County costs related to the direct administration of the Fund, including staff support, basic infrastructure, and support for the agencies administering the contracts, and for costs related to evaluation of Fund goals, services, and results, and related data tracking systems.
- (d) Money set aside in the Fund but unspent in a given fiscal year shall be available for expenditure in accordance with this chapter in subsequent fiscal years.

(e) Funds set aside under this chapter shall be used to supplement, and not supplant, other County funds that are expended to carry out services that would be eligible to receive allocations from the Fund.

3.49.060. Baseline.

(a) The County shall ensure that the Fund is used exclusively to increase overall County expenditures for eligible services for children.

(b) The County Auditor-Controller shall calculate the total County discretionary revenues in fiscal year 2015-2016, and shall calculate the percentage of those revenues that were allocated in fiscal year 2015-2016 to services that would be eligible uses for monies from the Fund, excluding allocations for services mandated by state or federal law and paid for by state or federal funds (the “base percentage”).

(c) Commencing in fiscal year 2016-2017 and each fiscal year thereafter through fiscal year 2027-2028, the County shall allocate at least the base percentage of County discretionary revenues to services that would be eligible uses of the Fund, excluding allocations for services mandated by state or federal law and paid for by state or federal funds, and excluding any allocation of revenue to the Fund, unless the Board:

(1) makes factually-supported findings that either:

(A) A fiscal emergency exists because County revenues will fall substantially below the estimate upon which the budget for that fiscal year was based or that County expenditures for the fiscal year will substantially exceed that estimate of County revenues; or

(B) Expenditures in accordance with this chapter would seriously impair the provision of essential governmental functions and endanger the health and safety of the People of Napa County; and

(2) publishes those findings more than two weeks prior to a public hearing on the alternative commitment of the funds; and

(3) allows public comment at a duly-noticed public hearing pursuant to the Ralph M. Brown Act (Government Code section 54950 et seq.) on the alternative commitment of the funds.

3.49.070. Excluded Services.

Except as provided in Section 3.49.030, revenues from the Fund shall not be expended for the following purposes:

(a) Fire services, detention services, probation services mandated by state or federal law, or services provided by the following entities: courts, district attorneys, the County Sheriff’s Department, public defenders, County Counsel.

(b) Any service that benefits children only as members of a larger population including adults, such as maintenance of public recreation areas;

(c) Acquisition of any capital item not for primary or direct use by children or directly benefitting their families;

(d) To meet the County’s obligation to provide a fixed or minimum level of expenditure for any service mandated by state or federal law.

(e) County administrative services unrelated to the direct administration of the Fund.

(f) Services that supplant existing programs for children that were funded with County revenues prior to passage of this Act;

(g) Acquisition (other than by lease for a term of 10 years or less) of any real property or land, or capital expenditures, or predevelopment or construction costs for housing;

(h) Maintenance, utilities or any similar operating costs of any facility not used primarily and directly by children, or of any recreation or park facility (including a zoo), library, hospital or housing; or

(i) Medical health services, other than prevention, education and behavioral and mental health support services.

3.49.080. Administration and Oversight.

(a) The Fund shall be administered by an appointed Napa County Fund for Children Citizens' Oversight Committee (the "Oversight Committee") that shall consist of 11 members appointed by the Board of Supervisors from among residents of the County who are age 18 or older, as follows:

(1) The Board of Supervisors shall appoint one member who is knowledgeable in each of the five primary service areas:

(A) Early childhood learning and preschool programs

(B) Out of school time programs

(C) Affordable childcare programs and services

(D) Child abuse prevention or foster care programs

(E) Health, wellness, and family support programs

(2) One member recommended by the Superintendent of the County Office of Education and approved by the Board of Supervisors.

(3) The remaining five members shall be appointed by the Board based on nominations from the mayors of the four cities within Napa County: Napa, St. Helena, American Canyon, and Calistoga, and from the mayor of the Town of Yountville, from among their respective residents.

(4) At least one member shall be the parent of a dependent child. If a representative from this category is neither recommended by the Superintendent of the County Office of Education and approved by the Board of Supervisors nor nominated by the mayors of the four cities within Napa County (Napa, St. Helena, American Canyon, and Calistoga) nor the Town of Yountville and appointed by the Board of Supervisors, the Board of Supervisors shall appoint a representative from this category when appointing members pursuant to paragraph (1), subparagraphs (A) through (E) of this section. In addition the Board of Supervisors shall appoint a non-voting member who is a resident of the County and who is under the age of 18 at the time of appointment.

(b) The County shall hire or designate a member of County staff, subject to the approval of the Oversight Committee, to serve as Fund Coordinator. Salary, costs and benefits for the Fund Coordinator shall be paid from revenues in the Fund.

(c) The Committee shall meet a minimum of eight times per year. Its meetings shall be open to the public and shall comply with the Brown Open Meetings Act.

(d) The Oversight Committee shall have the following responsibilities, powers, and functions:

(1) To monitor the Fund and ensure that the Fund is managed in a manner accountable to the community.

(2) To develop policies for the Fund regarding outcomes for children and youth services, the evaluation of services, a process for making funding decisions, program improvement and capacity building of service providers, community engagement in planning and evaluating services, leveraging dollars of the Fund, and using the Fund as a catalyst for innovation.

(3) To promote and facilitate transparency in the administration of the Fund.

(4) To recommend to the Board of Supervisors standards and procedures for the selection of contractors and service providers to be funded from the Fund, which shall include competitive grant processes and giving priority to participation of nonprofit agencies.

(5) To develop data collection and evaluation criteria for the full range of services under this chapter to ensure accountability and transparency.

(6) To ensure that the County, through the Fund Coordinator, hires independent external evaluators every five years to evaluate the Fund programs and recommend whether changes are needed to the implementation process, which evaluation shall be provided to the Board of Supervisors and the Oversight Committee.

(7) To report to the public on a regular basis about the services and outcomes of the Fund.

(8) To develop and present to the Board of Supervisors Funding Allocation Plans pursuant to section 3.49.090 of this chapter.

(e) The terms of the initial appointees to the Oversight Committee shall commence on the date of the first meeting of the Oversight Committee, which may occur when at least eight members have been appointed and are present. Oversight Committee members shall serve at the pleasure of the applicable appointing authority. For purposes of this subdivision, the Superintendent of the County Office of Education shall be deemed the appointing authority of the member appointed pursuant to paragraph (2) of subdivision (a) of this section and the Mayors of the Cities of Napa, St. Helena, American Canyon, and Calistoga and the Town of Yountville shall be deemed the appointing authority of the members appointed pursuant to paragraph (3) of subdivision (a) of this section.

(f) If a vacancy occurs during the term of office of any Oversight Committee member, the appointing authority shall appoint a successor, using the method by which the office was previously filled under subsection (a) of this section, to complete the unexpired term in the same manner as that used for the selection of the initial member.

(g) In order to provide for staggered terms, the Board of Supervisors shall appoint six members to serve for an initial term of three years and five members to serve for an initial term of two years. Except for appointments to fill a vacancy, all subsequent appointments shall be for a term of four years. Members may not serve more than two consecutive terms.

3.49.090. Planning, Allocation, and Accountability.

Monies from the Fund shall be allocated as follows:

(a) Beginning in July 2017, the Oversight Committee shall work with County officials and the Fund Director to analyze and review county needs with regards to children and families to determine funding priorities and to develop an Initial Funding Allocation Plan for the Fund for the five fiscal years beginning with the 2018-2019 fiscal year. The Oversight Committee shall recommend allocation of revenues in the Fund among the five categories listed in Section 3.49.050(a), such that each category receives at least 10% of the available moneys in the Fund.

(1) The review of needs shall involve community meetings throughout the County, gathering input on needs and funding priorities.

(2) The Initial Funding Allocation Plan shall be based on input provided through the community meetings, as well as input from service providers and assessments such as those conducted by local hospitals and Live Healthy Napa County.

(3) In developing the Initial Funding Allocation Plan, the Oversight Committee shall consult the Live Healthy Napa County Community Health Improvement Plan to ensure community needs are being met without duplication.

(b) The Oversight Committee shall present the Initial Funding Allocation Plan to the Board of Supervisors no later than March 1, 2018. The Board of Supervisors may modify the Initial Funding Allocation Plan, provided that each of the five categories listed in in Section 3.49.050(a) receives at least 10% of the available monies in the Fund and the Board of Supervisors:

(1) makes factually-supported findings that a different allocation plan that would be permissible under this chapter would better serve the needs of the children of Napa County;

(2) publishes those findings more than two weeks prior to the adoption of the final Initial Allocation Plan; and

(3) allows public comment at a duly-noticed public hearing pursuant to the Ralph M. Brown Act (Government Code section 54950 et seq.) on the revision of the plan.

The Board shall adopt a final Initial Funding Allocation Plan on or before adoption of the County budget for the 2018-2019 fiscal year.

(c) Beginning with the 2019-2020 fiscal year through the 2022-2023 fiscal year, the Board of Supervisors, in consultation with the Oversight Committee, may adjust the allocation of revenues in the Fund pursuant to the Initial Funding Allocation Plan among the five categories listed in

Section 3.49.050(a), provided that each category receives at least five percent (5%) of the available monies in the Fund and the Board of Supervisors follows the procedures in paragraphs (1) through (3) of subsection (b) of this section.

(d) Beginning in July 2022, the Oversight Committee shall work with County officials and the Fund Coordinator to analyze and review county needs with regards to children and families to determine funding priorities and to develop an Amended Funding Allocation Plan for the Fund for the five fiscal years beginning with the 2023-2024 fiscal year. The Oversight Committee shall recommend allocation of revenues in the Fund among the five categories listed in Section 3.49.050(a), such that each category receives at least five percent (5%) of the available moneys in the Fund. In developing the Amended Funding Allocation Plan, the Oversight Committee shall follow the procedures specified in paragraphs (1) through (3) of subsection (a) of this section.

(e) The Oversight Committee shall present the Amended Funding Allocation Plan to the Board of Supervisors no later than March 1, 2023. The Board of Supervisors may modify the Amended Funding Allocation Plan, provided that each of the five categories listed in in Section 3.49.050(a) receives at least five percent (5%) of the available monies in the Fund and the Board of Supervisors follows the procedures in paragraphs (1) through (3) of subsection (b) of this section.

The Board shall adopt a final Amended Funding Allocation Plan on or before adoption of the County budget for the 2023-2024 fiscal year.

(f) Beginning with the 2024-2025 fiscal year through the 2027-2028 fiscal year, the Board of Supervisors may adjust the Amended Funding Allocation Plan, provided that each of the five categories listed in in Section 3.49.050(a) receives at least 5% of the available monies in the Fund and the Board of Supervisors follows the procedures in paragraphs (1) through (3) of subsection (b) of this section.

(g) During the 2027-2028 fiscal year, the Board of Supervisors, in consultation with the Oversight Committee, shall hire an independent evaluator to create and issue a report evaluating the Fund's effectiveness. The Oversight Committee shall develop criteria for use by the independent evaluator in evaluating the Fund's effectiveness. The independent evaluator shall base its report on such criteria. The costs of the independent evaluator and the report may be paid for by the Fund.

(h) Following completion and publication of the evaluation report, the Board shall place an ordinance on the November 2028 ballot pursuant to Elections Code section 9140 asking voters whether they wish to extend this Act. In the event that the Board does not place an ordinance on the November 2028 ballot as required by this section, the People may place such an ordinance on the November 2028 ballot pursuant to Elections Code section 9101.

3.49.100. Implementation.

In order to ensure a stable, fair and effective service delivery system, the Napa County Fund for Children shall be implemented as follows:

(a) There shall be two five-year planning cycles, beginning in the 2018-2019 and 2023-2024 fiscal years.

(b) Funds shall be allocated according to a competitive grant process administered by the County in compliance with the policies adopted by the Oversight Board. The initial solicitation process may begin on the date on which the Oversight Committee submits the Initial Funding Allocation Plan to the Board of Supervisors, with funding available no later than the date on which the Board of Supervisors approves the County budget for the 2018-2019 fiscal year, and shall continue on a rolling basis thereafter, on a schedule to be determined by the Board of Supervisors with input from the Oversight Board.

(c) Recommendations for contractor or service provider selection shall be made by the Oversight Board to the Board of Supervisors. The Board of Supervisors may only revise the selection of contractors or service providers if the Board:

(1) makes factually-supported findings that a different contractor or service provider who qualifies under this chapter would better serve the needs of the children of Napa County;

(2) publishes those findings more than two weeks prior to the adoption of the final allocation plan; and

(3) allows public comment at a duly-noticed public hearing pursuant to the Ralph M. Brown Act (Government Code section 54950 et seq.) on the revision of the Oversight Board's recommendations.

(d) The Board of Supervisors shall approve all final contracts for services to be funded from Fund allocations.

(e) The Board of Supervisors may pass enabling legislation addressing any aspect of the Fund implementation not addressed in this chapter, including reporting requirements, provided that such legislation is in furtherance of the purposes of this chapter. The Board of Supervisors shall adopt such legislation to be effective by July 1, 2017.

SEC. 5. Severability.

If any section, sub-section, sentence, phrase, or clause of this Initiative is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining portion of this Initiative. The People declare that they would have adopted this Initiative and each section, subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, phrases, or clauses be declared invalid.

SEC. 6. Interpretation.

This Initiative shall be liberally interpreted to effect its purposes. Nothing in this Initiative shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any State or Federal law.

SEC. 7. Amendment or Repeal.

This Initiative may only be amended or repealed by the affirmative vote of a majority of voters voting in a Countywide election.

SEC. 8. Judicial Enforcement.

Any aggrieved person or registered Napa County voter shall have the right to maintain an action for equitable relief to restrain any violation of this Act, or to enforce the duties imposed on the County by this Act.

SEC. 9. Conflicting Initiatives.

In the event that this initiative and another measure or measures relating to the provision of children's services in the County shall appear on the same countywide election ballot, the provisions of such other measures shall be deemed to be in conflict with this initiative. In the event that this initiative shall receive a greater number of affirmative votes, the provisions of this initiative shall prevail in their entirety and each and every provision of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of this initiative shall take effect to the extent permitted by law.

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The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

<p><u>NOTICE TO THE PUBLIC</u></p> <p>THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER, YOU HAVE THE RIGHT TO ASK.</p> <p>ALL SIGNERS OF THIS PETITION MUST BE REGISTERED VOTERS IN NAPA COUNTY</p>		
		Official Use Only
Print Name: _____ 8. _____ (Signature)	Residence Address ONLY: _____ _____ (City)	
Print Name: _____ 9. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 10. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 11. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 12. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 13. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 14. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	

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Print Name: _____ 17. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 18. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 19. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 20. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	
Print Name: _____ 21. _____ (Signature)	Residence Address – ONLY: _____ _____ (City)	

Initiative Measure to Be Submitted Directly to the Voters

The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

<u>NOTICE TO THE PUBLIC</u> THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. ALL SIGNERS OF THIS PETITION MUST BE REGISTERED VOTERS IN NAPA COUNTY		
		Official Use Only
Print Name: _____ 22. _____ <div style="text-align: center; font-size: small;">(Signature)</div>	Residence Address ONLY: _____ _____ <div style="text-align: center; font-size: small;">(City)</div>	
Print Name: _____ 23. _____ <div style="text-align: center; font-size: small;">(Signature)</div>	Residence Address – ONLY: _____ _____ <div style="text-align: center; font-size: small;">(City)</div>	
Print Name: _____ 24. _____ <div style="text-align: center; font-size: small;">(Signature)</div>	Residence Address – ONLY: _____ _____ <div style="text-align: center; font-size: small;">(City)</div>	
Print Name: _____ 25. _____ <div style="text-align: center; font-size: small;">(Signature)</div>	Residence Address – ONLY: _____ _____ <div style="text-align: center; font-size: small;">(City)</div>	

DECLARATION OF CIRCULATOR

(To be completed in circulator's own hand after above signatures have been obtained.)

I, _____, am registered to vote or am qualified to vote in the State of California. My residence address is _____. I circulated this petition and I witnessed each of the appended signatures being written on the petition. To the best of my information and belief, each signature on this petition section is the genuine signature of the person whose name it purports to be. All signatures on this petition section were obtained between the dates of _____ and _____. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on _____ at _____, California.

(Date)

(City)

(Full Signature of Circulator)