



Agenda Date: 1/9/2007
Agenda Placement: 6U

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Brandi Periera for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Brandi Periera, Paralegal, 251-1090
SUBJECT: Request for partial exemption from farmworker housing assessment for County Service Area No. 4

RECOMMENDATION

County Counsel requests adoption of a resolution approving a request for a partial exemption from the Fiscal Year 2006-2007 assessments for County Service Area No. 4 for the following parcels owned by Thomas Kenefick:

<u>Owner</u>	<u>Assessor's Parcel No.</u>
Thomas Kenefick	017-230-001
	017-230-002
	017-230-003
	017-230-029
	018-050-020
	020-340-007
	020-340-018

EXECUTIVE SUMMARY

The parcels subject to County Service Area No. 4 (CSA No. 4) farmworker housing assessment are those consisting of one or more planted vineyard acres. Government Code Section 25210.4h and Napa County Code Section 3.12.060 provide that vineyard property owners who present proof to the Board that they are providing housing for their own workers shall be exempt from the assessment. The attached resolution partially exempts Mr. Kenefick's parcels from the assessment since he provides housing for five of six employed farmworkers.

FISCAL IMPACT

Is there a Fiscal Impact? Yes

Is it currently budgeted?	Yes
Where is it budgeted?	Based upon the Engineer's Report, the total reduction of the assessment revenues from the proposed action to the County Service Area No. 4. budget for fiscal year 2006/2007 would be \$864.52.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	Exemptions must be evaluated and approved annually.
Consequences if not approved:	The County will be in violation of Government Code section 25210.4h(d).
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

BACKGROUND AND DISCUSSION

County Service Area No. 4 (CSA No. 4) was formed for the purpose of providing funding for farmworker housing programs. The parcels subject to CSA No. 4 assessment are those consisting of one or more planted vineyard acres. Qualifying properties are subject to the imposition of a yearly assessment not to exceed \$10.00 per planted vineyard acre. Government Code Section 25210.4h(d) and Napa County Code Section 2.12.030 provide that a vineyard property owner shall be exempt from the assessment if and to the extent the owner provides proof to the Board that the owner provides housing for farmworkers. These sections also mandate that no assessment shall be imposed on any parcel of real property which exceeds the reasonable cost of the proportional special benefit conferred on that property.

Napa County Code Section 3.12.060 also provides that the Board of Supervisors shall consider a request for exemption from the Assessments for a specific assessment year as long as a written request for the exemption has been received from the property owner no later than three months after the date of the tax bill for those particular assessments. A request for exemption has been received within the foregoing time period from Thomas Kenefick.

Thomas Kenefick has requested an 83 percent partial exemption from his assessment of \$1041.61 for the assessor's parcels noted in the Resolution because he provides housing for five of six farmworker employees. The reduction is consistent with the methodology previously approved by the Board relating to partial exemptions. To comply with the law applicable to the imposition of assessments, the Board should adopt the Resolution granting the requested partial exemption.

SUPPORTING DOCUMENTS

- A . Request for Exemption
- B . Resolution

CEO Recommendation: Approve

Reviewed By: Maiko Klieman