



Agenda Date: 11/21/2006  
Agenda Placement: 6J

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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

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### **RECOMMENDATION**

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

<u>Owner</u>	<u>Assessor's Parcel No.</u>
John Monhoff	020-390-005

### **EXECUTIVE SUMMARY**

The parcels subject to County Service Area No. 4 (CSA No. 4) 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 or do not have planted vineyard acreage shall be exempt from the assessment. The attached resolution exempts Mr. Monhoff's parcel from the assessment.

### **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 \$16.74.
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 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. If a parcel contains no planted vineyard acres, it is not subject to the assessment on the grounds it does not receive any special benefits provided by CSA No. 4.

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 John Monhoff.

John Monhoff has requested a 100 percent exemption from his assessment of \$16.74 for the assessor's parcel noted in the Resolution because he does not have planted vineyard acreage on the property described in the Resolution. This information has been confirmed by Agricultural Commissioner's office. To comply with the law applicable to the imposition of assessments, the Board should adopt the Resolution exempting this parcel from the assessment roll.

### **SUPPORTING DOCUMENTS**

- A . Resolution
- B . Request for Exemption
- C . Ag Comm Memo

CEO Recommendation: Approve

Reviewed By: Maiko Klieman