



Agenda Date: 11/6/2007
Agenda Placement: 6R

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Sora O'Doherty for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Sora O'Doherty, 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 partial exemption from the Fiscal Year 2007-2008 assessments for County Service Area No. 4 for the following parcels:

<u>Owner</u>	<u>Assessment Parcel No.</u>	<u>Exemption %</u>
Terrence G. Wilson/Rancho Chimiles	033-020-009-000	22%
Terrence G. Wilson/Rancho Chimiles	033-020-037-000	22%
Terrence G. Wilson/Rancho Chimiles	033-030-022-000	22%

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 the Terrence G. Wilson/Rancho Chimiles parcels because housing is provided for 4 of the 18 farmworkers employed on those parcels.

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 2007-2008 would be \$223.43.
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: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

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 3.12.060 provide that a vineyard property owner shall be exempt from the assessment if and to the extent that the owner provides proof to the Board that the owner provides housing for farmworkers or does not employ any farmworkers in association with the property subject to assessment. 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. Requests for exemption have been received within the foregoing time period from Terrence G. Wilson/Rancho Chimiles.

Terrence G. Wilson/Rancho Chimiles has requested a partial exemption from the assessments of \$639.90, \$136.50, and \$229.14 for the parcels noted in the Resolution because housing is provided for 4 or the 18 farmworkers employed. The reductions are consistent with the methodology previously approved by the Board relating to exemptions. To comply with the law applicable for the imposition of assessments, the Board should adopt the Resolution granting the exemptions.

SUPPORTING DOCUMENTS

A . Resolution

B . Exemption Request

CEO Recommendation: Approve

Reviewed By: Maiko Klieman