



Agenda Date: 6/19/2007  
Agenda Placement: 6U

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Robert Paul for Westmeyer, Robert - County Counsel  
County Counsel  
**REPORT BY:** Robert Paul, ATTORNEY IV , 253-6113  
**SUBJECT:** Adoption of a resolution implementing actions necessary for the imposition of assessments for County Service Area No. 4

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### **RECOMMENDATION**

County Counsel requests:

1. Adoption of a resolution providing for the following:
  - a. Acceptance of the Engineers Report relating to the assessments for County Service Area No. 4 to provide funding for the farmworker housing centers;
  - b. Setting a public hearing for August 7, 2007 at 9:30 a.m. to hear protests to the proposed assessment, including tabulation of ballots from qualifying property owners;
  - c. Directing the Clerk of the Board to comply with applicable notice requirements with respect to the proposed assessment and the mailed notice and ballot requirements for imposition of the proposed assessment; and
  - d. Designating Sora O'Doherty of the County Counsel's office as the person to answer questions regarding the assessments and protest proceedings; and
2. Acceptance of the Fiscal Year 2007/2008 proposed budget for County Service Area No. 4 with a total appropriation of \$428,124.

### **EXECUTIVE SUMMARY**

The recommended action commences the process necessary for County Service Area No. 4 to impose assessments on qualifying property owners for an additional five year period. The assessments are imposed to provide funding for the three farmworker housing centers (Calistoga, Mondavi, and River Ranch). The action accepts the required Engineers Report and starts the balloting process necessary under the requirements of Proposition 218, which will culminate in the imposition of assessments if a majority protest does not occur upon tabulation of the ballots.

Additionally, the Board has historically accepted the proposed budgets for special districts in June and subsequently held budget hearings and adopted final budgets for special districts in August. Acceptance of the

Fiscal Year 2007-2008 proposed budget for County Service Area No. 4 will enable this special district to continue operations until adoption of its final budget on August 14, 2007.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Annual assessments
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No
Future fiscal impact:	None, as this request is for Fiscal Year 2007-2008 only.
Consequences if not approved:	County Service Area No. 4 would not have spending authority until the adoption of the budget on August 14, 2007.

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**

In 2002, the Board of Supervisors established County Service Area No. 4 (CSA4) to provide funding for farmworker housing programs. Subsequently, owners of parcels of real property containing one or more acres of planted vineyards approved an annual assessment not to exceed ten dollars (\$10.00) per acre per year to provide such funding. The duration of the approval of that assessment was for five years as allowed pursuant to Government Code section 25210.4h. In order to levy the assessment for an additional five year term, it is necessary to conduct another assessment balloting procedure in compliance with the requirements of Proposition 218.

Adoption of the resolution will implement the actions necessary to obtain qualifying property owners approval to impose the assessment for another five year period. As required, an Engineers Report is submitted for acceptance. The Report calls for a per acre levy of \$9.75 for fiscal year 2007/2008. The CSA4 Advisory Committee has concurred with the Reports recommendations. The funds collected under the CSA4 assessment program will be utilized to provide funding to assist the Napa County Housing Authority in its operation of the three farmworker housing centers known as River Ranch, Calistoga, and Mondavi.

The resolution calls for balloting procedures to commence, culminating with a public hearing on August 7, 2007 at 9:30 a.m., at which time the ballots will be tabulated and the assessment imposed unless a protest exists. A protest exists if the assessment ballots submitted, and not withdrawn, in opposition to the proposed assessment exceed 1/3 of all assessment ballots submitted, weighing the ballots by the amount of the proposed assessment attributable to each parcel.

Finally, the Board has historically accepted the proposed budgets for special districts in June, and subsequently

held budget hearings and adopted final budgets for special districts in August. The proposed budget for Fiscal Year 2007-2008 has been submitted as a "rollover" budget for the purposes of continuing operations until adoption of its final budget on August 14, 2007.

**SUPPORTING DOCUMENTS**

- A . Resolution of Intention
- B . Engineers Report (Summary)

CEO Recommendation: Approve

Reviewed By: Karen Gratton