



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 7/10/2012
Agenda Placement: 9E
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 15 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Robert Paul for Westmeyer, Robert - County Counsel
County Counsel

REPORT BY: Robert Paul, Deputy County Counsel - 253-6113

SUBJECT: Public Hearing to hear protests and tabulate assessment ballots, and adopt a resolution imposing assessments on behalf of County Service Area No. 4.

RECOMMENDATION

County Counsel requests the following actions relating to County Service Area No. 4 (CSA 4):

1. Open Public Hearing to consider any objections or protests with respect to the proposed assessment for CSA 4;
2. Close Public Hearing and direct the Clerk of the Board or Clerk's designees to tabulate ballots from qualifying landowners on the proposal to reauthorize the imposition of assessments for an additional 5 years and impose an assessment in the amount of \$10.00 for Fiscal Year 2012-2013 and recess the meeting to complete such tabulation;
3. Reconvene item, receive ballot results and, depending on the outcome of the balloting, adopt a resolution authorizing and levying assessments for Fiscal Year 2012-2013 on qualifying property owners.

EXECUTIVE SUMMARY

In 2002, the Board of Supervisors created County Service No. 4 (CSA 4) to provide funding for farmworker housing programs. Subsequently, qualifying property owners subject to the assessments of CSA 4 approved the imposition of assessments for a five year period. Five years is the maximum period of time the assessment can be imposed without obtaining qualifying property owners consent to a reauthorization of the assessments for an additional five year period. CSA 4 is now seeking authorization to impose assessments for an additional five year period.

The public hearing is to consider objections or protests to the proposal for reauthorization and the imposition of an assessment for Fiscal Year 2012-2013 in the amount of \$10.00 per acre. In the event the assessment balloting is successful (less than 1/2 weighted ballots in opposition), the Board may adopt the attached resolution imposing the assessment for Fiscal Year 2012-2013. In the event a majority protest exists, the assessments may not be

imposed.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Service Area No. 4
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	On May 15, 2012, the Board approved a resolution accepting the Engineer's Report and setting the public hearing for July 10, 2012, to hear protests of the proposed assessments, including tabulation of ballots from qualifying property owners. Today's requested action completes this process.
Is the general fund affected?	No
Future fiscal impact:	None.
Consequences if not approved:	If the assessments are not levied, CSA 4 will not have assessment income for Fiscal Year 2012-2013.
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 created County Service No. 4 (CSA 4) to provide funding for farmworker housing programs. Subsequently, qualifying property owners subject to the assessments of CSA 4 approved the imposition of assessments for a five year period. Five years is the maximum period of time the assessment can be imposed without obtaining qualifying property owners consent to a reauthorization of the assessments for an additional five year period.

CSA 4 is now seeking authorization to impose assessments for an additional five year period. Today's public hearing is to consider objections or protests to the proposal for reauthorization and the imposition of an assessment for Fiscal Year 2012-2013 in the amount of \$10.00 per acre and to authorize tabulation of such protests following the hearing. In the event the assessment balloting is successful (less than 1/2 weighted ballots in opposition), the Board may adopt the attached resolution imposing the assessment for Fiscal Year 2012-2013. In the event a majority protest exists, the assessments may not be imposed by CSA 4.

This item is specifically exempt from the voting requirements of Article XIIC, Voter Approval for Local Taxes, of the California Constitution because it is an assessment or property related fee imposed in accordance with the provisions of Article XIID, Assessment and Property-Related Fee Reform, of the California Constitution.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Danny Nguyen