



Agenda Date: 7/25/2006  
Agenda Placement: 6P

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Margaret Woodbury for Robert Westmeyer - County Counsel  
County Counsel  
**REPORT BY:** Brandi Periera, Paralegal, 251-1090  
**SUBJECT:** Requests 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 requests for exemption and partial exemptions from the Fiscal Year 2006-2007 assessments for County Service Area No. 4:

<u>Owner</u>	<u>Assessor's Parcel No.</u>
John Monhoff	020-210-013
Lewis Carpenter	009-030-022, 009-030-002, 009-030-003, 009-030-004, 021-110-004, 021-110-008 021-110-010, 021-353-012, 022-220-023
Alfred Wastlhuber	033-140-048

### **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 shall be exempt from the assessment. The attached resolution exempts Mr. Monhoff's parcel and partially exempts Mr. Carpenter's and Mr. Wastlhuber's parcels 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 actions to the County Service Area No. 4. would be \$520.04.
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 and Napa County Code Section 3.12.060.
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 property owners approved the imposition of a yearly assessment not to exceed \$10.00 per planted vineyard acre. Government Code section 25210.4h provides 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 the persons who work in the vineyard. This section also provides that no assessment shall be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on the parcel.

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, Lewis Carpenter and Alfred Wastlhuber.

The Board of Supervisors has determined that an appropriate methodology to determine the amount of an exemption from or modification of the assessments is to base the exemption or modification on the amount of onsite farmworker housing provided in relation to the total number of workers employed at the site. Based upon the Engineer's Report, currently within CSA No. 4, there are 45,528 planted vineyard acres. The amount of assessment revenues needed to balance the CSA No. 4 budget for Fiscal Year 2006-2007 is \$428,193. Therefore, the assessment amount per planted vineyard acre for FY 2006-2007 is \$9.41.

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 employ any farmworkers in association with his vineyard

property described in the Resolution.

Lewis Carpenter has requested a 30 percent exemption from each assessment totaling \$1,129.07 (for a total exemption of \$338.72) because he provides housing for 6 of the 20 farmworkers who work on his vineyard property described in the Resolution.

Alfred Wastlhuber has requested a 50 percent exemption from his assessment of \$329.18 (for a total exemption of \$164.59) because he provides housing for 2 of the 4 farmworkers who work on his vineyard property described in the Resolution.

This is a mandated action set by Government Code section 25210.4h and Napa County Code Section 3.12.060. The total reduction of the assessment revenues from the proposed actions to the CSA No. 4. would be \$520.04. Each subsequent year, the assessment amounts will be recalculated based on the assessment revenue needed to balance the CSA No. 4 budget and the exemption will vary year to year based on the amount of onsite farmworker housing provided in relation to the total number of workers employed at the site.

#### **SUPPORTING DOCUMENTS**

- A . Monhoff Request for Exemption
- B . Carpenter Request for Exemption
- C . Wastlhuber Request for Exemption
- D . Exemption Resolution

CEO Recommendation: Approve

Reviewed By: Maiko Klieman