



Agenda Date: 8/7/2007
Agenda Placement: 8F
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 Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Robert Paul, ATTORNEY IV , 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; Conduct Public Hearing on proposed FY 2007-2008 Budget

RECOMMENDATION

County Counsel request 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 adopt a resolution directing 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 \$9.75 for Fiscal Year 2007/2008 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 2007/2008 on qualifying property owners;
4. Open Public Hearing to accept testimony on the Fiscal Year 2007-2008 budget, with a total appropriation of \$444,268; and
5. Close Public Hearing and continue consideration to August 14, 2007 for final adoption.

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 2007/2008 in the amount of \$9.75 per acre. In the event the assessment balloting is successful (less

than 1/3 weighted ballots in opposition), the Board may adopt the attached resolution imposing the assessment for Fiscal Year 2007/2008. In the event a majority protest exists, the assessments may not be imposed.

If the Board adopts the resolution authorizing and levying assessments for CSA 4, a second public hearing will be held to consider the proposed budget for Fiscal Year 2007-2008 with a total appropriation of \$444,268.

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:	<p>On June 19, 2007 a resolution accepting the Engineer's Report and setting the public hearing for August 7, 2007 to hear protests to the proposed assessments was approved including tabulation of ballots from qualifying property owners. Today's requested action completes this process.</p> <p>Additionally, on June 19, 2007 a draft budget for Fiscal Year 2007-2008 was accepted by the Board as a "rollover" budget for the purposes of continuing operations until after the election and submission of the final budget recommendation. Depending on the outcome of the balloting, today's second public hearing will be held to consider the Fiscal Year 2007-2008 proposed budget with a total appropriation of \$444,268.</p>
Is the general fund affected?	No
Future fiscal impact:	None. The proposed budget is for Fiscal Year 2007-2008 only.
Consequences if not approved:	If the final budget is not adopted, the budget will not reflect the proper revenues and appropriations.
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 2007/2008 in the amount of \$9.75 per acre and to authorize tabulation of such protests following the hearing. In the event the assessment balloting is successful (less than 1/3 weighted ballots in opposition), the Board may adopt the attached resolution imposing the assessment for Fiscal Year 2007/2008. In the event a majority protest exists, the assessments may not be imposed by CSA 4.

Finally, if the Board adopts the resolution authorizing and levying assessments for CSA 4, a second public hearing will be held to consider the proposed budget for Fiscal Year 2007-2008 with a total appropriation of \$444,268.

SUPPORTING DOCUMENTS

- A . Resolution to Tabulate Ballots for CSA#4 Assessment
- B . Resolution Authorizing and Levying CSA#4 Assessments
- C . Schedules 13, 14, 15
- D . Budget

CEO Recommendation: Approve

Reviewed By: Karen Gratton