

RESOLUTION NO. 2022-__

**RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY,
STATE OF CALIFORNIA, RECOGNIZING THE REAUTHORIZATION
AND EXTENSION BY PROPERTY OWNERS OF COUNTY SERVICE
AREA NO. 4 ASSESSMENTS FOR FIVE YEARS THROUGH FISCAL
YEAR 2026-2027, AND AUTHORIZING AND LEVYING ASSESSMENTS
FOR THE PROVISION OF FARMWORKER HOUSING WITHIN
COUNTY SERVICE AREA NO. 4 FOR FISCAL YEAR 2022-2023**

WHEREAS, in 2002 the Napa County Board of Supervisors (“Board”) formed County Service Area No. 4 (“CSA No. 4”) pursuant to the County Service Area Law, Government Code sections 25210 *et seq.* (“County Service Area Law”), as a mechanism for providing certain miscellaneous extended services pertaining to farmworker housing in Napa County; and

WHEREAS, pursuant to Government Code section 25213.2(d), the miscellaneous extended services (collectively “Services”) which may be provided by CSA No. 4 include any or all of the following:

- (1) Acquiring farmworker housing;
- (2) Building farmworker housing;
- (3) Leasing farmworker housing; or
- (4) Providing maintenance or operations for farmworker housing owned or leased by a public agency whose principal purpose is to develop or facilitate the development of farmworker housing in Napa County; and

WHEREAS, beginning in 2002 with the approval of affected property owners, as reauthorized by them for successive five-year periods in 2007, 2012, and 2017, the Board has financed (and proposes to continue to finance) the Services through the imposition of assessments (“Assessments”) on the parcels of real property in CSA No. 4 containing one or more planted vineyard acres that will receive special benefits from the Services; and

WHEREAS, pursuant to Government Code section 25213.2(b), the approved Assessments can only remain in effect for a period not exceeding five years unless reauthorized by qualifying property owners for an additional five-year period following the procedures of Article 4.6 (commencing with Section 53750) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code; and

WHEREAS, in order to identify those property owners from whom consent should be sought to reauthorize the Assessments for an additional five years, the Board caused to be prepared a written Engineer's Report (“Report”) with respect to the Assessments prepared by a professional engineer certified by the State of California, which was submitted to the Clerk of the Board on May 3, 2022, and which is referred to and incorporated herein by reference; and

WHEREAS, pursuant to County Service Area Law and Chapter 3.12 of the Napa County Code, the Report includes a description of each parcel of real property receiving any of the

Services and the amount of assessment for such parcel computed in conformity with County Service Area law and Napa County Code sections 3.12.030 and 3.12.040; and

WHEREAS, upon the filing of the Report with Clerk of the Board, on May 3, 2022, the Board adopted Resolution No. R-2022-01 (NCHA) by which the Board accepted the Report, declared its intention to adopt the levy of the Assessments for the 2022-2023 Fiscal Year in accordance with the Report (at the rate of \$12.00 per planted acre), scheduled a public hearing on the Report and on the proposed reauthorization and extension of the Assessments for five years to be held on July 12, 2022 at 9:30 a.m. in the chambers of the Board of Supervisors, Suite 305, Third Floor, County Administration Building, 1195 Third Street, Napa, California 94559, and directed the Clerk of the Board to publish the legally required notice of the public hearing; and

WHEREAS, County staff complied with Government Code section 53753, including but not limited to by sending notices to all property owners identified in the Report, which contained all of the information required by the statute, accompanying ballots as required by the statute, which advised property owners of what they were voting on, including but not limited to the maximum amount of the Assessments they would be required to pay during the extended five-year period of CSA No. 4 Assessments of \$15.00 per planted acre per year; and

WHEREAS, on July 12, 2022, having complied with the procedures of Government Code section 53753, the Board held a public hearing at which it considered all objections and protests to the proposed Assessments and allowed affected property owners the opportunity to submit, change, or withdraw their ballots; and

WHEREAS, at the conclusion of the public hearing, at the direction of the Board, the ballots were tabulated, and it was certified to the Board that no majority protest existed, in that the assessment ballots submitted, and not withdrawn, in opposition to the Assessment did not exceed the assessment ballots submitted, and not withdrawn, in favor of the Assessment, weighting those assessment ballots by the amount of the proposed assessment to be imposed upon the identified parcel for which each assessment ballot was submitted; and

WHEREAS, the Board, having considered the Report and all of the information submitted by the public, believes it is in the best interests of CSA No. 4, and the affected property owners, to levy the Assessments for Fiscal Year 2022-2023 as calculated in the Report;

NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors as follows:

1. The Board hereby finds and determines that the above recitals are true and correct.
2. The Board accepts the results of the balloting as certified by the Clerk of the Board or her designee, and acknowledges that the qualifying property owners within CSA No. 4 have voted to re-authorize and extend the Assessments for a period of five year through Fiscal Year 2026-2027.

3. Pursuant to Napa County Code section 3.12.040(C), the Board hereby confirms the contents and recommendations of the Report; levies Assessments in the amount of \$12.00 per planted vineyard acre for those qualifying properties within County Service Area No. 4 for Fiscal Year 2022-2023 as more particularly set forth in the Report; and orders collection of the Assessments in conformance with Chapter 3.12 of the Napa County Code.

4. In accordance with Napa County Code section 3.12.050, each Assessment levied shall appear as a separate non-tax item on the property tax bill for the affected parcel of real property, and shall thereafter be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at a regular meeting of the Board of Supervisors of Napa County, State of California, held on the 12th day of July, 2022, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____
ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the State of California

By: _____
 RYAN GREGORY, Chair
 Napa County Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <u>Thomas C. Zeleny</u> Interim County Counsel Date: <u>June 27, 2022</u> PL Doc. No. 74104	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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