

**RESOLUTION NO. 2022-\_\_\_\_\_**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY,  
STATE OF CALIFORNIA, ACCEPTING THE ENGINEER'S REPORT  
FOR COUNTY SERVICE AREA NO. 4, INITIATING THE BALLOT  
PROCESS TO REAUTHORIZE AND EXTEND THE ASSESSMENTS  
THROUGH FISCAL YEAR 2026-2027, AND SETTING A PUBLIC  
HEARING ON THE PROPOSED EXTENSION AND THE LEVY OF  
ASSESSMENTS 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 section 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, 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**, the Board has caused to be prepared, and on this date has received for filing with the Clerk of the Board ("Clerk"), a written Engineer's Report ("Report") with respect to the Assessments prepared by a professional engineer certified by the State of California and which Report 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**, the Napa County Housing Commission, in its role as the CSA No. 4 advisory committee under Government Code section 25213.2(e), concurs with the Report's recommendations; and

**WHEREAS**, all property owners who are subject to the Assessments must be given notice of a public hearing before the Board of Supervisors to consider whether to reauthorize and extend the Assessment for a five-year period from fiscal year 2022-2023 through 2026-2027 (the “Five-Year Extension”), and must be provided with the opportunity to cast ballots in favor of or against the Five-Year Extension; and

**WHEREAS**, after considering the Report, the Board wishes to initiate the assessment ballot process and declare its intention to adopt the levy of the Assessments for the 2022-2023 fiscal year in accordance with the Report, and to set a public hearing to consider the Report and the level of Assessments proposed in the Report;

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

1. The Napa County Board of Supervisors hereby declares its intention, pursuant to the provisions of County Service Area law and Chapter 3.12 of the Napa County Code, to adopt the Five-Year Extension of the Assessments upon real property containing one or more planted vineyard acres in CSA No. 4, not to exceed \$15.00 per planted acre, all as set forth in the Report. The Report proposes the rate \$12.00 per planted acre for fiscal year 2022-2023.

2. The Engineer’s Report prepared by Kristin Lowell, Inc., dated April 5, 2022, entitled “County of Napa Farmworker Housing, CSA No. 4 Assessment District” has been filed with the Clerk and is hereby accepted by the Board. A copy of this Report shall be maintained on file with the Clerk at 1195 Third Street, Suite 310, Napa, California, and shall be available for public inspection at that location during regular County business hours.

3. Pursuant to Article XIII D, Section 4, of the California Constitution, assessment ballots shall be mailed to the record owner of each parcel located within CSA No. 4 proposed to be subject to the Assessment. Any record owner may complete the assessment ballot to indicate support or opposition to the proposed Assessment. All assessment ballots must be received by the Clerk before the close of the public hearing. An assessment ballot received after the close of the public hearing will not be tabulated even though the postmark on the envelope transmitting the ballot is dated on or before the date of the public hearing.

4. With respect to the Assessments proposed to be levied for the 2022-2023 fiscal year, the designated rates are based on the special benefit to be derived by each identified parcel from provision of the Services as further set forth in the Report, and no individual Assessment exceeds the reasonable cost of the proportional special benefit conferred on the parcel to which it relates.

5. On July 12, 2022 at 9:30 a.m., or as soon thereafter as circumstances allow, in the chambers of the Napa County Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, the Board will hold a public hearing with respect to the Report and regarding the question of whether a weighted majority of the property owners who are subject to the Assessments have cast ballots in favor of the Five-Year Extension and, if so, regarding the levying of the approved Assessments for fiscal year 2022-2023. At the public hearing, any

interested person shall be permitted to present written or oral testimony regarding the content and accuracy of the Report and of the proposed Assessments. The Board shall consider any protests with respect to the Report and the Assessments, and shall determine whether, and to what extent, to adopt the proposed Assessments.

6. The Board designates Cathy Kisler-Caravantes of the Napa County Counsel's Office, 1195 Third Street, Suite 301, Napa, California 94559, telephone number (707) 251-1090, as the person to answer questions from the public regarding the Assessments.

7. Pursuant to County Service Area law and Napa County Code section 3.12.040(B), the Clerk shall publish notice of the public hearing at least once per week for two successive weeks, as provided by Government Code section 6066, in a newspaper of general circulation published in Napa County, which noticing shall be completed prior to the date set for the public hearing.

8. The assessment ballots that were timely received shall be tabulated at the conclusion of the public hearing. The Board designates the Clerk to act as the tabulation official to tabulate the assessment ballots. If the weighted ballots submitted in opposition to the Assessment exceed the weighted ballots submitted in favor of the Assessment, the Board may not impose the Assessment. The Board may adopt, revise, change, reduce, or modify any Assessment to be charged within the applicable statutory limits, pursuant to Napa County Code section 3.12.040(C).

*[remainder of page intentionally blank]*

**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  
 3rd day of May, 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

<p>APPROVED AS TO FORM          Office of County Counsel</p> <p>By: <u>Thomas C. Zeleny</u>          Interim County Counsel</p> <p>Date: <u>April 15, 2022</u>          PL Doc. No. 71457</p>	<p>APPROVED BY THE NAPA          COUNTY          BOARD OF SUPERVISORS</p> <p>Date: _____          Processed By:          _____          Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS          Clerk of the Board of Supervisors</p> <p>By: _____          _____</p>
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