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SB-240 County service areas: farmworker housing: County of Napa. (2017-2018)

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Senate Bill No. 240

CHAPTER 72

An act to amend Section 25213.2 of the Government Code, relating to local government.

[Approved by Governor July 17, 2017. Filed with Secretary of State July 17, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 240, Dodd. County service areas: farmworker housing: County of Napa.

The County Service Area Law authorizes the formation of county service areas to provide authorized services, including a county service area in the County of Napa for the sole purpose of acquiring, constructing, leasing, or maintaining farmworker housing. That law authorizes the board of supervisors of the County of Napa to levy an annual benefit assessment not to exceed \$10 per planted vineyard acre, as provided, for the purposes of this county service area.

This bill would increase the limit on the amount of the annual benefit assessment that the board of supervisors may levy pursuant to this provision from \$10 to \$15 per planted vineyard acre.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Napa.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25213.2 of the Government Code is amended to read:

25213.2. (a) In the County of Napa, a county service area may be formed for the sole purpose of acquiring, constructing, leasing, or maintaining, or any combination thereof, farmworker housing. Notwithstanding any other provision of this article, only a county service area formed under this section in the County of Napa may exercise this specific authority.

(b) The Board of Supervisors of the County of Napa may, following the procedures of Article 4.6 (commencing with Section 53750) of Chapter 4 of Part 1 of Division 2 of Title 5, levy an annual assessment not to exceed fifteen dollars (\$15) per planted vineyard acre for the purposes of the county service area formed under this section. An annual assessment levied pursuant to this section may remain in effect for a period not exceeding five years. However, an annual assessment levied pursuant to this section may be reauthorized for additional five-year periods pursuant to Article 4.6.

(c) No assessment shall be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

(d) The board may allocate the proceeds of the annual assessment, as it deems appropriate, for any or all of the following purposes:

(1) Acquiring farmworker housing.

(2) Building farmworker housing.

(3) Leasing farmworker housing.

(4) Providing maintenance or operations for farmworker housing owned or leased by the Napa Valley Housing Authority or another public agency whose principal purpose is to develop or facilitate the development of farmworker housing in the County of Napa.

(e) The board shall appoint an advisory committee that includes, but is not limited to, farmworkers and planted vineyard landowners or agents to advise and counsel the board on the allocation of the proceeds of the annual assessment.

(f) In ascertaining parcels to be included in this county service area, the board shall use data gathered by the Napa County Flood Control and Water Conservation District.

(g) 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 board and the advisory committee shall audit the programs receiving the proceeds of the allocation every two years and make recommendations for changes.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the the unique nature of the agricultural and winemaking industries in the County of Napa and the need to ensure adequate farmworker housing to support those industries.