

## Assembly Bill No. 1550

### CHAPTER 340

An act to add Section 25210.4h to the Government Code, relating to farm labor housing.

[Approved by Governor September 24, 2001. Filed with Secretary of State September 25, 2001.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1550, Wiggins. Farmworker housing.

The existing Farm Labor Center Law authorizes, among other things, a housing authority to arrange and contract for the furnishing of services, works, or facilities for or in connection with a farm labor center within the authority's area of operation.

Existing law authorizes the establishment of county service areas to provide prescribed services within the area.

This bill would authorize formation of a county service area in Napa County for the sole purpose of acquiring, constructing, leasing, and maintaining farmworker housing. It would authorize the Napa County Board of Supervisors to impose an annual assessment not to exceed \$10 per planted vineyard acre for this purpose.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) The growing of wine grapes represents the predominant industry and the principal agricultural crop in Napa. The harvest and maintenance of these plants are of vital public interest to the County of Napa.

(b) Farmworker housing owned and maintained by a public agency is necessary to assure that sufficient farmworkers will come to the County of Napa to harvest and maintain its principal crop.

(c) It is critical and most important to provide safe, clean housing for farmworkers in the County of Napa.

(d) Therefore, it is in the general public interest in the County of Napa that its board of supervisors be specially authorized to initiate proceedings to create one or more county service areas and zones with the specific single purpose of owning or maintaining, or both, farmworker housing.

(e) The benefit derived from the imposition of an annual fee for farmworker housing pursuant to this act is related to the number of



planted vineyard acres, and the benefit derived for the per acreage fee is related to the same.

SEC. 2. Section 25210.4h is added to the Government Code, to read:

25210.4h. (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. These services and facilities shall be deemed “miscellaneous extended services.” Sections 25210.4 and 25210.4a shall not apply to the county service zones or areas established pursuant to this section except to the extent needed to provide farmworker housing, and the procedures to establish the county service areas or zones shall reference an assessment, rather than a tax, as appropriate. If the proposed establishment of a county service area is abandoned, the County of Napa may provide those services from the general fund of the county, notwithstanding Section 25210.18.

(b) Notwithstanding Section 25210.1a, a county service area formed under this section may consist of noncontiguous parcels of planted vineyard land.

(c) 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 ten dollars (\$10) 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 that Article 4.6. The board of supervisors shall not impose a new assessment or an extension of an existing assessment if the assessment ballots submitted, and not withdrawn, in opposition to the proposed assessment exceed one-third of all assessment ballots submitted, and not withdrawn, 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.

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

(e) The board of supervisors 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.

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

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

(h) Vineyard property owners who present proof to the board of supervisors 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. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of Napa County. The facts describing the special circumstances are set forth in the findings and declarations of the Legislature in Section 1 of this act.

