



Agenda Date: 1/23/2007
Agenda Placement: 9A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Robert Westmeyer, County Counsel, 259-8245
SUBJECT: Palmaz Grading and Erosion Control Plan Requirements

RECOMMENDATION

Discussion and possible direction regarding the investigation of the Palmaz Vineyards matter. (Chair Moskowitz)

EXECUTIVE SUMMARY

The Chair has asked that staff provide an update of the status of the investigation into the Palmaz Vineyard County Code violations.

FISCAL IMPACT

Is there a Fiscal Impact? No

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

The Chair has asked staff to provide an update on the status of the investigation into the Palmaz Vineyard County Code violations. It is expected a civil complaint will be filed detailing the violations of the Napa County Code and the Fish & Game Code that staff believes have occurred by the end of the month. The civil complaint may be filed by County Counsel, the District Attorney or some combination thereof.

In light of the fact that litigation will commence shortly, there is a limit on what may be discussed in open session since it would be inappropriate for staff to make statements that might prejudice the imminent court proceedings.

However, staff will present an overview of the current status of the investigation and a precise timeline setting forth when a civil complaint is expected to be filed.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman