

Report to Directors, Angwin Community Council

Subject: Napa County Board of Supervisors meeting, April 14, 2009

From: Herbert Ford

After a special one-hour meeting of the Board at 8 a.m., today, practically all of which was in closed session, the regular 9 a.m., meeting began with all five Supervisors present. In the Public Comment period that precedes the Board agenda, yours truly brow-beat the Board for ignoring the deteriorating look of the battleship grey color of the outside of the County headquarters building. Under the rows of windows of the building great lines of dark, rain-induced streaking give the building the look of an untended building. I've spoken with the Board about this inappropriate look several times before, and will continue until change comes. I did the same for over a year about the front entrance to the building and now there is a very fine-looking entrance area. So given enough bangs with the hammer does bring desired result.

The Consent Items of today's agenda included giving the Board the background and discussion of a recommendation that the Board Chair sign a Memorandum of Understanding (MOU) with Howell Mountain Mutual Water Company (HMMWC) for a maximum of \$500,000 for the term April 1, 2009, until sixty days following the filing of the Notice of Completion for defining responsibilities in the Deer Park Pipeline Improvements Project construction, and to establish the reimbursement methodology (which in which money will be paid out) for Measure A funding.

According to the background paper, "HMMWC is comfortable that the construction costs will be covered by the \$500,000 allotment and the way the MOU is written. HMMWC will be able to use the \$500,000 plus any remaining funds from the \$150,000 (which was assigned to the Project to cover all engineering design, studies, environmental review and permits necessary to advertise and receive bids for the Project). Also, should costs exceed the amount approved in the design and construction MOU's HMMWC would be responsible for any costs over and above this amount should they elect to proceed with construction."

"The total amount being considered for this project," according to the background paper, "will clearly be within HMMWC's share of the Measure A funds available to the Angwin/Deer Park area that would be specifically allocated to them." The paper also notes that "This project is moderately sized and is well within HMMWC's respective share of the approximately \$6 million dollars of Measure A funds that will be available for water projects in the Angwin/Deer Park area. This project is a very high priority project, and will address immediate issues related to water supply reliability, as well as public health and safety."

Two winery matters were considered by the Board today. The first was consideration and adoption of a resolution of Findings of Fact and Decision on Appeal granting an appeal filed by the owners "to allow an existing barn that encroaches 464 feet into the 600 foot winery setback from Silverado Trail to be converted to a winery." The project is located on a 22.84 acre parcel on the east side of Silverado Trail (4660 Silverado Trail), approximately 600 feet north of

its intersection with Dunaweal Lane within an Agricultural Watershed Zoning District. Although the County has a 600-foot setback restriction for wineries, the Supervisors all voted to allow the conversion because, they found, there was no other place on the nearly 23 acres on which a winery could be built.

In the second winery matter, the Board for lack of a motion otherwise voted to not reopen the Public Hearing relative to an appeal filed that relates to the Bennett Lane Winery to remodel and expand the existing 8,900 square foot winery into an approximately 17,550 square foot winery with no changes to the annual production limit of 50,000 gallons per year. An attorney said that the mathematics relative to water use by the winery was flawed and that should be cause for reopening the Public Hearing on the winery's request, and that if the Board did not reopen the hearing it would likely face a court challenge. The Board for lack of a motion voted not to reopen the hearing.

The issue of gaming by Indian tribes in Napa County gave rise to the Supervisors strengthening Napa's position on this and related matters in concert with Solano and Sonoma counties. Mainly, the County is asking that it be copied in by the Feds on any new development on tribal lands, to be included as stakeholders in all consultations, legislative, regulatory, administrative and/or project reviews affecting Indian policies on land bearing on or potentially concerning their jurisdictions; and that the (three) counties will seek adequate notice and opportunity for meaningful input into issues including Indian land determinations, fee-to-trust applications and consideration of whether proposed gaming projects are detrimental to the local community.

The Board heard a status report and authorized the advertising for sealed bids for an extension of the "Napa River Restoration - Rutherford Reaches 1 and 2 Project Phase 1 A." Approval of this matter allows eventual work to "restore" the Napa River from Zinfandel Lane to the Rutherford Crossroad.

Without comment, the Supervisors voted a resolution increasing for Fiscal Year 2009-1010 a Criminal Just Administrative Fee as authorized by Government Code, and a Jail Access Fee also imposed by Government Code.

In the afternoon session the Supervisors give direction to the Director of Conservation, Development & Planning, Community & Intergovernmental Affairs Manager, and County Counsel regarding development of a Workforce Housing Ordinance. At 4 p.m., the Board recessed to a Lake Berryessa Improvement District special meeting to consider a number of matters relating to Federal activity and lack thereof out at the lake.

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