

CERTIFIED

NAPA COUNTY PLANNING COMMISSION

--o0o--

IN RE: ITEM 9A  
GIRARD WINERY USE PERMIT #P14-00053-UP

--o0o--

TRANSCRIPT OF VIDEO-RECORDED PROCEEDINGS  
MEETING OF AUGUST 19, 2015

--o0o--

PRESENT:

HEATHER PHILLIPS, Chair  
MICHAEL BASAYNE, Commissioner  
ANNE COTTRELL, Commissioner  
TERRY SCOTT, Commissioner

--o0o--

Transcribed by: Kathryn Johnson

--o0o--

AUGUST 19, 2015

1 CHAIR PHILLIPS: Okay. That brings us to item 9B, the  
2 Girard Winery Use Permit Number P14-00053-UP.

3 DEPUTY DIRECTOR JOHN MCDOWELL: So, Chair Phillips, John  
4 McDowell representing the Planning Division. We are recommending  
5 that this item be continued to October 21. And at this point we  
6 would just ask that the Commission hear from any members of the  
7 public who wish to comment on whether to continue the item.

8 CHAIR PHILLIPS: Not on the merits of the project, but  
9 solely on the topic of the continuation.

10 DEPUTY DIRECTOR MCDOWELL: Yes.

11 CHAIR PHILLIPS: Okay, I am going to open the Public  
12 Hearing and ask any members of the public wishing to speak on  
13 this to come to the microphone.

14 NORMA TOFANELLI: Norma Tofanelli, Calistoga. I appreciate  
15 the Commission's willingness to continue. I would like to make a  
16 suggestion that the Commission might consider for future. I  
17 commend Staff and appreciate all the work that Staff has been  
18 doing over the last many months. I think Director Morrison has  
19 brought a new attitude of transparency to Napa County that's  
20 very important. I think he's very responsive to the public.

21 But I also see that with APAC and these projects moving  
22 forward that Staff is doing a stupendous job. I believe they're  
23 overworked. And I know that you work with--you're bound by  
24 certain CEQA deadlines that are very tight and strict. But I  
25 would suggest that you might look at extending the period of  
26 time between when Staff Reports and documents are made available  
27 to the time of the hearing, even with APAC we get reams of  
28 documents Friday afternoon for a Monday morning meeting. No one

AUGUST 19, 2015

1 can reasonably absorb that. And I sympathize with the  
2 Commission. You get reams of documents late just as we do. And  
3 maybe there's a way that we can build in an extra week, or some  
4 other lead time so that it allows for more intelligent review  
5 and discussion of items so that when they do come before you  
6 they're more complete and can be assimilated better. Thank you.

7 CHAIR PHILLIPS: Thank you, Ms. Tofanelli. And just for  
8 some background, when those emails did start to come in, I did  
9 contact County Counsel about what the policy was. And the Brown  
10 Act by law requires 72 hours for agenda and supporting documents  
11 to be made public, but doesn't specify between those being  
12 business days, or weekends, or holidays for that matter. So, I  
13 think that, personally, I think that what I would love, that  
14 what I think we can strive for, is to having those 72 hours be  
15 business days. So, I think that is a goal that we can discuss.

16 DEPUTY DIRECTOR MCDOWELL: Chair Phillips, if I could just  
17 dive in. John McDowell representing Planning Division. We've  
18 been hearing from both neighbors, public, and applicants the  
19 desire to have Staff materials come out earlier in the process.  
20 So we're endeavoring to take things in that direction.

21 CHAIR PHILLIPS: And I think, you know, as I was reading  
22 the Minutes for approval on the July 1 meeting--actually  
23 Commissioner Scott commented he would like the meeting material  
24 packets to be delivered earlier. So I think it behooves the  
25 process on both the Planning Commission side, the public side,  
26 and then in essence the applicant's side.

27 DEPUTY DIRECTOR MCDOWELL: Thank you. We understand that  
28 direction, and we'll hopefully meet your expectations. And then

AUGUST 19, 2015

1 for the record, I believe we have captured all of the emails  
2 that were presented to you. Many of those Staff was actually  
3 cc'd on the email that were subject to the Brown Act, but I  
4 thank you for forwarding those emails to us so that we have them  
5 incorporated into the administrative record. I think we've got  
6 them all.

7 DIRECTOR DAVID MORRISON: Well, two notes on that same  
8 topic. One is that while Staff can certainly work to get  
9 information out to the Commission and the public sooner, that  
10 still does not address the issue of the public submitting  
11 documents at the last minute, such as the rather lengthy packet  
12 submitted yesterday, or the three inches of documents that were  
13 submitted on Syar last week on the same day of the hearing. So,  
14 while Staff can do its part, there is still going to be an  
15 enormous amount of information submitted at the last minute that  
16 the Commission may have to deal with.

17 The second part is that in terms of trying to get  
18 information out to the Commission sooner, we will be--it's been  
19 put on the back burner a little bit while some of these other  
20 issues rise to the top. But sometime in the next, I would say  
21 two months, we are looking at moving the Commission over to the  
22 iPads and stopping--no longer printing documents. Which means  
23 that as soon as they're done, you'll get them and no more  
24 delivery in between and the time that that may take. So, we are  
25 making every effort, as Mr. McDowell indicated, to try and speed  
26 up the process by which information gets out to both the  
27 Commission and the public.

28 CHAIR PHILLIPS: And I certainly appreciate that, and I

AUGUST 19, 2015

1 certainly understand and empathize with how much Staff has right  
2 now. But I--you know, I know that these last-minute packets is a  
3 tactic, but when we only give the public 48 hours, two business  
4 days, to respond, by essence we are creating that problem  
5 ourselves.

6 So, at one point we had talked about the goal being that  
7 the documents go live on a Wednesday, we would receive the  
8 packets, or maybe no longer on a Thursday, and that would be  
9 Friday, Monday, Tuesday, would be a great timeline to strive  
10 for. But yes it is--to your point it is daunting to walk in and  
11 see a nice, big, hefty document package waiting for you on the  
12 morning of the meeting.

13 Is there anybody else that would care to speak on this  
14 topic?

15 COMMISSIONER SCOTT: Yes, I would like to thank Staff on  
16 behalf of the remaining forests. [Laughter.]

17 GARY MARGADANT: Gary Margadant from the Mount Veeder  
18 Stewardship Council. I live up on Mt. Veeder. I wanted to speak  
19 to this continuance. I think it's really a good idea, and I  
20 really do appreciate the discussion that we just heard, and are  
21 able to participate in about, you know, the difficulty of having  
22 all of the documents in coming before you, you know, with good  
23 research and good knowledge. And I think that is really, really  
24 going to help your decisions.

25 I could see, you know, if the documents did come out on a  
26 Wednesday prior of one week before, this would certainly give  
27 you a lot of time, you know, to go out and review the site  
28 instead of having to do it just on the day before, which you did

AUGUST 19, 2015

1 in this case. I think that would be an excellent, excellent  
2 opportunity for us to have a much better discussion about these  
3 projects. The late documents are very, very difficult to deal  
4 with. Especially if not only you have to read them, but make  
5 them available to us so that we can read them and effectively  
6 participate in the discussion. I think that's really important.  
7 And I really want to thank David and John, and the Commission  
8 for an excellent discussion on this. I think it's very, very  
9 useful. Thank you.

10 CHAIR PHILLIPS: Thank you, Mr. Margadant. Okay, is there  
11 anybody else that would like to speak on this matter? Okay, if  
12 not I'm going to close the--thanks, going to leave the Public  
13 Comment open, and will entertain a motion.

14 COMMISSIONER BASAYNE: I move for a continuance of this  
15 item to October 21.

16 COMMISSIONER SCOTT: Second.

17 CHAIR PHILLIPS: All in favor?

18 ALL PRESENT COMMISSIONERS: Aye.

19 CHAIR PHILLIPS: Passes unanimously. And again, I want to  
20 reiterate the comments that were made by members of the public,  
21 that we appreciate Staff--the quality of work that Staff has  
22 been providing in this last year, and understand fully what is  
23 being asked of you this past year. So, it is appreciated.

24 --o0o--  
25  
26  
27  
28

AUGUST 19, 2015

1 I, Kathryn F. Johnson, do hereby certify and believe:

2 That the foregoing pages are a true and correct transcript  
3 of the proceedings before the Napa County Planning Commission,  
4 County Building, Board Chambers, Napa, California, excepting  
5 words noted "inaudible" or words placed in [brackets] to the  
6 best of my ability. Speech disfluencies, discourse markers and  
7 pause fillers have been deleted, except when deemed function  
8 words. Commas may be used for emphasis as well as for grammar.

9 I further certify that I am not interested in the outcome  
10 of said matter or connected with or related to any of the  
11 parties of said matter or to their respective counsel.

12 Dated this 8<sup>th</sup> day of December, 2015.

13  
14  
15 Kathryn F. Johnson  
16  
17  
18  
19  
20  
21  
22  
23

24 THE FOREGOING INSTRUMENT IS A CORRECT COPY  
OF THE ORIGINAL ON FILE IN THIS OFFICE

25 CLERK OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF NAPA STATE OF CALIFORNIA

26 ATTEST: *Steph M. [Signature]*

27 DATE: 2/5/16

28  
AUGUST 19, 2015