

TO: Chair Basayne and Members of the Planning Commission  
RE: Yountville Hill Winery DEIR and Project Application

AUG 03 2016

Agenda Item # 9B

On June 30th, 2014, two days before the original Yountville Hill application was to be heard, the attorney representing the Applicant contacted me to request that I recuse myself, as I am a partner in a vineyard, well beyond the 500-foot recusal threshold, that was in relative proximity to people who opposed the project. Legally I was able to participate in the hearing, but chose to excuse myself to ensure the integrity of the Commission's decision.

Following my recusal from hearing the original Yountville Hill Winery application, my family was free to participate in the ensuing discussions. Concurrently, I received a ruling from the California Fair Political Practices Commission on September 28, 2015 confirming my ability to participate in my role as a Planning Commissioner in any future Yountville Hill applications.

Prior to the County's release of the Yountville Hill Winery draft EIR on June 30, 2016, I was again contacted by the Applicant's attorney, and on July 11th the Applicant requested that I recuse myself based on a family members participation in the appeal process associated with the prior project application.

If I were not to recuse myself, I would need to either be prepared to personally retain legal counsel, which I am not in a position to do, or risk the possibility that the Planning Commission's decision could be challenged based on the Applicant's assertions with regard to my participation. As such, I feel I have little choice but to recuse myself from further consideration of this revised project application in the interest of ensuring the integrity of the Commission's process.

When one Planning Commissioner is targeted, we are all targeted – and all become vulnerable. When I recused myself from the APAC proceedings based on an anonymous complaint questioning my ability to act in my role, I pondered if we were seeing a pattern, and whether it would become an accepted tactic to attempt to tailor a Planning Commission. And what I think we learned from the APAC proceedings is that the process and its integrity suffer when this occurs.

Respectfully,

Heather Phillips  
Napa County Planning Commissioner, District 1