

RANCHO BERNARDO COMMUNITY PLANNING BOARD
Special Meeting
RB Swim & Tennis Club
Thursday, October 30, 2014, 7 pm
Minutes

Item #1 **CALL TO ORDER & ROLL CALL:** Meeting was called to order 7:06 pm by Lou Dell Angela. Those in attendance: Roberta Mikles, Don Gragg, Sherry Guthrie, John Kowalski, Vicki Touchstone, John Cochran, Lou Dell Angela, Bernardo Bicas, Mike Lutz, Scott Hall, Robin Kaufman, Joe Dirks, resident bylaws committee member Teri Denlinger. Members not present: Kathy Keehan, Matt Stockton, Richard House and newly appointed member Laura Benz (to be seated at November meeting).

Item #2 **NON-AGENDA PUBLIC COMMENT:** None.

Item #3 **MODIFICATION(S) TO AGENDA/ADOPTION OF AGENDA:** Motion made Vicki Touchstone/Scott Hall to change the order of voting items #4 and #5. Motion passed unanimously (12-0-0).

Item #5 **COMMUNITY PLANNING BOARD BYLAWS** POSSIBLE ACTION ITEM
Review and possible action on desired changes to the draft of new proposed Planning Board Bylaws dated October 22, 2014 and submitted by the Board's Bylaws Ad-Hoc Committee. See all notes on this item after Item #6.

Item #4 9th **UPDATE TO CITY LAND DEVELOPMENT CODE** ACTION ITEM
Proposals include changes to industrial zone regulations, permitting procedures, uses in heavy manufacturing zones and regulations dealing with tasting rooms and food and drink drive-in and drive-through establishments. This item was tabled by the Lou Dell Angela later on in the meeting after he informed those present that we had until January to submit our comments.

Item #6 **Adjournment:** Meeting adjourned 10 pm when Swim and Tennis Club closed. Six (6) pages remained to be discussed. Lou Dell Angela commented changes would be reviewed by bylaws adhoc committee and a new draft of it would be presented to the full board for consideration at the next meeting.

Comments Made Pertaining to Item #5 Before Discussion:

-Lou Dell Angela announced the members of the Bylaws Adhoc Committee: himself, Don Gragg, Kathy Keehan, John Cochran, resident Teri Denlinger.

-Lou Dell Angela commented it was his goal to complete the review of all the proposed changes tonight, bring any revisions back to the Bylaws Adhoc Committee and present the new, proposed version to the full board for final approval at the November meeting.

-Don Gragg commented the Adhoc committee worked off the newly revised shell sent to the committee by the City.

-Teri Denlinger commented the words 'voting members' refers to the full board, not those seated at a meeting.

-it was agreed that Lou Dell Angela would obtain clarification on the words 'voting members' to assure it means the full board and not just those in attendance at a meeting.

-it was agreed that Lou Dell Angela would obtain clarification on the words 'seated voting members' to

assure it means full board and not just those in attendance at a meeting.

Agreed Upon Changes/Modifications as well as Comments Pertaining to the Proposed Bylaws:

-Remove all references to 'Brown Act' at the beginning of all paragraphs ('In accordance with Brown Act Section 54954.2(a))

-Article I, Section 1: It was agreed upon to remove all references except 'Rancho Bernardo Planning Board'.

-Article II, Section 1: Question regarding cross out of words 'land use' arose. Lou Dell Angela stated the City removed the words in the new shell.

-Article II, Section 1: It was agreed upon to add the word 'City' after the 'land use' crossed out words.

-Article III, Section 1, second paragraph, first sentence: It was agreed to in order to stay consistent with other remarks in the bylaws to remove the two words 'unique or' and keep 'diverse'.

-Article III, Section 1, second paragraph. It was agreed to add a time frame of when the vacancy can be filled. We agreed a non-district person has an opportunity to fill a vacancy if it is not filled by a person in that district by the second meeting following the creation of the vacancy.

-Article III, Section 1, third paragraph. It was agreed to remove the word 'with' where it says, '...are considered voting members of the Planning Board, ~~with~~ have the same voting rights...'

-Article III, Section 3, first paragraph after everything is crossed out. It was agreed to change the word 'are' to 'is' in the second sentence: 'To be an eligible community member, an individual who **is** at least'

-Article III, Section 3, under Planning Board's Criteria. It was agreed to limit it to only one (1) non-residential 'real property' address would be allowed per district. This is to assure all positions in a particular district are not held by businesses in that district (ie: owners of businesses in a mini mall).

-Article III, Section 5. It was agreed to keep the first sentence in black, but delete all other wording in red. The section was agreed to only read as follows, 'A member of the Rancho Bernardo Community Planning Board must retain eligibility during the entire term of service.'

-Article IV, Section 1, last sentence. It was agreed to remove the red sentence as there is no vote if a person moves – it is an automatic vacancy. It was also agreed to remove the red sentence as the removal of a person due to noncompliance is discussed in another section and is redundant.

-Article IV, Section 2, second paragraph, second sentence. It was agreed to add the words 'in attendance', so the sentence reads, 'All vacancies shall be filled by a majority vote of the voting members **in attendance**, and new members shall be seated...'

-Article V, Section 1, first paragraph, second sentence. It was agreed to change the time from midnight to **11:59 pm** on January 31.

-Article V, Section 3, fourth paragraph, fourth sentence. It was agreed to add the word 'Planning' before the word Board and 'by the election committee chair' after tossing the coin. The sentence should now read as follows, 'In the event of a tie, the Planning Board shall determine who will serve on the **Planning** Board by the toss of a coin **by the election committee chair** at the next scheduled Planning Board meeting.'

-Article V, Section 5, second paragraph, first sentence. It was agreed to end the sentence with a period mark, not a comma after the word 'meeting'.

-Article V, Section 5, second sentence. It was agreed to add the words 'in attendance'. The sentence should

now read as follows, 'A majority of voting members **in attendance** shall decide whether to approve....'

-Article VI, Section 1, third paragraph, second sentence. It was agreed to remove the word 'may' and then make oversee plural. The sentence should now read as follows, 'The Planning Board Administrative Committee, comprised of the Board Chair, Vice Chair, Secretary, and Treasurer, as well as the Standing Committee Chairs, oversees general administrative business...'

-Article VI, Section 2, (a) 2 Public Comment. Under 1 – it was agreed place a parenthesis at the end of the sentence.

-Article VI, Section 2, (a) 2 Public Comment. Under 2. The wording for this differs from Council Policy and the new Shell. It was agreed upon to not use the present wording sent to us, which is from Council Policy, but instead use the wording from the new shell.

-Article VI, Section 2, (a), 2 Public Comment. Under 3 – it was agreed to place a parenthesis at the end of the sentence.

-Article VI, Section 2 (a) 8 (a), first sentence. It was agreed to add 'and vote in favor to add the item' at the end of (1). The sentence should now read as follows, "An item not noticed on the agenda may be added if: (1) two thirds of the seated Planning Board members are present **and vote in favor to add the item**' or (2)....'

-Article VI, Section 2 (a) 8 (b) (3) **Please note: upon drafting these minutes, the Secretary noticed this item makes reference to Article III, Section 5. As noted in these minutes, those present at the special meeting agreed to only keep the first sentence in black in Article III, Section 5 and remove all other comments in red. This item may need to be re-addressed by the bylaws adhoc committee.**

-Article VI, Section 2 (b) (1) Standing Committees. It was agreed to add 'Issues &' after Regional. The committee should now read as follows, 'Regional **Issues &** Planning Committee.

-Article VI, Section 2 (b) (1). After the names of the committees, it was agreed to cross out the words 'seated voting members' in the second sentence of the paragraph in red. The sentences should now read as follows, ' Committee Chairs will be appointed by the Rancho Bernardo Planning Board Chairperson and confirmed by a majority vote of those present.'

-Article VI, Section 2 (b) (3), Committee Composition. A period mark needs to be placed after the word composition.

-Article VI, Section 2 (b) (3) It was agreed to remove the paragraph in red that begins with 'The majority of membership of any committee' and ends with '...serving on any such standing or adhoc committee.'

-Article VI, Section 2 (b) (4), Recommendations. A period mark needs to be placed after the word 'Recommendations'.

-Article VI, Section 2 (d) Meeting Documents and Records (4). Second sentence is incomplete. It should read, '**The** minutes shall be posted on the Planning Board website....'

-Article VI, Section 2 (d) (4) Records Retention. It was agreed to remove the word 'writings' in the third sentence and replace with the word 'documents'. The sentence should now read as follows, 'Planning Board records do not include **documents** that are required to be submitted to the City...'

-Article VI, Section 4, first sentence. It was agreed to remove ' maintain and'. The sentence should now read as follows, 'It shall be the duty of the Rancho Bernardo Community Planning Board to maintain a current, up-to-date...'

-Article VI, Section 6, first sentence has a grammatical error. It was agreed to add the words 'is required' after the word 'member'. The sentence should now read as follows, 'Each newly elected Rancho Bernardo Community Planning Board member **is required** to attend an orientation training session...'

-Article VII. Every Section after Section 1 is misnumbered.

-Article VII, what is presently labeled Section 3, Vice Chair – we could not agree on the second sentence regarding the Vice Chair serving as Chair. We agreed to take it to the full board for discussion.

-Article VII, what is presently labeled Section 5, Treasurer. It was agreed to add 'No checks shall be drafted without the signature of two of the four elected officers.'

-Article VII, what is presently labeled as Section 6 (information about the CPC). The second to the last word in the paragraph – 'member'. The last two letters in the word 'member' is crossed out.

-Article VIII (2) Community Planning Board Composition. Second sentence. It was agreed to delete the words 'Planning Board' and replace with Chair. The sentence should read as follows, 'The Chair also appoints liaison positions that may....'

-Article VIII (3) Conduct of Meetings. Agenda (first bullet point). First sentence. It was agreed to remove the /or'. The sentence should now read as follows, 'Planning Board meeting agendas are established and posted on the Planning Board website, the City website, **and** in a publically accessible area no later than 72 hours in advance...'

-Article VIII (3) Conduct at Meetings. Agenda Items (third bullet point). Second sentence. For consistency purposes, it was agreed to remove the words 'full Planning Board membership' and replace with 'voting'. The sentence should now read as follows, 'A request to add an item to the agenda or to change the sequence of agenda items requires two-thirds vote of the **voting** planning board members.'

Due to the hour (10 pm and the Swim and Tennis Club was closing), we stopped after discussion of Article VII (3) Financial/Personal Interest (fourth bullet point) on page 28. We did not have an opportunity to review the remaining six (6) pages of the 34 page document.

Submitted by Robin Kaufman, Secretary.