

Kensington Talmadge Planning Committee
Minutes for April 8, 2008

Minutes
approved
as
corrected

9

I. Parliamentary Items

- a. The meeting was called order by acting chair Fred Lindahl
- b. Adoption and modifications to agenda
Changes to March Minutes: date of contact with City Attorney's office was March 12 re: bylaw changes. Written summary of addendum to March minutes attached.
- c. Minutes approved as amended. Vote 7-0-8 (members not present on board abstaining).
- d. Treasurer's report: \$553.42 in KTPC account, \$112.90 in police storefront account: Total - \$666.32

II. Public Communications

- a. Karen Hubbell announced March 9 was opening day for the Mid-City Little League at the field at Adams and 35th St. Sponsors were acknowledged
- b. Cecilia Conover announced the Historical Resources Board meeting of April 24 at 9am at the City Administration Building 12th floor would hear an appeal to list the Kensington Sign as an historical resource.

Motion by Deborah Sharpe to add the historical sign issue to the agenda to have a position prior to the 4/24 meeting of the HRB. Failed to receive a second.

- c. The Land Use/Housing Development Services staff will be presenting the steps for historical preservation process on May 21, 2pm in Council Chambers, 12th floor of the City Administration Building.

Point of Order by Jonathan Tibbetts: New board members should be seated prior consideration of action items.

- d. ~~Karen Garrison~~ ^{KARON KLIPPE} announced April 24 Earth Fair on SDSU campus from 10am-4pm
- e. Maggie McCann reported that the 2-story house at 4742 Marlborough St, which is a rental, appeared to be housing a business on the first floor. A sign out front read "Longevity." Business use is not permitted, possible zoning violation as well as concern with potential expansion of the Business Improvement District. Comment was referred to April Chesebro of Councilmember Atkin's office, who was present.
- e. Dick Camp announced that the Historical Resources Board was holding a workshop on April 18, 2pm in Council Chambers re: the Mills Act. Current actions could lead to the repeal of the Mills Act.
- f. Rob Ribley reported people scavenging in trash cans along Van Dyke Ave. and trespassing on private property. Issue referred to April Chesebro.
- g. Pam Hubbell announced the tour of Landmark Homes of Kensington - May 17, 10am-4pm to benefit Heart of Kensington (not tax deductible), sponsored by SOHO, and for-profit Legacy 106.

add
CARR
DOWNS
to votes

- h. Allard Jensen reported that a fence has been put up around the property on Adams between the gas station and Edgeware. Demolition permits have been approved, and work is progressing. Asbestos removal is in now going on.
- i. (Unknown) announced Legislation is proposed re: the Airport Land Use Compatibility Plan, may affect the ability to develop around airports, a 45- day public review period is in effect.

III. City/Government Information Items

- a. Elected Officials
 - 1. Rep. Susan Davis - staff not present
 - 2. Councilmember Toni Atkins- April Chesebro: District 3 Budget Hearing scheduled April 29, 6pm; District 3 Citizen's survey distributed; two street fairs upcoming - Earth Day and Roots Festival
 - 3. City Planning Office - Marlon Pangilinan: Reminder that all new KTPC members must attend orientation workshop May 17, 8:30am-12:30pm. Mandatory training to maintain indemnification by city for board members.

IV. Action Items

- d. (Item moved per point of order by J. Tibbetts) Nominations Subcommittee Report - Installation of new board members and nominations for officers.
Fred Lindahl stepped down as chair, meeting now chaired by Jonathan Tibbetts until election of new chair. The nominations committee, working from the questionnaire given to new members, presented the nominations for officers.

Chair: John Garrison - Tom Hebrank

Garrison withdrew and Hebrank was elected unanimously. (See attendance list appended) Tibbetts relinquished chair to Hebrank.

Vice-Chair: Robert Coffin; John Garrison; David Moty (nom. by JT, 2nd by TH)

Vote: RC (2- GG, RC), JG(3- SH, SP, JG), DM (9- JD, JT, DP,) (See attendance list for initials) David Moty elected Vice-chair

Secretary: Elyane Summers, only nominee (nom. by JT, 2nd by TH) elected unanimously.

Treasurer: Sherry Hopwood, only nominee (nom. by JT, 2nd by TH) elected unanimously.

The agenda was approved unanimously with change of item IV. d. Moved.

- a. Project Name: 4571-73 Winona Ave - Project #: 135053 Map Waiver, condo conversion 1 single dwelling and triplex to a 4-unit residential condominium complex. Site is 6,263 sq. ft. within the RM-1-1 zone of the Central Urbanized Planned District in Talmadge.

After discussion and explanation of number of parking spaces required. (1.5

David Moty

spaces per unit = 6 spaces) **Motion** by David Kisner, 2nd by Deborah Sharpe to approve project with the requirement that a statement that trash can storage should be included in the CC&Rs as a non-removable clause. Passed unanimously with David Kisner not present.

- b. Public Facility Financing Plan - Ad hoc subcommittee Report - Fred Lindahl Committee met on March 26th to prioritize projects which had been identified by the City staff in the Mid-City Financing Plan, 2008 Draft.

Projects were rated as High, Medium or Low priority with the exception of the Ken-Tal Library, which was considered as a separate entity and was the only project that was designated with a specif amount: ~~\$15,000.~~

Projects rated High:

\$ 75,000

- Talmadge street and lighting project - MCT 29. Monies to be allocated to historic corridor, particularly gates.

- Ken-Tal bike paths - MCB 3

- Monroe St. drains - MCT 12

- Aldine/Van Dyke Phase I and II wall - MCT 4 Phase I in process, Phase II east of Fairmont to Monroe

- El Cajon Blvd to Chollas Creek

- Enhance traffic light/left turn pattern at Euclid and Monroe

Projects rated Medium:

- Ken-Tal neighborhood park - MCP 39, earmarked for Talmadge - which has no exist park - 5ac east of Hoover HS, toward Euclid Ave.

- Ken-Tal mini park - MCP 37 three areas: 52nd and Concord, end of Manchester, Meade at Fairmont west end.

Projects rated Low:

- Ken-Tal elementary school joint use park

- Normal Heights, Ken-Tal Community Recreation Center at Ward Canyon at 39th St. Plan for building approved by Park Rec Board - on hold.

- Ken-Tal Fire Station B

(Deborah Sharpe recuses herself from discussion for reason of being a City employee)

Priorities are turned in then fees will increase, sixty days after Mayor signs off on plan.

Motion by John Garrison, 2nd by Shauna Pribyl to table recommendation for one month and post information on website. Failed 5 yes, 6 no. (did not get names)

Motion by Jonathan Tibbetts, 2nd by Tom Hebrank to move recommendation forward

Motion to amend by Sherry Hopwood, 2nd by Shauna Pribyl to move Fire Station to High classification. Passed 6 yes, 5 no. (did not get names)

Vote on main motion with amendment passed. 10 yes, 1 no (John Garrison), 1 abstention (Deborah Sharpe)

Special Presentation - Ron Lacy from Mayor Sanders office attended the meeting in response to a complaint to the Mayor's office re: the March board election. The issues Mr. Lacy addressed were complaints that the process was "outside regular procedures." Specifically, local campaigning inside and outside the auditorium "was in direct violation of policy and can void out elections." There are uniform procedures. Violations were by individuals and unspecified. Mr. Lacy stated his visit was at the request of the Mayor and was to be considered informative. No action is planned by the mayor's office.

John Garrison asked for citation of policy (cies) that were violated. Mr. Lacy said he would get back to board on that question.

c. Bylaws subcommittee - Proposed Amendments - David Moty
(see attached for full text of proposed amendments)

Item 1 - **Motion** to accept by David Moty, 2nd by Jonathan Tibbetts
Passed with yes 10, DM, JT, JD, SH, JG, GG, SP, DP, TH, CK, no 0, and abstaining 2, DS, RC

Item 2 - **Motion** to accept by David Moty, 2nd by Jonathan Tibbetts
Passed with yes 11, DM, JT, JD, SH, JG, GG, SP, DP, TH, CK, DS, no 0 and 1 abstaining, RC

Item 3 - **Motion** to strike Article VII, Sec. 2 by John Garrison, 2nd by Tom Hebrank
Passed with yes 8, JT, JD, SH, JG, GG, SP, DP, TH, no 3, CK, DM, DS and 1 abstaining, RC

Item 4 - **Motion** to delete Article III, Section 3 by John Garrison, 2nd by Tom Hebrank
Passed with yes 8, JD, SH, JG, DK, SP, DM, TH, RC no 1, DS, and 2 abstaining, GG and JT

Motion by David Moty to allow bylaws subcommittee to make additional non-substantive changes in errors of punctuation, spelling and syntax to bylaws within 21 days and submit to City. 2nd by Jonathan Tibbetts.
Passed 12-0-0

The agenda for the May meeting will include the establishment of subcommittees. No subcommittee meetings are scheduled for April.

The meeting was adjourned at 10:10pm

Attachments:
Bylaws changes
Addendum to March 12 KTPC minutes
Attendance Roster

Handwritten signature and date: A stylized signature, possibly "JG", followed by a horizontal line and the date "7/9/08".

KTPG Bylaws Subcommittee 3-26-08
DRAFT Proposed Revisions to Bylaws (Amended 10-10-07; Revised 12-12-07)

ITEM 1: PLURALITY METHOD and TWO-THIRDS VOTE COUNT:

Passed
10 yes
1 no
1 abs

Article VIII, Section 1 (e) (vii) Counting Votes (Page 23, paragraph 6)

DELETE: "Election votes shall be counted by the plurality method."

INSERT: "Candidates are elected by the plurality method of counting votes. With a plurality vote, vacancies are filled by candidates receiving the greatest number of votes in descending order."

Ballots marked with more than the maximum number of votes allowed or ballots with no votes marked shall be excluded from the vote count.

When a termed out candidate requires a two thirds majority vote for re-election, the two-thirds majority vote shall be calculated from the total number of ballots cast by eligible members participating in the election less the exclusions noted above.

ITEM 2 CHAIRPERSON and BOARD REVIEW of TIME SENSITIVE ISSUES:

Passed
11 yes
0 no
1 abs

Article VIII, Section 1 (d) Member and Planning group Responsibilities (Page 19, paragraph 4)

INSERT: Such items require at least 72 hours public notice for a scheduled or revised agenda, "however, only 24 hours public notice is required for a special meeting agenda."

DELETE: "The chair is authorized to give a preliminary non-binding review to appropriate City representatives, prior to a noticed planning group action, if the planning issue is time sensitive, for example, a demolition issue."

INSERT: "The chairperson is encouraged to call special meetings if the planning issue is time sensitive."

ITEM 3 CHAIRPERSON'S POSITION AS EX-OFFICIO SUBCOMMITTEE MEMBER:

Motion to strike by
John Garrison, 2nd
by Tom Hebrank
passed 8 yes
4 no, 1 abs

Article VII, Section 2 (Page 14, paragraph 6)

INSERT: The Chairperson is an ex-officio member of all subcommittees "except the Election Subcommittee. As an ex-officio member, the Chairperson retains the same rights as all other subcommittee members including voting rights. Whether present or not, the Chairperson together with the number of elected members seated on a subcommittee shall total no more than two less than a quorum of the total currently elected Kensington-Talmadge Planning Group members. Refer to Article VI, Section 2 (b) Kensington-Talmadge Planning Group Bylaws, herein."

ITEM 4 OUT OF COMPLIANCE WITH COUNCIL POLICY 600-24: TERM LIMITS AND 2/3 VOTE:

Motion to delete by
John Garrison, 2nd
by Tom Hebrank
passed 8 yes, 1 no,
2 abs

Article III, Section 3 (Page 4, paragraph 5)

DELETE: "However, the Kensington-Talmadge Planning Group allows for candidates to serve beyond eight years if they receive a two-thirds vote as well as the votes necessary under the plurality method of counting votes, even though there are enough qualified new and returning candidates to fill the vacant seats."

OR RETAIN: And be out of compliance with CP 600-24 and go before the City Council.

Addendum to the Minutes of the March 12th, 2008 KTPC Meeting

As Acting Chair of the Bylaws Subcommittee, David Moty reported on the three proposed amendments as printed on the March Agenda. These amendments responded to directions given to the KTPC from city Staff through Tom Hebrank, KTPC's representative to the CPC. While reviewing the definition of the plurality method of voting, members of the Bylaws Subcommittee became aware that in previous years some confusion had existed on how to calculate the 2/3 majority vote needed for termed out board members to continue to serve. This confusion was aggravated as Council Policy 600-24 and the Bylaws shell refer to "votes" rather than "ballots," and under the plurality method, a single ballot could potentially have anywhere from 0 to 7 or 8 votes. City documents provided no further guidance on this issue except a general reference to turn to Robert's Rules of Order. Robert's Rules of Order also refers to "votes" rather than "ballots" and adds that blank votes are not included when establishing a basis for calculating a 2/3 majority vote. While reviewing the definition of plurality vote, the subcommittee sought further clarity from the City Attorney's office on how to apply the 2/3 majority vote under the plurality method.

On Thursday, February 21st, six days before the meeting of the Bylaws Subcommittee, Acting Bylaws Subcommittee Chair, David Moty, emailed Marianne Greene in the city attorney's office asking for some instruction on how to deal with this issue before the February 27th subcommittee meeting. No response came. On February 28th Subcommittee member, and community resident, Priscilla Berge emailed Deputy City Attorney Alex Sachs detailing the subcommittee's concerns. This message prompted an email reply from Marianne Greene on Tuesday, March 4th suggesting a conversation by telephone in the afternoons after 4:30 pm. Acting-Bylaws Chair, David Moty, called Marianne Greene at 4:30 pm on March 4th and March 5th leaving a message both times. No response came from the City Attorney's office. Therefore, on March 6th, in order to meet the deadline for posting the agenda, David Moty forwarded the proposed amendments to KTPCV Chairperson Fred Lindahl for inclusion in the agenda for the March 12th meeting. No further response came from the City Attorney's office in the intervening days before the March 12th date of the Kensington-Talmadge Planning Committee. On March 11th, after seeing the posted meeting agenda, community resident John Garrison sent an email to the City Attorney's office concerning the proposed Bylaws amendment. Responding with speed, the City Attorney's office answered his questions via an email that was also sent to the KTPC Chair and certain other community members on March 12th at 5:30 pm, one hour before the scheduled start of the March meeting."

Attendance Roster for April 8, 2008
Kensington-Talmadge Planning Group Meeting

Chance Billmeyer
Robert B. Coffin (RC)
Carl Davis
Jeri Dilno (JD)
John M. Garrison (JG)
Gail Greer (GG)
Tom Hebrank (TH)
Sherry Hopwood (SH)
Clint Kisner (CK)
David Moty (DM)
David Pfeifer (DP)
Shauna Pribyl (SP)
Deborah Sharpe (DS)
Jonathan Tibbetts (JT)