



Rancho Peñasquitos Planning Board Meeting Minutes

July 1, 2015

Attendees: Jon Becker, Corey Buckner, Bill Dumka, Stephen Egbert, John Keating, Jack McGuire, Jeanine Politte, Brian Reschke, Keith Rhodes, Brooke Whalen

Absent: Bill Diehl, Steve Gore, Ruth Loucks, Darren Parker, Darshana Patel, Mike Shoecraft, Ramesses Surban

Community Members & Guests (Voluntary Sign-in): Susan Sindelar, Morgan Chee, Steve Hassett, Charmaine Hogan

-
1. The meeting was called to order at 7:40 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
 2. Agenda Modifications: none
 3. APPROVAL OF MINUTES: no minutes available for May and June.
 4. Public Safety Agencies: not present
 5. Public Forum: no comments
 6. ANNOUNCEMENTS & INFORMATION ITEMS:
 - a. San Diego City Planning Dept. Report – Michael Prinz, not present
 - b. San Diego City Council Member Mark Kersey, District 5 Report – Garrett Hager, not present
 - c. San Diego City Council Member Chris Cate, District 6 Report – Luis Pallera, not present
 - d. San Diego County Supervisor Dave Roberts, District 3 Report – Harold Meza, not present
 - e. CA Assembly Member Brian Maienschein, 77th District Report – Michael Lieberman, not present
 - f. CA State Senate District 39, Senator Marty Block – Joyce Temporal, not present
 - g. U.S. Congressman Scott Peters Report, 52nd District Report – liaison not present
 7. BUSINESS. (agenda was taken out of order to wait for presenter and a committee chair's arrival)
 - a. **San Diego County Treasurer/Tax Collector - Dan McAllister (Information Item)**
 - Key points of presentation:
 - 984,000 property tax bills sent last year
 - 99.1% collection rate (highest ever)
 - 5 year wait before they can auction off tax delinquent properties (CA Law)
 - Office employees speak 17 language. Additionally, some new owner's who've immigrated from other countries have a learning curve on their obligation to pay property tax.
 - 50+% pay via e-payment options; 34% impound accounts, 14% pay by e-check (free services), 3% credit cards (service charge), 7% pay in person, cash is only accepted at downtown office.
 - San Diego County is the 5th most expensive California market. May 2015: Median home price was \$530,000 & \$348,250 was median condo price.
 - Becker asked about affordability. The market is based on supply & demand and

- people continue to move to San Diego making the situation worse. Becker asked about the impacts of infrastructure on the added demand. McAllister said that these discussions have been ongoing for years. Becker noted upcoming bonds and McAllister talked about recent bonds that are showing up on tax bills.
- Keating asked how owners can reduce their tax bill? McAllister said that owners have the right to appeal the assessment 2 times per year (April & December). McAllister said, the law says it can't go any higher than the value before a down turn in economy and it can't be assessed at the higher base.
 - Egbert commented on delinquent payments and asked how property is reassessed for permitted improvements? McAllister noted that if wrong amount is sent on time, they will bill owner for the difference giving the owner 10 days to pay. Penalties are calculated on the full amount, not the amount the payment is short. The assessment for an improvement to your home is triggered by the permit and assessed at the new tax rate then added to the tax bill. The rest of home is not reassessed.
 - Rhodes asked why they use a 10% penalty amount? McAllister said it is a CA tax code and sends a message.
 - McGuire inquired about bonds that are claimed as no new taxes or it's for the kids; is their legislation that requires notification on exact bond impacts similar to a disclosure? McAllister said a new law says that if bonds are issued, make sure they are callable, no balloon payments, no 40 year bonds (limited to 25 years) and a change in allowed payback ratio to 4:1 or less. Becker noted the difference for a bond vs. a sales tax to build new fire stations. McGuire said, a capital improvement bond is a tax.
 - McAllister noted water related costs for commodities and the cost to grow specific types of food.
- b. **RPPB Draft Bylaws – Jeanine Politte (Action Item)**
- McGuire noted he did not receive the draft Bylaws via email. Politte noted that ATT & SBC Global have blocked her messages periodically due to the amount of email that she sends. Politte will send McGuire a test email message along with the draft so he has a copy.
 - Politte clarified, that current Bylaws require a 2/3 vote of the quorum present to approve the bylaws so we can make a decision tonight.
 - RPPB approves our draft, and then it goes to the City Attorney's office before coming back to us for final approval, then it goes to City Council for final approval. City is adding new language and reviewing our language, recommending more changes. 2 or more concurrent vacancies requires a special election. Politte reviewed the most recent changes to the bylaws and those that Betsy McCullough has suggested be added/revised. Politte noted that Egbert & Diehl met and all three reviewed the changes that were presented to the board for this meeting.
 - Politte also noted that a member must remain eligible through their entire term. If a member misses 3 consecutive meetings or 4 meetings in the year, they are no longer eligible to serve. [Reschke confirmed.] We've added that they should submit a resignation but if they don't and it becomes a procedural issue to remove the member. Politte is going to check with staff that our bylaws are clear on the procedures.
 - Vacancies section changes and additions that deal with 2 or more concurrent vacancies procedures. Our board structure is unique where we don't have more than a single seat for a district except in TH & BMR where there are 2 reps. Other groups

have multiple people vying for multiple at-large seats representing the same class of community members and the top vote getters take the seats. Politte suggested that the only time we should need to hold a special election is to fill 2 concurrent vacancies in BMR or 2 concurrent in TH. If we are appointing a vacancy that has 2 candidates for one seat, we would need to vote publicly and it would need to be documented in the minutes (by a raise of hands or paper ballot where each member would write their name on the paper and the person they are voting for). Those votes are recorded in the minutes – there is no secret voting on agenda items per the Brown Act. Appointing a single candidate to fill a single seat would be the same process. Politte said that she believes staff is in favor of our added language on filling vacancies, but the City Attorney needs to weigh in on it.

Motion: To accept the draft Bylaws as presented and to pass it on to the City Attorney for review. M/S/C – Buckner/Egbert/Discussion.

- Dumka inquired about Article IX language ‘elected’ vs. RPPB’s suggestion of ‘voting’ throughout the Article. Politte said the City Attorney’s office will not allow change to this section of the shell as it is tied to Council Policy and the ordinance. She noted the first paragraph clarifies that all members, elected and appointed, are entitled to representation and indemnification, so we lose nothing by sticking with the shell. If we want to push it our way, it will be a deviation and she will fight for our language if the board wants.
- Discussion that the motion is to accept the City Attorney’s recommended language as that is what is presented on the draft.
- Reschke said that he spoke with Michael Prinz and that an 8(+) year incumbent cannot run for a seat if a new eligible candidate is running. He suggested that the Election exhibit be changed to remove any reference of this situation on the sample ballots (Exhibit C). Buckner and Egbert accepted this amendment.
- Becker called for a vote on the motion to approve as amended. Motion passed 9 in favor – 0 against – 1 abstention (McGuire).

[Note: Politte contacted Betsy McCullough & Michael Prinz for confirmation on the requested ballot change and at McCullough’s direction an 8(+) year incumbent can run, but may not accept the seat if the new candidate remains eligible to serve and receives a single vote. This new information was disseminated to the full board on 7/29/15 via email. The draft Bylaws, without the requested sample ballot revision, have been submitted to Betsy McCullough for review by the City Attorney’s office.]

c. **Verizon Wireless Project #377963, “Bassmore” at Mt. Carmel H. S. (Football Stadium)** – Morgan Chee (Action Item)

- Chee reported the project includes 2-80’ tall stadium light structures with 3 antennas each and radars below. The equipment structure will be adjacent to and similar to the snack shack on the home side of the stadium. City staff is recommending CEQA exemption. The City waits to do the environmental review until the project is finalized. The site fills service void due to the hilly terrain and capacity for new technology.
- Buckner asked if Verizon has a tower on top of Black Mtn. and if there is a real need because it doesn’t seem like this site is the best as it is down in a bowl. Chee said, there is a tower on top of the hill. The project site will partially fill the needs for the school and surrounding homes north/east/south and Hilltop Park. Buckner said he has no service issue and he lives in the neighborhood.
- Politte inquired if a level of service map was provided? Upon looking at the service

map which shows types of service levels ‘in building’, ‘on foot’, ‘in car’ and ‘marginal’; whereas the other maps we’ve seen do not show service levels in this manner.

Chee clarified, there will be 4 total light standards on the home side. Reschke said the 4th (new standard) lights up the home side ramp.

Politte asked what their plans are for the equipment structure as the drawings don’t show all the equipment. Chee said the architects didn’t draw in all the boxes on the plans and added that Verizon has no plans for collocating another carrier. Politte was concerned that the enclosure size was very large (12’ x 41’) in comparison to other projects we’ve seen lately. Becker noted that was the lease area, but Politte said the drawings show it as the equipment enclosure structure; Chee agreed with Politte. Chee added that the generator is on the south end of the structure with louvers for ventilation. The generator is 18’ Buckner suggested that the generator would be noisy, but Chee said the generator was intended for emergency use only except for periodic testing. Politte asked if the plans are the same Chee said the change is a clarification that one light standard is new and the other is a replacement. Politte said that she contacted Alex Hempton for the latest cycle letter (dated 5/15/15). She reviewed the outstanding cycle issues. She was concerned that the plans review isn’t complete and she doesn’t feel the board should approve the project yet but she will be voting against the project.

- Reschke noted that PUSD is getting new lights, have they looked at the plans. Chee said yes and read a comment from PUSD that this project provides reserve funds to support tech infrastructure.
- Buckner concerned with additional light spillage with added light standard and the impact on neighbors.
- Keating noted that if PUSD has no problems, he has no issues with the project. We should look at whether it fits with the community plan and light spillage.
- Rhodes noted that PUSD is an independent state agency; do we have any say? Becker replied, if a land use, it is still under our review. Spillage is a factor. Buckner noted that spillage should be considered.
- Susan Sindelar said she too was concerned with light spillage and asked what was the rationale for larger light structure vs. a smaller light standard?
 - Chee said that Musco (lighting manufacturer) will need to provide expertise to adjust the spillage. The light standards have been placed for best coverage. Chee said she can get a report from Musco as to what the spillage would be. The rationale is to provide wireless capacity in the best location and provide lighting as requested.
 - Sindelar asked, at what point will Verizon be done providing capacity to hilly areas and valleys? Chee replied, that this project will alleviate future projects, but if there are enough complaints Verizon will look at adding another site.

Motion: To approve Verizon Wireless Project #377963, “Bassmore” at Mt. Carmel H. S. as presented with the following conditions: to evaluate light spillage, adjust and install glare shields if necessary to mediate negative impacts on surrounding neighborhood, and PUSD is to respond to complaints quickly. M/S/C – Keating/Reschke/Approved, 8 in favor – 2 against (Becker [project should have gone through environmental review] and Politte [not on school grounds]) – 0 recusals/abstentions.

8. REPORTS.

- a. Chair Report – Ramesses Surban, not present
- b. Vice-Chair Report – Jon Becker
 - Received Rod Simmons' resignation on 6/29/15; he has moved out of District 6 boundaries.
 - PQ Districts 3, 6 and 8 are vacant.
 - Carmel Mtn. NRMP goes to City Council on 7/14/15.
 - CPC report –
 - Becker reported that he submitted Politte's receipts for reimbursement; \$63.16. There is a new \$500 for this year that RPPB can use for allowed purposes.
 - Marty Emerald has proposed a municipal bond for improvements to existing and 19 new fire stations citywide. Cost would \$15 average per property vs. sales tax increase. Vote on this bond would be citywide. Cost to build a new fire station is approx. \$11 million.
 - One Paseo – City Council rescinded their approval of the project; Kilroy plans to present a new project to the CPG. It heightened the awareness of CPGs and that we do have a voice.
 - CPC training recommended that CPGs have good minutes documenting their actions. Additionally, Info Items can't be changed to Action Items. Politte noted that she doesn't have the time to provide the detail to the extent she has been doing and suggested that we might look at posting our audio of the meetings on our website. Buckner said he didn't feel it was necessary to post the audio. Becker added that recusals are mandatory, abstentions are a choice.
 - He attended an Eco Districts for Sustainability event, a grassroots network, is not recognized by City Council.
- c. Secretary Report – Jeanine Politte, no report
- d. Standing Committee Reports:
 - Land Use (Steve Gore) – not present
 - Becker reported, Merge 56 cycle issues (dated 6/5/15) have been received. The City is still studying roads, traffic, trail connection, use of the roundabout and impacts.
 - Telecomm (Darren Parker) – not present
 - Becker reported, the Ridgewood Park Verizon Wireless project goes to City Council on 6/30/15 for appeal hearing on CEQA determination that this project was exempt. Politte added that the tree was reduced to 35 feet and the added trees were removed due to the drought. They presented the size change within two days of being before RPPB.
 - Sprint has a project (# 406769) coming forward to replace the entrance flagpoles' wireless facilities with a faux tree near the entrance to Canyonside Park. Asked Egbert to drop off the photo sims with Parker.
- e. Ad Hoc Committee Reports:
 - RPPB Bylaws Revisions (Ramesses Surban) – not present
 - Media/Communications/Website (Brooke Whalen)
 - Whalen will get together with Becker & Gore over the summer. Politte suggested she look at the website to see what's there already; rpplanningboard.com

f. Liaison and Organization Reports:

- Black Mountain Open Space Park – no report
- Community Funds (Bill Diehl) – not present
- MCAS Miramar Community Leaders Forum (Stephen Egbert)
 - Base Chapel will be rededicated on 7/12/15 at 10:00am.
 - Politte said they've had some planned burns.
- PQ Fire Safe Council (Mike Shoecraft) – not present
 - Politte reported, the Fire Operation in the Wildland Urban Interface Training on July 18th is full, but they are taking wait-list reservations. Fire Safe Council is searching for someone to volunteer their home (near RP Canyon) to be used as an example for a Firesafe Assessment in PM (and to have a reason for class to do a field trip to RP canyon).
 - The July PERC meeting has been canceled and will be rescheduled.
- PQ Town Council (Darshana Patel) – not present
 - Reschke reported on the appointments of officers; Melinda Vasquez - Chair, Reschke - Vice-Chair, Kate Glen – Secretary and a Anne Lutt - elected Treasurer and Randy Arnold is Parliamentarian.
- PQ Recreation Council (Steve Gore) – not present
 - Fireworks on July 2nd at Westview.
 - Reschke reported, Polynesian Night has been replaced with Western Night.
- Los Pen Canyon Psv CAC (John Keating) – no report
- Park Village LMAD (Jon Becker)
 - Active with recycled water, get the lighting in sync and looking for new projects.
- Peñasquitos East LMAD (Bill Diehl) – not present
- Torrey Highlands LMAD (Darren Parker) – not present
- Transportation Agencies (John Keating) – no report

The meeting was adjourned at 10:21 pm.

Respectfully submitted,

Jeanine Politte
RPPB Secretary

Approved 9/2/2015, refer to 9/2/15 meeting minutes for the vote and member ineligibility related issue.