

**Rancho Bernardo Community Planning Board**  
**PO Box 270831, San Diego, CA 92198**  
www.rbplanningboard.com  
**February 20, 2014 Minutes**  
**7:00 PM, @ RB Swim & Tennis Club Club 21 Room**  
**16955 Bernardo Oaks Drive**

<b><u>2013 RB PLANNING BOARD</u></b>								
<b>P = present</b>			<b>A = absent</b>			<b>ARC = arrived after roll call</b>		
John Cochran	A	Fred Gahm	P	Matt Stockton	P			
Wolfie Pores	P	Richard House	P	Vicki Touchstone	P			
Lou Dell'Angela	P	Robin Kaufman	P					
Teri Denlinger	P	Mike Lutz	P				Total Seated	12
Joe Dirks	P	Roberta Mikles	P				Total in Attendance	11

**ITEM #1 CALL TO ORDER/ROLL CALL – REGULAR MEETING:** The meeting was called to order by Richard House, chair, at 7:05 pm. A quorum was met with 11 out of 12 members present.

**ITEM #2 NON-AGENDA PUBLIC COMMENT (3 minutes per speaker):** None.

**ITEM #3 MODIFICATIONS TO AGENDA / ADOPT DRAFTAGENDA:** Richard House suggested adding an item referring to 'doing business' with the election committee, commenting there was no advertisement of the elections in the local paper the previous week, only this week. He commented there is some confusion on voting locations. He also commented a person submitted a declaration of candidacy to him, but the person was not on the ballot. Richard House/Joe Dirks made the motion to place his election concerns on the agenda, including adding Kathy Keehan to the ballot. Adding an agenda item requires 2/3 approval of the full board (eight people). During discussion, Election Committee Chair Lou Dell Angela commented that he never received Kathy Keehan's declaration of candidacy form from Richard House and that all this information, along with other details, are going to be discussed under the election report later on in the agenda and that it is the Election Committee which makes election process decisions. Roberta Mikles commented she supports what Lou Dell Angela stated. Robin Kaufman commented she ran into Kathy Keehan the week prior to this meeting, asking Kathy why she was at the January meeting. Robin informed everyone that Kathy told her Richard House had approached her, encouraging her to run and that she gave Richard her candidacy form. Robin commented she informed Kathy the ballots were already out, minus her name and encouraged Kathy to contact Lou (giving Kathy Lou's telephone number) if she still wanted to be on the ballot. **Motion failed: 5-6-0** ... five in favor (Richard House, Mike Lutz, Vicki Touchstone, Matt Stockton, Fred Gahm; 6 not in favor (Joe Dirks, Teri Denlinger, Lou Dell Angela, Roberta Mikles, Wolfie Pores, Robin Kaufman).  
 -Motion made Vicki Touchstone/Mike Lutz to approve agenda – **motion passed unanimously.**

**Assemblyman Brian Maienschein's Report:** The Assemblyman commented on the following topics:  
 -deadline for bills is this Friday;  
 -background checks on all youth sports coaches passed;  
 - there's a bill that is heading towards the Senate pertaining to sexual offences against physically and mentally challenged individuals;

- homeless housing initiative;
- commented on the passing of Myrna Reese and Mark Brenner.

**Councilmember Kersey's Representative – Lee Friedman:** Lee commented on the following topics:

- discussed the Mayoral elections and Interim Mayor;
- the pile of sand and utility box poles along West Bernardo Drive are being addressed;
- code enforcement is working with the issue of advertising trucks parked in the community;
- route 880 (public transportation) in RB no longer exists. MTS will be working on an alternative route for one year;
- City council is working on E-cigarette regulations;
- AEDs have been placed in some police patrol vehicles;
- the regulation on RVs, etc., parking on the streets has passed but there has yet to be funding for it.

**ITEM #4 CHAIR REMARKS:** None.

**ITEM #5 ADMINISTRATIVE ITEMS:**

**\*\*RBPB candidate Scott Hall left at 7:45 pm**

-Review, and approve January 16, 2013 minutes: Richard House requested that the word 'Sharp Reese' be removed from item #9 and replaced with 'a medical facility'. Motion made Vicki Touchstone/Robin Kaufman to accept with modification. **Motion passed 7-0-4.** Those who approved minutes: Joe Dirks, Fred Gahm, Richard House, Robin Kaufman, Mike Lutz, Roberta Mikles, Vicki Touchstone. Four abstained as they were not present in January: Teri Denlinger, Lou Dell Angela, Wolfie Pores, Matt Stockton.

-Approve to spend the remaining \$75 grant money towards election costs, the remaining election costs will come from the general fund: Motion made Joe Dirks/Vicki Touchstone to approve the spending of the remaining grant funds and to approve \$120 for the elections this year (with the \$75 being part of the funds). **Motion passed unanimously.**

-Review and approve February 2014 Treasurer's report: Fred reported we presently have \$404.34 in the bank, making \$1.36 interest. Motion made Joe Dirks/Vicki Touchstone to approve treasurer's report. **Motion passed unanimously.**

**ITEM #6 T-MOBILE APPLICATION AT 15990 AVENIDA VENUSTO 92128 TO REMOVE AND REPLACE LIGHT STANDARDS:**

Install 30 foot high light standard with attached new antennas. The existing equipment cabinet is also proposed to be removed and a new cabinet installed near the new light standard. Ann Regan representing the project, presented the information. Ms. Regan commented that one resident in the extreme proximity of the project has signed off on it, with two other neighbors still reviewing the information. Resident George Leitner commented that surrounding sub-area HOAs are opposed of the project. Representatives from Woodcrest Height, Bernardo Village, and Vista de Bernardo HOAs were present and confirmed they were opposed to the project. Opposition has to do with potential issues with the general plans and municipal codes and that it would have a significant negative impact on neighboring properties. Motion made Lou Dell Angela/Fred Gahm to deny this project due to adverse aesthetics to the surrounding neighborhood, potential issues with the general plan as well as municipal codes, and that three surrounding sub-area HOAs oppose the project. **Motion passed unanimously.**

**ITEM #7 T-MOBILE APPLICATION TO REPLACE 3 EXISTING ANTENNAS WITH REPLACEMENT ANTENNAS:**

Will also install 3 additional antennas (6 total) on a light pole located along the south side of RB High School football/sports stadium. Property is located at 13010 Paseo Lucido. Lou Dell Angela reported the Development Review Committee reviewed the project and is recommending to approve it. Ann Regan presented the project. Mike Lutz commented there may be some excessive noise coming from the box. Ann said she would look into the matter. Motion made Lou Dell Angela/Wolfie Pores to approve the project. **Motion passed unanimously.**

**ITEM #8 VERIZON APPLICATION TO INSTALL 12 PANEL ANTENNAS AND A 4 FOOT MICROWAVE DISH:** Located within an architectural tower element on the roof of a Commercial building in the Bernardo Plaza Shopping Center,

16771 Bernardo Center Drive. Application also includes construction of a 416 square foot enclosure containing a generator and associated equipment. Lou Dell Angela commented the Development Review Committee reviewed the project and is recommending to approve it. Motion made Lou Dell Angela/Roberta Mikles to approve the project. **Motion passed unanimously.**

**\*\*RBPB candidate Kathy Tuttle left at 8:27 pm**

**ITEM #9 SAN DIEGUITO RIVER PARK JPA AGREEMENT RENEWAL:** The San Diego City Council is likely to consider this amended Joint Exercise of Powers Agreement late February. This new document amends and replaces, in its entirety, the Joint Exercise of Powers Agreement between the County of San Diego and the cities of Del Mar, Escondido, Poway, San Diego and Solana Beach. Vicki Touchstone presented the information and recommended a letter be sent (which she will draft) to include the following: Having reviewed the Amended Joint Exercise of Powers Agreement for the San Dieguito River Valley Regional Open Space Park Joint Powers Authority at our February meeting, the Rancho Bernardo Community Planning Board passed a motion unanimously to support the approval of the amended Agreement with the assumption that the term of the agreement will be consistent with the City Charter. Specifically, the Planning Board voted to recommend to the Mayor and City Council that the JPA Agreement be approved by the City of San Diego, and further that the City Council reaffirm its support of the San Dieguito River Park JPA, recognizing the great benefits the San Dieguito River Park has and will continue to provide to the citizens of San Diego.

**\*\*RB resident John Kowalski left at 8:31 pm.**

**\*\*RBPB candidate Julie Prosin left at 8:35 pm.**

**ITEM #10 HATS OFF TO VOLUNTEER EVENT:** Designate an honoree for this year's Hats off to Volunteer Event. Richard House/Vicki Touchstone made a motion to have Mike Lutz be the Hats Off to Volunteers recipient this year. **Motion passed unanimously.** Vicki Touchstone suggested we also request a table/booth at the event. Richard House said he will call Jane Radatz tomorrow with the information and also that we would like a table/booth at the event.

**ITEM #11 SPEED LIMIT CHANGES ON POMERADO RD:** Richard House reported he met with Gary Pence and his staff from the traffic department three weeks ago. It was suggested the residents in that area be informed they should sign a petition regarding the speed limit change. Any changes back to original speed limits will not be enforceable. Robin Kaufman, traffic committee chair commented she informed residents at the October, 2013 traffic committee meeting of the state mandated 85 percentile rule and that speeds would not be enforceable if they were lowered back to the original speeds. Robin Kaufman noted this information is in the October, 2013 traffic committee minutes as well as the November, 2013 full board minutes. Richard House commented in his conversations with the city he was informed they will not do another survey as requested in the letter sent by the planning board in December, 2013. The planning board requested a response in writing instead of verbal communication relayed via Richard House. Richard House commented the City will not accept the motion in our previous minutes as they want clarification that the surrounding community is aware that the speed limits will not be enforceable if brought down to the original speed limits. Motion made Richard House/Wolfie Pores that we as a board act on the community's request to reduce the speed limit from 50 mph back down to 45 mph with the stipulation the residents understand it will not be enforceable. In discussion, Robin Kaufman read the January, 2013 motion which included the request of a new survey and the reduction of 40 mph to 35 mph by Pomerado Court and the church. Richard House said the city needed minutes that only have information on the 45 mph to 50 mph, which did not include the speed survey since they do not plan on doing another survey. Vicki Touchstone was concerned that the traffic department will only accept what is in minutes as opposed to letters sent to them. She also voiced concerns that copies of all our letters to anyone in the city should be sent to our council office. Robin commented that Tony Kempton, our City Planner, has also requested copies of all letters. The minutes in January did stipulate copies to be sent to our Assemblyman and Councilman. Vicki also asked for clarification of locations since the letters and minutes reflected two locations – the 45 mph to 50 mph as well as the 35 mph to 40 mph by the church and Pomerado Court. Richard commented the 35 mph to 40 mph has nothing to do with the issue at hand. **Motion failed 5-4-2.** 5 in favor were Wolfie Pores, Matt Stockton, Fred Gahm, Richard House, Mike Lutz, 4 not in favor were Joe Dirks, Vicki Touchstone, Roberta Mikles, Robin Kaufman; 2 who abstained were Lou Dell Angela and Teri Denlinger abstained as they was not clear on the matter. Vicki Touchstone and others commented afterwards that they wanted explanation in the records that they

voted against the motion because Richard House did not make the motion that we originally voted on (which included the speed change from 35 mph to 40 mph by Pomerado Court and the church).

**ITEM #12 MARCH BOARD MEETING PROCEDURE:** Richard House commented that in past years (excluding last year) that we had two portions of the March meeting. First half to take care of any old business, then we would adjourn and bring forward the new board. Lou Dell Angelo, Election/Nominating Committee Chair, commented those procedures are incorrect as according to Council Policy and the bylaws, new members are seated during the April meeting as well as the election of new officers. Lou then proposed Richard House run the March meeting and that the Election/Nominating Committee Chair run the April meeting until such time as the new Chair is elected. Robin Kaufman quoted the bylaws, Article 5, Section 4 stating the members are announced at the end of the March meeting, with the board voting on it and then new members are seated at the April meeting. A motion was made Robin Kaufman/Joe Dirks that we have Richard run the March meeting, with the Election/Nominating Chair, Lou Dell Angela, running the April meeting, seating the new members at that time. Once the new Chair is elected, that person will then take charge of the April meeting. **Motion passed unanimously.**

**ITEM #13 MARCH BOARD OFFICER PROCEDURE:** Richard House announced it was already agreed upon in the previous item that the Election/Nominating Chair, Lou Dell Angela, will call the April meeting to order, seat the new members and conduct the election of the new board chair. At that time, the new board chair will preside over the meeting.

**ITEM #14 COMMITTEE REPORTS:**

Bylaws: Richard House reported he's writing up the new bylaws from committee notes and prefers to wait until the April meeting when new members are seated and CPC may be done making their recommendations on any updates. Lou Dell Angela addressed concerns that he was not aware the election procedures had been addressed by the bylaws adhoc committee.

Development Review: Nothing more as the items from the last subcommittee meeting were addressed this evening.

Regional Issues: No meeting in March. Draft minutes were sent to committee members.

Traffic and Transportation: No meeting.

**\*\*Fred Gahm left meeting at 9:33 pm**

Publicity and Elections: Committee Chair Lou Dell Angela reported the following:

- Lou passed out a copy of the ballot
- the ballot addressed all candidates
- announced there are two contested races (districts A & B)
- Casa de las Campanas has one ballot box, Westwood has one ballot box, Eastview has one ballot box. Those are the areas which have contested races.
- Lou spoke to Tony Kempton, city planner, regarding all the procedures.
- four seats are still vacant.
- all candidates require one vote.
- all candidates received election procedures, including rules on electioneering.
- the election committee chose not to use the 2 envelopes, just one.
- a yellow sign in sheet is being used.
- issues have been that bylaws are inconsistent: ie: can submit 10 days prior, but then says deadline is January 31.
- suggested election procedures start much earlier next year, as opposed to waiting until January. He commented the committee was handed the task under a short time period due to the previous committee chair, Eugenia Contratto, stepping down from the planning board. New people had to be appointed to the committee and that they were doing the best they could under the circumstance.
- Meeting clarification is needed on whether a candidate attends partial or full board meeting. The board unanimously approved on January 23, 2013 to require candidates to attend a full board meeting. Lou commented Tony Kempton was made aware of this and reported Tony commenting if the board voted on that procedure, then the board needs to follow it, whether or not it is presently in the bylaws.
- Richard House asked who was in attendance at the last election committee meeting. Lou mentioned all people in attendance. Richard asked if Lou could send a copy of the minutes

out.

-Roberta Mikles commented that three separate people at the Oaks North club commented to her that Richard House was at their club taking photos and telling Oaks North club members that the election committee was out of compliance with the rules and the procedures. Roberta was upset by the comments made to her.

-Lou asked Richard why he didn't approach Lou about any concerns with the election procedures.

-Teri Denlinger commented her club (Eastview) contacted her with similar concerns.

-Richard House commented he was told by the city we were to notice all the community centers about the elections because according to Richard, it was not in the paper last week, only this week.

-Roberta Mikles asked Richard if he let the election committee know this. Richard gave no response.

-Lou Dell Angela asked Richard if he was trying to undermine the whole election procedures. Richard said no.

-Lou Dell Angela commented Richard was not playing fair and that he was undermining the entire board with his actions.

-Richard House changed the subject by asking what we should do about Kathy Keehan. Richard House said he gave Lou Dell Angela Kathy's Declaration of Candidacy. Lou insisted he never received her form.

Robin Kaufman explained she attended a meeting in the community on Feb. 13 and asked Kathy about her attendance at the January board meeting. She said she was there at the request of Richard as he wanted her to run for a position on the board. Robin informed Kathy that the ballot had been out for a week and she was not on the ballot. Robin explained she informed Kathy to contact Lou about it as he is the committee chair. Kathy commented it was okay, but Robin gave Kathy Lou's telephone number. Robin asked Lou a few days later if Kathy ever contacted Lou. Lou said he did not hear from her. Robin explained she emailed Kathy about it. Kathy informed Robin that she contacted Richard about it right after the meeting the evening of Feb. 13<sup>th</sup>. Richard waited a full week after being notified by Kathy (tonight's meeting) to bring the information to the attention of the election committee.

**ITEM #15 LIAISON REPORTS:**

-Industrial: None.

-Commercial: None.

-Community Council: see attached document.

-CPC: Richard House reported there were amendments to the food truck ordinance and other codes. It will then go to City Council for final approval.

**ITEM #16 Old Business:** None.

**ITEM #17 New Business:** Richard House commented he has a document from the city in regard to the issue of 2/3 majority vs a simple majority present. He commented he would send that out to everyone so we can all be on the same page on the subject.

**ADJOURNMENT:** Motion made Richard House/Lou Dell Angela to adjourn at 9:45 pm. Motion passed unanimously.

Respectfully submitted by Robin Kaufman

**RB Community Council Report  
February, 2014**

- The County reached out to the RB Community Council to host 'Love Your Heart' day in the community. The County wide event was a one-day event taking place on Valentine's Day throughout San Diego County by activating residents to take charge of their own heart health and '**know their numbers**' by providing **free blood pressure screenings** throughout the county. The RB Community Council gave all participants a reusable cloth shopping bag with various items in it. Over 100 attended the event.
- The Government Relations Committee in conjunction with the Public Safety committee drafted a letter to all our local, state and federal representatives, requesting that AEDs become mandatory in all public schools in our state. At this time, only 19 states require some of their schools to have AEDs and only Hawaii and Oregon mandate it in every public school. The letter has been well received.
- The Public Safety Committee dealt and resolved an issue in 7 Oaks.
- The Public Safety Committee had the city re-slurry parts of West Bernardo Drive due to safety issues.
- The Community Council was able to have a pile of debris along West Bernardo Drive removed after being there for more than a month.
- The Community Council is in the process of planning the fourth annual community wide sidewalk chalk event taking place the first Saturday in March. Over 800 people have participated in the event in the past three years.
- The Community Council begins its election process in March in conjunction with the Recreation Council.
- The Government Relations Committee is working in conjunction with various service dog organizations to enforce stricter rules/guidelines on what are real service dogs. The RB Community Council reached out to our Supervisor after discovering County animal control was giving people ID tags stating their dogs were service animals if people gave them certain documentation. The County has now stopped doing this since just about anyone can obtain the tags.



THE CITY OF SAN DIEGO

February 11, 2014

Debra Gardner  
Deprattinc.  
(Agent Representing T-Mobile)  
13948 Calle Bueno Ganar  
Jamul, CA 91935

Sent via e-mail only to: [ddgardner@cox.net](mailto:ddgardner@cox.net)

Dear Ms Gardner:

Subject: T-Mobile Avenida Venusto ROW, Second Assessment Review Letter  
Project No. 333439; Internal Order No. 24003977  
Located at: Avenida Venusto Right-of-Way, San Diego, CA 92128  
Project Deemed Complete Date: October 22, 2013

Development Services has completed a review of the most recent submittal of this project. Enclosed, a "Cycle Issues Report" provides review issues from staff representing various disciplines and outside agencies. Please submit the materials listed in the "Submittal Requirements Report" as soon as possible to facilitate efficient processing of your project.

Prior to resubmitting your project, refer to Information Bulletin 536 which outlines Wireless Communication Facility (WCF) project submittal requirements and provides answers to frequently asked questions. Links to this bulletin, the WCF Regulations, and more information are available on the WCF web page: [www.sandiego.gov/development-services/industry/information/telecom.shtml](http://www.sandiego.gov/development-services/industry/information/telecom.shtml)

If additional requirements arise during subsequent project reviews, we will identify the issues and the reason for the requirements. If the outstanding review issues are not resolved or required information is not submitted, we will continue processing the project; however please be advised that the project may be denied if the issues are not satisfactorily addressed or if the findings for approval cannot be made in the affirmative.

San Diego Municipal Code (SDMC) Section 126.0114 requires that permit applications be closed if the applicant fails to submit the requested information, fees, or deposits within 90 calendar days. Once closed, the application, plans, and other data submitted may be destroyed. To reapply the applicant may submit a new application, with all required submittal materials and fees. To avoid the closure of your application, you must resubmit your project with the materials and revisions requested **on or before March 14, 2014**. Resubmittals are provided on a walk-in basis and wait times vary. Please check in on the 3<sup>rd</sup> floor of the Development Services Center at

DEVELOPMENT SERVICES DEPARTMENT  
ENTITLEMENTS - TELECOM PROJECT MANAGEMENT  
1222 FIRST AVENUE, MS 501 • SAN DIEGO, CA 92101  
PHONE: 619-446-5000 • FAX: 619-446-5499

1222 First Avenue. During the time it takes for you to resubmit your project application, your application will be tolled for purposes of the time periods specified in the FCC Shot Clock Ruling.

Please provide the plans, information, revisions, and/or other documentation requested in the enclosed Cycle Issues Report and Submittal Requirements Report. The plans should be folded to an approximate 8 ½ x 11 inch size.

**CEQA Filing Fees:** The fees described below relate to the environmental review of this project and vary based on whether the project is exempt or requires an environmental document.

San Diego County Clerk Fee: The San Diego County Clerk now requires \$50.00 to post the required public notice informing the public that a draft environmental document has been prepared. A check made out to the San Diego County Clerk will be required prior to the distribution of the draft environmental document for public review.

CEQA Fees: California Environmental Quality Act (CEQA) filing fees are required for projects with an environmental document (ND, MND or EIR). A Notice of Determination (NOD) must be filed within five working days after the project's approval and all appeal periods have been exhausted. Filing the NOD starts a 30-day statute of limitations on legal court challenges to the approval under CEQA. The NOD must be accompanied by a California Department of Fish and Game Fee (CDFG) filing fee or a CDFG "No Effect" determination form, and a San Diego County document handling fee.

*For projects with an environmental exemption:* A Notice of Exemption (NOE) will be filed with the County Clerk after your project approval and all appeal periods have been exhausted. The County requires a \$50 document handling fee to file a CEQA NOE. Prior to scheduling your project for a decision, a check payable to the "San Diego County Clerk" in the amount of \$50 must be forwarded to my attention. Please include your project number on the check. A receipt for this fee and a copy of the NOE will be forwarded to you after the 30-day posting requirement by the County Clerk.

*No Effect Determination (NED):* If you would like to request a NED, visit this web site to determine if your project qualifies:

<http://www.dfg.ca.gov/habcon/ceqa/nedprocess.htm>

*For projects with a ND, MND, or EIR:* Prior to scheduling your project for a decision, the following must be forwarded to me to be filed with the CEQA NOD (fees below are effective January 1, 2013 and adjust each year; for 2012 filing fees, please visit [www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html)):

- The **original** approved CDFG "No Effect" Form and a check for \$50 (handling fee) made payable to the "San Diego County Clerk"; **or**,



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T-Mobile Avenida Venusto ROW  
Project No. 333439

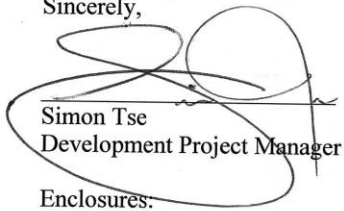
- A check, payable to the "San Diego County Clerk" in the amount of \$2,206.25 (\$2,156.25 CDFG fee + \$50 handling fee) if a Negative Declaration or a Mitigated Negative Declaration was prepared for your project; **or** \$3,045.25 (\$2,995.25 CDFG Fee + \$50 handling fee) if an Environmental Impact Report was prepared for your project. Please include your project number on the check.

A receipt for the fee and a copy of the CDFG "No Effect" Form or NOD will be forwarded to you after the 30-day posting requirement by the County Clerk.

**Records Fee:** Prior to scheduling your project for a decision you must pay the Records Fee to cover the cost of imaging and archiving your complete project record electronically (see Information Bulletin 503). Please forward payment payable to the "City Treasurer" in the amount of \$90.

Please contact me if you have any questions regarding this letter, the information and revisions requested in the enclosed Cycle Issues Report, the plans and documentation listed in the Submittal Requirements Report, and/or any modifications to the project scope. I may be reached by phone at (619) 687-5984 or via e-mail at [Stse@san Diego.gov](mailto:Stse@san Diego.gov).

Sincerely,



Simon Tse  
Development Project Manager

Enclosures:

1. Cycle Issues Report
2. Submittal Requirements Report

cc: File

9/21/2011