

Joint Meeting of the Tierrasanta Community Council and Planning Group

Agenda for Wednesday, January 17, 2018 at 6:30 pm

Tierrasanta Recreation Center, 11220 Clairemont Mesa Blvd. • www.tierrasantacc.org

The Tierrasanta Community Council and Planning Group generally in the following months: January, February, March, April, June, July, September and October.

Additional meetings may be called on an as needed basis.

Please note: Unless an agenda item says "Time Certain," items may be taken up earlier or later than the listed time on the agenda.

San Diego County District Attorney Summer Stephan will speak at 7 pm Time Certain

6:30 pm Pledge of Allegiance; Roll Call/Introductions; Determination of Quorum

Updates by Government Representatives: limited to 2 minutes each

- Fire Station 39 (Tierrasanta/Murphy Canyon): <http://www.sandiego.gov/fire>
- Police Department (Eastern Division): Community Service Officer Tom Bostedt 858-495-7919 tbostedt@pd.sandiego.gov
- U.S. Congressman Scott Peters: 858-455-5550 Juan Hernandez Juan.Hernandez@mail.house.gov
- State Senator Toni Atkins: 619-645-3133 Ryan Trabuco Ryan.Trabuco@sen.ca.gov
- Assemblymember Brian Maienschein: Rob Knudsen Robert.Knudsen@asm.ca.gov 858-689-6290
- Assemblymember Shirley Weber: 619-462-7878
- County Supervisor Kristin Gaspar: 619-531-5533
- Mayor Kevin Faulconer: Anthony George 619-236-6630 georgea@sandiego.gov
- City Councilmember Scott Sherman: Sheldon Zemen 619-236-6677 SZemen@sandiego.gov
- Serra High School Principal Dr. Erica Renfree 858-496-8342 erenfree@sandi.net
- Board of Education: Board Member Kevin Beiser 619-838-5274 kbeiser@sandi.net
- City Attorney: Director of Community & Government Relations Julio DeGuzman 619-236-6220 DeGuzmanJ@sandiego.gov
- MCAS Miramar: Kristin Camper 858-577-6603 kristin.camper@usmc.mil
- City Planning Department: Lesley Henegar re planning issues
- Tierrasanta Library: Librarian Judy Cunningham 4985 La Cuenta; 858-573-1384

7 pm Time Certain: San Diego County District Attorney Summer Stephan

Reports from Committee Liaisons – Information only

• Montgomery Field Airport Master Plan: Scott Hasson

A second public hearing on the Master Plan will meet on Wednesday, January 16, 2018 at 3 pm at the City of San Diego Public Utilities Department Auditorium, 9192 Topaz Way in Kearny Mesa. Updated documents are at <http://www.sdairportplans.com/documents/>

- Community Planners Committee: Deanna Spehn / Rich Thesing
- Concerts in the Park Committee: John Farmer / Rik Hauptfeld
- Tierrasanta Budget Committee: Steve Muckle
- Tierrasanta LogoWear Committee: Inactive

- Tierrasanta Open Space Committee: Deanna Spehn, Chair 858-565-4018 dspehn1@san.rr.com
- Tierrasanta Recreation Council Liaison: Rich Thesing
- Vision & Goals Committee of the Tierrasanta Community Council: Kevin Oskow
- Tierrasanta Community Communications Committee: Bob Lang
- Tierrasanta Community Development Committee: Bill Reschke – no report
- Mission Trails Regional Park Liaison: Rich Thesing

Item A: Non-Agenda Public Comment. Any member of the public may address a community issue not elsewhere on this agenda. Each speaker may take up to 2 minutes; speakers may be limited to less time if several speakers have filed speaker slips to speak on the same issue. The TCC is prohibited by The Brown Act from acting on or voting on any issue that is not already on the agenda unless it is deemed by the Council to be an urgent issue. Issues raised during Non-Agenda Public Comment may be referred to an appropriate Tierrasanta Community Council committee.

Item B: Agenda Review / Requests for Continuance / Additions to the Agenda

Action Item 1: The Draft Minutes for the November 2017 Joint Meeting of the Tierrasanta Community Council and Planning Group were not available to meet the deadline for posting this agenda, and will be considered at the February 2018 meeting.

Action Item 2: Appointment of eligible resident or property owner to fill the vacant Area Director positions for Area 4 and Area 7. Eligible candidates must have attended at least two noticed meetings of the Tierrasanta Community Council & Planning Group in the last 12 months. **Tonight's action is to fill the positions.**

Action Item 3: In its role as the officially recognized planning group for the Tierrasanta community, the Tierrasanta Community Council has been asked by the City of San Diego to provide comments and a vote on Project No. 573604 - Tierrasanta Condo Conversion – creation of 4 commercial condominium units within an existing commercial building located at 10715 Tierrasanta Blvd. Subject: Project Assessment Letter; Project No. 573604; Tierrasanta Community Plan.

Representing the Applicant: Miguel Cruz, EIT, Civil Engineer Designer, Walsh Engineering & Surveying, Inc.

The Development Services Department has completed the second review of the project referenced above and described as a Map Waiver application for the creation of four commercial condominium units within an existing commercial building. The 0.54 acre site is located at 10715 Tierrasanta Blvd. within the CC-1-3 zone, Airport Influence Area (Review Area 2) for MCAS Miramar and Montgomery Field, the FAA Part 77 Notification Overlay Zone for MCAS Miramar and Montgomery Field within the Tierrasanta Community Plan area.

A Cycle Issues Report (Attached) contains review comments from staff representing various disciplines and outside agencies. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of the project.

I. REQUIRED APPROVALS/FINDINGS: The project as currently proposed requires the processing of a Process Three, Map Waiver. Consistent with the San Diego Municipal Code Section 112.0103, when an applicant applies for more than one permit, map, or other approval for a single development, the applications will be consolidated for processing and shall be reviewed by a single decision maker

at the highest level of authority for that development. Therefore, the project as proposed would require a Process Three, Development Services Department decision with appeal rights to the Planning Commission.

II. PROJECT ISSUES: As noted previously, the significant project issues are provided in the Cycle Issues Report (Attached).

Please see Information Bulletin 620, “Coordination of Project Management with Community Planning Committees” available at <http://www.sandiego.gov/development-services> that provides some valuable information about the advisory role the Community Planning Group. Council Policy 600-24 provides standard operating procedures and responsibilities of recognized Community Planning Committees and is available at <http://clerkdoc.sannet.gov/Website/council-policy>

The Land Development Code may be accessed at <http://www.sandiego.gov/developmentservices>
The land use plan for the Tierrasanta is available on line at
<http://www.sandiego.gov/planning/community/profiles/index.shtml>
To view project details online, visit: <http://www.sandiego.gov/developmentservices/opendsd/>

Action Item 4: The Tierrasanta Community Council and Planning Group at its October 18, 2017 meeting called for the election of Directors for the Tierrasanta Community Council and Planning Group to serve for 2-year terms ending at the March 2020 meeting of the planning group. As provided for in the newly approved Bylaws, the Officers will be selected by the members of the planning group at the April 2018 meeting. No write-in ballots are allowed.

Deadline to submit a maximum 150 word statement to be published as part of the official ballot for the Tierrasanta Community Council and Planning Group in the February 15, 2018 issue of the *Tierra Times*. Email the statement to dspehn1@san.rr.com - an email confirming receipt will be sent – or hand deliver the statement to The UPS Store on Tierrasanta Blvd. and hand it to the clerk; or mail it to *Tierra Times*, PO Box 420727, San Diego CA 92142-0727 so that it arrives by 5 pm on January 31, 2018.

Eligible candidates must be a minimum of 18 years of age as of March 21, 2018, and either be a resident or owner of property within the 92124 zipcode; or operate a business at a commercial location within 92124 (Tierrasanta).

The seats held by the following members are up for election in 2018:

Deanna Spehn – has served 8 consecutive years therefore ineligible to run in this election

Dawn Nielsen-Lostritto

Scott Hasson

Mike Ogilvie

Jennifer Cochrane-Schultz

Currently vacant Area 4 Director

Currently vacant Area 7 Director

The official ballot will be printed in the February 15, 2018 issue of the *Tierra Times* and must be returned to the ballot boxes as locations noticed on the ballot by 6 pm on Wednesday, March 21, 2018; by mail to the Tierrasanta Community Council c/o Tierrasanta Library, 4985 La Cuenta Drive, San Diego, CA 92123; except that ballots will be accepted until 8 pm at the Tierrasanta Recreation Center, 11220 Clairemont Mesa Blvd., during the Annual Meeting of the Tierrasanta Community Council and Planning Group.

Note: the following are from the newly adopted and approved Bylaws:

ARTICLE V – Elections

The goals of the Tierrasanta Community Council’s election procedures are to elect multiple candidates from each Area, provide for positive verification of candidate and voter eligibility, provide universal balloting by publishing the ballots in the local community newspaper, and provide unambiguous ballot procedures that are clearly understood by all.

Section 1 General elections of Tierrasanta Community Council members shall be held annually during the month of March in accordance with the Tierrasanta Community Council’s adopted elections procedures.

The Tierrasanta Community Council will elect/maintain 14 members from Area 1 – 4. An additional member will be appointed by the management company for The Village Mission Valley that is either an employee or resident of The Village to fill the Area 5 position for a two-year term. This results in a total of 15 members. Half the residential members will be elected each year with The Village Mission Valley representative appointed during even numbered years.

The deadline to qualify for candidacy in the March general election shall be determined by the planning group at its regularly scheduled January meeting. The planning group’s Election Committee shall be established no later than October of the prior year and shall begin soliciting eligible community members to become candidates. For each election cycle, the Election Committee will determine if there is a community newspaper to use for that election cycle, the designated point of contact for the submission of candidacy applications, and the polling locations. This information will appear no later than October on the Tierrasanta Community Council agenda, and all subsequent agendas published before the election. The information will also be posted on the Tierrasanta Community Council’s website for the same time period.

Candidates and voters must meet the following qualifications in order to be considered eligible. The eligibility requirements are provided in Council Policy 600-24 and in the Tierrasanta Community Council and Planning Group bylaws governing its role as a Community Planning Group. A summary follows:

- Must be 18 years old or older as of the date of the March election meeting of the TCC,
- Must either be a resident of the civilian area of Tierrasanta within the 92124 zip code and/or a property owner in the civilian area of Tierrasanta within the 92124 zip code in Areas 1-4,
- Must be able and willing to prove age and residency/ownership information, and
- For candidates only, must have attended at least two (2) TCC meetings in the 12 months ending on the last day of January of the election year.

Voters must certify on an envelope provided at the ballot boxes located within Tierrasanta that they are 18 years of age by the annual election date and that they are either a resident or residential property owner if voting for candidates in Areas 1-4 or a Tierrasanta business owner. For residents and property owners the qualifying address is the address where the voter lives or owns property. Envelopes will be used to confirm eligibility and then discarded before votes are tallied to ensure that submitted ballots are anonymous.

Applications for candidacy must be received by 5 pm on the Wednesday before the February issue deadline of the *Tierra Times* or other local community newspaper as noticed on an official agenda of the Tierrasanta Community Council and Planning Group announcing the election. The maximum 150-word statement shall be printed in the same issue of the *Tierra Times* in which the ballot shall be printed and both will be posted on the planning group’s website. Submissions may be emailed to the Secretary of the Tierrasanta Community Council and Planning Group, and/or mailed or hand delivered to staff at the Tierrasanta Library, 4985

La Cuenta Drive, San Diego, CA 92124; or emailed directly to the *Tierra Times* or other local community newspaper that is publishing the ballot and ballot statements. Applicants must submit the following in order to become self-nominated:

- A statement in writing stating the candidate is eligible to serve in the position sought,
- A personal statement of 150-words or less by the candidate; typically such statements reflect the candidate's reasons for wanting to serve on the planning group, and
- Point-of-contact information (email, phone, and address)

The Tierrasanta Community Council is not responsible for unsuccessfully delivered or spam-filtered e-mails or for undelivered or delayed US Mail. The applicant is responsible for confirming that the application has been received. All applications must be physically in hand by the deadline date and time; postmark dates are not-relevant to the mailed delivery of ballots.

In February, the Election committee shall present to the planning group a complete list of interested candidates collected up to that point in time. Candidates may be added at the February Council meeting provided that the publishing deadline for the community newspaper designated to include the ballot does not fall on an earlier date than the February Council meeting. A candidate forum may be advertised and held at an announced meeting. The agenda for meetings of the Tierrasanta Community Council and Planning Group meetings shall include a statement that to be eligible to serve on the planning group a member must have attended a minimum of two meetings prior to the last day of January and his/her attendance noted either via a sign-in sheet or referenced in the minutes for a specific meeting.

Section 2

The Tierrasanta Community Council shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections.

Periodically through the year the planning group shall remind the community of the need to attend at least two (2) planning group meetings in the 12 months ending on the last day of January of the election year. The Election Committee shall announce the annual election on the Tierrasanta Community Council's website and in the December issue of a local community newspaper as designated by the annual election procedure. The announcement shall include the eligibility requirements to run for office the specific deadline dates for the particular election cycle and how the four Officer positions are filled.

In the election process, the planning group shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for eight (8) consecutive years to leave the group for at least one year.

The Election Committee is responsible for verifying the eligibility of all candidates. The failure or inability to provide proof of eligibility shall disqualify a potential candidate.

The Tierrasanta Community Council holds its election by allowing eligible voters to cast votes as follows:

- a) at the March regular meeting;
- b) at multiple public locations during the election period; and
- c) by ballots mailed and/or delivered to the Tierrasanta Library during the aggregate voting period.

The ballot presented to eligible community members to vote on will clearly identify which seats individual candidates are running for, how many candidates can be selected, whether there are limitations on which candidates various categories of eligible community members can vote for and which candidates, if any, must receive a 2/3 majority of the vote due to service beyond eight (8) consecutive years of service.

The Tierrasanta Community Council does not allow write-in candidates.

Section 3 Voting to elect new Tierrasanta Community Council and Planning Group members shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances. Development and promotion of "slates" of candidates is contrary to the intent of Council Policy 600-24 and is not allowed.

Candidates shall be listed in alphabetical order by last name. The candidates with the highest number of votes shall be elected to serve on the Tierrasanta Community Council and Planning Group. Valid ballots may be those printed in the community paper, printed from the planning group's website, or photocopies of ballots provided adjacent to the ballot boxes located at the Tierrasanta Library and the Tierrasanta Recreation Center and at other sites in the community as determined by the Election Committee.

Votes may be cast from the time the ballot is published on the Tierrasanta Community Council website and in the *Tierra Times* or other local community newspaper if designated in the annual election procedures until the polls close in Tierrasanta at 6 pm or at the Tierrasanta Recreation Center at 8 pm on the night of the March TCC meeting. Unclear votes may be declared invalid by the Election Committee if intent of the voter cannot be established with certainty.

Section 4 The Tierrasanta Community Council's election becomes final after announcing the election results during the noticed, regular March monthly planning group meeting. The President is responsible for preparing, certifying, and forwarding the election report to the City. The election results will be published on the TCC website following the election and in the *Tierra Times* or other designated local community newspaper. New members shall be notified of the results prior to the April meeting and then seated in April at the start of the regular meeting in order to allow their full participation as elected members at the April planning group meeting.

The Election Committee will pick up the ballot boxes as soon after 6 pm as possible at all locations except the Tierrasanta Recreation Center, where ballots may be voted until 8 pm.

In case of a tie, which is the result when two (or more) candidates receive the same number of votes, and this number of votes is more than that received by any other candidate for the same seat. A tie breaking procedure is required in the event of a tie.

- Two-way tie: the winner will be selected via a coin toss (or similar such method). The Chair of the Election Committee will produce a coin for the final determination. The candidate whose last name alphabetically comes first is assigned "heads" and the candidate whose last name alphabetically comes last is assigned "tails." The Chair of the Election Committee will toss the coin in full view of those in attendance and allow it to land on the floor, whereupon the result will be announced and the tossed coin will remain in place long enough to allow for inspection by all in attendance. The winner will be declared based on which side of the coin faces upward.
- Three-way tie (or more): the winner will be selected via any other process that permits one to be selected from more than two, such as: drawing cards from a deck, drawing straws, picking numbers closest to a determined number, etc.

The following errors in voting are deemed sufficient to disqualify a ballot, or individual votes on a ballot, from being accepted or from being counted:

- Failure to indicate on the envelope containing the ballot that the voter is 18 years old or older. The voter must affirm on the envelope containing the ballot that he/she is 18 years of age or older in order for the ballot to be counted.
- Failure to provide the address of the voter or in the case of the local business person the address and the name of the business.

- Failure to write legibly enough on the envelope containing the ballot to allow verification of voter eligibility will result in a ballot being rejected.
- Failure to deliver a ballot by 6 pm on election night to one of the remote ballot boxes, or failure to deliver a ballot to the Tierrasanta Recreation Center by closing of polls at 8 pm on election night.

All printed ballots from the Annual Election shall be delivered to the Secretary when the voting is concluded and the results are announced. Any challenge to the election results must be filed with the chair of the Election Committee in writing within 24-hours of the counting of the ballots in order to allow enough time to resolve the issue.

ARTICLE VI — Planning Group and Planning Group Member Duties

Section 1 It is the duty of the Tierrasanta Community Council to cooperatively work with the City throughout the planning process, including but not limited to the formation of long-range community goals, objectives and proposals or the revision thereto for inclusion in a General or Community Plan.

It is the duty of all planning group members to conduct official business of the planning group in a public setting. It is recognized that the officers of the planning group may oversee administrative business of the planning group, such as the assembling of the draft agenda, in preparation for public discussions. However, all substantive discussions about agenda items or possible group positions on agenda items shall occur at the noticed planning group meetings.

It is the duty of a planning group as a whole, and of each individual member, to refrain from conduct that is detrimental to the planning group or its purposes under Council Policy 600-24. No member shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda.

ARTICLE VII — Planning Group Officers

Section 1 The officers of the Tierrasanta Community Council shall be elected from and by the members of the planning group. Said officers shall consist of a President, Vice President, Treasurer, and Secretary. The length of an officer's term shall be two years except that no person may serve in any planning group office for more than eight (8) consecutive years. After a period of one year in which that person did not serve as an officer, that person shall again be eligible to serve as an officer.

Section 9 Election of Officers: The Tierrasanta Community Council and Planning Group shall certify the election of fourteen (14) Councilmembers at the March meeting and announce that the election of Officers shall take place at the April meeting of the planning group. The appointment of the representative for The Village as recommended by the Village management company shall be announced at the March meeting.

At the April meeting of the Tierrasanta Community Council and Planning Group the meeting will be called to order by the senior officer present of the outgoing officers. Self-nominations for the four officer positions shall take place. Each candidate for office shall be given an opportunity to describe his/her reasons and qualifications for seeking the office. Each candidate for an officer position must be a voting member of the planning group. Voting shall be by voice vote of the voting members of the planning group. Term of office for all officer positions shall be 2 years, expiring at the end of the March meeting on even numbered years.

During the April meeting, Councilmembers shall be designated as representatives of the four (4) Areas based on residency and/or property ownership, after which those Areas with no

representation will have a minimum of two Councilmembers assigned to represent a specific Area. Each Area shall have a minimum of two Councilmembers who shall serve as the official Point of Contact for the public, in addition to the four (4) Officer positions.

ARTICLE VIII — Planning Group Policies and Procedures

c) Elections

The Elections Handbook, which is an attachment to the Council Policy 600-24 Administrative Guidelines, provides general guidance for planning group elections.

It is the practice of the planning group to notify the annually designated local community newspaper of the elections and provide the list of candidates and any supporting information provided by the candidates. The planning group benefits from this arrangement in that every household in the community receives the paper, facilitating an inclusive election process. The nominating process may therefore be subject to the newspaper's publishing deadlines and commitment to advertise the local elections as determined on a yearly basis.

The Election Committee shall produce a detailed timeline for each election cycle. The detailed timeline will include specific dates chosen and the announced publishing schedule of the local community newspaper. The detailed procedures shall be approved by the Tierrasanta Community Council not later than the October meeting date for each election year. Once approved, the detailed procedures shall be posted to the website and also outlined in articles that are submitted to the local community newspaper. A summary of the timeline follows:

- October: Election Committee submits draft election procedures to the Tierrasanta Community Council for approval, which are then posted on the planning group's website and provided to the designated community newspaper, if any, for publication in the December and January issues of the community newspaper: publish initial voting guidance and call for candidates.
- 5 PM on Wednesday prior to the due date for articles in the January edition of the local community newspaper: announce final due date for receipt of candidate self-nominations and 150-word statements and validation of candidates by the Election Committee.
- Official Tierrasanta Community Council ballot posted to website (.pdf format) along with detailed election procedures, candidates' 150-word statements, etc., by two (2) days before the publication date of the February issue of the designated local community newspaper.
- Election Committee places ballot boxes located in various places in Tierrasanta two (2) days before the publication date of the February issue of the local community newspaper.
- Between the date of publishing of the February edition of the designated local community newspaper and the night of the meeting in March, voting occurs at the Tierrasanta Library and elsewhere in the community until 6 PM when the remote ballot boxes are collected; voting continues at the Tierrasanta Recreation Center through 8 PM at which point the elections are declared closed.

Election Timeline for the evening of the March meeting of the Tierrasanta Community Council and Planning Group. The following is a timeline for the conduct of election night at the Tierrasanta Recreation Center, 11220 Clairemont Mesa Blvd, or other designated location, on the third Wednesday of March:

- Approximately 6 pm: Ballot boxes around the community are collected by the Election Committee and any ballots in the planning group's mailbox at the Tierrasanta Library are collected. Voting continues at the ballot box that stays in place at the Tierrasanta Recreation Center.
- 6:30 pm: Tierrasanta Community Council and Planning Group meeting convenes.
- 7:30 pm (time certain): suspend meeting of the community planning group and convene annual meeting of the TCC as a corporation.
- 8 pm (time certain): polls are closed, voting is ended. Election Committee proceeds to count the votes.

- When the vote count is completed: the joint meeting of the planning group as a corporation is convened and the Election Committee announces the results of the vote.
- After announcement of the election results: carry on with the business of the annual meeting as a corporation and/or adjourn the annual meeting and recommence work as a community planning group, as appropriate.

Action Item 8: Adjournment

On the February 21, 2018 agenda 7 pm Time Certain: update by City Staff on the proposed improvements to the Tierrasanta Library

Current Tierrasanta Community Council & Planning Group Members:

President: Deanna Spehn 858-565-4018 dspehn1@san.rr.com

Vice President: Rich Thesing

Treasurer: Steve Muckle

Secretary: Dawn Nielsen-Lostritto

Area 1 Director: Mike George

Area 2 Director: Jim Mackris

Area 3 Directors: Russ May and Scott Hasson

Area 4 Director: Emily Whittmore and **one vacancy**

Area 5 Director: John Adair

Area 6 Director: Loren Vinson

Area 7 Director: Kevin Oskow, Jennifer Schultz & **one vacancy**

Area 8 Director: John Denune

Commercial Director: Mike Ogilvie

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting 858-565-4018 or dspehn1@san.rr.com Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks or longer. Please provide as much advance notice as possible in order to ensure availability.

A Special Meeting will be called at a date yet to be determined for the Tierrasanta Community Council and Planning Group to host presentations on Community Choice Energy / Community Choice Aggregation. Background information will be posted on www.tierrasantacc.org

Here are the new areas from which the representatives will be elected; the officers will be elected from among the 14 members elected to the planning group. The Area 5 representative will be appointed by The Village Mission Valley condo/apartments located off Friars Road.

