

Agenda Special By-Laws Meeting: Nov 12, 2007  
3114 Loma Riviera  
6:30pm to 9:30pm

- I. Adoption of Agenda (Including changes to the Consent Agenda)
- II. Approval of Consent Agenda (These are the By-laws about which no one has a concern).
- III. Regular Agenda
  - A. Review Controversial Areas of By-Laws (separate votes on each of the following).

1) Article III Section 2. paragraph 5 which begins, “An individual may become an eligible candidate...” The portion that reads: **An individual may become an eligible candidate by attending zero meetings of the Peninsula Community Planning Boards regular meetings.** This contradicts Article V Section 1. paragraph 4 which reads: **In order to be a candidate in the March election, an eligible member of the community [see Article III, Section 2] must have documented attendance at one meeting of the Peninsula Community Planning Board’s last 12 meetings.**

Dee has suggested changing this so that it conforms to the shell recommendation—one meeting.

- 2) Article IV Section 2 paragraph 2 which begins: “The Peninsula Community Planning Board shall fill vacancies...”. The portion that reads: **Vacancies shall be filled by an advertised general election pursuant to Article V.** This contradicts Article VIII Section 1 (b) that begins: The following are the Peninsula Community Planning Boards procedures...” Here it says **“Members who resign or seats that become available through other means will be elected by the board to complete the term of the prior member.”.**
- 3) Article V Section 1. paragraph 1 which begins “General elections of the ...”. The portion that reads: **in accordance with the elections procedures found in Article III 1e...** This is a typo, and should read Article VIII 1e. .
- 4) Article V Section 2. paragraph 3 which begins “The Peninsula Community Planning Board holds...” The portion that reads: **See Exhibit IA for detailed procedures** I don’t find an Exhibit IA. Should this read See Article VIII 1e ?
- 5) Article V Section 3 which begins “Voting shall be by secret...”. The portion that reads: **Development and promotion of "slates" of candidates is contrary to the intent of Council Policy 600-24** I believe the intent of 600-24 is to discourage slates sponsored by

the Board itself. I suggest inserting “by the Board” after the word **candidates** .

- 6) Article VI Section 1 paragraph 2 which begins, “It is the duty...” The portion that reads: ... **and that public and Board comment on issues may be gathered by way of the Internet by way of an open Internet site**. This is one of a number of insertions about the internet that was proposed by Jay.
- 7) Article VI Section 2 (a) (i) which begins, “REGULAR AGENDA POSTING....” The portion that reads, ... **as well as by way of the Internet**, . This is another internet reference.
- 8) Article VI Section 2 (a) (ii) which begins, “PUBLIC COMMENT...”. This whole paragraph has a series of references to the internet.
- 9) Article VI Section 2 (a) (iii) which begins, “ADJOURNMENTS AND CONTINUANCES...”. Another internet reference.
- 10) Article VI Section 2 (a) (viii) paragraph 2 which begins, “ The Peninsula Community...” The portion that reads: **The Peninsula Community Planning Board’s planning group chair participates in discussions but does not vote except to make or break a tie**. This is a change from our previous policy which only allowed the Chair to break a tie.
- 11) Article VI Section 2 (a) (ix) which begins, “COLLECTIVE CONSURRENCE...”. Another internet reference.
- 12) Article VI Section 2 (a) (x) which begins, “SPECIAL MEETINGS”. The portion which reads: **The Chairperson of the Peninsula Community Planning Board or a majority of planning group members may call a special meeting**. This is a change in policy. Previously five members of the Board could call for a special meeting.
- 13) Article VI Section 2 (b) (i) which begins “STANDING SUBCOMMITTEES.” The portion which reads: **Committees will stand for the year and committee Chairs will be voted on by Board. Sub committees will not include more than a quorum of Board Members. If a sub committee has more than a quorum of Board Members the meeting may be deemed a regular Board meeting and be subject to noticing and Brown Act requirements**. There has been a great deal of controversy about subcommittees, and I thought the Board would want to consider this section separately. I believe Gary suggested that all subcommittee chairs be board members. We might want to add this point.
- 14) Article VI Section 2 (b) (iii) which begins “SUBCOMMITTEE COMPOSITION. This portion reads, **Subcommittees shall**

contain a majority of members who are members of the planning group. Again, a current point of controversy.

- 15) Article VI Section 2 (c) (i) which begins, “RECUSALS”. This portion reads, **but rather as a common member of the public**. This is an addition that might cause trouble with the city.
- 16) Article VIII Section 1 which begins, “The Peninsula Community Planning Board bylaws...” This portion reads: **Exhibits attached to the bylaws**. I am not sure what “Exhibits” refers to. Besides the map we propose to attach to the Bylaws, I don’t see any other exhibits. I think this is really making reference to the procedures found in this section. It looks like the English needs to be cleared up here.
- 17) Article VIII Section 1 (c) paragraph 2 which begins, “Sub Committee Chairs will be elected...” This whole paragraph returns to the issue of subcommittees—which has been controversial recently.
- 18) Article VIII Section 1 (c) paragraph 6 which begins, “By Laws amendments can be made...”. The portions which reads, **An amendment to the By Laws will require a 2/3 rds vote**. This looks like it contradicts the previous discussion in Article II section 7 which states” [the Board] **may propose amendments to these by laws by majority vote of the elected members of the planning group**.” We need to clarify this.
- 19) Article VIII Section 1 (c) paragraph 8 which begins, “OPTION: Discuss operation...” This looks like a paragraph which should be edited out, but the previous editor put part of it in red so we should look at it. Should we remove this whole paragraph?
- 20) Article VIII Section 1 (d) paragraph 3 which begins, “By Laws Amendments may be made...” This seems to repeat section 1 (c) paragraph 8 above. Should we delete this paragraph?
- 21) NOTE; Article VIII Section 1 (d) paragraph 4 mentions Standard Operating Procedures (SOP). It sound like much of this article (Article VIII) is a form of SOP. Cal Jones indicates that many other planning boards use “SOP”s because of their greater flexibility. Should we turn Article VIII (or at least a portion of it) into a set of SOP’s?
- 22) Article VIII Section 1(e) 4. Candidate Eligibility which begins “An individual is eligible...”. The portion that reads, ... **and has attended one PCPB meetings within the last 12 months prior to the election**.” We must make this consistent with Article III Section 2. paragraph 5 (see #1 above).
- 23) I have not checked the last part of the By-Laws carefully, so please spend time examining this section. In general, there are a

number of typo's and grammatical errors that need to be addressed throughout the By-Laws before final approval. I propose that one or two people be delegated this responsibility before our Oct. general meeting. Once they have done this editing, we would then present the By-Laws for a simple up or down vote at the October meeting.