

**Peninsula Community Planning Board**  
**By-Laws Ad Hoc Subcommittee Recommendation**  
**July 18, 2011**

**June 4, 2011:** The PCPB Bylaws Ad Hoc Committee (Suhail Khalil, John Gott and Rebecca Michael) at its June 4, 2011 meeting proposed revisions to the PCPB Bylaws addressing Issues 1 through 5 listed below.

**June 16, 2011:** Those revisions were reviewed by the CPCI in a memorandum from Tony Kempton dated June 16, 2011.

**July 18, 2011:** The Bylaws Ad Hoc Committee (Suhail Khalil, John Gott and Helen Kinnaird along with Tony Kempton, City Staff, and Paul Webb, Board Member ) met again on July 18, 2011, considered the CPCI memorandum and **modified its recommendations to Issue 1.(a) and Issue 4 and added Issue 1.(b) and Issue 6.**

**1.(a) PCPB Election Eligibility.** To address the confusion over attendance at a regular meeting vs. special meeting the PCPB, the Ad Hoc Subcommittee recommends that the attendance requirement paragraph read as follows:

A Recognized Community Member may become an Eligible Candidate by (a) attending one regular, special meeting or Candidate Forum meeting of the Peninsula Community Planning Board occurring during the twelve month period prior to the March General Election, with such attendance acknowledged by minutes, public sign-in sheet or standing PCPB member, and (b) submitting a completed application to the Elections Subcommittee.

[Article III, Section 2 (a) and Article V Section 1]

**1.(b) Chair Eligibility Announcement.** CPCI suggested the following,

“The Chair of the PCPB shall include in the monthly regular meetings a standing announcement regarding eligibility for candidacy by reminding attendees who think they may one day be interested in being an Eligible Candidate, to either sign the public sign-in sheet or otherwise formalize their attendance at the meeting (e.g.: make a non-agenda public comment) in order to have their attendance reflected in the minutes or on the public sign-in sheet.”

The Ad Hoc Committee recommends that this paragraph be adopted but whether it should be included in the Bylaws or included in the Standard Operating Procedures *[Bylaws: Article III, Section 2 (a) and Article V Section 1 OR Article VIII, Section 1(d) Member and Planning Group Responsibilities OR Standard Operating Procedures called out in Article VIII Section 1 (d).]*

**1.(c) Local Business Designee** **[No change from June 4, 2011 recommendation]** a designee of a local business or not-for-profit be added. [Article III, Section 2 (3)]

**2. Plurality Votes** **[No change from June 4, 2011 recommendation]**. The Bylaws, in two locations, do not specify a plurality vote. The Ad Hoc Subcommittee recommends the Bylaws be clarified. [Article IV Section 2 and Article VII Section 1]

**3. Voters Log. [No change from June 4, 2011 recommendation]** The Bylaws currently require that voters include their address along with their signature on the voters log. At the last election there were concerns over confidentiality as well as delay caused by requiring the writing of the address in the log. The Ad Hoc Subcommittee recommends that the requirement that a voter write their address in the voters log be deleted. [Article VIII Section 1(e)(6)]

**4.(a) Clarification of Standing Subcommittees.** At the May PCPB meeting there may have been some confusion over the make up and/or duties of the subcommittees. At the suggestion of CPCI, the Ad Hoc Subcommittee revised its original proposed revision to Standing Subcommittees and Ad Hoc Subcommittees - returning to the current Bylaws wording with only a revision to the named standing subcommittees to wit:

Long Range Planning, Liberty Station/NTC, Parks and Recreation, Environment/Water, Traffic/Transportation, Project Review

And the addition of all subcommittee, standing and ad hoc, meetings shall be noticed.

[Article VI Section 2(b)(i) and (ii)]

**4.(b) Designated Representatives and Liaisons.** recommends that two paragraphs dealing with designated representatives and liaisons *be added to Article VIII, Section 1(d) Member and Planning Group Responsibilities OR be included in the Standard Operating Procedures called out in Article VIII Section 1 (d).*

**5. Board Member Conduct. [No change from June 4, 2011 recommendation]** Concerns have been raised regarding the use of e-mail to discuss/conduct PCPB official business. The Ad Hoc Committee discussed the importance of the board members conducting business in accordance with Article VI Section 1 and the Brown Act, i.e. official business must be conducted in a public setting - "a majority cannot e-mail each other to discuss a matter within the Board's subject matter jurisdiction" ("Brown Act" Community Orientation Workshop Power Point Presentation May 2, 2009). As to any complaint that the Board or a Board member has violated the Bylaws, the Brown Act or Council Policy 600-24, the proper procedure for addressing such is set forth in Article IX Section 3.

**6. Absences** Due to the special meetings called this year, the Ad Hoc Subcommittee felt it might be beneficial to further clarify Section 1. of Article IV as noted below :

" The Peninsula Community Planning Board shall find that a vacancy exists upon receipt of a resignation in writing from one of its members or upon receipt of a written report from its secretary reporting the third consecutive absence or fourth absence **from one of the 12 monthly regular meetings during** [*delete:* in ] the 12-month period of April through March each year of a member(s) term on [*delete:* of ] the planning board. " [Article IV, Section 1]

## **ACTION ITEMS:**

### **1 (a) PCPB Election Eligibility**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.

### **1 (b) Chair Eligibility Announcement.**

Amend [Bylaws] or [include in Standard Operating Procedures] as recommended by the Ad Hoc Subcommittee.

### **1 (c) Local Business Designee**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.

### **2. Plurality Votes**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.

### **3. Voters Log**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.

### **4.(a) Clarification of Standing Subcommittees**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.

### **4.(b) Designated Representatives and Liaisons**

Amend [Bylaws] or [include in Standard Operating Procedures] as recommended by the Ad Hoc Subcommittee.

### **5. Board Member Conduct**

No action required.

### **6. Absences**

Amend Bylaws as recommended by the Ad Hoc Subcommittee.