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UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF May 23, 2023

PLANNING COMMISSION:

The notice of the meeting was posted on May 18, 2023.

- 1. CALL TO ORDER:** Vice Chair Fritz called the meeting to order at 6:00 P.M. and read a procedural statement.
- 2. ROLL CALL:**
 - Present:** Chair Fernandez (via Zoom), Vice Chair Fritz, and Commissioner Oetinger
 - Absent:** Commissioner Burnes, Commissioner Kelley (excused)
 - Staff:** Kari Svanstrom, Planning Director

- 3. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA:** None.

Carol Capria

I'm here to speak about the project at 7631 Healdsburg Avenue. At the Planning Commission's April 25th meeting they discussed the number of lights on the building and the hours the lights were on, and we believe that will be resolved. I can't help but see what is going on over there, but I do not want to have to be a monitor. Who is going to be monitoring the project? I only get emails from the City Council alerting me to their meetings and getting their agendas; I am still waiting to receive the same from Planning and the Design Review Board.

- 4. STATEMENTS OF CONFLICTS OF INTEREST:** None.

5. APPROVAL OF MINUTES:

May 10, 2022, September 27, 2022

Commissioner Oetinger moved to approve the minutes of May 10, 2022 as presented.

Chair Fernandez seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Oetinger
NOES: None
ABSTAIN: None
ABSENT: Commissioner Burnes, Commissioner Kelley

Members of the Commission amended the minutes of May 10, 2022.

Commissioner Oetinger moved to approve the minutes of September 27, 2022 as amended.

Chair Fernandez seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Oetinger
NOES: None
ABSTAIN: None
ABSENT: Commissioner Burnes, Commissioner Kelley

6. PUBLIC HEARINGS: None.

7. REGULAR AGENDA ITEMS:

A. PLANNING COMMISSION RULES DISCUSSION

Director Svanstrom presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff. Seeing none, he opened Commission deliberations.

The Commission discussed the application as follows:

Kathy Oetinger, Commissioner

As I was reading the document I noticed that we had references to "his" or "her," "he" and "she," and I felt that we needed to add the presence of "their" for people who are non-binary. A friend who is in public health said, "All of our public health documents don't say "him" or "her," they just say "they," or "their," or "them". I recommend that we strike all the "his" and "hers" to "they" or "them". Kari, do you know if there are any other City documents that are being altered in this way?

Kari Svanstrom, Planning Director

I don't think there are, however, I don't think that should stop us from being forward-looking. My only preference would be not "his," "her," or "they," just "they" and "them."

Kathy Oetinger, Commissioner

Yes, just "they," "them," or "their". My other comment was that I remember back when we added the "her" or "she" to all the documents, and it seemed like such a pain because we all knew what it meant, but today it just seems so right to be inclusive and to just go there. I understand that people in the younger generation are already there and speak it; it's just a new way of speaking and thinking about pronouns, so the sooner we start the better.

Paul Fritz, Vice Chair

That's fine with me. I don't have a strong opinion about that. I find it very confusing to read documents like that.

Kari Svanstrom, Planning Director

The good news is we don't actually have to read this out loud; it's just a reference document. Do you want to just go through section-by-section?

Paul Fritz, Vice Chair

Yes, start with Section 1, Rule 1, Time and Place for Holding Regular Meetings. Does anyone have comments?

Evert Fernandez, Chair

I thought that this first item and 3(a) should go together. In other words, if you're talking about the meeting time being revised, if you cancel a meeting, it should still fall under consultation with the Chair regarding those actions. Or maybe 3(a) should be part of that to speak to managing the agendas and the order of business, but it seems like one area says it can be cancelled or changes, but it doesn't say anything about the Chair. And the one in 3(a) doesn't pick the Chair, so I think that's part of the same kind of rules that we're trying to get to.

Kari Svanstrom, Planning Director

Chair Fernandez, would it work to take 3(a) out of Item 3, and put it under Rule 1? Because it's actually part of the legal requirements for 72 hours before a meeting anyway, so it's not so much about the order of business, it's more about posting an agenda.

Evert Fernandez, Chair

Yes, that makes sense. That way it covers that part of it.

Paul Fritz, Vice Chair

That's fine with me. So we're going to move 3(a) up to Rule 1.

Evert Fernandez, Chair

I want to make sure that, "The meeting may be revised to accommodate necessary business, or such regular meeting may be cancelled," is part of the consultation with the Chair. Just like preparing the agenda is in consultation with the Chair regarding those various items, a meeting being revised and a meeting being cancelled should also be part of that in consultation with the Chair.

Kari Svanstrom, Planning Director

Would this work? Rule 1, Paragraph 2, Sentence 3: "Regular meetings may be cancelled upon determination by the Planning Director in consultation with the Chair when a quorum will not be present." Basically saying in consultation with the Chair. The intent is if the Planning Director is going to cancel the meeting, they're going to talk to the Chair first.

Evert Fernandez, Chair

The City Council just reviewed the time when it's supposed to adjourn and if something is not done by a certain time, and that makes them pass by majority vote a no later than time. Is that similar for the Commission? I'm wondering if it makes sense to match some of their language on their meetings with this.

Kari Svanstrom, Planning Director

What the City Council requires is a unanimous vote to go past 10:30pm. What they were looking at was the meeting may not extend past 2:00am. Chair Fernandez, do you know how they changed that?

Evert Fernandez, Chair

I don't know how they finally changed it, but I think it was something like if by 10:30pm you either have to table it... I thought the proposal was they couldn't go past 11:00pm.

Kari Svanstrom, Planning Director

Yes, I think it was 11:30pm or something like that. I think it had to do with the janitorial staff here.

Evert Fernandez, Chair

Was the 10:30pm time in mind when we were starting at 7:00pm instead of 6:00pm?

Kari Svanstrom, Planning Director

The meeting times used to start at 7:00pm and then the 11:00pm required the vote. The Commission can discuss what those times should be. I think we were proposing 10:30pm; that is consistent with the City Council. Obviously we're still not going to do that on a regular basis, but you may get a big project. The question is it's a 4.5-hour meeting if you go past that, and do you want that to be a little earlier? It could certainly be 10:00pm. I wouldn't do 9:30pm, because there are plenty of meetings that go slightly past 9:30pm.

Paul Fritz, Vice Chair

I'm okay with 10:30pm.

Evert Fernandez, Chair

I'm fine with 10:30 also.

Paul Fritz, Vice Chair

I'm okay with the majority vote rather than the unanimous vote as well.

Evert Fernandez, Chair

That sounds good.

Kari Svanstrom, Planning Director

Do you want to set a "must adjourn by" time? Of course the Chair and the Commission can always decide to adjourn on their own.

Paul Fritz, Vice Chair

I don't feel the need to put that in there. When we vote at 10:30pm we can always say we'll do this for another hour or whatever. I'm not for establishing an end time; we can do that on a case-by-case basis.

Kathy Oetinger, Commissioner

I could see voting to extend the meeting to another time and then feeling quite comfortable if I had no issues with what was happening of excusing myself and walking out. That would be okay, right, as long as I did not eliminate the quorum?

Kari Svanstrom, Planning Director

As long as there is still a quorum, that is totally acceptable.

Evert Fernandez, Chair

Yes, I'm fine with that.

Kari Svanstrom, Planning Director

So moving on to Rule 2, Quorum and Attendance.

Paul Fritz, Vice Chair

I didn't understand the meaning of the second half of the first sentence, "...but a smaller number may adjourn from time to time until a quorum is present and those present may obtain the attendance of the absentees."

Kari Svanstrom, Planning Director

So may meet from time to time: you can meet without a quorum. If you started a meeting and had a quorum but one commissioner had to leave and another was going to arrive late, you could adjourn from a time to a time until that other commissioner arrives and the quorum is present. I don't understand the part about, "...and those present may obtain the attendance of the absentees." That makes no sense to me and I don't know what it means. How about we strike that?

Paul Fritz, Vice Chair

So does adjourn mean starting a meeting? I always thought adjourn was definitely ending a meeting.

Kari Svanstrom, Planning Director

Convene is the word for calling a meeting to order.

Paul Fritz, Vice Chair

I think that adjourn should be, "...a smaller number may call to order from time to time until a quorum is present."

Evert Fernandez, Chair

I'm looking at it as you start with five people, three people leave, so that you adjourn the meeting. In other words, you stop the meeting until someone returns and now we're back to being a quorum, and then you call the meeting back to order.

Kari Svanstrom, Planning Director

Correct, that is what that means.

Evert Fernandez, Chair

But definitely "attendance of the absentees," I have no idea what that means and it can be struck. Just to be clear, you can start a meeting with a quorum, and then if one person has to leave, that quorum is no longer in force, right?

Kari Svanstrom, Planning Director

You only have a quorum if there are three members present. If one member has to temporarily leave to, say, take an emergency phone call, the meeting could be adjourned until such time as the absent member comes back and there is a quorum again, then reconvene. Technically you do this when Commissioners leave the room for a five-minute break.

Evert Fernandez, Chair

How about this example? We have a meeting of three commissioners, and somebody has to recuse themselves due to a conflict of interest. So we no longer have a quorum?

Kari Svanstrom, Planning Director

Correct, that does happen. Or someone needs to leave because they become ill. You don't have a quorum at that point and you cannot take up that matter, or you would not want to if it is a decision.

Evert Fernandez, Chair

That information is important and that is why staff always tries to know that ahead of time, so if a commissioner knows they will be absent from a certain meeting or will need to recuse themselves from a certain agenda item, they should notify Planning staff as soon as possible so they can do a quorum check. Would it be helpful to have that in here somewhere?

Kari Svanstrom, Planning Director

That might actually be helpful. I'll look Thursday to see if there's a place where it makes sense to do that.

Evert Fernandez, Chair

It's also because it's more complicated if someone is going to be gone, so all of that should be spelled out to confer with the Planning Director to make sure it's going to work out; it's gotten more complicated with video and in-person meetings.

Kari Svanstrom, Planning Director

Rule 17, Disqualification for Conflict of Interest; let's do that when we get there. Just for the record, obviously we should change the number of people needed for a quorum now that our size has changed.

Paul Fritz, Vice Chair

Yes. Rule 3, Agenda and Order of Business. So we took 3(a) and we're moving that.

Kari Svanstrom, Planning Director

And I'm going to restrict that whole 3(a) thing to be more than one sentence.

Kathy Oetinger, Commissioner

And in 3(b) you don't want to keep the word "Chair," do you?

Kari Svanstrom, Planning Director

No.

Evert Fernandez, Chair

On 3(e), "Dates for public hearings should be set by the Planning Director." Does that go with the same scheduling that was already spelled out above?

Kari Svanstrom, Planning Director

It kind of is, but I think it's specific to public hearings, and that's because we need to make sure that we have all of the appropriate legal notices done for that. It's a lot more than 72 hours.

Paul Fritz, Vice Chair

I have a question about 4(a) in Rule 4, Voting for Chair and Vice Chair. I thought the way we did it was once a chair is voted they take over at that meeting. This says that they will take over the following meeting. How do we want to do that?

Kari Svanstrom, Planning Director

I put that in there because whoever the new chair is, and I don't know who that's going to be, is really not prepared to run that meeting. It's more of an accommodation of the new chair.

Evert Fernandez, Chair

That makes sense.

Kari Svanstrom, Planning Director

A lot of times that first meeting in December is mostly ceremonial, like with the City Council. The new mayor comes in and they elect new officers, but it's the past mayor who knows and has met with all of the background facilitation coordination as needed on the agenda, so this just allows for that. Of course you could do it at the end of the meeting and then it wouldn't be a big deal either.

Kathy Oetinger, Commissioner

I have an issue with Rule 3(5), Consent Calendar. We need a verb in here. "The consent calendar is to be of a non-controversial nature." It's as if after "consent calendar" the rest is sort of a definition. It is not a complete sentence.

Kari Svanstrom, Planning Director

How about changing that to, "Consent Calendar items generally consist of those items determined in advance by the Planning Director to be of a non-controversial nature"?

Kathy Oetinger, Commissioner

That works.

Paul Fritz, Vice Chair

You could say, "The Consent Calendar generally consists of those items determined in advance by the Planning Director..."

Kathy Oetinger, Commissioner

That reads better. Right now it seems like it's a definition.

Kari Svanstrom, Planning Director

On 3(10), I don't normally have future Commission agenda items on your agendas. Do you all want that on, or not?

Kathy Oetinger, Commissioner

If you put them on, there should be items (a) and (b) under Item 10, but I don't know that you need to put them on the agenda.

Paul Fritz, Vice Chair

That usually ends up being part of your Planning Director's report, and I think that's fine. We can strike it from here, or maybe put as part of the parentheses, "Planning Director Report future agenda..." Could be all just part of that information item?

Evert Fernandez, Chair

Yes, because Kari's is really good about that, but in the future that might get lost, and it's always good to know what's coming up. It should be part of the report.

Kathy Oetinger, Commissioner

What's the U? The last item under i), "During any regular meeting." It goes 14, Adjournment; i), special meetings; and then there's a u).

Kari Svanstrom, Planning Director

I don't think that should be a U. The chair has the discretion to allow members of the public, reopen public comment, etc., so that should be in there but it should be a J.

Paul Fritz, Vice Chair

Rule 4, Election of Officers.

Kathy Oetinger, Commissioner

Under (a) I would recommend striking "of each year," because it is redundant.

Paul Fritz, Vice Chair

But sometimes they don't get around to appointing until later in January.

Kari Svanstrom, Planning Director

On that line we should delete "where members are present," because it is redundant.

Paul Fritz, Vice Chair

Rule 5, Appeals.

Evert Fernandez, Chair

Rule 5 seems like you recuse yourself if there's any conflict. Is that part of that?

Kari Svanstrom, Planning Director

It's not. You don't necessarily have a conflict; I think this clarifies that. I would like to keep this because it could get really messy if someone says they don't have a conflict of interest, I am appealing the action. It's not really an appeal, but if there is an appeal, here's the question. This is not in the rules right now and it's not required, but we do have the Planning Commission liaison set up. One thing that has come up from time to time is if someone is a dissenting vote from the Planning Commission, as it stands right now if it gets appealed and goes to the Council, or it goes to the Council as a recommendation from the rest of the Planning Commission, they can be the Planning Commission representative, which is Chair Fernandez's point. Do you want to add to this rule that says additionally when an item goes to Council, if the Planning Commission liaison voted in the minority, then they shouldn't be the Planning Commission liaison to Council to speak for the majority of the Planning Commission?

Paul Fritz, Vice Chair

I think it's not a bad idea, but I don't think it should go here. If we're going to talk about that there should be a section here about the Planning Commission liaison to the Council. I think we should add a new item and then explain that as part of that item, because it doesn't necessarily sound related to appeals.

Evert Fernandez, Chair

Yes, agreed.

Kari Svanstrom, Planning Director

I was thinking about it as if something was appealed, but you're right.

Paul Fritz, Vice Chair

Yes, we could just be presenting something that we discussed.

Kari Svanstrom, Planning Director

I'll make a note of that and we'll figure out where to put that.

Kathy Oetinger, Commissioner

Rule 7 needs all caps on Chair.

Evert Fernandez, Chair

I didn't know that if there is no chair or vice-chair then the Planning Director calls the meeting to order.

Kari Svanstrom, Planning Director

Now we're on Rule 8, Powers and Duties of the Chair.

Kathy Oetinger, Commissioner

Under b), Duties, the chair may appoint subcommittees consisting of not more than three Commissioners. Should that be not more than two?

Kari Svanstrom, Planning Director

Yes, that should be not more than two. This question actually has come up in terms of the subcommittees and appointments to subcommittees. This is a nice way to do it; it doesn't require a quorum, allows the Chair to do those appointments.

Evert Fernandez, Chair

Under c) Signing of Documents, does the Chair ever have to sign anything, or is it always the Planning Director?

Kari Svanstrom, Planning Director

It's just the Planning Director, and frankly it would be a lot of coordination to have the chair sign something.

Paul Fritz, Vice Chair

Rule 9, Rules of Debate.

Kathy Oetinger, Commissioner

Under b) is the first "his or her" that I ran into.

Evert Fernandez, Chair

"His or her" at the end of b) also.

Kathy Oetinger, Commissioner

"Himself or herself."

Paul Fritz, Vice Chair

Rule 14, Addressing the Planning Commission.

Evert Fernandez, Chair

On b) my understanding is the way the rules are set is that each person addressing the Planning Commission states their name, but it's not required, or is it? I'd personally like to know who they are, but is it required or optional?

Kathy Oetinger, Commissioner

I think they should state their names.

Evert Fernandez, Chair

I think they should as well.

Kari Svanstrom, Planning Director

We typically don't request the address, and to require that is generally not something the City Council does. The name, yes, and whether or not they live within the City or not is, I think, also valid to ask. They don't have to do that. You can request that; you can't require that as part of the Brown Act.

Evert Fernandez, Chair

That was my point.

Paul Fritz, Vice Chair

That's fine, so we can strike address.

Kathy Oetinger, Commissioner

Down at the bottom c) should be e); and d) should be f).

Paul Fritz, Vice Chair

Rule 15, Rules of Decorum. Under d)1, "Excessive hand clapping, stamping of feet," comma not 1.

Kari Svanstrom, Planning Director

The thing that is a little odd in this is this whole Sergeant at Arms thing. We don't have a Sergeant at Arms. What I would typically do is call the Police Department, so I don't know if you want to change that to reflect the realities of this.

Paul Fritz, Vice Chair

That is referenced in f), "The Planning Director may contact the Chief of Police." Should those be combined or something, that d)1 and f)? The enforcement of decorum is kind of what d)1 is talking about. It seems like they're talking about the same thing.

Kari Svanstrom, Planning Director

Yes, I think they are. I think that makes sense.

Evert Fernandez, Chair

Yes. Under d), Members of the Audience, didn't we prefer to no longer use "audience," but more like "public in attendance"?

Kari Svanstrom, Planning Director

I like "members of the public" better than audience. Audience sounds like it's a show.

Evert Fernandez, Chair

Yes.

Paul Fritz, Vice Chair

Yes. I like that.

Kari Svanstrom, Planning Director

And I do think this is one where "any member of the public" can also be the online public as well.

Paul Fritz, Vice Chair

Yes.

Evert Fernandez, Chair

Yes. "Any member of the public in attendance" is really either in person or they're online. That makes sense.

Paul Fritz, Vice Chair

Then e), "...persons authorized to be within the seating area." I guess this is the seating area. "No person except Commissioners and City staff."

Kari Svanstrom, Planning Director

Yes, it's the dais and the staff seating area.

Paul Fritz, Vice Chair

But it says, "Representatives of the news media." We don't usually allow news media to be sitting up here.

Kari Svanstrom, Planning Director

I'm striking that. I see members of the media all the time in the public seating area, and that's just how they do it.

Paul Fritz, Vice Chair

Yes, so I think we can strike the news media. Rule 17, Disqualification for Conflict of Interest. There was something you said at the beginning?

Kari Svanstrom, Planning Director

Yes, having a conflict being the Planning Commission liaison felt like a conflict of interest, but actually now that I think about it I'm not sure that makes sense either, because it's not necessarily a conflict of interest to be in the minority, it's just not necessarily appropriate for you to be presenting to City Council the majority opinion of the Planning Commission.

Evert Fernandez, Chair

Yes, and maybe something on there to advise the Chair ahead of time.

Kari Svanstrom, Planning Director

Especially with the whole remote/in-person quorum rules it's a lot more complicated, so I'll just write something like, "A Commissioner who upon receiving the agenda packet and recognizes they will have a conflict of interest shall immediately contact the Planning Director to notify them."

Kathy Oetinger, Commissioner

" Line 6, "...shall not remain in his or her seat," should be changed to, "...not remain seated during the debate."

Evert Fernandez, Chair

You're supposed to leave.

Kari Svanstrom, Planning Director

Because it says, "...shall request and be given permission by the Chair to step down from the dais and leave the meeting room," which is the appropriate thing. Or be muted and video off is what I'd like to add there.

Evert Fernandez, Chair

That's what I was going to say. If you're on video, the video has to be off and you have to be muted; all you're doing is listening in.

Kari Svanstrom, Planning Director

But "...shall not remain seated" is a far more efficient way to saying that.

Paul Fritz, Vice Chair

I think you could actually strike that whole thing and say, "A Commissioner who is disqualified by reason of a conflict of interest in any matter shall request and be given permission of the Chair to step down." You can strike that whole, "...not remain in his or her seat during the debate and vote on such matter." Take that whole phrase out and just go from shall to shall.

Kathy Oetinger, Commissioner

I agree.

Kari Svanstrom, Planning Director

I'm going to read that. "A Commissioner who is disqualified by reason of a conflict of interest in any matter shall request and be given," I like the shall because it means have to do that, "the permission of the Chair to step down from the dais and leave the meeting room, or be muted and video silenced, during the debate and vote on such matter."

Evert Fernandez, Chair

Where do you have something like once they know it's a conflict of interest, so as soon as they know they should advise?

Kari Svanstrom, Planning Director

I think we should put that at the beginning, because that's the first step when you get the packet, and the second starts off, "Any Commissioner who is disqualified shall publicly state and have the Chair state the nature of the disqualification in an open meeting." That usually happens in Agenda Item 4, Statements of Conflict of Interest.

Evert Fernandez, Chair

And it shouldn't be when they get the packet, it should be once they are aware of it, so it could be earlier than when the agenda packet arrives.

Paul Fritz, Vice Chair

Rule 20, Changing Vote.

Evert Fernandez, Chair

Is that saying if you vote and then you immediately change your mind?

Kari Svanstrom, Planning Director

That is what that is saying.

Kathy Oetinger, Commissioner

It's kind of awkward.

Kari Svanstrom, Planning Director

It looks kind of awkward, but it is allowed, and if you saw the mayor election two years ago, you saw it in action. The same with Rule 21, Reconsideration. The reconsideration actually is helpful when we approve something, but we forgot to add one of the conditions that was discussed, and this allows the ability to add the condition to the project in the record.

Evert Fernandez, Chair

Rule 22, Procedure on Agenda Items Requiring a Motion. I know this is usually printed on the back of the agenda. I just want to make sure any changes here are reflected on the back of the agenda when they explain how the meetings are run, but it also kind of matches up.

Kari Svanstrom, Planning Director

I think it goes into a little bit more detail, because it starts at opening the public hearing, "The Chair shall open the public hearing." It's stated a little differently, and it doesn't say you're reading a title, conflict of interest; those aren't in there.

Kathy Oetinger, Commissioner

Under (k), "The maker of the motion to have a chance for further discussion." It seems like everyone has a chance for further discussion after a motion, don't they?

Kari Svanstrom, Planning Director

I'm not sure why that says that.

Paul Fritz, Vice Chair

(j) says a motion and discussion by the Planning Commission, and we're all discussing at that point, so (k) seems unnecessary.

Kari Svanstrom, Planning Director

I think we strike that. This actually applies to agenda items as well as public hearings, so for (h) can we change "discussion," because that makes it sound like the public gets to discuss, to "public comment."

Evert Fernandez, Chair

Yes, that's much better.

Paul Fritz, Vice Chair

Yes. And (g) says, "Public to be heard subject to limitations set forth..." Should be say something like, "Public comment should be open" on (g) just to keep the language similar? If we're going to close it, it should have been opened at some point.

Kari Svanstrom, Planning Director

Yes, I do want to keep the subject to limitations. That means they can't talk about their Aunt Nancy in the middle of a public hearing.

Paul Fritz, Vice Chair

I agree it's good, but there should be something about opening a public discussion in (g).

Evert Fernandez, Chair

Yes.

Kari Svanstrom, Planning Director

Yes, we can say, "public comment or hearing."

Paul Fritz, Vice Chair

Public comment is good.

Kari Svanstrom, Planning Director

And do you want the Chair to restate the motion, or do you want it to be the Planning Director at the Chair's request?

Evert Fernandez, Chair

Yes, because usually by that time I have no idea.

Paul Fritz, Vice Chair

Yes, Chair or Planning Director.

Kari Svanstrom, Planning Director

We'll just say "Chair," or, "At the Chair's request, Planning Director."

Paul Fritz, Vice Chair

Rule 23, Study Sessions and Informal Meetings.

Kari Svanstrom, Planning Director

This basically is being modified to say it can either be a regular meeting or a special meeting, and it didn't seem like all that other stuff needed to be in there. You always have the ability to have a special meeting or have your meeting at a specific location.

Paul Fritz, Vice Chair

Rule 24, Communications by Boards and Commissions. Pretty straightforward.

Kathy Oetinger, Commissioner

When you say, "...but shall not transmit such official resolution," that's different from just accidentally, or talking about it with somebody who happens to be..."

Kari Svanstrom, Planning Director

Yes, this is the Planning Commission taking a stance on something.

Paul Fritz, Vice Chair

Rule 25, Presence of City Staff at Planning Commission Meetings; looks good.

Kari Svanstrom, Planning Director

Rule 25 is pretty standard.

Paul Fritz, Vice Chair

Rule 26, Record of Meetings; looks good.

Kari Svanstrom, Planning Director

That's also standard. We can put in here, if you want, that the formal minutes required by State law are to record convening, adjourning, actions, members' presence, and votes. We do a lot more than that obviously, but we did get away from the total verbatim thing.

Paul Fritz, Vice Chair

Rule 27, Ex Parte Communications.

Kari Svanstrom, Planning Director

This pertains to the quasi-judicial proceeding. That's the public hearings where usually it's a development project or a use permit kind of a decision, so this is just a good reminder of you can do it, however here is how you need to proceed.

Paul Fritz, Vice Chair

I think that all seems reasonable.

Kari Svanstrom, Planning Director

For (e), just so you all know how we handle this, prior to the date of the hearing we are able to forward all written communications, and we try to do that by noon of the day. Also, if we get something in the morning we try to do it, but we can't guarantee it, and as you probably know, our other Design Review Board, Climate Action, and Public Art Committee meetings are also now on Tuesdays, and so we aren't necessarily monitoring that and able to handle that.

Paul Fritz, Vice Chair

I think the day before is fine.

Evert Fernandez, Chair

Oftentimes we have a meeting and that's the first time that you see a comment or a letter. It's kind of hard to read that and give it proper review when you're just getting there. You have it as, "May not be reviewed by the Commission," but it seems like they may expect that if they write a letter and we have it sitting on our desk that we're going to look at it, but we can't do it that same day.

Kari Svanstrom, Planning Director

Right, and as staff we try to let people know the deadline to receive the letter if they want Commissioners to review it, but some people get it to us late and there's not much we can do about that. The last thing is that Planning Commission liaison thing. I can write that up. Did anyone see a good place to put that where they felt it would fit?

Paul Fritz, Vice Chair

How about under Rule 24, Communications by Boards and Commissions?

Kari Svanstrom, Planning Director

How about we add a Section 25 there that's about the Planning Commission liaison?

Paul Fritz, Vice Chair

Yes, sort of like our communication to the City Council?

Kari Svanstrom, Planning Director

Yes, because that is your communication to the Council potentially in Rule 24. I will try to write that flexibly so that if that's not possible, if there is no one available, the Planning Director shall represent the Planning Commission, because that's what it always used to be before we had the liaison.

Kari Svanstrom, Planning Director

Under Rule 3, Agenda Order, I had added into that the (a), which is moving, but regarding the scheduling of items and specific order. I try to change the agenda order to make sure it is accommodating for the public and applicants, so I appreciate that kind of flexibility that I wrote into it. The Planning Commission liaison is one, and something I think is really helpful for communication between the Commission and Council.

Evert Fernandez, Chair

And it's not asking a lot, because you have me as the backup person, and especially now it may just be you listening in on the meeting; you don't have to necessarily go there in

person. If you're the liaison just listening in on the meeting, if something comes up or the question of a particular item, you're there, so I think it's easier than it's been in the past.

Kari Svanstrom, Planning Director

Absolutely. The only other thing is the work plan. It's a tool I use and I hope it's helpful to the Commission, but I don't think I'd want to put that in the rules unless it was something like, "May from time to time develop a work plan and have Council adopt it," and then I don't know how useful it is, because it's not really a rule, it's just a guidance thing.

Paul Fritz, Vice Chair

I don't know that that needs to be in these. It's helpful for us, but it's more about how you're organizing.

Kari Svanstrom, Planning Director

Yes, exactly.

Paul Fritz, Vice Chair

So you're going to bring this back at some future meeting for a vote, right?

Kari Svanstrom, Planning Director

Correct. We should be able to have this for you at your next meeting. There aren't significant changes; it's just tidying it up and proofreading it.

Evert Fernandez, Chair

Do we need to open this up to public comment?

Kari Svanstrom, Planning Director

There is no public on this meeting, and I have not received any comments from the public on this agenda item.

Paul Fritz, Vice Chair

And there is nobody in the room here.

B. TRAINING VIDEO

Paul Fritz, Vice Chair

Since there are only three of us here I would recommend that we not do the planning commissioner training, because it's useful for all of us to be part of that, if that's okay with everyone else.

Kathy Oetinger, Commissioner

Absolutely.

Evert Fernandez, Chair

Yes, I'm reaching my limit.

8. SUBCOMMITTEE UPDATES

Design Guideline Subcommittee, Vice Chair Fritz

The Design Guideline Subcommittee has been going through the objective design standards and compiling thorough information that will ultimately come to the Planning Commission.

Libby Park Fencing, Director Svanstrom

The Budget Committee requested the City put the project on hold, so there is no longer a rush to get it done before June 30th; however the Rotary is still interested in doing it as a potential fundraising project.

9. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

The Commission asked questions of Director Svanstrom.

10. ADJOURNMENT: Vice Chair Fritz adjourned the meeting at 7:47 p.m. The next regularly scheduled Planning Commission meeting will take place on Tuesday, June 13, 2023 at 6:00 p.m.