

**WORKSHOP MINUTES
CITY OF GLENDALE PLANNING COMMISSION
CITY HALL
CONFERENCE ROOM 2A
FEBRUARY 5, 2015
5:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 5:00 p.m.

ROLL CALL

Commissioners Present: Commissioners Hirsch, Dobbelaere, Berryhill, and Harper, Vice Chairperson Lenox, and Chairperson Johnston (via telephone beginning at 5:55pm) were in attendance.

Commissioners Absent: None

City Staff Present: Jon Froke, AICP, Planning Director, Tabitha Perry, Assistant Planning Director, Deborah Robberson, Chief Deputy City Attorney, Thomas Ritz, AICP, Senior Planner, Tom Dixon, CPM, Senior Planner, Jessica Eastman, Planning Technician, and Diana Figueroa, Recording Secretary.

ITEM:

1. OPEN MEETING LAW TRAINING

Deborah W. Robberson, Chief Deputy City Attorney, presented the item.

Ms. Robberson stated all meetings of a public body shall be public, and all persons desiring to attend shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. She explained that a meeting is defined as “the gathering, in person or through technological devices, of a quorum of members of a public body at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action”. She noted that four members constitute a quorum.

Ms. Robberson said it does not matter what label is placed on a gathering. It may be called work session, or the discussion may occur at a social function. She noted that discussion of the public body's business may take place only in a public meeting or an executive session in accordance with the requirements of the Open Meeting Law. Additionally, discussions and deliberations between less than a majority of the members of a governing body, or through the use of other devices, when used to circumvent the purposes of the Open Meeting Law violate that law. She added that public officials may not circumvent public discussion by splintering the quorum and having separate or serial discussions with a majority of the public body members. She continued stating that public officials should refrain from any activities that may undermine public confidence in the public decision making process established in the Open Meeting Law, including actions that may appear to remove discussions and decisions from public view. As an example, Board members cannot use email to circumvent the Open Meeting Law requirements. She explained that violating the Open Meeting Law will make the action in the meeting void. She added that they were also monetary penalties and fines regarding this action.

Ms. Robberson indicated the Open Meeting Law requires at least 24 hours advance notice of all meetings to the public body and to the general public. She explained that notice makes it possible for the public to attend public meetings by informing them of when and where to go, and how to get information regarding the matters under consideration. She explained that the Commission can only address items on the agenda. She said that once the disclosure statement has been filed or posted, the public body must give notice of each of its meetings by posting a copy of the notice on its website as well as at the location identified in the disclosure statement. She said that the public body that intends to meet for a specified calendar period on a regular day or date during the calendar period, and at a regular place and time, may post public notice of such meetings at the beginning of such period and need not post additional notices for each meeting. She indicated minutes must be taken of all public meetings and executive sessions. She added minutes may be taken in writing or may be recorded by a tape recorder or video tape recorder.

Ms. Robberson commented on Council attendance at Planning Commission meetings. She stated that Council is allowed but discouraged. She also discourages the Commission from attending these types of meetings including community meetings since she believes the Board and Commission bodies should make decisions jointly with the same information. However, attending these meetings was not unlawful only discouraged.

Commissioner Hirsch inquired that should they have a question about a conflict with Council, should they ask for an executive session for legal advice. Ms. Robberson replied yes and added that the Commission had to vote to go into executive session.

Commissioner Harper stated he had been contacted by Councilmember Sherwood and Councilmember Sherwood had stated "I was not sure I would appoint you because I wasn't sure you would vote the way I want". Commissioner Harper expressed concern about the propriety of the statement. He stated he had not returned Councilmember's phone call or discussed the remark with the Councilmember Sherwood. Commissioner Harper requested direction from the Deputy City Attorney.

Ms. Robberson stated that Commissioners should always follow their understanding and due diligence about an application item and vote in accordance with what they believe is appropriate.

Commissioner Hirsch stated that Commissioners should vote on what they believe is correct based on the information that is provided during the application process even if it differs from the Council.

Ms. Robberson explained the Planning Commission case presentations and recommendations process.

OTHER BUSINESS

Tabitha Perry, Assistant Planning Director, provided an update regarding Conditional Use Permit CUP14-07. She stated this case will be coming back to be heard and voted on again by the Commission at a later time. She said that more information will be forthcoming on this matter.

Case: Conditional Use Permit CUP14-07

A request by Paul O'Conner, representing Patricia Guizan, for a Conditional Use Permit to permit dancing and live entertainment at a proposed banquet hall located within 500 feet of residentially-zoned property in the Glendale Centerline Overlay (GCO) zoning district. The site is located south of the southwest corner of 55th Avenue and Glendale Avenue (6830 North 55th Avenue) and is located in the Ocotillo District.

ADJOURNMENT

With no further business, Commissioner Hirsch made a motion to adjourn the meeting. Commissioner Dobbelaere seconded the motion, which was approved unanimously. The meeting adjourned at 5:58 p.m.