

RANCHO de Los PEÑASQUITOS TOWN COUNCIL

AGENDA

Thursday, December 3rd, 2020

ZOOM 7:30 PM



Meeting Location: ZOOM Room Mtg 1.5 hours

- I Call to Order: 7:30 PM
- II Pledge of Allegiance: 6:32 PM
- III President's Remarks: 7:35 PM
- IV Roll Call: 7:38 PM

- V **Community Event Announcements: 7:40 PM**
 - a) **COVID-19 : San Diego Purple Tier. Stay at Home. Our 92129 cases as of 12/1/2020 – 510.**
https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/COVID-19_Daily_Status_Update.pdf
 - b) **Friends of Los Peñasquitos Canyon Preserve – Hikes & Events,** <https://www.penasquitos.org/hikes-events>
 - c) **Cookies & Cocoa with Santa – Cancelled due to COVID Purple Tier.**
 - d) **Christmas Card Lane – Officially opens as a 'no contact Drive-Thru event' on Ovideo December 4th – December 31st.**
 - e) **4 Community Care – Stocking Stuffer Donation Drive – Drop Off locations at local elementary schools.**
 - f) **Community Holiday Campaign – Mask Up and Be Merry.**

- VI **Administrative Matters 7:45 PM**
 - a) **Agenda Modifications**
 - b) **Approval of outstanding Minutes 2020 - November 2020 (attached)**

- VII **Representative Reports: 7:50 PM*Some Representative may not be present– Visit online sites for updates until further notice**
 - a) San Diego Fire-Rescue Department, Battalion Chief Fry
 - b) San Diego Police Department, Northeastern Substation (Officer Julie Dragt: jdragt@pd.sandiego.gov)
 - c) U.S. Congressman 52nd District, Scott Peters (Jason Bercovitch: Jason.bercovitch@mail.house.gov)
 - d) CA State Senator District 39, Senator Toni Atkins (Diana Lara: Diana.Lara@sen.ca.gov)
 - e) CA State 77th Assembly District, Member Brian Maienschein (Rik Hauptfeld: Rikard.Hauptfeld@asm.ca.gov)
 - f) San Diego County, District 3 Supervisor Kristin Gaspar (Anthony George: Anthony.George@sdcounty.ca.gov)
 - g) San Diego City Council, Fifth District Mark Kersey (Marc Schaefer Schaefermp@sandiego.gov)
 - h) San Diego City Council, Sixth District Chris Cates (Luis Pallerá LPallera@sandiego.gov)

- VIII **Public Commentary: 8:00 PM Limited to 3 minutes. No dialogue**
- IX **Guest Speakers:**

- X **New Business 8:40 PM**
 - a) **Holiday Fundraiser –Online Bike Raffle – 3 Bikes – Tickets \$20 each, Drawing December 18, 2020**
 - b) **Adhoc Committee – Conflict of interest policy, see attached.**

- XI **Committee/Representative Reports: 8:40 PM 3 minutes each**
 - a) Executive Reports
 - b) Committee Reports
 - i) Community Partners – Kate Glenn -COVID quiet. No new activity
 - ii) Education – Roger Platt – no report
 - iii) Executive – Treasurer-Roger Platt (attached)
 - iv) Fiesta – Kate Glenn - Pending COVID status
 - v) Government Affairs – Brian Reschke
 - vi) Grants – Alan Gin – No Grants being written until further notice.
 - vii) Safety & Health – Niel Mermento
 - viii) Web~Print~Social Media – Kate Glenn & Darwin Villaruz
 - c) Representative Reports
 - i) Community Leaders Forum (Jim Hogan) – No report
 - ii) Maintenance Assessment District (Brian Reschke) – submitting via email

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- iii) Parks & Rec Council (Theresa Gonzaga) – No Report
- iv) Planning Board – (Ranessa Santos-Packard) – submitting via email:
- v) Poway Unified School District – Video Rpt, No Meeting
- vi) Community School Collaborative (Roger Platt) –No meeting to report.

XII Town Council Members Comments: 8:50 PM (3 minutes per person, no discussion)

XIII Adjourn: 9:00 PM

Thank you to our Platinum Community Partners:

92129 Magazine	Pamela Campbell-ILendGirl	San Diego City Councilman-Mark Kersey,
Allie's Party Rentals	Kate Glenn – Pawtails Pet Sitting	District 5
Bridget Palomino	Mathnasium PQ	San Diego City Councilman-
City Commission for Arts & Culture	Pacific Dental Services- PQ	Chris Cates, District 6
Roger Platt – Centurion Pest Control	Brian Reschke – PQ Properties	San Diego County Credit Union
College Nannies & Tutors	Rancho Penasquitos Dentistry	San Diego Family Magazine
Fox Graphics		

Rancho de Los Peñasquitos Town Council Members for 2020-21

District 1 (Adobe Bluffs)
Kate Glenn (2021) **President**
Roger Platt (2020) **Treasurer**

District 2 (Canyon View)
Ranessa Santos-Packard, **Secretary**

District 3 (Deer Canyon)
Alan Gin, **Parliamentarian**

District 4 (Los Peñasquitos)
Open Seat

District 5 (Park Village)
Beth Kiernan, (2022)
Jocelyn Lomahan (2021)

District 6 (Rolling Hills)
Brian Reschke (2021) VP

District 7 (Sundance)
Jim Hogan (2021)
Dave DeVries (2022)

District 8 (Sunset Hills)
Theresa Gonzaga (2022)
Jamal Felton (2021)D8

District 9 (Torrey Highlands)
Darwin Villaruz (2022)

Members at Large
Ralph Peters (2021)D1
Ehsan Khaleel (2021)D8
Braden Overgaard (2022)D8
Christopher Betancourt
(2022) D8

FUTURE MEETING DATES: 1st Thursday of each month, Zoom Calls 7:30PM

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Statement of Financial Position

Budgeted Balance Sheet
Through November 30, 2020



ASSETS

Checking Account	\$ 25,554.27
Savings Account	\$ 10,027.21
PayPal Account	\$ 2,111.22
Cashbox	\$ 100.00
Total Cash on Hand	\$ 37,792.70

BOARD OF DIRECTORS

President
Kate Glenn

Vice President
Jon

Treasurer
Brian Reschke

Secretary
Erin Gentile

Parliamentarian
Alan Gin

Contributions Receivable	
Banners	\$ 0.00
City of San Diego	
District 6 (Cate)	\$ 2,500.00
District 5 (Kersey)	\$ 6,500.00

Total Contributions Receivable **\$9,000.00**

TOTAL ASSETS

46,792.70

LIABILITIES

Accounts Payable \$16,002.50

Total Accounts Payable

\$ 16,002.50

COUNCIL MEMBERS

TOTAL LIABILITIES

\$ 16,002.50

EQUITY

David DeVries

Theresa Gonzaga

Jessica Xu

Roger Platt

Kate Glenn

Jim Hogan

Elijah Nicolas

Total Assets \$ 46,792.70

Total Liabilities \$16,002.50

TOTAL EQUITY

\$ 30,790.20

**Conflict of Interest and Compensation Policy of the
Rancho Peñasquitos Town Council
("the Organization")**

Commented [SR1]: Sample Conflict of Interest Policy from IRS <https://www.irs.gov/pub/irs-pdf/i1023.pdf>
Cited by CA AG - https://oag.ca.gov/sites/all/files/agweb/pdfs/charities/publications/guide_for_charities.pdf

I. Overview

1. Purpose

The purpose of this Conflict of Interest Policy (the "Policy") is to protect the Rancho Peñasquitos Town Council's (the "Organization") interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This Policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

2. Why is a policy necessary?

As a nonprofit, charitable organization, the Organization is accountable to both government agencies and members of the public for responsible and proper use of its resources. Directors, officers and employees have a duty to act in the Organization's best interests and may not use their positions for their own financial or personal benefit.

Conflicts of interest must be taken very seriously since they can damage the Organization's reputation and expose both the Organization and affiliated individuals to legal liability if not handled appropriately. Even the appearance of a conflict of interest should be avoided, as it could undermine public support for the Organization.

3. To whom does the policy apply?

This policy applies to all directors, board members, officers and key persons ("Interested Person").

II. Definitions

1. **Interested Person.** Any director, board member, officer, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined herein, is an interested person.

2. **Financial Interest.** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
 - a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement;
 - b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement; or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.
 - d. Compensation includes direct and indirect remuneration as well as gifts or favors that aren't insubstantial. A financial interest isn't necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.
3. **Related Person.** A Related Person is a director, officer or key person of the Organization or any affiliate of the Organization, or a relative of any director, officer, key person, Board member of Organization.
- 4.

III. Procedures

1. **Duty to Disclose**
 - a. In connection with any actual or possible conflict of interest, an interested person must disclose to the best of his or her knowledge the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement. The interested person must disclose as soon as he or she becomes aware of the financial interest and always before any actions involving the potential conflict are taken. Submit a signed, written statement disclosing all the material facts to the Conflict of Interest Committee.
2. **Determining Whether a Conflict of Interest Exists**
 - a. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
3. **Procedure for Addressing the Conflict of Interest**

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest. When a matter involving a conflict of interest comes before the board, the board may seek information from the director, officer or key person with the conflict prior to beginning deliberation and reaching a decision on the matter. However, a conflicted person shall not be present during the discussion or vote on the matter and must not attempt to influence improperly the deliberation or vote.
 - b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - d. If a more advantageous transaction or arrangement isn't reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
- 4. Violations of the Conflict of Interest Policy**
- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

IV. Minutes and Record of Proceedings

1. The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
 - b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
2. After there has been disclosure of a potential conflict and after gathering any relevant information from the concerned director, officer or key person, the committee shall determine whether there is a conflict of interest. The director, officer or key person shall not be present for deliberation or vote on the matter and must not attempt to influence improperly the determination of whether a conflict of interest exists.
 3. In determining whether a conflict of interest exists, the committee shall consider whether the potential conflict of interest would cause a transaction entered into by the Organization to raise questions of bias, inappropriate use of the Organization's assets, or any other impropriety.
 4. A conflict always exists in the case of a **related party transaction** – a transaction, agreement or other arrangement in which a **related party** has a financial interest and in which the Organization or any affiliate of the Organization is a participant.
 - a. A transaction is not a related party transaction if:
 - i. the transaction, or the related party's financial interest in the transaction, is de minimis;
 - ii. the transaction would not customarily be reviewed by the board or the boards of similar organizations in the ordinary course of business and is available to others on the same or similar terms; or
 - iii. the transaction constitutes a benefit provided to a related party solely as a member of a class of the beneficiaries that the Organization intends to benefit as part of the accomplishment of its mission (and that benefit is available to all similarly situated members of the same class on the same terms).

a. Additional Procedures for Addressing Related Party Transactions

- (1) The Organization may not enter into a related party transaction unless, after good faith disclosure of the material facts by the

director, officer or key person, the board or a committee authorized by the board determines that the transaction is fair, reasonable and in the Organization's best interest at the time of such determination.

- (2) If the related party has a substantial financial interest, the board or authorized committee shall:
1. prior to entering into the transaction, consider alternative transactions to the extent available;
 2. approve the transaction by a vote of not less than a majority of the directors present at the meeting; and
 3. contemporaneously document in writing the basis for its approval, including its consideration of any alternative transactions.
5. If the committee determines that there is a conflict of interest, it shall refer the matter to the board of directors ("board").

V. Prohibited Acts

- a. The Organization shall not make a loan to any director, board member, or officer. .

VI. Annual Statements

- a. Each director, principal officer, board member, and member of a committee with governing board delegated powers shall annually sign the Conflict of Interest Disclosure Statement as found in this Policy, which affirms such person:
- (1) Has received a copy of this Policy;
 - (2) Has read and understands this Policy;
 - (3) Has agreed to comply with this Policy; and
 - (4) Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

**Rancho Peñasquitos Town Council
Conflict of Interest Disclosure Statement**

By signing below, I affirm that:

1. I have received and read a copy of the Conflict of Interest and Compensation Policy;
2. I agree to comply with the policy;
3. I have no actual or potential conflicts as defined by the Policy or if I have, I have previously disclosed them as required by the policy or am disclosing them below.

Disclose here, to the best of your knowledge:

1. any entity in which you participate (as a director, officer, employee, owner, or member) with which the Organization has a relationship;
2. any transaction in which the Organization is a participant as to which you might have a conflicting interest; and
3. any other situation which may pose a conflict of interest.

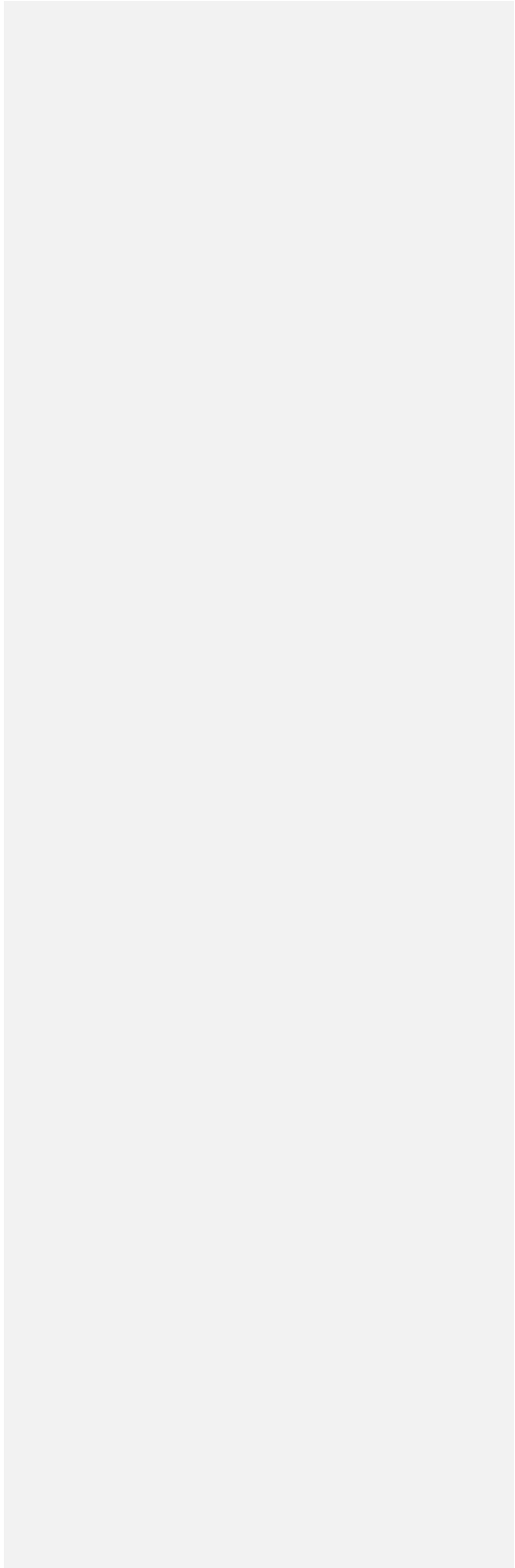
Name: _____

Position: _____

Signature: _____

Date: _____

DRAFT



**Raffle Drawing
December 18, 2020
5 PM**

Online Holiday

Fundraiser

#1 - \$500 TREK BIKE WAHOO 24 RED

#2 - \$500 TREK BIKE WAHOO 24 BLUE

\$20 per ticket

rpcouncil.com

Tickets available online through
12/17/2020 3 PM on line.
Winners will be contacted online.
[goto rpcouncil.com/](http://goto.rpcouncil.com/)