

Rancho de los Peñasquitos Planning Board Bylaws

Approved November 24, 2015

(Administrative Approval)

ARTICLE I Name

- Section 1. The official name of this organization is the *Rancho de los Peñasquitos Planning Board*.
- Section 2. All activities of this organization shall be conducted in its official name.
- Section 3. The boundaries for the *Rancho de los Peñasquitos Planning Board's* oversight are the boundaries of the *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch* communities' planning areas, as shown on Exhibit "A."
- Section 4. Meetings of the *Rancho de los Peñasquitos Planning Board* shall be held within these boundaries, except that when the *Rancho de los Peñasquitos Planning Board* does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest suitable meeting facility.
- Section 5. The official positions and opinions of the *Rancho de los Peñasquitos Planning Board* shall not be established or determined by any organization other than the planning group, nor by any individual member of the planning group other than one authorized to do so by the planning group.

ARTICLE II Purpose of Community Planning Group and General Provisions

- Section 1. The *Rancho de los Peñasquitos Planning Board* has been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment(s) to the General Plan or any land use plan when a plan relates to the *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch* communities' boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agencies as detailed in Council Policy 600-24, Article II: Purpose of Community Planning Groups and General Provisions.
- Section 2. In reviewing individual development projects, the *Rancho de los Peñasquitos Planning Board* should focus such review on conformance with the Land Development Code, and the adopted community plans and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. Whenever possible, the formal planning group recommendation should be submitted no later than the end of the public review period offered by the environmental review process. Upon receipt of plans for projects with substantive revisions, the planning group may choose to rehear the

project and may choose to provide a subsequent formal recommendation to the City.

- Section 3. All activities of the *Rancho de los Peñasquitos Planning Board* shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, age, creed or national origin, or sexual orientation, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.
- Section 4. The *Rancho de los Peñasquitos Planning Board* shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Elected members shall not identify affiliation with a planning group when endorsing candidates for public office. The planning group may take a position on a ballot measure.
- Section 5. The *Rancho de los Peñasquitos Planning Board's* failure to respond to the City's request for input on the preparation of, adoption of, implementation of, or amendment to, the General Plan or a community, precise, or specific plan, or failure to review and reply to the City in a timely manner on development projects shall result in the forfeiture of rights to represent the *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch* communities for these purposes. Such a determination resulting in the forfeiture of rights to represent the community for these purposes shall be made only by the City Council upon the recommendation of the Mayor's Office.
- Section 6. The *Rancho de los Peñasquitos Planning Board* operates under the authority of the Ralph M. Brown Act which requires that meetings of the planning group are open and accessible to the public. In addition, Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" and these bylaws govern the operations of the planning group. Several provisions of these bylaws constitute Brown Act requirements as outlined in the Policy. Amendments to Council Policy 600-24 will apply to the *Rancho de los Peñasquitos Planning Board*, as well as to all other community planning groups, even if individual groups' bylaws are not required to be amended with parallel language.
- In addition, the Administrative Guidelines provide explanations of the Policy's minimum standard operating procedures and responsibilities of this planning group. The latest version of *Robert's Rules of Order* is used when the Policy, the Administrative Guidelines, and these bylaws do not address an area of concern or interest.
- Section 7. The *Rancho de los Peñasquitos Planning Board* may propose amendments to these bylaws by a two-thirds (2/3) vote of the voting members of the planning group. Proposed amendments shall be submitted to the offices of the Mayor and City Attorney for review and approval. Any proposed amendments that are inconsistent with Council Policy 600-24 shall not be approved by the Mayor and City Attorney and shall be forwarded to the City Council President who shall

docket the matter for Council consideration. Bylaw amendments are not valid until approved by the City.

ARTICLE III Community Planning Group Organizations

- Section 1. The *Rancho de los Peñasquitos Planning Board* shall consist of 20 elected and appointed members to represent the community. These members of the planning group shall constitute the officially recognized community planning group for the purpose of these bylaws and Council Policy 600-24.
- Section 2. Council Policy 600-24 requires that elected members of the *Rancho de los Peñasquitos Planning Board* shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the *Rancho de los Peñasquitos Planning Board*, elected and appointed seats are filled by a distribution of seats among the following interests that represent the community: 16 elected seats for residents (“Residential Members”); 2 appointed seats for commercial interests (“Commercial Members”); and 2 appointed seats for other recognized community organizations (“Organization Members”).

Elected Residential Members of this planning group are defined as follows:

- a. Eleven (11) members with one member elected from the residents of each of the eleven (11) Rancho Peñasquitos community planning area districts (District Members 1-11) and elected to serve a two-year term, with expiration dates during alternate “odd” and “even” numbered district years to provide continuity. See Exhibit “A” Map;
- b. One (1) member from the renting residents of the Rancho Peñasquitos community planning area, (Renter at Large Member) elected communitywide to serve a two-year term with an expiration date during “even” numbered years;
- c. Two (2) members residing in the Torrey Highlands community planning area shall have at-large seats (Torrey Highlands Members 1 & 2) elected to serve a two-year term with expiration dates during alternate “odd” and “even” numbered years to provide continuity.
- d. Two (2) members residing in the Black Mountain Ranch community planning area shall have at-large seats (Black Mtn. Ranch Members 1 & 2) elected to serve a two-year term, with expiration dates during alternate “odd” and “even” numbered years to provide continuity.

Planning group members shall be elected by and from eligible members of the community. To be an eligible community member an individual must be at least 18 years of age, and shall be affiliated with the community as a:

- (1) property owner, who is an individual identified as the sole or partial owner of record, or their designee, of a real property (either developed or undeveloped), within the community planning area, or

- (2) resident, who is an individual whose primary address of residence is an address in the community planning area, or
- (3) local business person, who is a local business or not-for-profit owner, operator, or designee at a non-residential real property address in the community planning area; only one representative of a particular establishment may hold a seat on the community planning group at one time.

An individual may become an eligible member of the community by demonstrating eligibility qualifications contained in (1), (2) or (3) above to the satisfaction of the Planning Board Secretary or Election Ad Hoc Committee prior to the March election or at the time of voting.

Once a community member's eligibility to vote is established, the individual remains an eligible member of the community until a determination is made that the individual does not meet the planning group's criteria and formal action is taken by the planning group. The *Rancho de los Peñasquitos Planning Board* shall require proof establishing eligibility for elections.

In addition to 16 elected members, the *Rancho de los Peñasquitos Planning Board* has 4 appointed seats to better represent specific interests of the community.

Appointed seats vote on group business and, together with the elected members, are referred to throughout as "voting members of the community planning group".

Appointed members of this planning group are defined as follows:

- a. One (1) Organization Member from the Rancho Peñasquitos Town Council (RP Town Council), designated each year by that organization to serve a one-year term and subject to a majority vote confirmation by the Planning Board;
- b. One (1) Organization Member from the Rancho Peñasquitos Recreation Council (RP Rec Council), designated each year by that organization to serve a one-year term and subject to majority vote confirmation by the Planning Board;
- c. Two (2) Commercial Members (Commercial 1 & 2) from the community planning areas' commercial real property interests with preference given to the largest landowner(s) or developer(s) by acreage (or their designee), nominated by the Planning Board Chairperson, subject to majority vote confirmation by the Planning Board, to serve a two-year term, with expiration dates during alternate "odd" and "even" years to provide continuity.

Appointed members shall submit an application to the Planning Board Secretary no later than one week prior to the meeting at which their appointment will be considered. See Exhibit B (Application).

If an Organization Member's appointment is rescinded by the represented organization, the appointee will no longer be a member of the Planning Board effective upon receipt of written notice.

Appointed members are subject to the same removal provisions as elected members.

Section 3. Elected members of the *Rancho de los Peñasquitos Planning Board* shall be elected to serve for fixed terms of: 2 years; with expiration dates during alternate years to provide continuity.

No person may serve on the planning group for more than eight consecutive years unless provided for in this section and Article V, Sections 2 and 5 (11).

A partial year of service resulting from an appointment to fill a vacancy and equaling 7-12 months, will count as a full year of service when calculating the eight year limit.

The eight year limit refers to total maximum consecutive years of service time, not to individual seats held.

After a one year break in service as a planning group member, an individual who had served for eight consecutive years shall again be eligible for election or appointment to the planning group.

The planning group will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats the planning group may retain some members who have already served for eight consecutive years to continue on the planning group without a break in service. Refer to Council Policy 600-24 Article III, Section 4 for further clarification.

Section 4. A member of the *Rancho de los Peñasquitos Planning Board* must retain eligibility during the entire term of service.

When a member of the *Rancho de los Peñasquitos Planning Board* is no longer qualified to hold their seat, as defined in Article III Section 2, the member shall submit a letter of resignation to the Secretary and Chairperson.

Section 5. A member of the *Rancho de los Peñasquitos Planning Board* found to be out of compliance with the provisions of Council Policy 600-24 or the planning groups adopted bylaws risks loss of defense and indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

Section 6. Some provisions of these bylaws constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A member of the *Rancho de los Peñasquitos Planning Board* who participates in a meeting of the planning group

where actions are alleged to have been in violation of the Brown Act may be subject to civil or criminal consequences.

ARTICLE IV Vacancies

Section 1. The *Rancho de los Peñasquitos 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 the planning group's secretary reporting the third consecutive absence or fourth absence in the 12-month period of April through March each year, of a member(s) from the planning groups regular meetings.

A vacancy may also exist following a vote of a community planning group as described in Article III, Section 5 of Council Policy 600-24 related to ineligibility, or following conclusion of a member-removal process conducted under Article IX of the Policy, or due to adopted bylaws violations.

Section 2. Vacancies that may occur on the *Rancho de los Peñasquitos Planning Board* should be filled not later than 120 days following the date of the determination of the vacancy. The term of office of any member filling a vacancy shall be for the balance of the vacated term.

The *Rancho de los Peñasquitos Planning Board* shall fill vacancies by appointment at the time the vacancies are declared. Vacancies shall be filled as follows:

- a. Vacancies of seats held by Residential Members and Commercial Members shall be filled by the majority vote of members present at the first regular meeting of the Planning Board following the advertisement of such vacancy.
- b. Vacancies of seats held by Organization Members shall be filled at the first regular meeting of the Planning Board following the receipt of written notice from the presiding officer of such organization designating a new member to serve on the Planning Board.

All eligible interested parties desiring to fill a vacancy on the Planning Board shall submit an application to the Planning Board Secretary and be present at the regular meeting where their appointment will be considered or a special election, set forth below, will be declared. They will be given an opportunity to speak at the planning board meeting to share why they would like to be on the planning board. See Exhibit B (Application). Vacancy notices, appointments and votes shall be placed on the regular business agenda as an action item and documented in the minutes.

Two or more concurrent elected seat vacancies shall be filled through a special election by a vote of eligible community members of the seat's represented boundary utilizing a secret written ballot.

1. If there is only one eligible interested candidate desiring to fill a single seat vacancy, he or she will be appointed by the Chair and confirmed by a majority vote of the planning board members present and take his or her seat at the next regular planning board meeting.

2. If there are multiple eligible interested candidates desiring to fill a single seat vacancy, they will be presented to the planning board members and community members present, and confirmed by a plurality vote of the planning board members present by either 1) a voice vote of the voting members of the planning board (members indicate which of the two candidates they vote for to fill the vacancy), or 2) a ballot (or blank sheet of paper) for each voting member of the planning board and board members to put their name at the top and vote for one of the two candidates on the ballot (or write the name of the candidate that they vote for on the paper). The votes shall be counted and the Chairperson shall announce how many votes each candidate received and which planning board members voted for each candidate. This information shall be recorded in the minutes and the party with the most votes is confirmed and will take their seat at the next regular planning board meeting.
3. If multiple eligible interested candidates desire to fill two vacancies within the same represented community (Torrey Highlands or Black Mtn. Ranch), a special election shall be conducted. The candidate with the most votes will take the seat which has the longest term remaining and the person with the second highest number of votes will take the seat with the shorter remaining term for that community's seats. The special election will conform to adopted election procedures in these bylaws and Exhibits A, B and C with the following deviations:
 - i. Planning Board Chairperson shall declare a special election to fill the vacancies and appoint a Special Election Ad Hoc Committee at a regular planning board meeting. Notice of this action shall be included on the business agenda. Candidates shall be present and provided time to introduce themselves in a candidate forum.
 - ii. The special election shall be conducted for 2 hours prior to the scheduled start and at the location of the next regular planning board meeting.
 - iii. Election results shall be reported as part of the agenda during the planning board meeting.
 - iv. The election results will be ratified by a majority vote of the planning board members at the beginning of the next regular meeting and the new members will take their seats.

Section 3. When the *Rancho de los Peñasquitos Planning Board* is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a diligent and substantial effort to search for a new member should continue, however either the seat may remain vacant until the next planning group election, *or* these bylaws may be amended to permit decreased membership to a minimum of 12 members.

The Rancho de los Peñasquitos Planning Board may fill a Residential Member seat that has remained vacant for 120 days for the balance of the vacated term and upon receipt of an application and subject to a majority vote confirmation of the Planning Board, as follows:

- a. A vacancy within the Rancho Peñasquitos community may be filled by a qualified member who resides in an adjacent Rancho Peñasquitos district's boundaries or Torrey Highlands / Black Mountain Ranch if the district is adjacent to either of these community planning areas;
- b. A vacancy within the Torrey Highlands community may be filled by a qualified member from an adjacent Rancho Peñasquitos Districts' boundary or the Black Mountain Ranch community boundary;
- c. A vacancy within the Black Mountain Ranch community may be filled by a qualified member from an adjacent Rancho Peñasquitos Districts' boundary or the Torrey Highlands community boundary.

If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 12 elected planning group members in good standing, the planning group shall report in writing the efforts made to fill the vacancy to the City. If, after 60 additional days, the planning group membership has not reached 12 members, the planning group will be deemed inactive until it has attained at least 12 members in good standing.

ARTICLE V Elections

Section 1. General elections of *Rancho de los Peñasquitos Planning Board* members shall be held during the month of March in accordance with the *Rancho de los Peñasquitos Planning Board's* adopted elections procedures and in Exhibits A, B and C of these bylaws.

The Rancho de los Peñasquitos Planning Board's general elections shall be held annually.

The deadline to qualify for candidacy in the March general election shall be prior to the adjournment of the February noticed regular meeting or special meeting of the full planning group membership preceding the election. The planning group's Election committee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election committee shall present to the planning group a complete list of interested candidates collected up to that point in time. Candidates may be added at the February meeting. A candidate forum may be advertised and held at the February meeting.

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: three regular meetings of the *Rancho de los Peñasquitos Planning Board's* last

12 meetings prior to the adjournment of the February regular meeting preceding the election.

Eligible members of the community desiring to become a candidate for election to the Planning Board shall submit an application to the Planning Board Secretary or Election Committee Chairperson no later than the adjournment of the February regular meeting prior to the scheduled election. See Exhibit B (Application).

Section 2. The *Rancho de los Peñasquitos Planning Board* shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections.

In the election process, the planning group shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for: eight consecutive years to leave the group for at least one year.

The *Rancho de los Peñasquitos Planning Board* holds its election for at least the two hours prior to the scheduled start and at the location of the noticed March regular meeting. At the discretion of the Elections Ad Hoc Committee and subject to Planning Board approval, the election may be held at multiple voting locations and for additional hours on the day of the noticed March regular meeting.

The *Rancho de los Peñasquitos Planning Board* will require proof of identity of those eligible community members who are seeking to vote in the election. The planning group shall ensure that voting is only by eligible members of the community and each eligible member votes only one time

The ballot presented to eligible community members to vote will clearly identify which seats individual candidates are running for, how many candidates can be selected, whether there are limitations on which candidates various categories of eligible community members can vote for and which candidates, if any, must receive a two-thirds (2/3) majority of the vote due to service beyond eight consecutive years of service.

The *Rancho de los Peñasquitos Planning Board's* policy related to write-in candidates is that write-in candidates are not allowed.

Section 3. Voting to elect community planning group members shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances. Development and promotion of "slates" of candidates is contrary to the intent of Council Policy 600-24 and is not allowed.

Section 4. The *Rancho de los Peñasquitos Planning Board's* election becomes final after announcing the election results at the conclusion of the noticed, regular March monthly planning group meeting. The Planning Board Chairperson is responsible for preparing, certifying and forwarding the election report to the City. New members shall be seated in April at the start of the regular meeting in order to allow their full participation as elected members at the April planning group meeting.

Any challenge to the election results must be filed with the chairperson of the Elections Ad Hoc Committee or an officer of the *Rancho de los Peñasquitos Planning Board* in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue. Any challenge and the basis upon which it was resolved shall be reported prior to the ratification of the election results at the April planning group meeting.

Section 5. This Section includes additional voting procedures and guidance not found elsewhere in these bylaws:

1. Voting shall be by secret written ballot. The candidate receiving the most votes (plurality) in each race shall be elected. Ballots shall be available at the noticed polling location(s), for a period of time to be determined by the Elections Ad Hoc Committee, at the location of the regular Planning Board meeting or other location if adequately noticed (refer to Article V, Section 2).
2. No later than January of each year, the Planning Board Chairperson shall appoint an Elections Ad Hoc Committee responsible for coordinating and carrying out policies which comply with the election procedures set forth in these bylaws and Council Policy 600-24. No member of the Elections Ad Hoc Committee shall be a candidate in the election.
3. As a minimum, a notice of Planning Board elections shall be promulgated at least sixty (60) days prior to the election, a notice listing polling location(s) and time(s) shall be promulgated at least thirty (30) days prior to the election. Election results shall be reported prior to the adjournment of the March regular meeting and ratified by the Planning Board at the beginning of the April regular meeting.
4. All persons voting in a Planning Board election must be at least 18 years of age and must have resided within the community's planning area boundaries for which they are voting for the thirty (30) days prior to the scheduled election.
5. All persons voting in a Planning Board election shall be required to sign their name and address prior to voting and to present a form of identification with current address to a member of the Elections Ad Hoc Committee.
6. The ballot shall instruct the voter to select or mark the box for the candidate of their choice. The ballot shall not contain multiple boxes for an individual candidate nor ask the voter to select "Yes" or "No" (or For or Against) for a candidate and blank ballots will not be counted.
7. Voting for a Rancho Peñasquitos District Member seat is limited to residents who reside within the District boundary.
8. Voting for the Renter-at-Large Member seat is limited to residents who reside within the Rancho Peñasquitos community planning area.
9. Voting for the Torrey Highlands Member seats is limited to residents who reside in the Torrey Highlands community planning area.
10. Voting for the Black Mtn. Ranch Member seats is limited to residents who reside in the Black Mtn. Ranch community planning area.

11. No person may serve on the Planning Board for more than eight consecutive years. An exception to this rule is made for the situation where no new candidate is available for a seat occupied by a current Planning Board member who has served the allowed eight years in order to prevent this seat from becoming vacant. That Planning Board member may run in the election and next to their name on the ballot will be an indication that a two-thirds (2/3) majority vote is required for the current Planning Board member to be elected to that seat. This exception shall not cause the Planning Board to have more than 25 percent of its members serving more than eight consecutive years. The rule regarding this special case is further described in the CP 600- 24 Article 3, Section 4 and the Administrative Guidelines. The same limitation applies for a qualified member of the community who has applied for appointment to an Organization or Commercial Member seat or to fill a vacant elected seat.
12. Refer to Exhibit A for community(s) boundary maps, Exhibit B for the Board Member Application form and Exhibit C for sample ballots, sign in sheets, candidate solicitation announcement and election notice.

ARTICLE VI Community Planning Group and Planning Group Member Duties

Section 1. It is the duty of the *Rancho de los Peñasquitos Planning Board* to cooperatively work with the City throughout the planning process, including but not limited to the formation of long-range community goals, objectives and proposals or the revision thereto for inclusion in a General or Community Plan.

It is the duty of all planning group members to conduct official business of the planning group in a public setting. It is recognized that the officers of the planning group may oversee administrative business of the planning group, such as the assembling of the draft agenda, in preparation for public discussions. However, all substantive discussions about agenda items or possible group positions on agenda items shall occur at the noticed planning group meetings.

It is the duty of a planning group as a whole, and of each individual member, to refrain from conduct that is detrimental to the planning group or its purposes under Council Policy 600-24. No member shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda.

Section 2. (a) **Meeting Procedures**

It shall be the duty of each member of the *Rancho de los Peñasquitos Planning Board* to attend all planning group meetings. The *Rancho de los Peñasquitos Planning Board* holds regularly scheduled meetings on the first Wednesday of each calendar month.

When the first Wednesday of the calendar month falls on a holiday, the meeting may be rescheduled to the preceding or subsequent Wednesday at the discretion of the Chairperson and with approval of the Board.

The Planning Board will meet in August unless, at the Chairperson's discretion with approval of the board members, a meeting is found to unnecessary.

(i) REGULAR AGENDA POSTING - At least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be posted. The brief general description of each agenda item need not exceed 20 words per item unless the item is complex. The agenda shall also provide notice of the date, time and location of the meeting. The agenda shall be posted in a place freely accessible to the general public and shall include information on how a request for accessible accommodation may be made. In the event a meeting is canceled, the Planning Board will endeavor to post and distribute a Notice of Cancellation 72 hours prior to the start of the scheduled meeting.

The listing of the agenda item shall include the intended action of the planning group regarding that item [e.g., information item, action item].

The agenda shall be offered to the City for posting on the City's website and should be posted on the *Rancho de los Peñasquitos Planning Board* website at least 72 hours in advance of the meeting:
<http://rpplanningboard.com>.

(ii) PUBLIC COMMENT – Any interested member of the public may comment on agenda items during regular or special planning group meetings. In addition, each agenda for a regular planning group meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but are within the scope of authority of the planning group. Planning group members may make brief announcements or reports to the planning group on their own activities under the public comment section of the agenda. The planning group may adopt time limits for public comment to ensure operational efficiencies.

(iii) ADJOURNMENTS AND CONTINUANCES – If the *Rancho de los Peñasquitos Planning Board* does not convene a regularly scheduled meeting, there shall be a copy of the "Notice of Adjournment" of the meeting posted on or near the door of the place where the adjourned meeting was to be held within 24 hours after the time the meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared. If a meeting is adjourned because no members of the planning group were present, the subsequent meeting, if not a regular meeting, must be noticed as if a special meeting.

(iv) CONTINUED ITEMS - If an item is continued from a prior regular meeting to a subsequent meeting more than 5 days from the original meeting, a new agenda must be prepared as if a regular meeting; otherwise the original meeting agenda is adequate.

(v) CONSENT AGENDA - For items to be considered for a "Consent Agenda" all of the following are required:

1. A committee of the planning group has discussed the item at a noticed committee meeting,
2. All interested members of the public were given an opportunity to address the committee, and
3. The item has not substantially changed since the committee's consideration.

The comments of the committee and those made by interested members of the public should be reflected in the minutes of the committee. Any interested member of the public may comment on a consent agenda item. Any interested member of the public may take a consent agenda item off the consent agenda by request.

(vi) QUORUM AND PUBLIC ATTENDANCE - A quorum, defined as a majority of non-vacant seats of a planning group, must be present in order to conduct business, to vote on projects, and to take actions at regular or special planning group meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the planning group, to register or provide any other information. Any attendance list or request for information shall clearly state that completion of such information is voluntary. No member of the public may be charged a fee for admittance.

(vii) DEVELOPMENT PROJECT REVIEW - The *Rancho de los Peñasquitos Planning Board* may not, as a condition of placing an item on the agenda, require applicants to submit additional information and materials beyond which the applicant has been required to submit as part of the City's project review application process.

Materials to be considered by the planning board for projects appearing as an action item on the meeting's agenda shall be submitted to the Chairperson for distribution to the board members preferably 14 days prior to the board's meeting at which a decision is rendered regarding the project.

When reviewing development projects, the planning group shall allow participation of affected property owners, residents and business establishments within proximity to the proposed development.

The planning group shall directly inform the project applicant or representative in advance each time that such review will take place and provide the applicant with an opportunity to present the project.

(viii) ACTION ON AGENDA ITEMS - An item not noticed on the agenda may be added prior to adoption of the agenda if either two-thirds (2/3) of the voting members of a community planning group, or every member if less than two-thirds (2/3) of the voting members of the community planning group are present, determine by a vote that there is a need to take an immediate action, but only if the need for action came to the attention of the planning group subsequent to the agenda being posted.

A two-thirds (2/3) vote of the voting members of the community planning group is required to remove an elected or appointed community planning group member in accordance with Article IX.

Removing a member due to ineligibility in accordance with Article III, Section 2 requires a majority vote of the voting members of the community planning group for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds (2/3) vote of the voting members of the *Rancho de los Peñasquitos Planning Board*.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of a community planning group.

All other community planning group actions, including committee votes, only require a simple majority of the voting members of the community planning group in attendance when a quorum is present.

The *Rancho de los Peñasquitos Planning Board* planning group's Chairperson fully participates in planning group discussions and votes on all action items.

The planning group shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail are also prohibited.

Votes taken on all agenda items shall reflect the positions taken by the elected and appointed members on the planning group identified in Article III, Section 1 of Council Policy 600-24.

(ix) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the *Rancho de los Peñasquitos Planning Board* as to action to be taken on an item by members of the planning group, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited, other than at a properly noticed public meeting.

(x) SPECIAL MEETINGS - The Chairperson of the *Rancho de los Peñasquitos Planning Board*, or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and shall be prepared and posted at least 24 hours before a special meeting.

Each member of the planning group shall receive the written notice of the meeting at least 24 hours before the time of the meeting as specified in the notice unless the member files with the planning group secretary a written waiver of notice at, or prior to the time of, the meeting. Written notice shall be delivered to each local newspaper of general circulation and radio or television station requesting notice in writing at least 24 hours before the time of the meeting. The notice shall identify the business to be transacted or discussed at the meeting. No other business shall be considered at this meeting. Public testimony on agenda items must be allowed; however, the non-agenda public comment period may be waived.

(xi) EMERGENCY MEETINGS - Emergency meetings, requiring no public notice, are called for matters related to public health and safety. These matters are outside of the purview of the *Rancho de los Peñasquitos Planning Board* and are prohibited under these bylaws.

(xii) RIGHT TO RECORD - Any person attending a meeting of the *Rancho de los Peñasquitos Planning Board* must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning group that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.

(xiii) DISORDERLY CONDUCT - In the event that any planning group meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the planning group may first cause removal of the individual or individuals. If that is unsuccessful then the planning group may order the meeting room cleared and continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The planning group may also readmit an individual or individuals who were not responsible for the disruption.

(b) Committees

The *Rancho de los Peñasquitos Planning Board* may establish standing and ad hoc committees when their operation contributes to more effective discussions at regular planning group meetings.

(i) STANDING COMMITTEES - Pursuant to the purpose of the *Rancho de los Peñasquitos Planning Board* as identified in Article II, Section 1, the planning group has established the following standing committees:

Land Use Committee (LUC)

The LUC is comprised of five Planning Board members, appointed by the Planning Board chair and voted on by the Board members.

Duties:

Review project(s) prior to a Board presentation.
Make a report / recommendation(s) to the Board on project(s).
Keep the board up-to-date on status of current and proposed future projects.

Wireless Communication Facility Committee (WCFC)

The WCFC is comprised of five Planning Board members, appointed by the Planning Board chair and voted on by the Board members.

Duties:

Review project(s) prior to a Board presentation.
Make a report / recommendation(s) to the Board on project(s).
Keep the board up-to-date on status of current and proposed future projects.

The duties of the standing committees are to review projects prior to full board presentations and to report to the full board results of their review.

The duration of the Standing committees shall be for the duration of the planning group.

(ii) AD HOC COMMITTEES - Ad hoc committees may be established for a finite period of time to review more focused issue areas and shall be disbanded following their review.

Ad Hoc committees will be created by a simple majority vote of the present board members.

The duties of the Ad Hoc committees are to review projects prior to full board presentations and to report to the full board results of their review.

The duration of an Ad Hoc committee shall be for the duration of said project.

(iii) COMMITTEE COMPOSITION – Committees shall contain a majority of members who are members of the planning group.

Each committee shall have no more than 5 members, but the number of members the committee has shall be a set number.

Standing committee members shall be appointed or reappointed by the Planning Board chairperson, with approval by a majority vote of the Board, subsequent to the election of the RPPB's new officers.

Removal of committee members from a committee may occur either through resignation or through removal by the Planning Board chairperson, with approval by a majority vote of the board.

Non-members, who are duly appointed by a planning group to serve on a committee, may be indemnified by the City in accordance with Ordinance No. O-19883 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

(iv) RECOMMENDATIONS – Committee recommendations must be brought forth to the full planning group for formal vote at a noticed public meeting. In no case may a committee or committee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

(c) Abstentions and Recusals

(i) RECUSALS - Any member of the *Rancho de los Peñasquitos Planning Board* with a direct economic interest in any project that comes before the planning group or its committees must disclose to the planning group that economic interest, and must recuse from voting and not participate in any manner as a member of the planning group for that item on the agenda.

(ii) ABSTENTIONS – In limited circumstances, planning group members may abstain from either voting on an action item, or from participating and voting on an action item. The member must state, for the record, the reason for the abstention.

(d) Meeting Documents and Records

(i) AGENDA BY MAIL - Requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the members of the community planning group, whichever occurs first. A request to receive agendas and materials may be made for each calendar

year and such request is valid for that entire year, but must be renewed by January 1 of the following year. A cost-recovery fee may be charged for the cost of providing this service

(ii) AGENDA AT MEETING - Any written documentation, prepared or provided by City staff, applicants, or planning group members that is distributed at the planning group meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the planning group meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than City staff, applicants, or planning group members, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection at the conclusion of the meeting. A cost-recovery fee may be charged for the cost of reproducing any the materials requested by an individual or individuals.

(iii) MINUTES – For each planning group meeting, a report of *Rancho de los Peñasquitos Planning Board* member attendance and a copy of approved minutes shall be retained by the planning group, and shall be available for public inspection. A copy of the draft minutes should be made available for public inspection as soon as possible but no later than the group’s next regularly scheduled meeting. The minutes of each planning group meeting shall include the votes taken on each action item and reflect the names for, against and abstaining when the vote is not unanimous. Recusals shall also be recorded. Minutes should record speakers and public testimony, and whether each project applicant (whose project was subject to planning group action) appeared before the planning group. If an applicant did not appear before the planning group then the meeting minutes must indicate the date when and type of notification (e.g. electronic, telephonic, facsimile) provided to the applicant requesting his or her appearance at the planning group meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning group.

The *Rancho de los Peñasquitos Planning Board* is not required to audio or videotape meetings but if recordings are made, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

(iv) RECORDS RETENTION – *Rancho de los Peñasquitos Planning Board* records must be retained for public review. Community planning group records are meeting agendas and any other writings that are distributed to at least a majority of the group members in connection with a matter subject to consideration at an open meeting of the group. Community planning group records do not include writings that are

required to be submitted to the City in accordance with Council Policy 600-24 to substantiate and document the *Rancho de los Peñasquitos Planning Board* operation and compliance. The *Rancho de los Peñasquitos Planning Board* also receives materials that do not qualify as records. The Administrative Guidelines discuss categories of material that are City records, community planning group records, and non- records.

- Section 3. It shall be the duty of the *Rancho de los Peñasquitos Planning Board* and its members to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, Section 1. To facilitate this understanding and participation, non-proprietary public information or materials submitted to the Planning Board in conjunction with an applicant's project shall be made available to interested community members upon request. The planning group shall give due consideration to all responsible community attitudes insofar as these are deemed to be in the best long range interest of the community-at-large.
- Section 4. It shall be the duty of the *Rancho de los Peñasquitos Planning Board* to maintain a current, up-to-date roster of the names, terms, and category/qualifications of planning group members in its possession, and to forward the current roster, as well as any updates, to the City. The planning group must also submit to the City an annual report of accomplishments for the past 12 months and anticipated objectives for the coming year related to Article II, Section 1 above. Rosters and annual reports constitute disclosable records under the Brown Act.
- Section 5. The *Rancho de los Peñasquitos Planning Board* may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the planning group to promote understanding and participation in the planning process. However, no membership dues shall be required and no fee may be charged as a condition of attendance at any planning group meeting. All contributions must be voluntarily made, and no official planning group correspondence may be withheld based on any individual's desire to not make a voluntary contribution.
- Section 6. Each elected *Rancho de los Peñasquitos Planning Board* member is required to attend an orientation training session administered by the City as part of planning group and individual member indemnification pursuant to Ordinance No. O-19883 NS, and any future amendments thereto. If it is not possible for a new member to attend the training session as required, or if a new member is seated through a special election or in a month other than March, then the member shall successfully complete the online orientation training.

As required by O-19883 NS, newly seated planning group members must complete a basic orientation training session within 60 days of being elected or appointed to a planning group or the member will be ineligible to serve. The basic orientation training session will be scheduled within 60 days of the last day of March each year to meet this ordinance requirement.

ARTICLE VII Planning Group Officers

Section 1. The officers of the *Rancho de los Peñasquitos Planning Board* shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson and Secretary. The length of an officer's term shall be one year, except that no person may serve in the same planning group office for more than eight consecutive years. After a period of one year in which that person did not serve as an officer that person shall again be eligible to serve as an officer.

Section 2. Chairperson. The Chairperson shall be the principal officer of a recognized community planning group and shall preside over all planning group and communitywide meetings organized by the planning group.

The Chairperson fully participates in Planning Board meetings. They may make motions and participate in all discussions and vote on all motions. They set the agenda and nominate qualified candidates to fill vacancies. They appoint all members to Standing and Ad Hoc committees, subject to Planning Board approval. They are the point of contact for the Planning Board. The Chairperson shall be the recognized community planning group's representative to all governmental and quasi-governmental bodies.

Appeals of discretionary decisions to the City shall be made by the Chairperson or, if necessary because of direct economic interest or absence, by a designee identified to appeal that particular action on behalf of the planning group.

The Chairperson shall identify which current Officer will be recognized by the City as the "vendor" for purposes of receiving reimbursements and coordinating submissions for reimbursements of planning group expenses under the Planning Department procedure for the annual Community Planning Group Budget.

Section 3. Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. The Vice Chairperson shall also perform other duties assigned by the Chairperson, in accordance with these Bylaws.

Section 4. Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group members that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons], and shall assure that planning group members and members of the public have access to this information. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.

Section 5. The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by vote of the planning group, a planning group member other than the chairperson may

be selected as the official representative to CPC with the same voting rights and privileges as the chairperson. Designation of a member other than the chairperson for either representative, as well as for the planning group's alternate to CPC shall be forwarded in writing to the staff representative to CPC prior to extension of voting rights and member attendance.

Section 6. The *Rancho de los Peñasquitos Planning Board* officers and representatives to the CPC shall promptly disseminate to all voting planning group members pertinent information that is received by the planning group regarding its official business.

ARTICLE VIII Planning Group Policies and Procedures

Section 1. The *Rancho de los Peñasquitos Planning Board* bylaws incorporate policies and procedures directed by Article I through VII of Council Policy 600-24. These bylaws also contain some policies and procedures recommended in Article VIII of Council Policy 600-24. This bylaws Article lists additional procedures which are found in Exhibits attached to the bylaws.

Any procedures found in exhibits have the same effect as if they were incorporated directly into Articles I through VII of the bylaws. They are separated into exhibits for ease of understanding.

Listed procedures are grouped by category as follows: Community Participation; Planning Group Composition; Conduct of Meetings; Member and Planning Group Responsibilities; and Elections.

(a) Community Participation

The following are the *Rancho de los Peñasquitos Planning Board* procedures regarding community participation:

Voluntary sign-in sheets, clearly identified as such, shall be provided to allow potential planning group member candidates to meet the minimum attendance requirements of Council Policy 600-24, Art. V, Sec. 1, or to create mailing lists to increase community participation.

(b) Planning Group Composition

The following are the *Rancho de los Peñasquitos Planning Board* procedures pursuant to Article III, Section 2 regarding planning group composition:

If another city planning group becomes recognized by the City Council to represent the Torrey Highlands or Black Mtn. Ranch community planning areas, the at-large seats will be vacated and revert to Rancho Peñasquitos resident at-large seats to be filled in accordance with these Bylaws.

Prior to April of each year, the Planning Board Secretary will contact the Rancho Peñasquitos Town Council and the Rancho Peñasquitos Recreation Council and request that each organization officially designate, in writing, a Planning Board member for the coming term year.

Eligible individuals must be qualified in order to be seated for the following seats in the manner stated:

1. A qualified District Member is any person otherwise eligible who has resided within the boundaries of the respective district for which election or appointment is being sought at least thirty (30) days prior to election or appointment.
2. A qualified Renter-At-Large Member is any person otherwise eligible who has rented and occupied a primary residence within the boundaries of the Rancho Peñasquitos Community Plan for at least thirty (30) days prior to election or appointment.
3. A qualified Torrey Highlands Member is any person otherwise eligible who has resided within the boundaries of the Torrey Highlands Community Plan for at least thirty (30) days prior to election or appointment.
4. A qualified Black Mtn. Ranch Member is any person otherwise eligible who has resided within the boundaries of the Black Mountain Ranch Community Plan for at least thirty (30) days prior to election or appointment.
5. A qualified Commercial Member is any person otherwise eligible who is employed by any company currently engaged in the building construction or land development business within the boundaries of the Rancho Peñasquitos, Torrey Highlands or Black Mountain Ranch community planning areas; or who owns, operates or is otherwise employed at a local business enterprise with a primary business address within the boundaries of the Rancho Peñasquitos, Torrey Highlands, or Black Mountain Ranch community planning areas for at least thirty (30) days prior to election or appointment, except that no qualified Commercial Member may conduct business from a residential address.
6. A qualified Organization Member is any person otherwise eligible who is a bona fide member in good standing and has been designated by that organization to serve on this Planning Board.

(c) Conduct of Meetings

The following are the *Rancho de los Peñasquitos Planning Board* procedures regarding conduct of planning group meetings:

The community is informed of Planning Board agendas, minutes and decisions of meetings and events and issues affecting the community through a combination of one or more of the following: email, postings to internet web sites (<http://sandiego.gov> and <http://rpplanningboard.com>),

and providing articles to local publications. The Planning Board may also announce, sponsor or conduct additional informational meetings for community input into General Plan or other land use issues.

(d) Member and Planning Group Responsibilities

The following are the *Rancho de los Peñasquitos Planning Board* procedures regarding member and planning group responsibilities:

The *Rancho de los Peñasquitos Planning Board* may from time to time, and under a procedure consistent with these bylaws, adopt and communicate a position on other issues to the City and or other entities via email or post mail, subject to a simple majority vote of the present members of the board.

Planning group members are encouraged to serve as a committee member, or in another capacity, of the Planning Board if so requested.

Bylaw Amendments:

1. Bylaws may be amended at any regular meeting of the Planning Board by a two-thirds (2/3) vote of the voting members.
2. All proposed amendments shall be presented in writing as an information item for discussion at least one meeting prior to the meeting at which the proposal appears as an action item on the agenda. A current copy of the proposed amendment shall be distributed to all Planning Board members at least seven (7) calendar days prior to the meeting at which the proposal appears as an action item on the agenda.
3. Under no circumstance shall currently serving Planning Board members involuntarily lose their seats as a result of redistricting and/or other adopted bylaws membership changes. In such cases, impacted members shall be allowed to continue to serve on the Planning Board until their term expires. The individual may also qualify for a different seat on the Planning Board and may pursue that seat, even if it means they resign midterm from the seat that is being eliminated.

The Planning Board sends representatives to the following committees and other organizations:

Community Planners Committee (Chairperson or designee)
Peñasquitos East MAD (3 members)
Park Village MAD (3 members)
Torrey Highlands MAD (3 members)
Black Mtn. Ranch North MAD (pursuant to MAD bylaws)
Black Mtn. Ranch South MAD (pursuant to MAD bylaws)
Peñasquitos Canyon CAC (1 member)
Black Mtn. Open Space Park (1 member)

Representatives shall be appointed or reappointed by the chairperson, with approval by a majority vote of the Board, subsequent to the election of the RPPB's new officers.

ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups

Section 1. Indemnification and Representation. The *Rancho de los Peñasquitos Planning Board* and its duly elected or appointed members have a right to representation by the City Attorney and a right to indemnification by the City under Ordinance O-19883 NS, and any future amendments thereto, if the claim or action against them resulted from their obligation to advise and assist the City and its agencies with land use matters as specified in Council Policy 600-24, Article II, Section 1; their conduct was in conformance with the Policy and these bylaws; and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies. The *Rancho de los Peñasquitos Planning Board* and its elected members may be subject to both Council Policy 600-24 violations as described in Section 3 below and penalties provided for in the Brown Act. The Brown Act includes criminal penalties and civil remedies. Both individual members of the planning group, as well as the planning group itself, may be subject to civil remedies.

Under certain circumstances, individual planning group members may face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, and where the member intended to deprive the public of information to which the member knows or has reason to know the public is entitled. Alleged violations will be reviewed and evaluated on a case-by-case basis.

Section 3. Council Policy 600-24 Violations and Remedies.

(a) Alleged Violations by a Member of the *Rancho de los Peñasquitos Planning Board*

In cases of alleged violations of the *Rancho de los Peñasquitos Planning Board* bylaws or Council Policy 600-24 by a planning group member, the planning group may conduct an investigation consistent with the Administrative Guidelines and these bylaws.

A complaint that an individual member of a planning group violated one or more provisions of the planning group's bylaws or Council Policy 600-24 may be submitted to the planning group chairperson by any individual, including another planning group member. The complaint should be filed within 90 days of the alleged violation.

If, after a thorough investigation, the planning group determines that the individual member has violated a provision of these bylaws or Council Policy 600-24, the planning group shall, where feasible, seek a remedy that corrects the violation and allows the member to remain as a member of the planning group.

If corrective action or measures are not feasible, the group may remove a member by a two-thirds (2/3) vote of the voting members of the community planning group. The vote to remove the group member shall occur at a regularly scheduled public meeting subject to the procedures outlined in the Administrative Guidelines and these bylaws.

If the planning group member is found to be out of compliance with the provisions of these bylaws or Council Policy 600-24, the planning group risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the *Rancho de los Peñasquitos Planning Board* to discipline or remove a member must occur at a scheduled planning group meeting and be advertised on the agenda as an action item. Due to the significant nature of removing an elected member, and to ensure a fair and public process, the procedures for investigating a violation of a member are listed below:

Documenting a violation:

- A complaint that a violation of bylaws of Council Policy 600-24 has occurred will be presented to the planning group chairperson. If the complaint is about the chairperson, it may be presented to any other officer of the planning group.
- The complaint should be detailed enough to provide a description of, and timeframe within which, the alleged violation was committed and who was responsible for the violation.
- The complaint should provide a citation of the bylaws or Council Policy 600-24 provisions of which the action is claimed to violate. If the complaint is from someone other than another planning group member, the chairperson [or other officer] may assist in providing appropriate citations to assist the complainant.
- The chairperson will confer with the planning group officers [exception: if an officer is the subject of the grievance or has a

business or personal relationship with the alleged violator] regarding the complaint.

- The chairperson shall create a written record of the complaint and alleged violation to share with the alleged violator.

Procedures for administering and acting on investigating a violation:
While the authority for this process rests with this planning group, City staff may be contacted for assistance at any point in the process.

- Once the information about an alleged violation is completed in writing, the chairperson, with assistance from the planning group officers, will meet and talk with the planning group member against whom the violation is alleged. The allegations will be presented and the planning group member shall be given opportunity for rebuttal.
- If the chairperson, with assistance from the planning group officers, determines that no violation has actually occurred, the chairperson may record this in the written record of the complaint.
- If the chairperson, with assistance from the planning group officers, determines that a violation has occurred but the situation can be remedied either by action of the planning group or by the planning group member, then the chairperson will outline the necessary actions to achieve the remedy.
- If the chairperson, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and *Rancho de los Peñasquitos Planning Board* would best be served by the removal of the planning group member, then the chairperson shall set the matter for discussion at the next planning group meeting. The planning group member who committed the violation shall be given adequate notice about the meeting discussion, and will be given the opportunity to resign prior to docketing the matter for a planning group discussion.

Presenting a violation to the planning group:

- The matter of removing a seated planning group member will be placed on the planning group's agenda as a potential action item. Supporting materials from the chairperson or from the offending planning group member will be made available to the elected planning group members at least seven (7) calendar days prior to the meeting.
- The matter will be discussed at the planning group's regular meeting with opportunity given to the planning group member who committed the violation to present their case and/or rebut documentation gathered by the chairperson with the assistance of

the planning group officers. The member may also request a continuance of the item to gather more information to present to the planning group.

- At the end of the discussion, the planning group may, by a 2/3 vote, choose to remove the member.

Recourse for expelled member:

- There is no appeal available to a elected planning group member removed by a 2/3 vote of the voting members of their recognized community planning group.
- The planning group member's seat shall be immediately declared vacant and subject to provisions of Article IV.
- The removal of a planning group member by a 2/3 vote of the voting members of their recognized community planning group will not prohibit the member from running for a planning group seat in future scheduled elections.

(b) Alleged Violations Against the *Rancho de los Peñasquitos Planning Board* as a Whole

In the case of an alleged violation of the planning group's bylaws or of Council Policy 600-24 by the planning group as a whole or multiple members of the planning group, the violation shall be forwarded in writing to the City. The Mayor's Office will engage in a dialogue with the planning group, determining the validity of the complaint, and seeking resolution of the issue or dispute. The *Rancho de los Peñasquitos Planning Board* will work with the City toward a solution and the planning group recognizes that, in accordance with Council Policy 600-24, the City may consult with the Community Planners Committee.

If a violation against the planning group as a whole is proven and there is a failure of the planning group to take corrective action, the planning group will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated group's rights to represent its community shall be based on a recommendation by the Mayor's Office to the City Council. A planning group shall not forfeit its recognized status until there is an action by the City Council to remove the status. The City Council may also prescribe conditions under which official recognition will be reinstated.

If the planning group is found to be out of compliance with the provisions of this Policy not subject to the Brown Act or its adopted bylaws, it risks

loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

- Exhibit A: *Rancho de los Peñasquitos Planning Board* Communities' Boundary Maps
- Exhibit B: *Rancho de los Peñasquitos Planning Board* Member Application
- Exhibit C: *Rancho de los Peñasquitos Planning Board* Election Documents

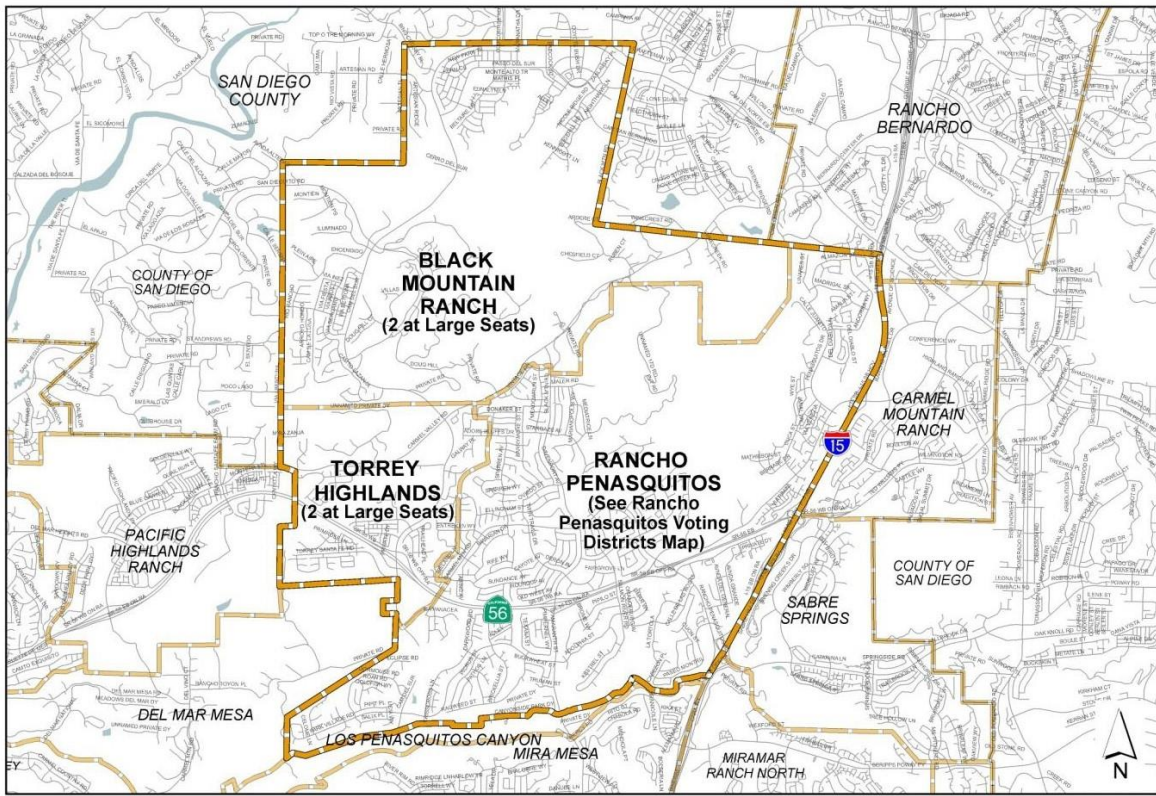


Exhibit A: Boundary Map - Rancho Penasquitos Planning Board Area



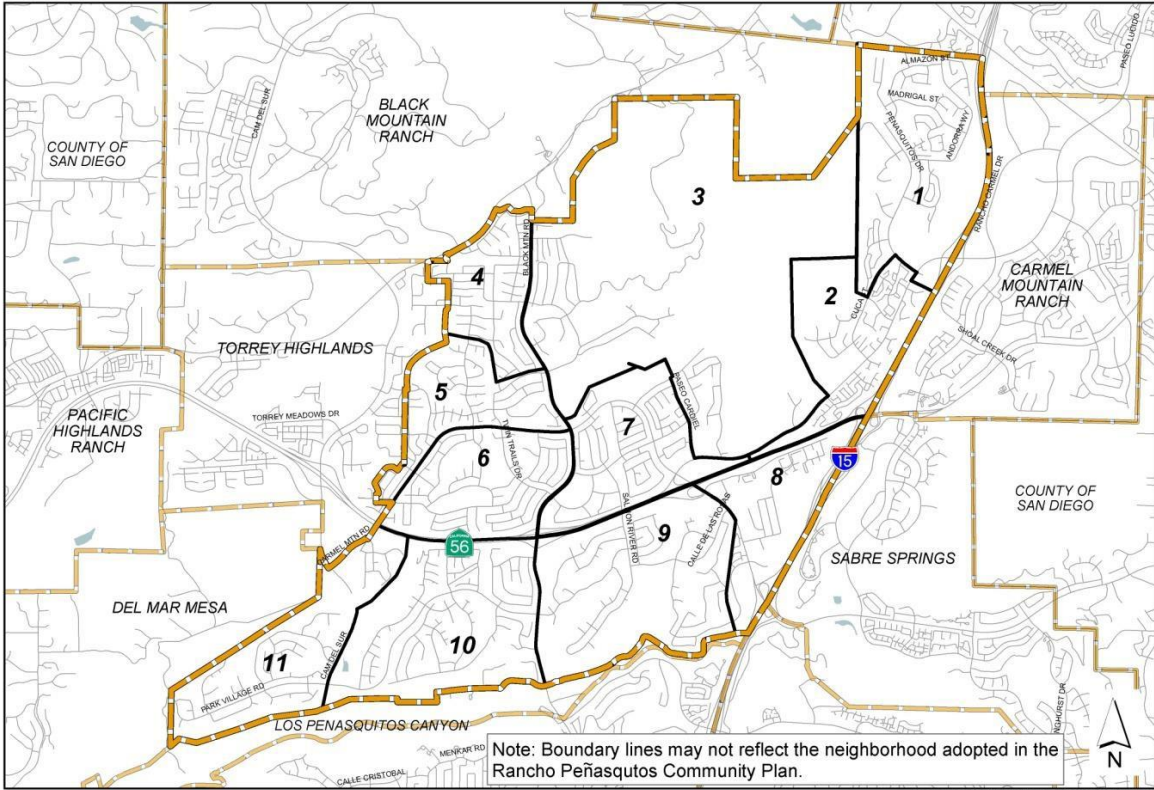


Exhibit A: Rancho Peñasquitos Voting Districts



Application for Membership Rancho Peñasquitos Planning Board (RPPB)

The *Rancho de los Peñasquitos Planning Board* has been formed and recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment(s) to the General Plan or a land use plan when a plan relates to the *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch* communities' boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency.

I am a Resident of:	<input type="checkbox"/> Rancho Peñasquitos <input type="checkbox"/> Torrey Highlands <input type="checkbox"/> Black Mtn. Ranch <input type="checkbox"/> Other:		
Interested in:	<input type="checkbox"/> Resident Seat District (if known):	Select: <input type="checkbox"/> Election OR <input type="checkbox"/> To Fill A Vacancy	
If application is submitted to fill an Appointed Seat, please complete.	Organization:	Commercial/Developer:	
Name:	Email:		
Home Address:	State	Zip	# Yrs / Mos at this address:
Home Phone:	Cell Phone:	Work Phone:	
Commercial/Developer Appointed Seat, please complete.	Employer:		
Employer's Address:	State	Zip	

ALL APPLICANTS: Please describe previous board, land use, planning, etc. experience and why you are interested in joining RPPB:

Planning group members shall serve either as a committee member, organization member, or liaison of the planning group. It is highly recommended that all applicants read RPPB's bylaws prior to submitting this application. I understand that I must retain eligibility to remain on the planning board.

Applicant's Signature:	Date:
Identification (Government Issued):	

To be completed by RPPB

Date received:	Received by (RPPB rep signature):
Initial in box	Identification provided by applicant has been verified.
	Applicant is 18 years of age or older.
	Applicant has lived at their home address for a minimum of 30 days. (Verified with Government Issued ID or Utility Bill)
	Applicant meets election requirement of documented attendance at three (3) meetings, March – February, prior to the March election.

Exhibit C - Election Documents

Sample Ballot Sheet – Odd Numbered Years (cut into voting strips)

Rancho Peñasquitos – Vote for one candidate by marking the box.

District 1	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate by marking the box.

District 3	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>
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Rancho Peñasquitos – Vote for one candidate by marking the box.

District 5	Candidate's Name	<input type="checkbox"/>
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Rancho Peñasquitos – Vote for one candidate by marking the box.

District 7	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate by marking the box.

District 9	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate by marking the box.

District 11	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Torrey Highlands - Vote for one candidate by marking the box.

At-Large #1	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Black Mtn. Ranch – Vote for one candidate by marking the box.

At-Large #1	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>

BALLOT NOTES:

1. Current board members will be denoted as "Incumbents".
2. Candidates with 8 or more consecutive years of service will be denoted as either:
 - a. "Incumbent – 8 years, requires 2/3 majority vote" OR
 - b. "Incumbent – 8+ years, requires 2/3 majority vote"
3. Candidate order for each seat/race will be alphabetical by last name.
4. Voter may select only one candidate in each race by selecting or marking the box after the candidate's name.
5. The ballot shall instruct the voter to select or mark the box for the candidate of their choice. The ballot shall not contain multiple boxes for an individual candidate nor ask the voter to select "Yes" or "No" (or For or Against) for a candidate and blank ballots will not be counted.
6. The candidate receiving the most votes (plurality) in each race shall be elected. A candidate with 8 or more consecutive years of service receiving a 2/3 majority of the votes (plurality) in the race shall be elected; refer to Article V, Section 5 for additional rules.

Exhibit C - Election Documents

Sample Ballot Sheet – Even Numbered Years (cut into voting strips)

Rancho Peñasquitos – Vote for one candidate in each race by marking the box.

District 2	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>
Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate in each race by marking the box.

District 4	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>
Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate in each race by marking the box.

District 6	Candidate's Name	<input type="checkbox"/>
Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate in each race by marking the box.

District 8	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>
Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Rancho Peñasquitos – Vote for one candidate in each race by marking the box.

District 10	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>
Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Rancho Peñasquitos Districts 1, 3, 5, 7, 9, 11 – Vote for one candidate by marking the box.

Renter-at-Large	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Torrey Highlands - Vote for one candidate by marking the box.

At-Large #2	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent)	<input type="checkbox"/>

Black Mtn. Ranch – Vote for one candidate by marking the box.

At-Large #2	Candidate's Name	<input type="checkbox"/>
	Candidate's Name (Incumbent – 8(+) years, requires 2/3 majority vote)	<input type="checkbox"/>

Exhibit C - Election Documents

RPPB Annual Elections Vote Tally Sheet

YEAR _____

Odd Year	Even Year	Candidate's Names	Votes Received
Member Seats			
RANCHO PEÑASQUITOS			
1	2		
3	4		
5	6		
7	8		
9	10		
11	Renter		
TORREY HIGHLANDS			
1	2		
BLACK MOUNTAIN RANCH			
1	2		

Votes were counted by and verified by: (provide signatures)

_____ Date _____

_____ Date _____

Exhibit C - Election Documents

RPPB Annual Elections Voter Sign-in Sheet

YEAR _____

Voters must be at least 18 years of age and have resided within the boundaries of Rancho Peñasquitos or, if applicable, Black Mountain Ranch or Torrey Highlands Community Plan areas for at least thirty (30) days prior to the scheduled election. Show ID with current address.

	LAST NAME	FIRST NAME	SIGNATURE	ADDRESS / ZIP	DISTRICT, TH or BMR	ID Verified
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

**Exhibit C - Election Documents
Sample Candidate Solicitation**



NOTICE

Rancho Peñasquitos Planning Board Elections March 4, 2015

The 2015 election will fill RPPB odd numbered districts and at-large seats as follows:

Rancho Peñasquitos Seats – District 1, 3, 5, 7, 9, 11 (see attached map for boundaries)

Black Mtn. Ranch Seat – At-large Seat #1

Torrey Highlands Seat – At-large Seat #1

Members of the *Rancho de los Peñasquitos Planning Board* shall be elected to serve for a fixed term of two years.

Candidate Eligibility

Planning group members shall be elected by and from eligible members of the community. To be an eligible community member an individual must be at least 18 years of age, and shall be affiliated with the community as a:

- (1) Property Owner, who is an individual identified as the sole or partial owner of record, or their designee, of real property (either developed or undeveloped), within the community planning area, or;
- (2) Resident, who is an individual whose primary address of residence is an address within the community planning area, or;
- (3) Businessperson, who is a local business or not-for-profit owner, operator or employee at a non-residential real property address within the community planning area.

An individual may become an eligible member of the community by attending three meetings of the Rancho de los Peñasquitos Planning Board and submitting proof of eligibility, accomplished by documented meeting attendance, prior to the March general election.

Applications must be submitted prior to RPPB's February 4, 2015 regularly scheduled meeting which will begin at 7:30pm.

Applications should be submitted to RPPB's Secretary, Jeanine Politte – by fax 858-672-1436 or email Jeanine@JPolitte.com or to Brian Reschke, Elections Ad-Hoc Committee Chair – by email at breschke@gmail.com.

Election Location/Times

Community residents may vote for the seat in the district where they reside; identification is required. The elections will be held at the location of our regularly scheduled board meeting on March 4, 2015.

5:30pm – 8:00pm Doubletree Golf Resort, San Diego
14455 Peñasquitos Dr, San Diego 92129 (tentatively scheduled in the El Dorado or Sandpiper Rooms)

Exhibit C - Election Documents

Sample Election Notice



ELECTION NOTICE

Rancho Peñasquitos Planning Board - March 4, 2015

5:30pm – 8:00pm Doubletree Resort, San Diego – Heritage Ballroom (entryway)
14455 Peñasquitos Dr, San Diego 92129

Residents voting in the Planning Board election must be at least 18 years of age and have resided within the boundaries of Rancho Peñasquitos or, if applicable, Black Mountain Ranch or Torrey Highlands Community Plan areas for at least thirty (30) days prior to the scheduled election. Each voter will cast a single vote for the candidate from the Rancho Peñasquitos District or Black Mtn. Ranch or Torrey Highlands, if they reside within those community planning areas/districts. The Election is conducted by secret ballot and identification is required; write-in candidates and proxy voting are NOT allowed.

Rancho Peñasquitos Candidates –

- District 1 – Jeanine Politte (Incumbent, 8 years served)
- District 3 – Thom Clark (Incumbent)
- District 5 – Ramesses Surban (Incumbent)
- District 7 – No Candidate
- District 9 – Bill Diehl (Incumbent, 8+ years served)
- District 11 – Jon Becker (Incumbent, 8+ years served)

Black Mtn. Ranch Candidate –

- At-Large Seat #1 – Ruth Loucks (Incumbent)

Torrey Highlands Candidate –

- At-Large Seat #1 – No Candidate

Members of the *Rancho de los Peñasquitos Planning Board* shall be elected to serve for a fixed term of two years. Vacancies may be filled at the April 2015 meeting.

Questions: Brian Reschke at breschke@gmail.com



Neighborhoods

RANCHO PEÑASQUITOS COMMUNITY PLAN
City of San Diego • Planning Department

Election Boundaries for
Rancho Peñasquitos Community
Planning Area

Notes:

1. Black Mountain & Sunset Hills combined to form District 3.
2. Bluffs split into Districts 4 and 5.
3. Apartments in Ridgewood (District 9) moved to Vista (District 4).
4. Homes at end of Canal Stanton Road moved from Parkview (District 10) to Peñasquitos Creek (District 11).

