

RESOLUTION NUMBER R- 304448DATE OF FINAL PASSAGE DEC 02 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AMENDING COUNCIL POLICY 600-24 TITLED
"STANDARD OPERATING PROCEDURES AND
RESPONSIBILITIES OF RECOGNIZED COMMUNITY
PLANNING GROUPS."

WHEREAS, on May 22, 2008, the City Council approved the update to Council Policy 600-24 titled "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" per Resolution No. R-302671; and

WHEREAS, the update revised the previous Council Policy to incorporate additional operating procedures as well as provisions for compliance with California's Open Meeting Law, the Ralph M. Brown Act; and

WHEREAS, approval of the Council Policy update required each community planning group to update its bylaws; and

WHEREAS, Council Policy 600-24 specifies that bylaws will be reviewed and approved by the offices of the Mayor and City Attorney unless there are inconsistencies with the Council Policy; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that staff's recommendations be adopted with the following amendments:

- Approve the proposed Carmel Valley Community Planning Board bylaws with the requested deviations from Art. I, Sec. 3, Art. IV, Sec. 1, and Art VIII, Sec. 1(d)(2); and,
- Conditionally approve the proposed City Heights Area Planning Committee bylaws as follows:

- Approve the requested deviation from Art. II, Sec 7;
- Disapprove the requested deviations from Art. IV, Sec 3 , Art. V, Sec 1, and Art. IX, Sec 3, until these are revised, to the satisfaction of the offices of the Mayor and the City Attorney, to conform to the Council Policy; and,
- Refer the requested deviation from Art. VI, Sec. 2(a)(x) to the City Attorney to be revised to ensure compliance with the state Brown Act; and
- Conditionally approve the proposed La Jolla Community Planning Association bylaws as follows:
 - Approve the requested deviations from the prohibition against corporate bylaws, and from Art. IV, Sec. 3 and Art. VI, Sec. 2 (b); and
 - Disapprove the requested deviation from Art. VI, Sec. 2(a)(x), until it is revised, to the satisfaction of the offices of the Mayor and the City Attorney, to conform to the Council Policy; and,
- Approve the proposed Linda Vista Community Planning Committee bylaws with the requested deviation from Art. III, Sec. 1; and,
- Approve the proposed Midway Community Planning Advisory Committee bylaws with the requested deviation from Art. V, Sec. 1; and,
- Approve the proposed Mission Valley Unified Planning Organization bylaws with the requested deviation from Art. III, Sec. 1; and,
- Approve the proposed Ocean Beach Planning Board bylaws with the requested deviations from Art. II, Sec. 1, Art. II, Sec. 2, Art. V, Sec. 1, and Art. VIII, Sec. 1(d)(8); and,
- Approve the proposed Pacific Beach Community Planning Committee bylaws with the requested two deviations from Art. III, Sec. 2; and,
- Approve the proposed Rancho Bernardo Community Planning Board bylaws with the requested deviation from Art. III, Sec. 1; and,
- Approve the proposed Rancho Penasquitos Planning Board bylaws with the requested deviation from Art. I, Sec. 3; and
- Approve the proposed San Pasqual/Lake Hodges Planning Group bylaws with the requested deviation from Art. III, Sec. 3; and
- Approve the proposed Serra Mesa Planning Group bylaws with the requested deviations from Art. II, Sec. 2(a) and (b).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene
Marianne Greene
Deputy City Attorney

MG:als
11/26/08
Or.Dept:Planning
R-2009-712

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 24 2008.

ELIZABETH S. MALAND
City Clerk

By Sara Richards
Deputy City Clerk

Approved: 12-2-08
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Rancho de los Peñasquitos Planning Board BYLAWS

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 community planning area boundaries for the *Rancho de los Peñasquitos Planning Board* are the boundaries of the Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch communities, 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 which 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 of San Diego 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 amendments to either the General Plan or any land use plan within the Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch boundaries. The planning group also advises on other land use matters as requested by either the City or other governmental agencies.
- Section 2. In reviewing individual development projects, the *Rancho de los Peñasquitos Planning Board* should focus such review on conformance with the adopted community plan 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 also 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, gender, age, creed or national origin, sexual orientation, physical or mental disability. In addition, any meeting facilities must be accessible to all disabled persons.
- Section 4. The *Rancho de los Peñasquitos Planning Board* shall not take part in, officially or unofficially, or lend its influence to, the election of any candidate for political office. Elected members shall not identify their affiliation with the planning group when endorsing candidates for public office. The planning group, as a whole, may take positions on ballot measures.
- Section 5. Pursuant to the provisions of City Council Policy 600-5, 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 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. In addition, the Administrative Guidelines provide explanations of the Policy's minimum standard operating procedures and responsibilities of this planning group. *Robert's Rules of Order Newly Revised* shall be used when the Council Policy, Administrative Guidelines, and these Bylaws do not address an area of interest or concern.
- Section 7. The *Rancho de los Peñasquitos Planning Board* may propose amendments to these bylaws by a two-thirds (2/3) vote of the elected 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 Organization

- 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.

The Planning Board elected and appointed seats are filled by a distribution among the following interests, which represent the community as a whole: 16 seats for residents; 2 seats for property owners and/or business representatives; and 2 seats for other recognized community organizations.

Elected members of this planning group are defined as follows:

- a. Eleven (11) District members, hereinafter called "District Members," elected from the eleven (11) existing Rancho Peñasquitos Planning Board Districts and elected to two-year terms, 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 Rancho Peñasquitos, hereinafter called "Renter at Large Member," elected community-wide with "even" number district members to serve a two-year term;
- c. Two (2) members residing in Torrey Highlands shall have at-large seats until such time as another city planning group includes representation of Torrey Highlands and is recognized by the City Council, after which those at-large seats are vacated and become Rancho Peñasquitos resident at-large seats. Each of these at-large seats are elected to two-year terms, with expiration dates that alternate between "odd" and "even" numbered years to provide continuity. A district may occupy no more than one resident at-large seat;
- d. Two (2) members residing in Black Mountain Ranch shall have at-large seats until such time as another city planning group includes representation of Black Mountain Ranch and is recognized by the City Council, after which those at-large seats are vacated and become Rancho Peñasquitos resident at-large seats. Each of these at-large seats are elected to two-year terms, with expiration dates that alternate between "odd" and "even" numbered years to provide continuity. A district may occupy no more than one resident at-large seat;

Appointed members of this planning group are defined as follows:

- e. One (1) member from the Rancho Peñasquitos Town Council, hereinafter called an “Organization Member,” designated each year by that organization to serve a one-year term, subject to majority vote confirmation by the Planning Board;
- f. One (1) member from the Rancho Peñasquitos Recreation Council, hereinafter called an “Organization Member,” designated each year by that organization to serve a one-year term, subject to majority vote confirmation by the Planning Board;
- g. Two (2) members from commercial interests, including the largest landowner, hereinafter called “Commercial Members,” appointed to two-year terms, with expiration dates during alternate years to provide continuity. “Commercial Members” shall be nominated by the Planning Board Chairperson, subject to majority vote confirmation by the Planning Board.

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.

Once eligibility to vote is established, an 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. However, the *Rancho de los Peñasquitos Planning Board* shall require proof of eligibility during all elections.

In addition to elected members, the *Rancho de los Peñasquitos Planning Board* has four appointed seats to better represent specific interests of the community. These seats are appointed by the Chair. They are also counted among the 20-seat total planning group membership and thereby vote on all planning group business.

Section 3. Members of the *Rancho de los Peñasquitos Planning Board* shall be elected to serve for fixed terms of two years, with expiration dates during alternate years to provide continuity.

No person may serve on this planning group for more than eight consecutive years.

The eight-year limit refers to a total maximum consecutive years of service, 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 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 their entire term of service.

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 indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 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.

Section 2. Vacancies that may occur on the *Rancho de los Peñasquitos Planning Board* shall 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 at the time the vacancies are declared. Vacancies shall be filled as follows:

- a. Vacancies of Elected 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 and the receipt by the Secretary of an application by a qualified person to fill such seat. Voting shall be by secret written ballot.
- b. Vacancies of 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.

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, 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. 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 elections procedures found 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 February noticed regular 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 of the *Rancho de los Peñasquitos Planning Board's* last twelve regular meetings prior to the February regular meeting preceding the election.

- 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 at multiple locations on the day of the regular March meeting (at the Rancho Peñasquitos Public Library and at the regular meeting site).

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.

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 two-thirds (2/3) of the vote due to their service beyond eight consecutive years.

- Section 3. Voting 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, therefore, 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 Chair 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 Chair of the Elections Committee, in writing, within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

- Section 5. Article VIII, Section 1(e) contains all voting procedures; voting eligibility; candidate eligibility; elections committee establishment and responsibilities; promotion of elections; counting votes; ballots; poll locations; managing polls and counting ballots; reporting election results to the Chair; and election challenge criteria and procedures.

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 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.

(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. This brief general description of each agenda item need not exceed 10 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.

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

(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 7 days from the original meeting, a new agenda must be prepared as if a new 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.

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 if either two-thirds (2/3) of the entire elected membership, or every member if less than two-thirds (2/3) 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.

The *Rancho de los Peñasquitos Planning Board* Chairperson fully participates in all 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, facsimile or email) are also prohibited.

Votes taken on all agenda items shall reflect the positions taken by the elected or appointed members of the planning group, as 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 chair 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 only called for matters related to public health and safety. These matters are outside 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/or ad hoc committees, when their operation contributes to more effective discussions at the 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
Wireless Committee

(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.

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

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-17086 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 a formal vote at a noticed public meeting. In no case may a 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) Recusals and Abstentions

(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 participating and voting on an action item. The member must state, for the record, the reason(s) for their 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 actual costs 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 charge for the cost of reproducing any 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. 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 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 video tape meetings. But, if any such recordings are made, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of these recordings.

(iv) RECORDS RETENTION – *Rancho de los Peñasquitos Planning Board* records must be retained for public review. City staff will establish a records retention schedule and method for collection and storage of materials that will be utilized by all planning groups.

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. 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 roster of the names, terms, and category/qualifications of all planning group members in its possession, and to forward this roster, as well as any updates, to the City. The planning group must also submit to the City, by the end of every March, an annual report of accomplishments for the past calendar year and anticipated objectives for the coming year related to Article II, Section 1 above. Both 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 of 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-17086 NS, and any future amendments thereto. Newly seated planning group members must complete a basic orientation training session within 12 months of being elected or appointed to a planning group, or the member will become ineligible to serve.

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 any planning group office for more than eight consecutive years. After a period of one year in which a person does 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. 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.

- Section 3. Vice-Chairperson. In the absence of the Chairperson, the Vice-Chairperson shall perform all the duties and responsibilities of the Chairperson.
- 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 Chair may be selected as the official representative to the CPC with the same voting rights and privileges as the Chair. Designation of any member, other than the Chair, for either representative or alternate to the CPC shall be forwarded in writing to the staff representative to the CPC prior to any extension of voting rights and/or member attendance.
- Section 6. The *Rancho de los Peñasquitos Planning Board* officers and representatives to the CPC shall promptly disseminate to all elected planning group members any 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 Articles 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 purely 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:

The community is informed of Planning Board agendas, minutes and decisions of meetings and events and issues affecting the community by the use of email, postings to internet web sites, and providing articles to local newspapers. The Planning Board may also announce, sponsor or conduct additional informational meetings for community input into General Plan or other land use issues.

(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:

Qualifications required to be eligible for specific seats on this Planning Board:

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 at-large Torrey Highlands candidate is any person otherwise eligible who has resided within the Torrey Highlands boundary for at least thirty (30) days prior to election or appointment. A qualified at-large Black Mountain Ranch candidate is any person otherwise eligible who has resided within the Black Mountain Ranch boundary for at least thirty (30) days prior to election or appointment. When Torrey Highlands or Black Mountain Ranch seats are vacated, as described in Article III, Section 2(c) and (d), a qualified resident at-large Rancho Peñasquitos candidate is any person otherwise eligible who has resided within the Rancho Peñasquitos boundary for at least thirty (30) days prior to election or appointment.
4. 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 Community Plan area; 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 Community Plan area for at least thirty (30) days prior to election or appointment, except that no qualified “Commercial Member” may conduct business from a residential address.

5. 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 the conduct of planning group meetings:

All meetings will be conducted pursuant to Robert’s Rules of Order Newly Revised, The Brown Act, San Diego City Council Policy 600-24 and all Guidelines thereunder.

(d) Member and Planning Group Responsibilities

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

The Planning Board sends representatives to the following organizations:

Comm. Planners Comm.	(Chairperson or designee)
Peñasquitos East MAD	(3 members)
Peñasquitos Canyon CAC	(1 member)
Black Mtn. Open Space Park	(1 member)

Bylaw Amendments:

1. Bylaws may be amended at any regular meeting of the Planning Board by a two-thirds (2/3) vote of the quorum present.
2. Unless waived by unanimous consent, with all Planning Board members voting, all proposed amendments shall have been presented in writing at the previous regular meeting, and a copy forwarded to all absent Planning Board members at least seven (7) calendar days prior to the meeting at which the vote will be taken.
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 the latter of these two occurs: 1) their current term expires; or 2) unless deleted, the new position for which they qualify comes up for election. As necessary, adjustments will be made to “odd” and “even” year elections to accommodate any required transition period.

(e) Elections

The Elections Handbook, which is an attachment to the Administrative Guidelines, provides general guidance for all planning group elections. The following are procedures pertaining to the elections provisions of 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 and, for a period of time to be determined by the Elections Committee, at the location of the regular Planning Board meeting.
2. No later than January of each year, the Planning Board Chairperson shall appoint an Elections Committee responsible for formulating and carrying out policies which comply with the election procedures set forth in Council Policy 600-24. No member of the Elections 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 locations shall be promulgated at least thirty (30) days prior to the election and election results shall be promulgated within 24 hours after poll closing. There shall be no mail ballots.
4. Candidates for election to the Planning Board shall make application to the Planning Board Secretary or Elections Committee Chairperson no later than fourteen (14) days prior to the scheduled election. See Exhibit "B" (application). No write-in candidates shall be permitted in the election.
5. All persons voting in a Planning Board election must be at least 18 years of age and must have resided within the boundaries of the Rancho Peñasquitos and, if applicable, Torrey Highlands or Black Mountain Ranch Community Plan area for at least thirty (30) days prior to the scheduled election. They shall be required to sign their name and address prior to voting and to present a form of identification upon request by a member of the Elections Committee.
6. Voting for Torrey Highlands at-large seats is limited to residents of Torrey Highlands. When Torrey Highlands at-large seats are vacated this does not apply. Voting for Black Mountain Ranch at-large seats is limited to residents of Black Mountain Ranch. When Black Mountain Ranch at-large seats are vacated, as described in Article III, Section 2(c) and (d), this does not apply.
7. All persons desiring to fill a vacancy and all prospective appointees will be required to file an application with the Planning Board Secretary and must be present at the meeting during which their application will be considered. See Exhibit "B" (application).
8. 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 a Planning Board member for the coming term year.
9. No person may serve on the planning group for more than eight consecutive years. An exception to this rule is made only for the situation where no new candidate is elected to a seat occupied by a current Planning Board member who has served the allowed eight years. To prevent this seat from becoming vacant, the current Planning Board member may apply to run in the election. Next to their name on the ballot will be an indication that they are eligible only if no new candidate receives votes and that their election will not cause the Planning Board to have more than 25 percent of its members serving more than eight consecutive years. They also must receive two-thirds (2/3) of the vote for that seat. The rule regarding this special case is further described in the Elections Handbook (2005 page C-64, as amended). The same principle applies for any appointed member who has served eight consecutive years. If no new candidate has applied for appointment to the Planning Board, they may be nominated by the Chairperson and approved by a two-thirds (2/3) vote of the Planning Board to fill an appointed community organization or other vacant seat.

ARTICLE IX Rights and Responsibilities 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-17086 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 Policy 600-24, Article II, Section 1; their conduct was in conformance with Policy 600-24 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 duly 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 Chair by any individual, including another planning group member. The complaint must 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 planning group may remove a member by a two-thirds (2/3) vote of the 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-17086 NS, and any future amendments thereto.

Investigation procedures for alleged 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 either the Bylaws or of Council Policy 600-24 has occurred will be presented to the planning group Chair. If the complaint is about the Chair, 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 Chair [or other officer] may assist in providing appropriate citations to assist the complainant.
- The Chair will confer with the other planning group officers [exception: if an officer is the subject of the grievance or has a business or legal relationship with the alleged violator] regarding the complaint.
- The Chair shall create a written record of the complaint and alleged violation to share with the alleged violator.

Procedures for administering and acting on the investigation of a violation: While the authority for this process rests with the planning group, City Staff may be consulted for assistance at any point during this process.

- Once the information about an alleged violation is completed in writing, the Chair, 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 all reasonable opportunity for rebuttal.
- If the Chair, with assistance from the planning group officers, determines that no violation has actually occurred, the Chair may record this in the written record of the complaint.
- If the Chair, 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 Chair will outline the necessary actions to achieve this remedy.
- If the Chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of both the community and the *Rancho de los Peñasquitos Planning Board* would best be served by the removal of the planning group member, then the Chair 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 must be given the opportunity to resign prior to docketing the matter for 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 regular agenda as a potential action item. Supporting materials from both the Chair and the offending planning group member must be made available to all planning group members at least seven (7) calendar days prior to this meeting.

- The matter will be discussed at the planning group's regular meeting with opportunity given to the planning group member who committed the alleged violation to both present their own case and rebut documentation gathered by the Chair, 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 this discussion the planning group may choose to remove the member, but only by a two-thirds (2/3) vote.

Recourse for expelled member:

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

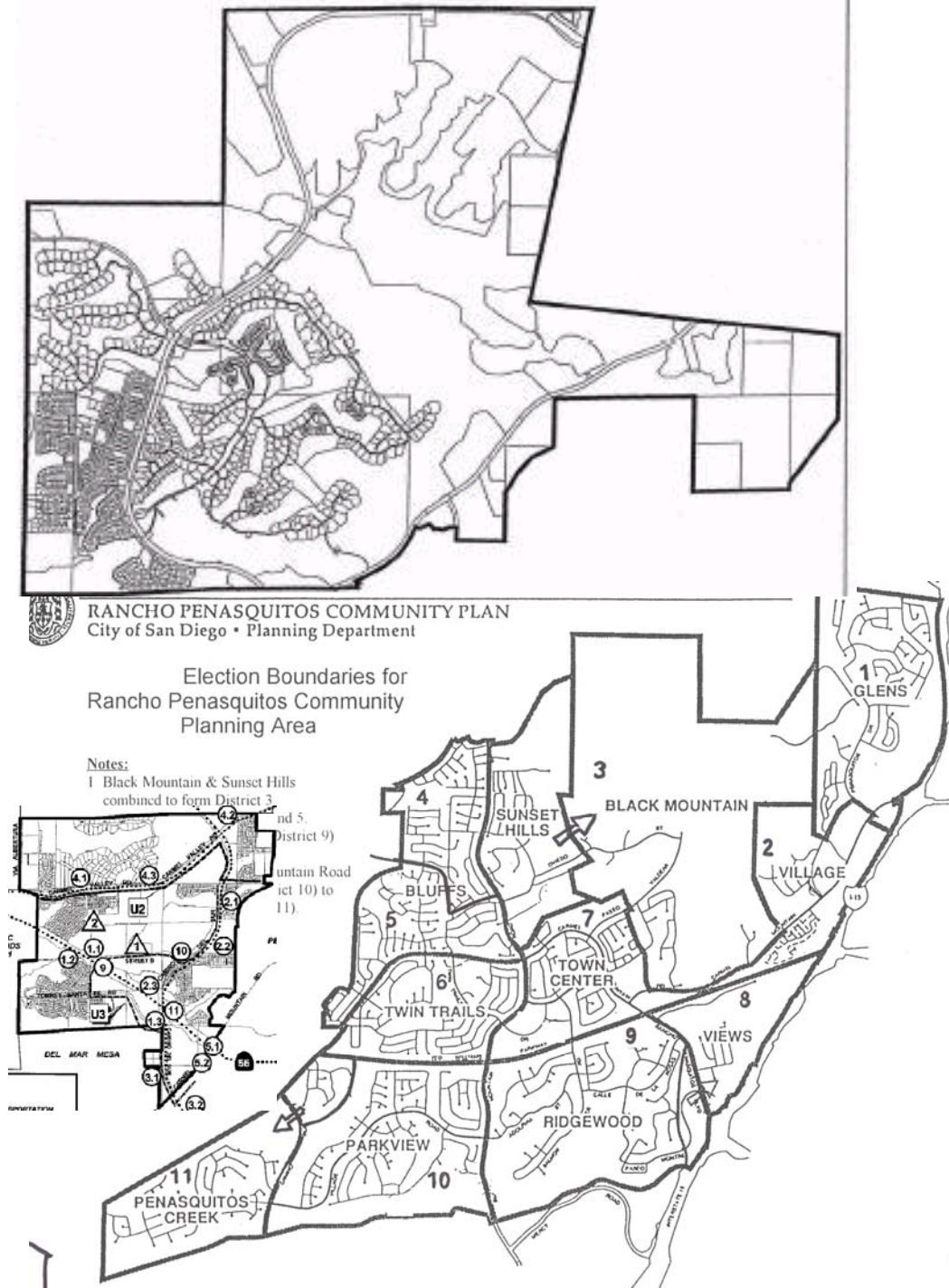
(b) Alleged Violations Against the *Rancho de los Peñasquitos Planning Board* as a Whole

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 recognizes that, in accordance with Council Policy 600-24, the City may also 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-17086 NS, and any future amendments thereto.

Exhibit A: *Rancho de los Peñasquitos Planning Board Boundary Map*



Bylaws Shell Date: 6/1/07

Exhibit A (continued)

Illustration with More Detailed Rancho Peñasquitos Community District Boundaries



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 Views (District 8).
- 4 Homes at end of Carmel Mountain Road moved from Parkview (District 10) to Peñasquitos Creek (District 11).

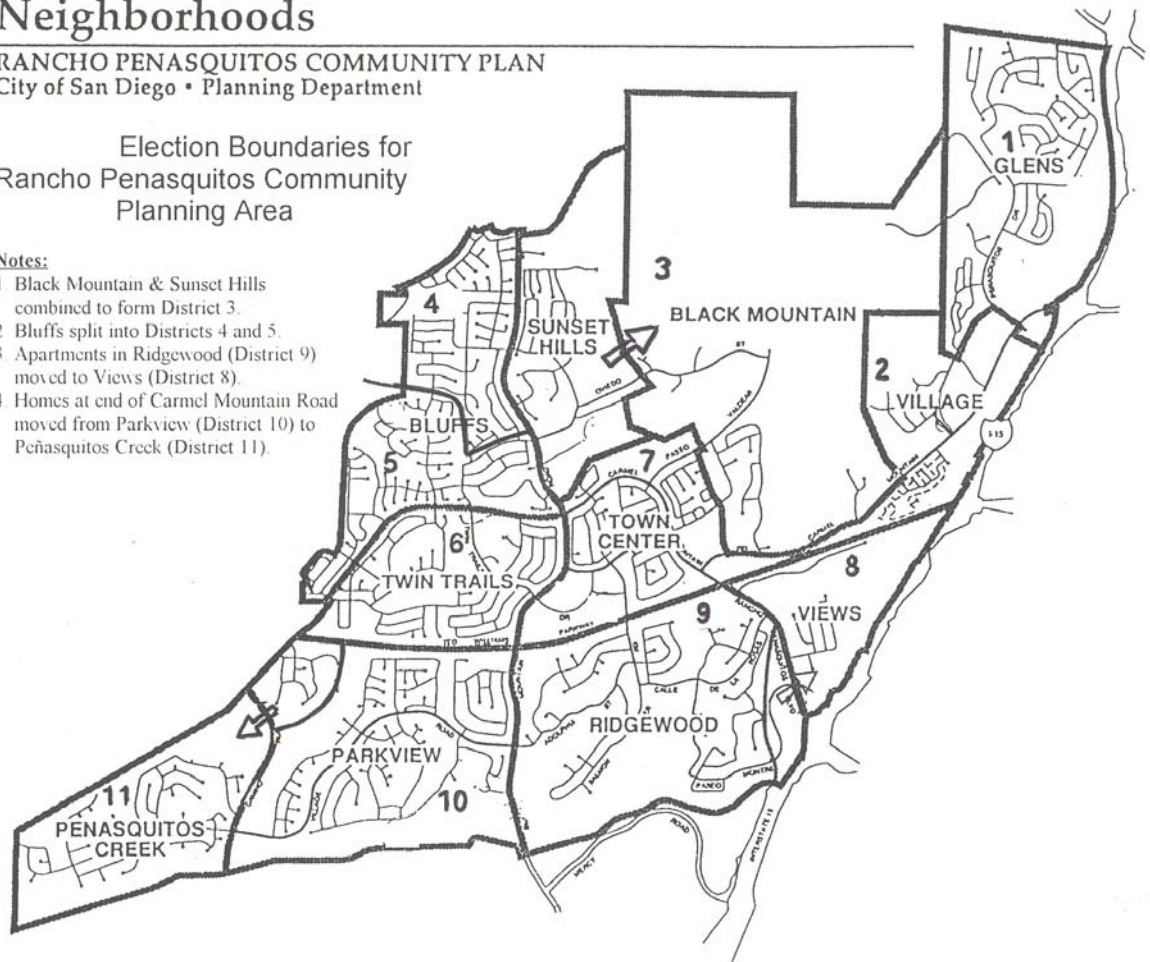


Exhibit B

Application for Membership Rancho Peñasquitos Community Planning Board

The purpose of the Rancho Peñasquitos Community Planning Board is to provide recommendations to the City Council, Planning Commission, and other governmental decision makers and agencies as appropriate, regarding the preparation, adoption, implementation, or amendment of the Rancho Peñasquitos Community Plan and the Progress Guide and General Plan.

Name _____

Name of Business (if applicable) _____

Home Address _____

City _____ State _____ Zip _____

Business Address _____

City _____ State _____ Zip _____

Home Phone _____ Business Phone _____

Identification Document _____
(Driver's License, DMV ID)

Resident of Rancho Peñasquitos O, Torrey Highlands O, Black Mountain Ranch O (select)

For _____ (months, years). Running as candidate for _____.

Candidate Comment: _____

This membership application received _____
(date)

Exhibit C.

1) 2006 letter to the news media and those interested in applying to be a candidate.

Thank you for interest in our Peñasquitos (PQ) Planning Board elections. We are required to notify the public in January before the March elections. Please refer to the attached 2006 PQ Planning Board Bylaws and a list containing the status all of the seats on the board. In this exhibit important items will be pointed out for the 2006 elections.

There are a total of 20 seats on the Planning Board.

There are 16 elected seats in PQ (**12 elected seats in PQ, 2 in Torrey Highlands (TH) and 2 in Black Mountain Ranch (BMR) [proposed 2006 bylaws]**). For PQ these include 11 districts numbered 1 to 11 and elected by residents in their district. There are also 2 commercial- and 2 business- (**commercial- are combined with developer- and no home-based business- [proposed 2006 bylaws]**) and 1 renter-at-large seats are elected by all residents of PQ. These seats are all elected for 2-year terms. The odd numbered districts, business- seats are elected in the odd years. The even seats are elected in even years (for example 2006).

There are 2 appointed PQ seats. These include 2 developer (**2 commercial/developer [proposed 2006 bylaws]**) seats with 2-year terms. The even numbered seats are appointed in 2006.

There are 2 designated PQ seats. They include 2 community organization seats Park & Recreation and Town Council. They are appointed every year as nominated by those organizations.

(The TH seats will be numbered #1 and #2. The BMR seats will be numbered #1 and #2. TH and BMR do not have districts because they are still being developed. The seats will be at-large seats for their community. The #2 seats are being elected for a two-year term in 2006. [proposed 2006 bylaws])

Any odd numbered seat that is now vacant is put up for election in 2006 to fill out its remaining term of one year. (PQ Districts 5 and 7, (**TH 1 and BMR 1 [proposed 2006 bylaws]**) are in this situation for 2006)

The 2006 election is held on the first Wednesday in March, March 1, 2006. The election is held at the PQ library in the afternoon and at the Planning Board meeting location (DoubleTree Resort) in the evening before the start of the meeting. The exact times are 12:30 PM to 6:00 PM at the PQ library and 6:30-7:30 PM at the Planning Board meeting location (DoubleTree Resort). During the Board meeting, after the election, the vote is tallied. The results are announced during the meeting. At the following board meeting the results are certified, and the new members of the board are seated at the beginning of the meeting.

The map of the districts is included as Exhibit A in the Bylaws.

From the Bylaws the qualifications for a candidate are:

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 owner, operator, or designee at a non-residential real property address in the community planning area.

Qualifications for the district-, organization-, business- and renter- seats are given in the bylaws also. There is no absentee voting and no write-in candidates allowed.

“Candidates for election to the Planning Board shall make application to the Planning Board Chair, Secretary or Election committee no later than fourteen (14) days prior to the scheduled election. See Exhibit “B” application. No write-in candidates shall be permitted in any election.” The deadline for applications would be February 15, 2006. Exhibit B is located in the Bylaws.

From the Bylaws the qualifications for voting are:

“All persons voting in a Planning Board election must be at least 18 years of age and must have resided within the boundaries of the Rancho Peñasquitos Community Plan area for at least thirty (30) days prior to the scheduled election. They shall be required to sign their name and address prior to voting and to present a form of identification upon request by a member of the Election Subcommittee.

(Voting for Torrey Highlands at-large seats is limited to residents of Torrey Highlands. Voting for Black Mountain Ranch at-large seats is limited to residents of Black Mountain Ranch.” [proposed 2006 bylaws])

For the 2006 election there will be 3 contests for each PQ voter in the even PQ districts or PQ districts 5 or 7 (the district and business- and renter- at-large seats). In the other odd districts there will be 2 contests for each voter to decide on (the business- and renter- at-large seats).

(There will be 2 contests for each TH voter in TH and 2 contests for each BMR voter in BMR. Thus every resident of PQ, TH and BMR is encouraged to come and vote for the candidates of their choice. [proposed 2006 bylaws])

While a candidate may be eligible to run in more than one contest, they may only submit an application for only one seat in this election.

After the election if there are vacancies, those seats can be filled by appointment by the elected planning board.

As the candidate applications are received, those names will be provided to the newspaper. It would be good to give each candidate an opportunity to provide a statement about their views to the paper for the week before the election. Because of concerns about privacy, we will not provide their addresses, phone numbers, or candidacy statement to the newspaper without the candidate's consent. We will ask for some suggestions from the board as how we can facilitate information for a good article the week before the election.

Please have interested candidates request an application from either the Elections Committee Chairperson or the Planning Board chairperson

We want to encourage potential candidates to run. With candidates for all seats and competitive races it helps us to get more community input into the decisions we make. We encourage any candidate who will run to come to the Monthly Board meeting at the DoubleTree at 7:30 PM on the 1st Wednesday of February to introduce themselves to the attendees.

If there is any information that is in error in this email, we ask that fellow members of the elections and bylaws committee notify us so that we can correct it for the upcoming newspaper articles.

Exhibit C.

2) 2006 list of Planning Board members identifying those up for election.

Current Seats or Board Members Whose Terms End in March 2006

PQ District Seats

District 2 - Steve Egbert (04-06)

District 4 - Lynn Murphy (04-06)

District 6 - Vacant

District 8 - Joost Bende (04-06)

District 10 - John Keating (04-06)

District 5 - Vacant (for 1 year)

District 7 - Vacant (for 1 year)

PQ At-Large Seats

Renter at Large - Mat Richter (05-06)

Business - 2 - Jon Becker (04-06)

Commercial - 1 - Vacant (for 1 year)

Commercial - 1 - Vacant (for 2 year)

PQ Appointed and Designated Seats

Developer 2 - Jeanette Waltz (04-06) served > 8 consecutive yrs
appointed bi-annually

Park & Rec. - Wayne Kaneyuki – annually appointed

Town Council – Jan LaGrone– annually appointed

Current Seats or Board Members Who Are Not up for Election or Appointment in March 2006

District 1 - Dan Lee (05-07)

District 3 - Kelly Lemker (05-07)

District 9 - Bill Diehl (05-07) served > 8 consecutive yrs

District 11 - Serena Verfurth (05-07)

Business - 1 - Charles Sellers (05-07) served > 8 consecutive yrs

Developer 1 - Keith Rhodes (05-07) served > 8 consecutive yrs
appointed bi-annually

Seats Available if New Bylaws had been approved

TH At-Large Election

TH 2 - Vacant

TH 1 - Vacant (for 1 year)

BMR At-Large Election

BMR 2 - Vacant

BMR 1 - Vacant (for 1 year)

Exhibit C.

3) 2006 pair of posters for advertising seats for election and candidate applications.

Rancho Penasquitos Community Planning Board Elections

Wednesday March 1, 2006

12:30-6 PM at PQ Library & 6:30-7:30 PM at DoubleTree Hotel

- Elections for PQ District 2, 4, 6, 8, 10 (2-year term)
 - Elections for PQ District 5, 7 (1-year)
 - Elections for PQ Renter-At-Large & Home Based Business (2-year)
 - Elections for PQ Commercial (1-year & 2-year)
- See Map for PQ and District Election Boundaries

City approval of new Bylaws will NOT be finished until after March '06 election
-when approved proposed new seats will be added, probably later this summer
-then filled by appointment until the next regular election in March '07

2 seats for Torrey Highland (2- & 1-year)

2 seats Black Mountain Ranch (2- & 1-year)

To run in elections please return application for membership by February 15, 2006 to:

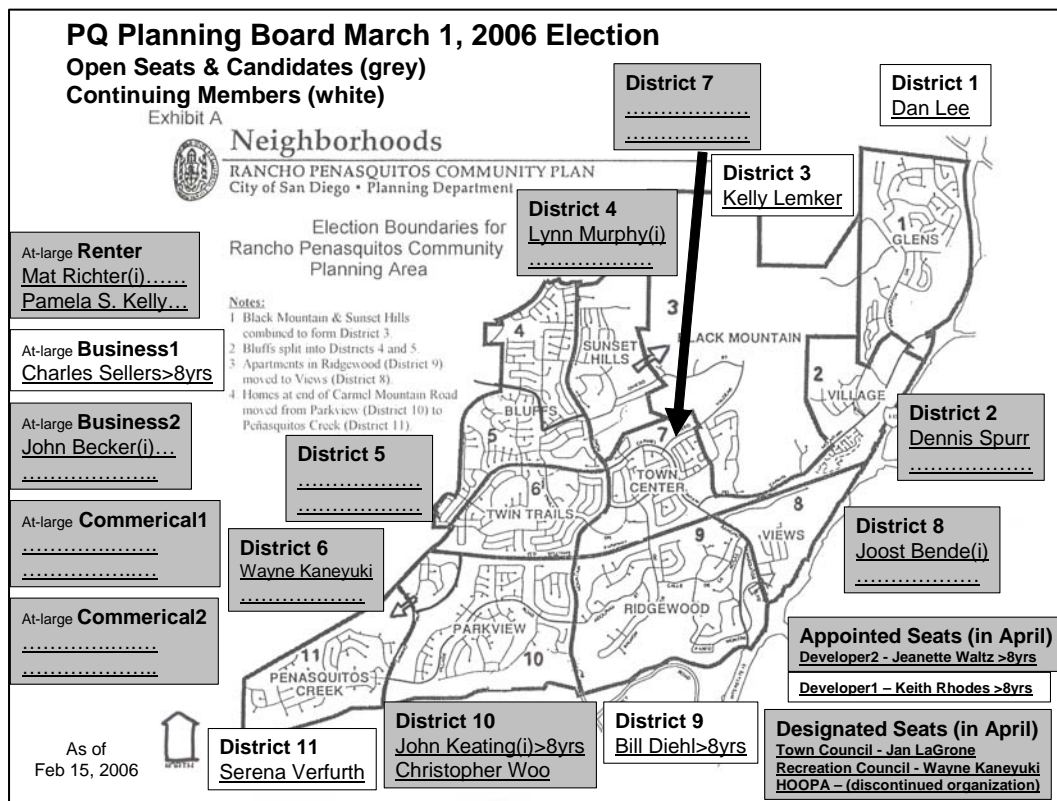
Stephen Egbert

Phone: 672-2062

14264 Manzella Dr.

Email: segbert1@san.rr.com

Fax: 826-6174



4) 2006 pair of posters for advertising the elections and identifying the candidates.

12:30-6 PM at PQ Library & 6:30-7:30 PM at DoubleTree Hotel

- Elections for PQ District 2, 4, 6, 8, 10 (2-year term)
- Elections for PQ Renter-At-Large & Home Based Business (2-year)
- See Map for PQ and District Election Boundaries

Stephen Egbert Phone: 672-2062
14264 Manzella Dr. Email: segbert1@san.rr.com
Fax: 826-6174

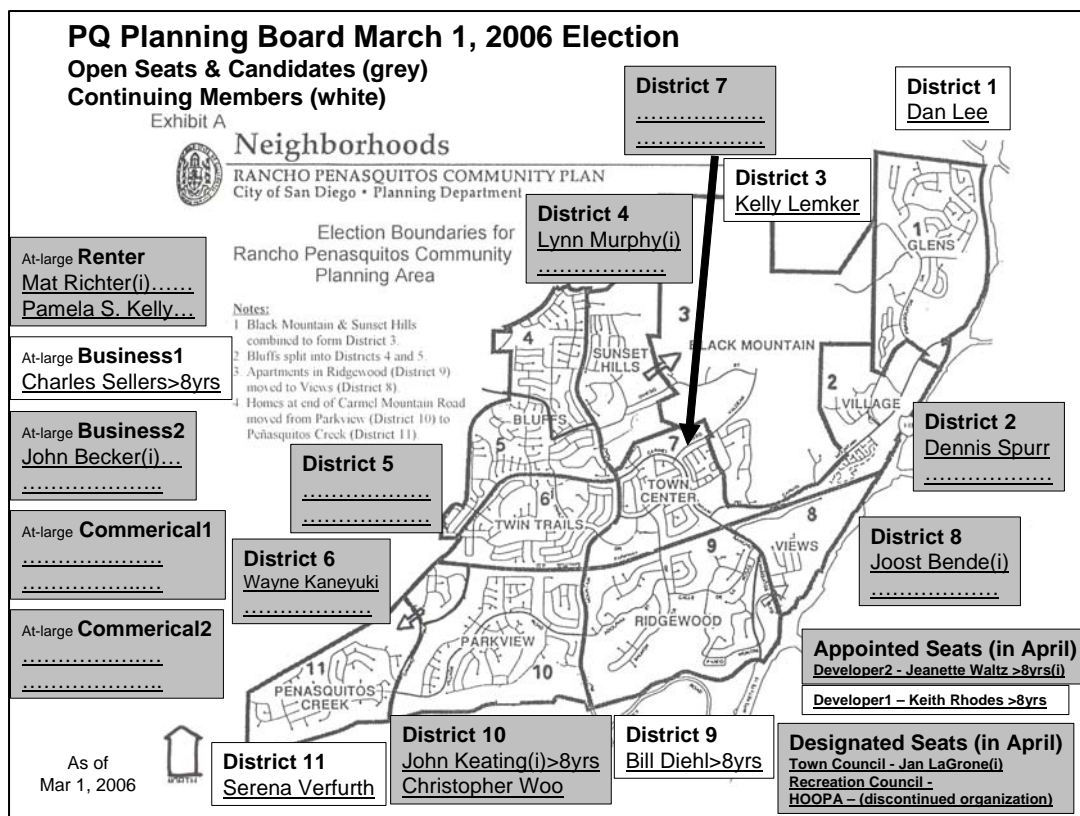


Exhibit C.

5) 2006 sheet with the ballots.

Vote for one candidate for each race by marking square

- District 2 Dennis Spur ?
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- District 4 Lynn Murphy (incumbent) ?
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- District 6 Wayne Kaneyuki ?
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- District 8 Joost Bende (incumbent) ?
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- District 10 John Keating (tem-limited incumbent) ? Christopher Woo ?
- Business 2 John Becker (incumbent) ?
- Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~

Note: term-limited candidate's votes count if only other new candidates do not receive any votes

Vote for one candidate for each race by marking square

- Districts 1, 3, 5, 7, 9, 11
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- Districts 1, 3, 5, 7, 9, 11
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Vote for one candidate for each race by marking square

- Districts 1, 3, 5, 7, 9, 11
 - Business 2 John Becker (incumbent) ?
 - Renter-at-Large Pamela Kelly ? ~~Matthew Richter (incumbent) 2~~
-

Exhibit C.

6) 2006 sign-in sheet for use at the election booth.

☐ **Must be at least 18 years old and live in a Rancho Penasquitos Election District; Show ID with your current address**

	Last Name	First Name	Signature	PQ Street Address	District #	Verified ID
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

☐

Exhibit C.**7) 2006 vote tally sheet and election results.****2006 PQ Planning Group Election Results**

District #	Total Voters	District Seat	Business Seat 2 (Jon Becker)	Renter Seat (Pamela Kelly)
2	10	Dennis Spurr = 9		
4	1	Lynn Murphy = 1		
6	1	Wayne Kaneyuki = 1		
8	2	Joost Bende = 2		
10	7	Christopher Woo = 1 John Keating = 6 (termed)		
1,3,5,7,9,11	30,1,1,0,2,4			
Totals	59		47	34

Tentative Members of the Planning Group 2005-2006**Members Who Were
Elected in March 2006****PQ District Seats**

District 2 - **Dennis Spurr** (06-08)
10569 Bernabe Dr.
858-672-4548 858-592-3549
dspurr1@san.rr.com

District 4 – **Lynn Murphy** (06-08)
14042 Davenport Avenue
858.484.4752
MMurphy870@aol.com

District 6 – **Wayne Kaneyuki** (06-08)
13427 Entreken Avenue
858.538.5966
wkaneyuk@san.rr.com

District 8 – **Joost Bende** (06-08)
13119 Avenida Grande
858.780-1696
RPPB@san.rr.com

District 10 – **Christopher Woo** (06-08)
12265 Crisscross Ln.
858-538-6676
medrx9@sbcglobal.net

PQ At-Large Seats

Renter at Large – **Pamela Kelly** (06-08)
14321 Gerona Ct.
858-672-9159 858-672-5616
psjkelly@utm.net

Business - 2 – **Jon Becker** (06-08)
7975 Cicada Court
858-538-5671 858-538-2456
Jon.Becker@tcb.aecom.com

Commercial2 - Vacant

PQ Appointed and Designated Seats

Developer 2 -
Park & Rec. -
Town Council –

Members Who Were**Not up for Election or Appointment in March 2006****PQ District Seats**

District 1 - Dan Lee (05-07)

District 3 - Kelly Lemker (05-07)

District 5 - Vacant

District 7 – Vacant

District 9 - Bill Diehl (05-07) served > 8 consecutive yrs

District 11 - Serena Verfurth (05-07)

PQ At-Large Seats

Business - 1 - Charles Sellers (05-07) served > 8 consecutive yrs

Commercial 1 - Vacant

PQ Appointed and Designated Seats

Developer 1 - Keith Rhodes (05-07) served > 8 consecutive yrs
appointed bi-annually