

## **Applications for Planning Group Recognition**

(Linked within document)

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1. [Barrio Logan Community Planning Group](#)
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## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 31, 2023, 5:41:42 PM

What is the official name of your Planning Group?

**Barrio Logan Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Barrio Logan**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **8**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**The BLCPG will (1) maintain a website; (1) create and distribute a general flyer with information on the planning group purpose and how to get involved; (3) work with local community outlets on social media to advertise meetings and elections; (4) Send representatives to attend events outside of Planning Group meetings to invite the public to learn about BLCPG and how to participate in monthly meetings; (5) Set up meetings with other local non-profits to introduce the CPG and build relationships with community bases.**

How will your Planning Group fairly represent all members of your community?

**The Barrio Logan Community Planning Group shall consist of: fourteen (14) elected members, with seats distributed among the following interests that represent the community: six (6) seats for residents; six (6) seats for business representatives; and two (2) seats for school and nonprofit representatives. Voting member seat eligibility is further defined to ensure representation from renting, home owning, and unhoused residents; from industrial, maritime-serving, and small community-serving businesses; and from owners of residential and non-residential real property, as follows: 2 homeowners, 2 renters. 1 renter seat with a preference for a youth ages 16-24, 1 seat for an unhoused person - if an unhoused person cannot serve, the seat defaults to a renter. The business seats shall be designated as follows: 2 Maritime/Shipbuilding industry seats, 3 small business seats, and 1 landlord (whether leasing to residents or businesses). We also include two non-profit seats to represent the interests of community groups.**

Applicant Representative

**Julie Corrales**

Email

**barriologancpg@gmail.com**

Phone Number

**619-381-3406**

Please include the following documents.

**PDF** Member Composition Worksheet ALTERNATIVE OPT.pdf  
686.3KB

**PDF** Community Rep \_ Partcipation Plan.pdf  
821.5KB

**PDF** BLCPG Operating-Procedures-FINAL DRAFT.pdf  
659KB

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: \_\_\_\_\_

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

\_\_\_ American Indian

\_\_\_ Asian

\_\_\_ Black

\_\_\_ Hispanic

\_\_\_ Pacific Islander

\_\_\_ White

\_\_\_ Two or more races

\_\_\_ Other: \_\_\_\_\_

### HOUSEHOLD INCOME

\_\_\_ Less than \$15,000

\_\_\_ \$15,000 to \$29,999

\_\_\_ \$30,000 to \$44,999

\_\_\_ \$45,000 to \$59,999

\_\_\_ \$60,000 to \$74,999

\_\_\_ \$75,000 to \$99,999

\_\_\_ \$100,000 to \$124,999

\_\_\_ \$125,000 to \$149,999

\_\_\_ \$150,000 to \$199,999

\_\_\_ \$200,000 or more

### COMMUNITY AFFILIATION

\_\_\_ Homeowner

\_\_\_ Property Owner

\_\_\_ Renter

\_\_\_ Local Business Owner or Operator

\_\_\_ Youth Representative (Age Under 25)

\_\_\_ Other : \_\_\_\_\_

### AGE

\_\_\_ Under 25

\_\_\_ 25 to 29

\_\_\_ 30 to 39

\_\_\_ 40 to 49

\_\_\_ 50 to 59

\_\_\_ 60 to 69

\_\_\_ 70 to 79

\_\_\_ 80 +

PLEASE NOTE: WE ARE SEEKING TWO ADDITIONAL MEMBERS FOR (2) TWO OPEN SEATS DESIGNATED FOR (1) LANDOWNER AND (1) HOMEOWNER.

THIS WORKSHEETS INCLUDES THE DEMOGRAPHIC INFORMATION FOR THE CURRENT 12 MEMBERS.

# COUNCIL POLICY

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**BARRIO LOGAN COMMUNITY PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

## Introduction and Background

Through this document, the **Barrio Logan Community Planning Group** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

If applicable, the planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group also includes with these Operating Procedures, a Community Participation and Representation Plan as **Exhibit A**, and Ethical Standards as **Exhibit B**, and maintains these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

### 1. Name and Geographical Boundaries

The name of this City-recognized planning group is the **Barrio Logan Community Planning Group**.

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The community planning boundaries of this planning group are the boundaries of the **Barrio Logan** Community, as shown in **Exhibit B**.

### 2. Responsibilities

#### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

#### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit C, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors. The planning group can review projects and submit recommendations without applicant or City staff presentation.

#### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

#### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown

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Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

As an independent entity, the planning group may develop a policy for financial contributions from the board and 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.

**3. Community Participation and Representation**

3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

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3.2 Community Outreach

The planning group and its voting members shall routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. Planning Group Composition**

4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community.

The **Barrio Logan Community Planning Group** shall consist of: **fourteen (14)** elected members to represent the community. See Section 4.3 for community representation requirements for elected seats.

4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age, unless the planning group has an elected youth representative. Youth members shall be a minimum age of 16 years old.

4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in the 12-month period between March and April, throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to disqualified voting members when seeking re-election or re-appointment.

4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community

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planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

The **Barrio Logan Community Planning Group** shall consist of: **fourteen (14)** elected members, with seats distributed among the following interests that represent the community: six (6) seats for residents; six (6) seats for business representatives; and two (2) seats for school and nonprofit representatives.

Voting member seat eligibility is further defined to ensure representation from renting, home owning, and unhoused residents; from industrial, maritime-serving, and small community-serving businesses; and from owners of residential and non-residential real property, as follows:

| Number of Seats               | Additional Eligibility  | Seat Description   |
|-------------------------------|---|--|
| <b>Six (6) Resident Seats</b> |   |  |
| 2                             | Homeowner   | Any individual who owns their primary residence; and whose primary address of residence is an address in the community planning area.  |
| 2                             | Renter  | Any individual who rents or leases their primary residence, and whose primary address of residence is an address in the community planning area.   |
| 1                             | Renter, with preference for a youth, ages 16-24.  | Any individual who rents or leases their primary residence, and whose primary address of residence is an address in the community planning area, with preference given to a youth.   |
| 1                             | Unhoused, if available to serve.<br><br>If no unhoused community member is available to serve, the seat defaults to renter. | Any unhoused individual who primarily resides within the Planning Area boundaries; or any individual who rents or leases their primary residence, and whose primary address of residence is an address in the community planning area. |
| <b>Six (6) Business Seats</b> |   |  |
| 2                             | Maritime, manufacturing or heavy industrial business  | Any person who owns or is appointed by an owner of a maritime-serving, manufacturing or heavy industrial business within the community planning area.  |

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| Number of Seats                        | Additional Eligibility         | Seat Description  |
|--|--------------------------------|---|
| 1                                      | Real Property Owner (Landlord) | Any individual who is identified as the sole or partial owner of record of a real property (either developed or undeveloped, residential or non-residential), within the community planning area; whose primary address of residence is NOT within the community planning area. |
| 3                                      | Small Business Owner           | Any person who owns or is appointed by an owner of a retail, restaurant, commercial, or professional services business within the community planning area.  |
| <b>Two (2) Non-profit/School Seats</b> |                                |   |
| 2                                      | None                           | Any person who works in a school or at a non-profit organization within the planning area or is appointed by such a school or a non-profit organization.  |

## 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the planning group may create appointed non-voting seats. These appointed non-voting seats are described as follows.

In addition to elected members, the Barrio Logan Community Planning Group has two (2) appointed seats to better represent specific interests or unique stakeholder interests of the community. One (1) seat is appointed by the United States Navy, and one (1) seat is appointed by the Port of San Diego. Appointed seats are not counted in the fourteen (14) planning group voting membership or meeting quorum and are advisory only.

## 4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in planning group and committee discussions and in voting on matters being heard by the planning group. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the planning group. The planning group allows for one renter seat to be occupied by a youth from ages 16-24.

## 4.4 Voting Member Term Limits

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The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

### 4.4.1 Maximum Time of Service

Members of the Barrio Logan Planning Group shall be elected to serve fixed terms of: four (4) years with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years, cumulative of any designated seat held. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

### 4.4.2 Waivers of Maximum Time of Service

The planning group may waive the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 16 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 16 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service; should new, qualified candidates arise at any subsequent election, the Maximum Time of Service provisions continue to apply.

## 5. **Open and Public Elections**

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one vote cast per business tax certificate
- Only one vote cast per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code

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or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Residents must provide proof of both residency and identity. Consistent with state and federal law, proof of residency or identity should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by the planning group and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their

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founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

## **5.2. Transparency and Inclusion in Operations**

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

### 5.2.1 Election Timing

The planning group will endeavor to host its regular elections during the month of March each year to be consistent with other planning groups. The planning groups regular elections shall be held every two years, at the regular meeting date in March. Special elections should be held within 90 days after three or more concurrent vacancies are announced to ensure the seats are filled within 120 days from the date of vacancy.

### 5.2.2 Election Logistics & Procedures

**VOTING LOCATION** - Voting shall occur at or near the location for the regular planning group meeting. The polling area should be located so as to not cause undue disruption to the progress of the regular meeting. The polling place shall be adequate to conduct a private vote, equipped with all necessary tables, seating, and partitions if needed. The polling place and voting process shall be accessible for persons with disabilities.

**VOTING TIME** - Voting shall occur from 4:00 p.m. until 7:30 p.m. The Chair or Secretary shall announce the planned closure of the polls at the Barrio Logan Planning Group regular meeting when both 30 minutes and 15 minutes of polling time remain.

**VERIFICATION OF VOTER ELIGIBILITY AT TIME OF ELECTION** - Eligible voters shall be required to verify identity and residence per Section 5.1.1 at the time of voting.

The Election Subcommittee will ensure that eligible community members are recorded as voting and are provided with one ballot.

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**DISCOURAGEMENT OF ELECTIONEERING** - The planning group discourages individuals from actively trying to convince voters to vote for a specific candidate at the time and place of the election. The Election Subcommittee shall be responsible for ensuring electioneering is not taking place within 100 feet from the polls.

**MANAGEMENT OF POLLS** - The Election Subcommittee will either secure a neutral third party to conduct the management of polls, or assign volunteers, members of an election subcommittee, or a combination thereof to manage the polls. Accommodations for individuals with disabilities must be provided, including but not limited to wheelchair access to polls, large print ballots, and assistance for blind or hearing impaired voters.

**BALLOTS** - Voting to elect new community planning group members shall be by secret written ballot. Ballots shall be prepared for each seat open for election. The ballot shall contain the seat being voted upon, the name(s) of the candidate(s) in last-name alphabetical order, the name of the business (if applicable), the number of seats open for election, and a statement of the maximum number of votes that may be cast. The ballot shall also contain a statement indicating that write-in candidates are not allowed.

**BALLOT BOX** - A ballot box shall also be prepared for the deposit of voted ballots. To maintain confidentiality of secret written ballots, the Election Subcommittee shall ensure that the ballot box allows for the insertion of voted ballots and remains otherwise closed until the end of the election and the counting of ballots.

**WRITE-IN CANDIDATES** - Valid votes may be cast only for candidates who are listed on the official ballot. Write-in candidates are not permitted.

**PROXY OR ABSENTEE BALLOTING** - Eligible voters must be present in person to cast ballots. Proxy or absentee balloting is not allowed in any circumstance.

**COUNTING OF VOTES** - Upon the closing of the polls, the Secretary or member of the Election Subcommittee shall ensure that all persons other than election subcommittee members leave the room or the area where the elections have been conducted and/or where the ballot counting will occur. The Secretary or member of the Election Subcommittee shall also immediately close and secure the ballot box. All unused ballots, rosters, and election supplies shall be separately secured.

The voted ballots shall be tallied and recorded by two or more members of the subcommittee, or a neutral third-party engaged by the subcommittee to conduct the election proceedings.

Ballots shall be counted and tallied in writing twice, by two separate members of the subcommittee or a neutral third party. If the two separate tallies are not consistent, the

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subcommittee shall proceed with a verification count. If the subcommittee is unable to adequately reconcile the ballot count, that information shall be reported to the Chair by the Secretary.

All tally and record sheets shall be retained as part of the election's official records for five (5) years.

All cast ballots, all unused ballots, all rosters, and all tally and reporting sheets shall be secured after the election by the Secretary and held in a secure location for at least 12 months following the election or as otherwise directed by the City of San Diego. At the end of the required retention period, the Secretary may dispose of the retained materials.

**DETERMINATION OF ELECTION WINNERS** - A plurality vote shall be the basic method for determining how many votes cast will determine the election of a candidate, except as noted. A plurality vote specifies that the candidate receiving the largest number of votes is declared a winner. New candidates or members seeking reelection who are not termed out after eight (8) years will need only a plurality of votes to win. Candidates who have served more than eight (8) consecutive years must receive a two-thirds (2/3) majority of the vote, per Section 4.4.2.

**TIE-BREAKING PROCEDURES** - Should two equally qualified candidates receive an equal amount of votes for one seat, a coin toss will be used to determine the winning candidate. The coin-toss will be performed by the Secretary, a member of the Election Subcommittee, or a neutral third-party engaged to manage the polls. The coin toss shall transpire in the presence of the Secretary, and a minimum of two additional witnesses not on the planning board, prior to the reporting of the election results.

**CONTINUED VACANCY** - If not all vacant board seats are filled during an regular or election, the remaining seats are considered a new vacancy. The provisions in Section 5.2.5 newly apply and the time requirements restart.

**REPORTING OF ELECTION RESULTS** - Election results shall be reported in writing by the Secretary or Election Subcommittee to the Chair immediately upon the conclusion of the counting of votes.

**ANNOUNCEMENT OF VOTING RESULTS** - The results of the elections shall be announced by the Chair or by the Secretary, at the direction of the Chair, and become final after announcement, prior to the conclusion of the regular planning group meeting during which the election occurs. The announced results shall include the number of votes cast for each candidate and the total number of votes cast for each seat.

The Chair is responsible for certifying and forwarding the election report to the City after one

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week, if no election challenges are filed.

**SEATING OF NEW MEMBERS** - 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. For special elections, new members shall be seated at the beginning of the next regularly scheduled meeting following the election.

**ELECTION QUESTIONS AND CHALLENGES** - Any questions or challenges to the results of any planning group election shall be submitted in writing via email or hard copy to the Chair or Secretary, or a member of the Election Subcommittee within 48 hours of the counting of the ballots in order to allow enough time to resolve. The Election Subcommittee shall retain all ballots and voter records for a minimum of 48 hours before submitting to the Secretary for filing and retention, to allow enough time to receive any challenges.

If election results are challenged, it is the responsibility of the Election Subcommittee to examine these bylaws to attempt to resolve any challenges. If a specific member of the Election Subcommittee is named in the challenge, they must recuse themselves from the investigation proceedings.

Within 10 business days, the Election Subcommittee will provide a response detailing the outcome of their examination to the Barrio Logan Planning Group Chair and Secretary and/or City of San Diego staff, including recommendations for rectification if a challenge is deemed appropriate. The Planning Group shall consult with the City of San Diego staff before implementing any mitigations.

A report detailing the outcome of the investigation and any remedying actions will be reported at the following regularly scheduled Planning Group meeting.

All matters related to elections are subject to review by the Barrio Logan Planning Group and the City of San Diego.

**5.2.3 Election Subcommittee Roles & Responsibilities**

**DUTIES** - The duties of the Election Subcommittee (committee) are to seek eligible candidates, to prepare the ballots, to qualify voters, to publicize elections, and to conduct all other necessary processes and procedures to execute planning group regular elections and any special elections.

**ESTABLISHING ELECTION SUBCOMMITTEE** - The committee shall be established no later than the regularly scheduled planning group meeting held two months prior to the upcoming election.

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**ELECTION NOTICING & OUTREACH** - The committee shall make a good faith effort to use appropriate means to publicize the planning group's eligibility requirements for candidacy and the upcoming elections; and shall be responsible for the distribution of information concerning upcoming elections, including candidacy, in accordance with these procedures and the planning group's Community Participation and Representation Plan (CPRP).

The committee shall notice the call for candidates for general elections by January 30, and for special elections by 6 weeks prior to the election, utilizing the Strategies for Community Engagement outlined in the CPRP. The committee shall report at the February meeting as to a planned and conducted election outreach. Such outreach should be conducted in English and Spanish.

**CANDIDATE SOLICITATION** - The committee shall solicit eligible community members to become candidates; and verify eligibility for each declared candidate and maintain documentation per section 5.2.4. The committee shall seek enough 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 the required absence per sections 4.4.1 and 4.4.2 of these procedures.

**BALLOT PREPARATION** - The committee shall prepare the official ballot presented to eligible community members to vote. The ballot shall 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 2/3 majority of the vote due to service beyond eight consecutive years of service.

**VOTER RECORDS** - The committee shall compile a list of qualified community members who have cast votes and retain all other records of past elections.

**RECORD RETENTION** - All election, candidate and voter records must be presented to the Secretary and/or Chair within 30 days after any election for retention per guidelines outlined in section 7.2 of these procedures.

5.2.4 Candidate Eligibility

The deadline to qualify for candidacy in the March general election shall be the date of February regularly scheduled meeting of the planning group preceding the election. The deadline to qualify for candidacy in a special election shall be the date of regularly scheduled meeting of the planning group one month preceding the election. Write-in candidates are not permitted.

Candidates must verify eligibility, prior to distribution of a ballot, by submitting to the Election

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Subcommittee via email or in hard copy, forms of verification required for eligibility per Section 5.1.1. through 5.1.4 of these operating procedures.

At both the February and March regular planning group meetings, candidates will be announced and each candidate will be provided an opportunity to make a brief statement and/or presentation regarding their candidacy. For special elections, each candidate will be provided an opportunity to make a brief statement and/or presentation regarding their candidacy at both the meeting prior to the election and the meeting during which the election takes place. In the case of a candidate's absence, they can appoint a proxy to read their statement or ask the Chair to read their statement.

5.2.5 Vacancies

The Barrio Logan Planning Group shall find that a vacancy exists upon receipt of a resignation in writing from one of its members; upon any member becoming ineligible per section 4.2 of these procedures; upon receipt of a written report from the planning group's secretary reporting the fourth absence in a 12-month period of a member(s) from the planning group's regular meetings per Section 4.2.2; or upon removal by a noticed two-thirds vote of planning group members due to violations of these operating procedures, as outlined in Section 8.

Vacancies 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.

Two concurrent vacancies can be filled by appointment per majority vote of the remaining planning group members. Appointments must be agendaized and the process discussed at a regularly scheduled planning group meeting.

Three or more concurrent vacancies shall be filled by a vote of all eligible members of the community by secret written ballot during an election, no later than 120 days following the determination of the third vacancy.

When the Barrio Logan Planning Group is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a search for a new member should continue, however either the seat may remain vacant until the next regular planning group election.

If there are less than 10 members in good standing, and a vacancy remains for more than 60 days from the time a vacancy is declared, 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 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

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5.2.6 Voting Board Member Removal

In cases of alleged violations of these operating procedures or Council Policy 600-24 by a planning group member, the planning group may conduct an investigation consistent with the Council Policy 600-24 and these bylaws.

A complaint that an individual member of a planning group violated one or more provisions of the planning group's operating procedures or Council Policy 600-24 may be submitted to the planning group chair 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 procedures 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 vote of the voting members 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 Council 600-24 and these procedures.

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. While the authority for this process rests with this planning group, City staff may be contacted for assistance at any point in the process.

**DOCUMENTING A VIOLATION** - A complaint that a violation of these operating procedures or of Council Policy 600-24 has occurred will be presented to the planning group chair within 90 days of the alleged violation. If the complaint is about the chair, it may be presented to any other officer of the planning group, and the chair must recuse themselves for the investigation proceedings.

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 from these operating procedures or Council Policy 600-24 that determines which type of violation has occurred. 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 planning group officers regarding the complaint. If any officer is the subject of the grievance or has a business or personal relationship with the alleged violator, they shall be recused from the investigation.

The chair shall create a written record of the complaint and alleged violation to share with the alleged violator and the planning group officers.

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PROCEDURES FOR ADMINISTERING AN INVESTIGATION - 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 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 the remedy.

If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and Barrio Logan Planning Group 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.

DISCIPLINING OR REMOVING A MEMBER - Any action by the Barrio Logan Planning Group to discipline or remove a member must occur at a scheduled planning group meeting and be advertised on the agenda as an action item.

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.

At the regularly scheduled and properly noticed meeting, the planning group may remove a member by a two-thirds vote of the voting members of the planning group.

**6. Conduct of Meetings**

**6.1 Professional Conduct**

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

**6.2 Rules of Procedure**

The planning group shall adopt [Simplified Rules of Order](#) as the rules of procedure for its meetings and to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

**6.3 Transparency in Operations**

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite

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community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and procedures.

**REGULAR AGENDA POSTING** - At least 72 hours before a regular meeting, and 24 hours before a special meeting, the agenda shall be posted on the exterior of the meeting location, per the Brown Act; and distributed to the planning group mailing list and through outreach methods described in the CPRP.

The agenda shall include notice of the date, time and location of the meeting; a brief description of each agenda item, including whether the item is information or for action by the planning group; and information on how a request for accessible accommodations may be made.

All agendas will be published in English and Spanish. The agenda shall be made available to the City for posting on the City's website.

**PUBLIC COMMENT**- Any interested member of the public may comment on agenda items during regular or special planning group meetings. Group testimonies and planned presentations by the public are allowed on any agenda item at the discretion of the chair, and are subject to time limits.

In addition, each agenda for a regular planning group meeting shall allow for a public comment period at the beginning of the meeting for non-agenda items that 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.

**ADJOURNMENTS AND CONTINUANCES** – If the planning group 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.

**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

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regular meeting; otherwise the original meeting agenda is adequate.

**CONSENT AGENDA** - For items to be considered for a “Consent Agenda” all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

**QUORUM** - 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.

**PUBLIC ATTENDANCE** - 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.

**DEVELOPMENT PROJECT REVIEW** - The Barrio Logan Planning Group 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.

The planning group shall submit a form IB-620, Community Planning Committee Distribution Form, to the City of San Diego Development Services Department for each project on which the planning group votes, detailing the outcome of the vote.

**ACTION ON AGENDA ITEMS** - An item not noticed on the agenda may be added if either two-thirds of the voting members of the Barrio Logan Planning group, or every member if less than two-thirds of the voting members of the 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

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planning group subsequent to the agenda being posted.

A two-thirds vote of the voting members of the community planning group is required to remove an elected community group member, and a majority vote is required for an appointed 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 vote of the voting members of the Barrio Logan Planning Group.

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 subcommittee votes, only require a simple majority of the voting members in attendance when a quorum is present.

The Barrio Logan Planning Group planning group's chair 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in the meeting minutes.

**COLLECTIVE CONCURRENCE** - Any attempt to develop a collective concurrence of the members of the planning group as to an 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.

**SPECIAL MEETINGS** - The chair of the Barrio Logan Planning Group, 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 distributed in writing through outlets indicated in the CPRP 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

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may be waived.

**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 Barrio Logan Planning Group and are prohibited under these bylaws.

**RIGHT TO RECORD** - Any person attending a meeting of the Barrio Logan Planning Group 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.

**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 chair 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.

**SUBCOMMITTEES** - The planning group may establish standing and ad hoc subcommittees when their operation contributes to the purpose of the planning group, as defined in these procedures.

Each subcommittee is composed of one or more Barrio Logan Planning Group members, as well as interested individuals from the community.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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. The community member will provide a resume and be presented to the board for a vote. A prospective subcommittee member from the community then shall be seated by a majority vote of the board at a properly noticed regular meeting of the planning group. A majority of all subcommittees must be members of the Planning Group.

A meeting of a subcommittee shall at no time constitute a meeting of a quorum of the planning group. If it is determined that a meeting of subcommittee members constitutes a quorum of the planning group as a whole, either the meeting must be adjourned or member(s) must recuse themselves to unmeet quorum.

The Chair of the Barrio Logan Planning Group shall assign the Chairs of each subcommittee. The subcommittees meet as needed throughout the year and will meet all required noticing requirements.

The Chair of each subcommittee will be responsible for carrying out their specific mission, setting meetings, providing venues and for providing minutes of meetings to the Secretary.

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Chairs of each subcommittee will keep the Barrio Logan Planning Group Chair noticed and apprised of all activities and the Chair of the Barrio Logan Planning Group will be an ex-officio member of all subcommittees.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the Barrio Logan Planning Group as identified in these procedures, the planning group shall established the following standing subcommittees: Project Review Committee and Elections Committee.

**Project Review Committee**

The chairperson of the Project Review Committee shall be the Vice-Chairperson of the Planning Group unless the Planning Group otherwise appoints another member of the Planning Group to chair the Committee. The purpose of this committee is to advise, counsel and educate the Planning Group about the ordinances and regulations pertaining to the land development process and to make specific recommendations to the Planning Group pertaining to proposed projects and applications for permits within the planning area. It is the duty of all Committee members to accept a pro rata share of assignments to study and research proposed development projects. It is the primary responsibility of this Committee to provide a recommendation to the full Planning Group for consideration that is based on this research and presented in report form to the Planning Group to facilitate discussion about development projects during full Planning Group meetings.

**Elections Committee**

The duties of the Election Committee are to seek eligible candidates, to prepare the ballots, to qualify voters, to publicize elections, and to conduct all other necessary processes and procedures to execute planning group regular elections and any special elections. Their duties are outlined in Section 5.2.3 of these procedures.

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

(iii) **RECOMMENDATIONS** – Subcommittee 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 subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

**RECUSALS** - Any member of the planning group with a direct economic interest in any project that comes before the planning group or its subcommittees 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, in accordance with Section 7.3 Ethical Standards. Recusals are noted in the meeting minutes and should include a planning group member's reason for recusal.

**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

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state, for the record, the reason for the abstention.

**GENERAL MEETING PROCEDURES -**

(i) **ACCESS TO MEETING MATERIALS** - 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 the materials requested by an individual or individuals.

(ii) **MINUTES** – For each planning group meeting, a report of Barrio Logan Planning Group 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 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 Barrio Logan Planning Group 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.

(iii) **CONDUCT OF MEETINGS** - Applicants shall have ten to fifteen minutes to make their presentations, at the Chairperson's discretion, properly noticed on the meeting agenda.

After an applicant's presentation, members of the planning group or committee shall have the right to ask the applicant questions. The chair shall have sole responsibility for moderating questions from planning group or committee members.

Public comment, normally three minutes per speaker, may be limited in respect of a full agenda, and may be reduced to no less than two minutes provided each speaker receives the same amount of time.

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Organized presentations may pool individual's time, but the total time for the presentation may be capped by the Chair.

It is to be expected that order and civil discourse will be maintained at all times. Persons who are disruptive, fail to follow the agenda and interrupt meeting progress will be asked to leave the room. If further disruption occurs, the Chair may declare the meeting adjourned. S

Audience and public will have opportunity for input in all matters affecting community or projects that are presented.

6.4 Planning Group Officers

The officers of the Barrio Logan Community Planning Group 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 2 years, except that no person may serve in the same planning group office for more than eight consecutive years per the term limits established in Section 4.4. 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.

6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. **Additional** duties include setting the agenda, presiding over meetings, and being the point of contact for development applicants.

6.4.2 Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, or upon the recusal from any agenda item, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson, including presiding over meetings, acting as the alternate representative to the CPC, reporting as the delegate to provide a written report and/or verbal testimony to the Mayor, City Council, Planning Commission, planning staff, community or institutional boards or agencies, or similar organizations on planning group actions and policies.

6.4.3 Secretary

Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions, including identification of those planning group's 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.

6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group, including a parliamentarian who with the Chair manages the meeting and advises on parliamentary meeting procedures or ex-officio members that hold positions in other

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community organizations; and/or a treasurer who provides general financial oversight of any funds collected for the purpose of executing the functions of the planning group.

### 6.5 Additional planning group Officer Responsibilities

The Barrio Logan Planning Group officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

## **7. Additional Planning Group Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall incorporate their ethical standards within this section of their Operating Procedures. The planning group should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards.

#### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a

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vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

**8. Planning Group Rights and Liabilities**

8.1 Indemnification

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Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

8.3 Violations of Membership Eligibility

CITY OF SAN DIEGO, CALIFORNIA

**COUNCIL POLICY**

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

**8.3.1 Removal of Ineligible Voting Members**

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

**8.4 Violations and Remedies**

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

**8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures**

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

**8.6 Potential Conflicts of Interest**

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

**10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. The Barrio Logan Community Planning Group will represent the community of Barrio Logan.

**Barrio Logan Community Planning Group**  
**Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The Barrio Logan Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this community participation and representation plan (CPRP, plan) is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

**Overarching Goals**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision- making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing grounds rules for

dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Representatives to attend events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a "community vision". This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and **other** survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use “support.”</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>“Are community parks clean?” and “Are community parks safe?” = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn’t have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don’t have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Plannning Group

**WHY SHOULD YOU JOIN?**

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

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HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

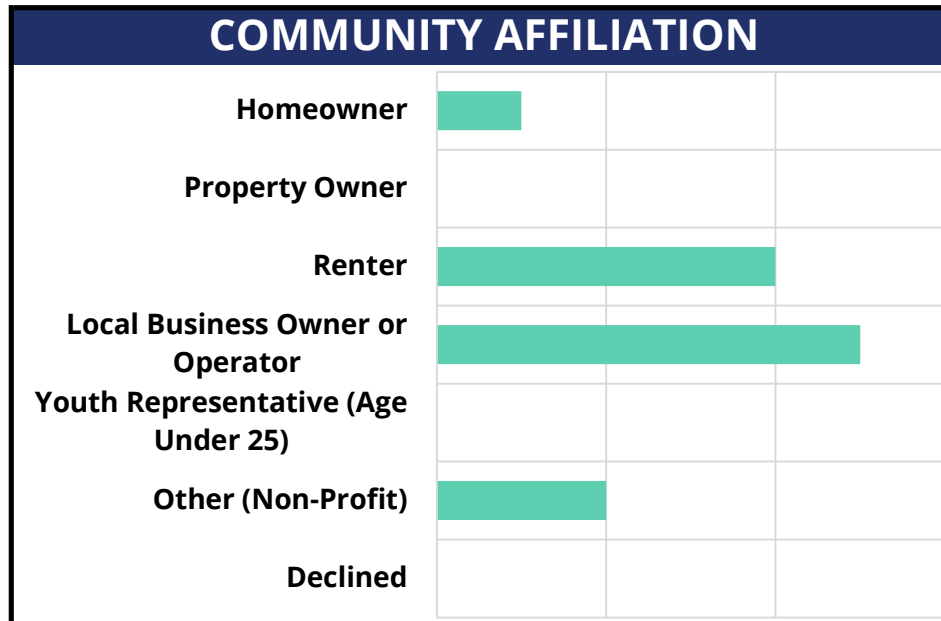
|   |                 |                |           | TERMS (March through March) |           |           |           |           |           |   |
|---|-----------------|----------------|-----------|-----------------------------|-----------|-----------|-----------|-----------|-----------|---|
|   |                 |                |           | 2022-2023                   | 2023-2024 | 2024-2025 | 2025-2026 | 2026-2027 | 2027-2028 |   |
|   | BOARD MEMBERS   |                |           |                             |           |           |           |           |           | NOTES                                   |
|   | RESIDENTS       |                | SEAT      |                             |           |           |           |           |           |   |
| 1 | Hector          | Villegas       | OWNER     |                             |           |           |           |           |           | Replaced Katie Pipes October 2023       |
| 2 |                 |                | OWNER     |                             |           |           |           |           |           | Philomena Marino resigned November 2023 |
| 3 | Julie           | Corrales       | RENTER    |                             |           |           |           |           |           |   |
| 4 | Miguel Angel    | Mendez Morales | RENTER    |                             |           |           |           |           |           | Replaced Areli Santillan October 2023   |
| 5 | Scott           | Gallegos       | RENTER    |                             |           |           |           |           |           | Replaced Claudia Rodriguez October 2023 |
| 6 | Tonantzin       | Sanchez        | RENTER    |                             |           |           |           |           |           | Replaced Kenny Soreano October 2023     |
|   | BUSINESS OWNERS |                |           |                             |           |           |           |           |           |   |
| 1 | David           | Ortiz          | SMALL BIZ |                             |           |           |           |           |           |   |
| 2 | Marisa          | Aguayo         | SMALL BIZ |                             |           |           |           |           |           | Replaced Ernie Becerra October 2023     |
| 3 | Nayeli          | Gutierrez      | SMALL BIZ |                             |           |           |           |           |           | Replaced Joseph Allen October 2023      |
| 4 | Michael         | Curtin         | MARITIME  |                             |           |           |           |           |           | Replaced Klaus Gohlke October 2023      |
| 5 | David           | Duea           | MARITIME  |                             |           |           |           |           |           | Replaced Lucas Cruz October 2023        |
| 6 |                 |                | LANDLORD  |                             |           |           |           |           |           | Matt Carr Resigned October 2023         |
|   | NON-PROFIT      |                |           |                             |           |           |           |           |           |   |
| 1 | John            | Alvarado       |           |                             |           |           |           |           |           |   |
| 2 | Marissa         | Cassani        |           |                             |           |           |           |           |           |   |

# Barrio Logan

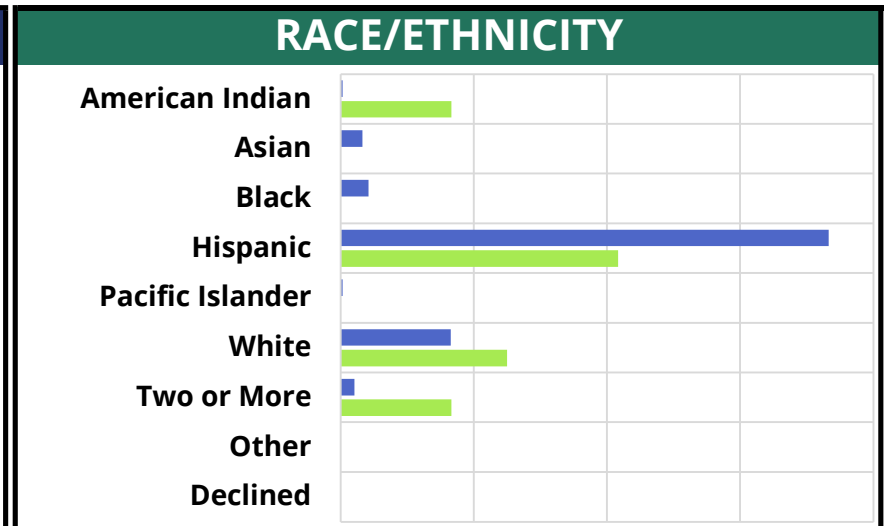
■ Member Count

■ Percent Group

■ Percent Community



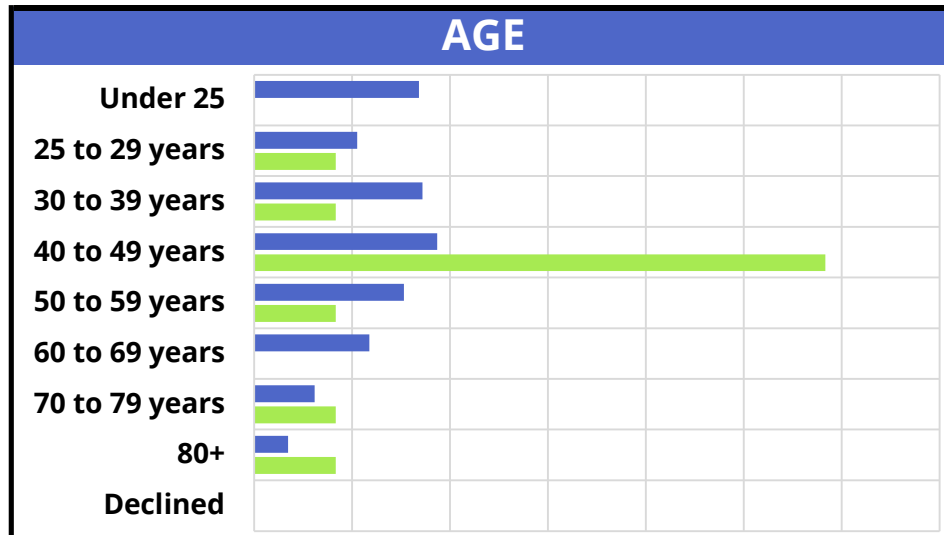
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 1            |
| Property Owner                      | ---          |
| Renter                              | 4            |
| Local Business Owner or Operator    | 5            |
| Youth Representative (Age Under 25) | ---          |
| Other (Non-Profit)                  | 2            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>12</b>    |



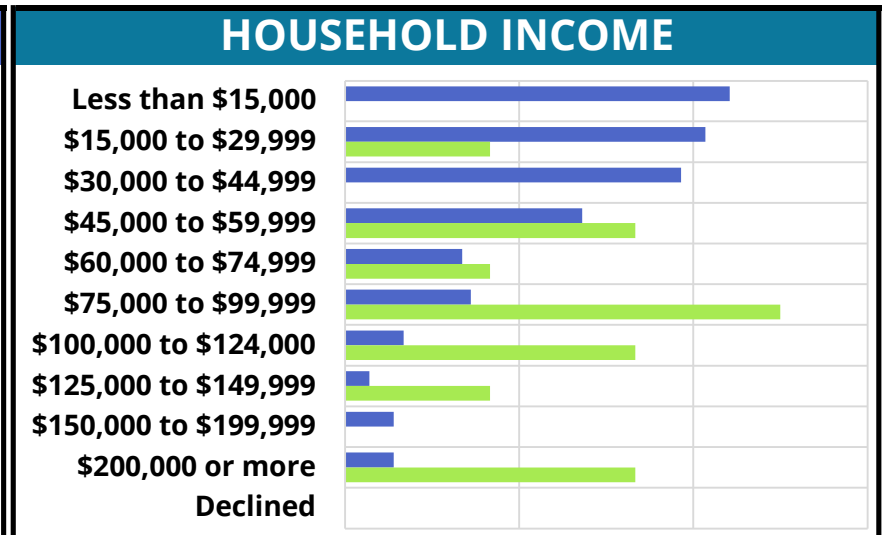
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | 2            | 16.7%         | 0.3%              |
| Asian            | ---          | ---           | 3.3%              |
| Black            | ---          | ---           | 4.2%              |
| Hispanic         | 5            | 41.7%         | 73.3%             |
| Pacific Islander | ---          | ---           | 0.3%              |
| White            | 3            | 25.0%         | 16.6%             |
| Two or More      | 2            | 16.7%         | 2.1%              |
| Other            | ---          | ---           | 0.0%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>12</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Barrio Logan

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 17%               |
| 25 to 29 years | 1            | 8%            | 11%               |
| 30 to 39 years | 1            | 8%            | 17%               |
| 40 to 49 years | 7            | 58%           | 19%               |
| 50 to 59 years | 1            | 8%            | 15%               |
| 60 to 69 years | ---          | ---           | 12%               |
| 70 to 79 years | 1            | 8%            | 6%                |
| 80+            | 1            | 8%            | 3%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 22%               |
| \$15,000 to \$29,999   | 1            | 8%            | 21%               |
| \$30,000 to \$44,999   | ---          | ---           | 19%               |
| \$45,000 to \$59,999   | 2            | 17%           | 14%               |
| \$60,000 to \$74,999   | 1            | 8%            | 7%                |
| \$75,000 to \$99,999   | 3            | 25%           | 7%                |
| \$100,000 to \$124,000 | 2            | 17%           | 3%                |
| \$125,000 to \$149,999 | 1            | 8%            | 1%                |
| \$150,000 to \$199,999 | ---          | ---           | 3%                |
| \$200,000 or more      | 2            | 17%           | 3%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recogniton

Submitted by: Anonymous user

Submitted time: Dec 4, 2023, 12:33:54 PM

What is the official name of your Planning Group?

**Carmel Mountain Ranch/Sabre Spring Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Carmel Mountain Ranch**
- **Sabre Springs**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **5**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

|                       |  |
|-----------------------|--|
| Group                 |  |
| Member Affiliation(s) | <ul style="list-style-type: none"><li>• <b>Homeowner</b></li><li>• <b>Local Business Owner or Operator</b></li></ul> |
| Household Income      | <b>\$200,000 or more</b>   |
| Race / Ethnicity      | <b>Other</b>   |
| Age                   | <b>50 to 59</b>  |

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**Two or More**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**Two or More**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Hispanic**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**50 to 59**

How will your Planning Group be accessible to all members of your community?

**1. We send a monthly status report to over 200 individual email addresses in our community. 2 - We share the status report on Nextdoor.com as well. 3 - We post our monthly meeting agenda at both the CMR Recreation Center and the CMR Library. 4 - We will begin to post flyers and meeting notices on public information boards at local coffee shops/restaurants. 5 - We will begin working with our D5 City Council office to include information in their newsletter about our CPG.**

How will your Planning Group fairly represent all members of your community?

**Our planning group has done the best it can to fairly represent the diverse interests of our community. We have always been welcoming to any and all members of the community who wish to address our CPG. In the past we have had a more diverse board in terms of ethnicity and types of members. At this time our board is fairly one-dimensional, however, we will endeavor to attract more diverse community representation via methods described above.**

Applicant Representative

**Eric Edelman**

Email

**edelmanrealty@gmail.com**

Phone Number

**619-300-3254**

Please include the following documents.

**DOCX**

CMRSSCPG - Bylaws.docx  
212.6KB

**DOCX**

CMRSSCPG Exhibit A - Ethical Standards.docx  
8.7KB

**DOCX**

CMRSSCPG Participation And Representation Appendices.docx  
652.9KB



CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

**Attachment to CP 600-24 –Terms and Conditions**

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
**Carmel Mountain Ranch/Sabre Springs**  
**Community Planning Group (CMRSSCPG)**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Carmel Mountain Ranch/Sabre Springs Community Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Carmel Mountain Ranch/Sabre Springs Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the Carmel Mountain

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Ranch and Sabre Springs Community, as shown in Exhibit B.

**2. Responsibilities**

2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting

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agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. CPG Composition**

4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively,

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representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a two-year break in service.

4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its

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voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

**5. Open and Public Elections**

5.1 Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

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- (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community

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members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

**6. Conduct of Meetings**

6.1 Professional Conduct

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The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

**7. Additional CPG Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

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7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled

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“An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2.

8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice

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and require ineligibility determinations to be supported by documentation.

**8.4 Violations and Remedies**

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

**8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions**

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

**8.6 Potential Conflicts of Interest**

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

**8.7 Violations and Remedies for Quorum and Attendance Requirements**

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

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8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

**10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Carmel Mountain Ranch/Sabre Springs Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### **1) Conflicts of Interest**

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### **2) Abstentions for Potential Conflicts of Interest**

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### **3) Political Actions**

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### **4) Donations**

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### **5) Equal Time for Candidates or Ballot Measures**

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Carmel Mountain Ranch/Sabre Springs CPG Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision- making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.

- Be respectful of people's opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

### [Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application  |
|--|--|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.  |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.  |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.  |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.  |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.  |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues. |

**Workshops:** An informal public meeting that may include presentations and include opportunities for interaction among participants.

***Bringing people together:*** An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues.

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group

## WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**



**Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

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HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



**Monthly Meetings:**  
Occur every 3rd Wednesday of the month.  
Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199  
Time: 6:00 p.m. to 8:00 p.m.  
See Menu Bar above for meeting agenda.

# Carmel Mountain Ranch / Sabre Springs

■ Member Count

■ Percent Group

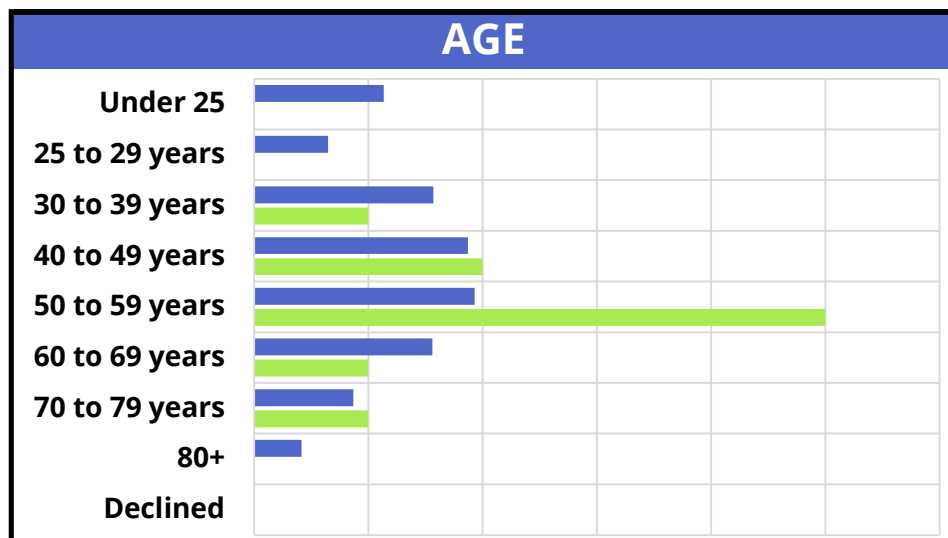
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 10           |
| Property Owner                      | ---          |
| Renter                              | ---          |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |

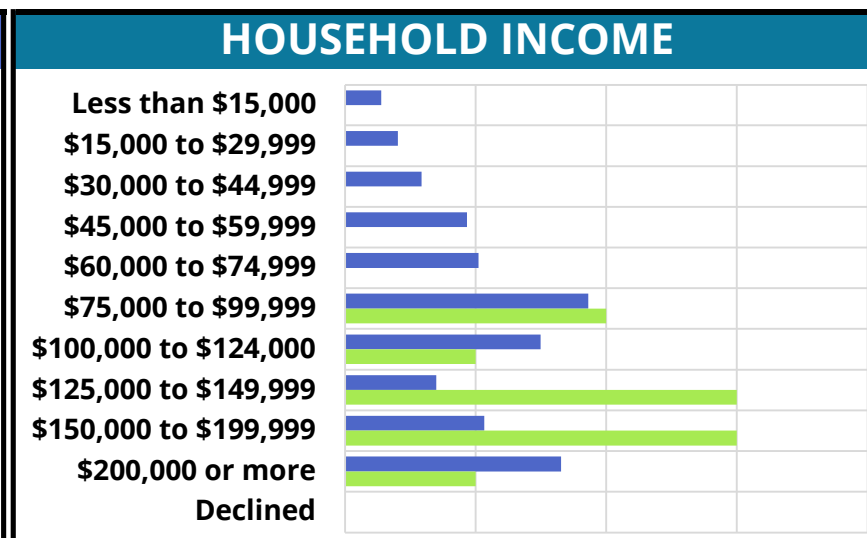
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 29.2%             |
| Black            | ---          | ---           | 2.8%              |
| Hispanic         | 1            | 10.0%         | 13.9%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 6            | 60.0%         | 48.7%             |
| Two or More      | 2            | 20.0%         | 4.3%              |
| Other            | 1            | 10.0%         | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Carmel Mountain Ranch / Sabre Springs

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 11%               |
| 25 to 29 years | ---          | ---           | 6%                |
| 30 to 39 years | 1            | 10%           | 16%               |
| 40 to 49 years | 2            | 20%           | 19%               |
| 50 to 59 years | 5            | 50%           | 19%               |
| 60 to 69 years | 1            | 10%           | 16%               |
| 70 to 79 years | 1            | 10%           | 9%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 3%                |
| \$15,000 to \$29,999   | ---          | ---           | 4%                |
| \$30,000 to \$44,999   | ---          | ---           | 6%                |
| \$45,000 to \$59,999   | ---          | ---           | 9%                |
| \$60,000 to \$74,999   | ---          | ---           | 10%               |
| \$75,000 to \$99,999   | 2            | 20%           | 19%               |
| \$100,000 to \$124,000 | 1            | 10%           | 15%               |
| \$125,000 to \$149,999 | 3            | 30%           | 7%                |
| \$150,000 to \$199,999 | 3            | 30%           | 11%               |
| \$200,000 or more      | 1            | 10%           | 17%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 15, 2024, 11:07:09 AM

What is the official name of your Planning Group?

**Carmel Valley Community Planning Board**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Carmel Valley**
- **Fairbanks Ranch**
- **North City Future Urbanizing Area (NFCUA)**
- **Pacific Highlands Ranch**
- **Via De La Valle**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **1**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

|                       |
|-----------------------|
| Group                 |
| Member Affiliation(s) |
| • <b>Homeowner</b>    |
| Race / Ethnicity      |
| <b>Black</b>          |

|                       |
|-----------------------|
| Group                 |
| Member Affiliation(s) |
| • <b>Homeowner</b>    |

Race / Ethnicity

**Black**

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Group

Member Affiliation(s)

- **Property Owner**

Race / Ethnicity

**Other**

Group

Member Affiliation(s)

- **Property Owner**

Race / Ethnicity

**Asian**

Group

Member Affiliation(s)

- **Property Owner**

Race / Ethnicity

**Other**

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Race / Ethnicity

**White**

How will your Planning Group be accessible to all members of your community?

**1. Share meeting information. 2. Work w/ council office to amplify outreach. 3. Create a simple flyer. 4. Print monthly meeting information. 5. Build relationships with other boards/groups.**

How will your Planning Group fairly represent all members of your community?

**The Carmel Valley Community Planning Board's membership is comprised of 13 elected representatives of the planning areas of Carmel Valley, Pacific Highlands Ranch, Via de la Valle, NCFUA Subarea II and Fairbanks Country Club. The areas composition are single family residences, multi-family/condominium/townhome residences and rentals, offices, commercial / retail businesses, and schools. Whether you own or rent a residence, you are not denied the opportunity to seek election to a board seat because no specific residential living environment is redlined. Office and commercial development representatives or developers are also an integral part of the fabric of the board. We encourage and actively seek anyone to go for election of a particular seat. The board is also representative of the many diverse residents or office/business owners of the combined planning areas. Females and males are about equally seated on the board. The diverse racial fabric of the community and board is second to none. In fact the outgoing Chair of so many years is African-American and has been respected by the entire community. We welcome the participation of everyone in our community to voice opinions for the overall direction of the board.**

Applicant Representative

**Frisco White**

Email

**white@wwarch.com**

Phone Number

**6195421188**

Please include the following documents.

|            |  |
|------------|--|
| <b>PDF</b> | OPERATING PRCEDURE 2023 DRAFT EDITED CVCPB.pdf |
|            | 1.5MB  |

OPERATING PROCEDURES FOR CITY COUNCIL  
RECOGNITION OF THE**CARMEL VALLEY COMMUNITY PLANNING BOARD**AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER CITY COUNCIL POLICY  
600-24**Introduction and Background**

Through this document, the **CARMEL VALLEY COMMUNITY PLANNING BOARD** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

## 1. Name and Geographical Boundaries

The name of this City-recognized planning group is the **CARMEL VALLEY COMMUNITY PLANNING BOARD**.

The community planning boundaries of this planning group are the boundaries of the Carmel Valley, Pacific Highlands Ranch, Fairbanks Country Club, Via de la Valle and North City Subarea 2 Communities, as shown in Exhibit A.

## 2. Responsibilities

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit A, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated

representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

#### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community

participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. Planning Group Composition**

### 4.1 Number of Voting Members

The Carmel Valley Community Planning Board shall consist of 12 elected and 1 appointed members to represent the community.

Carmel Valley Community Planning Board representation is as follows: 2 seats for property owners in either Carmel Valley or Pacific Highlands Ranch; 6 seats for residents in Carmel Valley elected by District; 2 seats for residents in Pacific Highlands Ranch (1 North and 1 South of Carmel Valley Road); 1 seat for residents and businesses of the combined areas of Fairbanks Country Club, Via de la Valle and North City Subarea 2, 1 seat for a business representative of either Carmel Valley or The Village at Pacific Highlands Ranch's retail commercial area, and 1 seat appointed by the Chair for the Major Developer. (See Exhibit A for District representation.

A Property Owner or designee must be an eligible member of the communities owning real property of two (2) or more acres (either developed or undeveloped) within the Community Planning Areas.

### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

#### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

#### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either 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; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the **CARMEL VALLEY COMMUNITY PLANNING BOARD** shall be elected to serve fixed terms of 4 years with expiration dates during alternate years to provide continuity. The board will establish the alternate years considering the change from the existing 2-year terms to 4-year terms. Voting members will not serve their service time for more than eight (8) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving

beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## 5. Open and Public Elections

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued

by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

#### 5.2.1 Board Election Nominations

Nominations for elected positions begins at January's meeting date and closes by the end of February's meeting date.

#### 5.2.2 Candidate's Qualifications

A candidate must complete the Membership Application no later than close of the February meeting date to verify eligibility.

#### 5.2.3 Ballot

All candidates that are eligible for nomination in the specific voting district or membership position shall be placed on the ballot. Only voters who live in the specific voting district may vote for a candidate for that district or position. Write-in candidates must meet the qualifications of that board position if elected in order to serve. Voting and nominations are not by implementation of Write In Candidates. A candidate is not required to attend a schedule candidates' forum to remain on the ballot.

#### 5.2.4 Poll Location and Tabulation

The polling location shall be at the meeting location of the board, prior to the board's March meeting date and time. The poll will be open for a 1-hour duration and shall close 30 minutes prior to the March board meeting. All ballots will be sealed and only opened after the close of election by the Election Committee for tabulation.

The poll will be managed by the board's election subcommittee and the results shall be tabulated immediately after poll closure. During the meeting the chair will ask the subcommittee for the results of the election.

A candidate must achieve a simple majority of the votes casted, but no fewer than 1 vote has been casted. In case of ties, a runoff election will occur in April. Upon any further tie, a coin flip will determine the winner. If there are no challenges, including ties the winner will be seated in the April meeting.

Ballots will be preserved for 30-days for review of any challenges by the board member or public.

The Elections Committee will endeavor to ensure that electioneering does not take place within 100 feet of the poll location.

#### 5.2.4 Vacancy

If a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge, the chair shall appoint to fill that seat. If the inability to fill a vacancy continues to persist within 90 days of an election with a qualified applicant after various efforts have been taken to fill the vacant seat with community members within that specific seat's community or District boundaries, then the vacancy may be filled by the Chair from qualified applicants within the overall boundary of the Carmel Valley Community Planning Board (refer to Exhibit A, Boundary Map) and confirmed by a vote by the planning group members. In such event, preference will be given to qualified applicants from a voting district adjacent to the vacant seat. However, no more than two planning group members from any one voting district can be appointed to the

Board at any given time.

### 5.3 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt rules of procedure for its meetings, such as [Robert's Rules of Order](#), [Rosenberg's Rules of Order](#), [Democratic Rules of Order](#), or [Simplified Rules of Order](#) to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

#### 6.3.1 Agenda Content and Procedure

The Agenda content will consist of the following Sections. Order of the Sections will be established by the Chairperson. The Agenda will note the name of the planning board, Carmel Valley Community Planning Board, the address, and phone number of the Secretary. Also, the date, time and location of the meeting will be noted. The specific Sections will be Call to Order and Attendance; Approval of Minutes (recent past meeting); Consent Agenda; Public Communications; Announcements; Written Communications; Community Planner Report; Council District 1 Report; Mayor's Report; County Supervisor's Report; State Assembly Report; State Senate Report; US Congress Report; Information Agenda; Action Agenda; Subcommittee Meeting Reports and Announcements; Chair's Report; Old/Ongoing Business; and Adjournment. Public will be allowed 2 minutes or less to speak to items not on the Agenda in the Public Communications section. Reports by the elected officials should strive for succinctness and be given 5 -10 minutes. The Chair will determine the allowed length of time for Information and Action agenda items. Action agenda items must be conducted when both the proponents and opponents are in attendance.

Review of development projects will not be unjustly delayed or continued or for the board to take the opportunity to hinder its progress through the city review process. The Chair may participate in pre-meetings to be introduced to the project and chart a course of

action at the board presentation to reach a recommendation.

#### 6.3.2 General Meeting Procedure

All meetings shall be recorded with Minutes and attendance taken to determine quorum and absence of members. Votes during meetings shall be in person and open to the public. Secret votes shall not be taken.

The project review process will provide for public testimony by the proponent to present the project followed by organized opponents. The agenda item will then be closed to the public to allow the board members to discuss the merits of the project. After board member questioning, the public will be allowed to question either party. Board members, however, will be allowed to ask questions during the presentations by the proponents or opponents, but closed to the public, unless called upon by the board. When a project(s) impacts multiple boards, the board may elect to conduct a join meeting with other board(s).

#### 6.3.3 Subcommittee(s)

Subcommittees will be formed to discuss in an informal setting detail issues that rises to the community or board. Standing subcommittees are Design and Planning; FBA's; MAD; Bylaws, Policies and Procedures; Open Space; and Livability. The board may establish or terminated subcommittees are needed to conduct the business of the board.

#### 6.3.4 Abstentions and Recusals

Abstentions and recusals shall be consistent Section 7.3 Ethical Standards. Recusals are to be noted in the meeting minutes and members shall indicated the reason for abstaining.

### 6.4 Planning Group Officers

The officers of the **CARMEL VALLEY COMMUNITY 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 1 year, and no person may serve in the same planning group office for more than eight or nine consecutive years per the term limits established in Section 4.4. 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.

#### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. Further duties include setting the agenda, being the point of contact for development applicants, or other duties as defined by the board necessary to contact the business of the board. Other duties such as reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City Council, Planning Commission, planning staff, community or institutional

boards or agencies, or similar organizations on planning group actions and policies.

#### 6.4.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. Further duties include filling for the Chair when the Chair is absent or must recuse from a particular situation, acting as the alternate representative to the CPC or reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City Council, Planning Commission, planning staff, community or institutional boards or agencies, or similar organizations on planning group actions and policies.

#### 6.4.3 Secretary

The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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. Any further duties as defined by planning group.

#### 6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

#### 6.5 Additional planning group Officer Responsibilities

The **CARMEL VALLEY COMMUNITY PLANNING BOARD** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists.

#### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

#### 7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

#### 7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in-person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown

Act Pursuant to provisions required by the Brown Act, including civil remedies (California

Government Code sections 54960 through 54960.5) and criminal penalties (Government CP-600-24 Planning Group Operating

Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded

in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of

recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

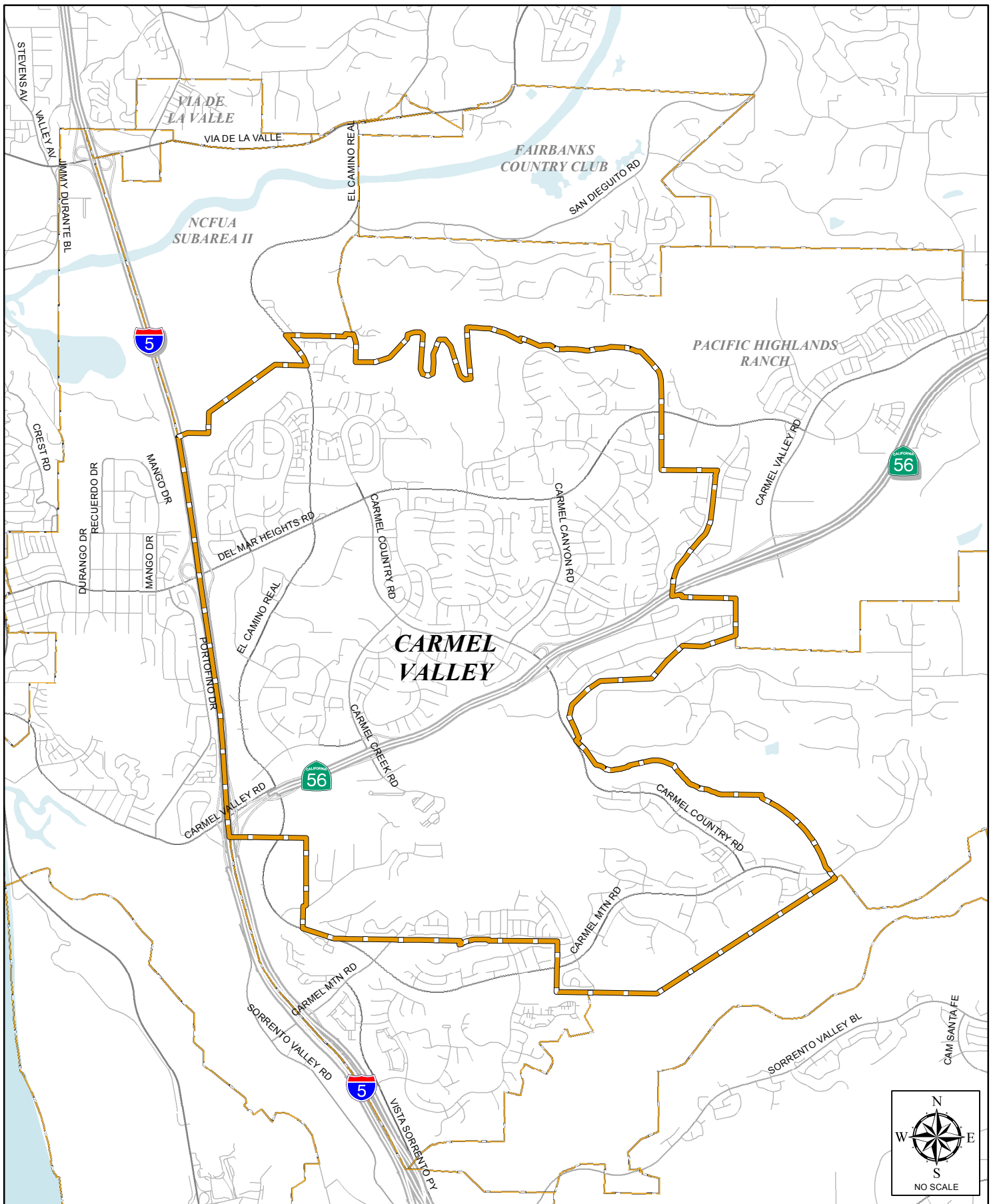
#### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

#### Attachments:

EXHIBIT A: MAP OF PLANNING GROUP BOUNDARIES. (The CARMEL VALLEY COMMUNITY PLANNING BOARD will represent the communities of Carmel Valley, Pacific Highlands Ranch, Fairbanks Country Club, Via de la Valle and NCFUA Subarea II)

EXHIBIT B: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

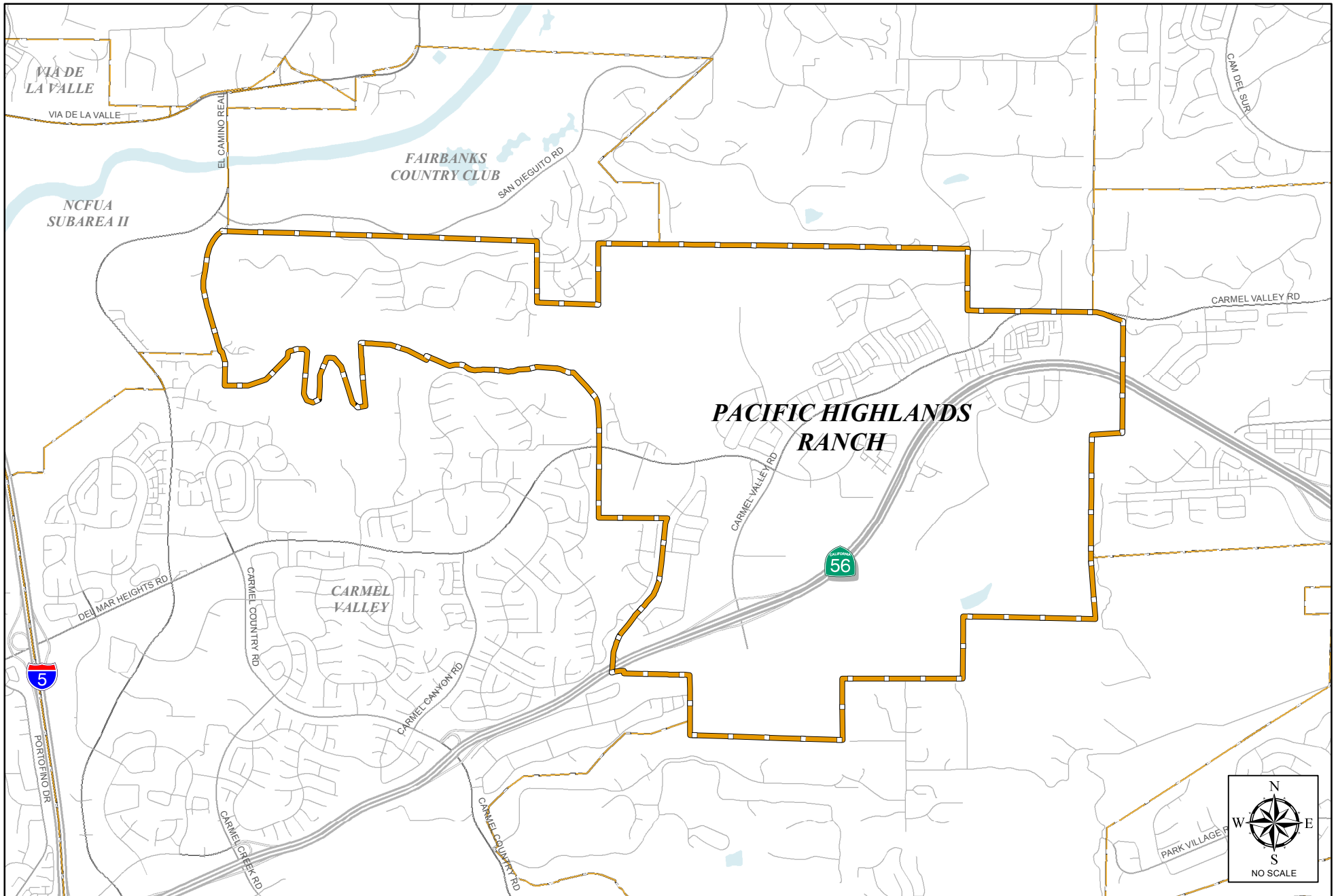


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# **CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A** **Boundary Map 1 – Carmel Valley**

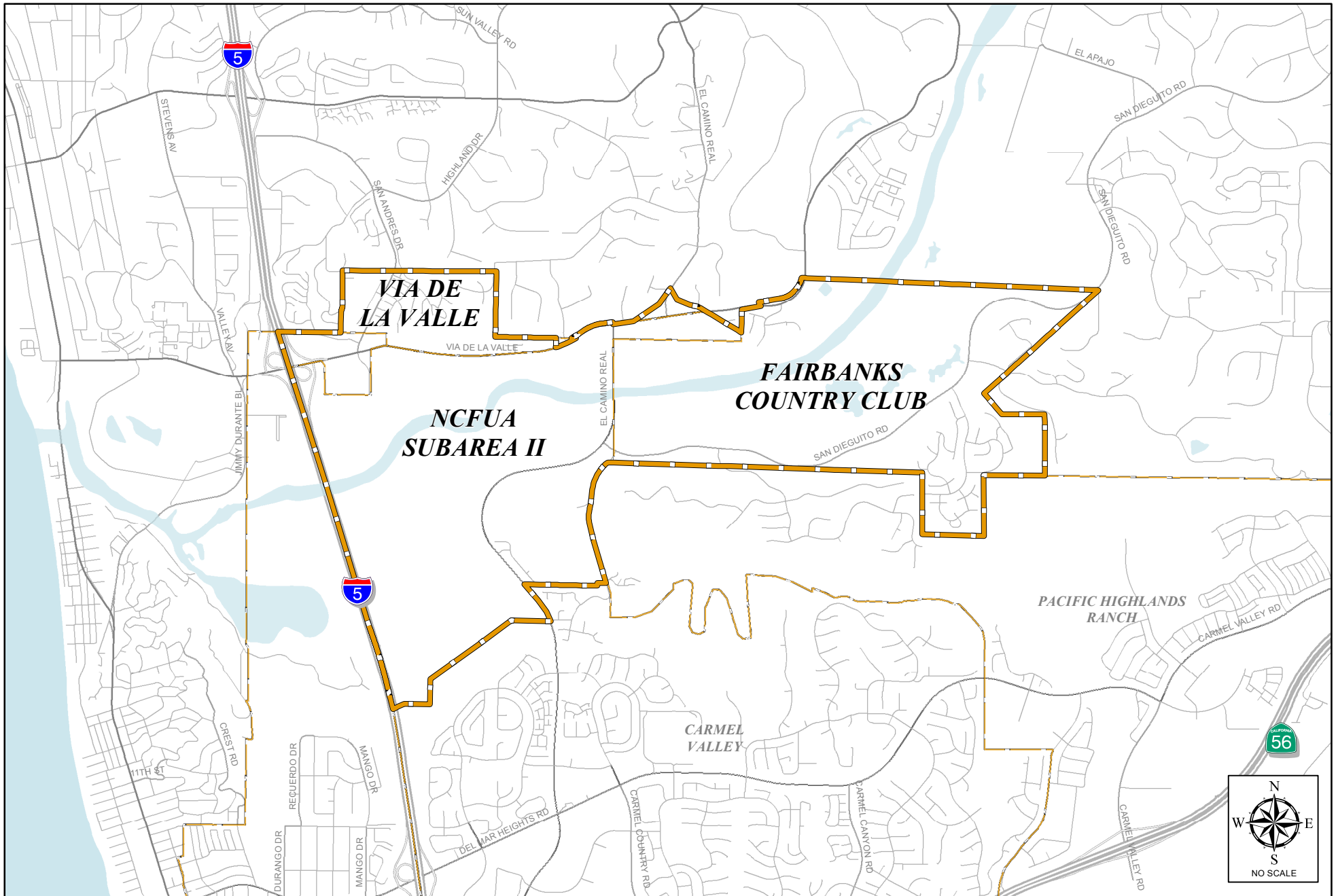
CITY OF SAN DIEGO • PLANNING DEPARTMENT



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Date: 1/15/2015



**CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A**  
**Boundary Map 3 – Pacific Highlands Ranch**  
CITY OF SAN DIEGO • PLANNING DEPARTMENT



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Date: 1/15/2015



## CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A

### Boundary Map 2 – San Dieguito Area

CITY OF SAN DIEGO • PLANNING DEPARTMENT

**COMMUNITY PARTICIPATION & REPRESENTATION PLAN  
CARMEL VALLEY COMMUNITY PLANNING BOARD**

**EXHIBIT B**

Council Policy 600-24

**Purpose**

The Carmel Valley Community Planning Board (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Board members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, intergenerational households, businesses, and offices. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Board to serve as a recognized advisory body to the City. The goal of this participation and representation plan is to communicate our PLANNING BOARD’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement. Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

**Achievement Goals**

The Carmel Valley Community Planning Board will strive to achieve the following goals to provide for a diverse and enlighten board for the communities of Carmel Valley. Our goals are to:

- Educate community members about the role of our Planning Board and opportunities to be involved with the growth and livability of the community.
- Establish partnerships with non-profits, community organizations, businesses, offices, schools/universities, and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Board meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

## **Guiding Principals**

The Carmel Valley Community Planning Board will strive to implement the following Guiding Principles for greater public participation. Our principles are to:

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods, such as via electronic distribution generated from an email interest list available at all meetings, posting agendas at libraries and recreation centers and through a website.
- Make meeting materials available in the languages spoken within the community by using Census data and/or SANDAG's [Data Surfer](#) website to determine languages spoken in the community.
- Be respectful of people's opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

## **What are our Strategies for Community Involvement?**

The Carmel Valley Community Planning Board will strive to engage the following strategies, which are:

- To create a simple Planning Board flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Board.
- Share meeting information in digital formats including social media pages and a dedicated CPG website.
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local Libraries
  - Park and Rec Buildings
  - Public Transit Hubs
  - Grocery Stores
  - Coffee Shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profits organizations to introduce and discuss the Planning Board's role and to build relationships.
- Advertise monthly meeting and elections in local community papers/newsletters/social media.
- Host informal events outside of Planning Board meetings to invite the public to learn about the Planning Board and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs regarding planning issues. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Board to attend.

- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community planning needs/other initiatives.

### **How is Success Measured?**

The Carmel Valley Community Planning Board will engage the following to measure our Success:

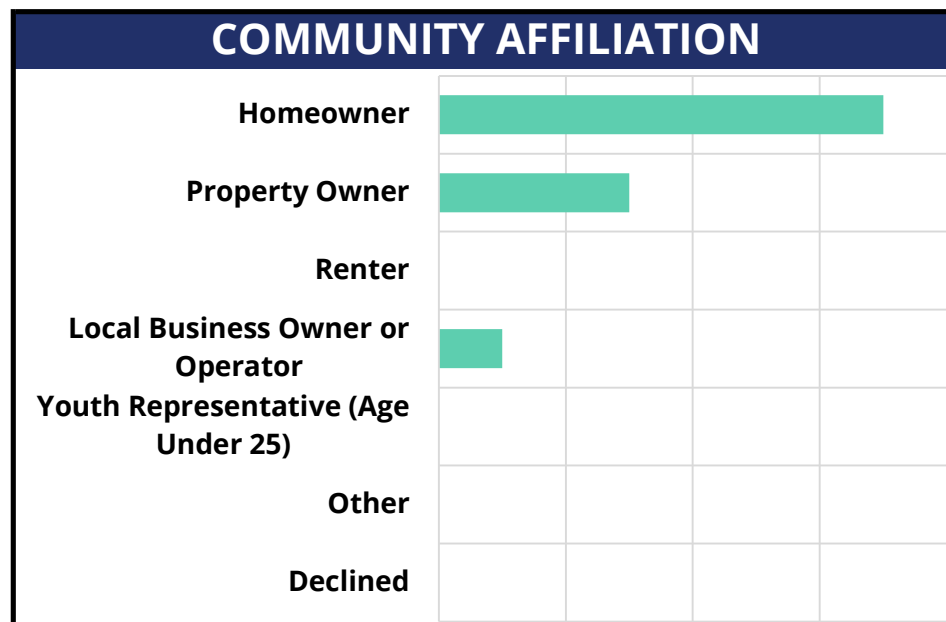
- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov) within 14 days of the approval of the March minutes.

# Carmel Valley

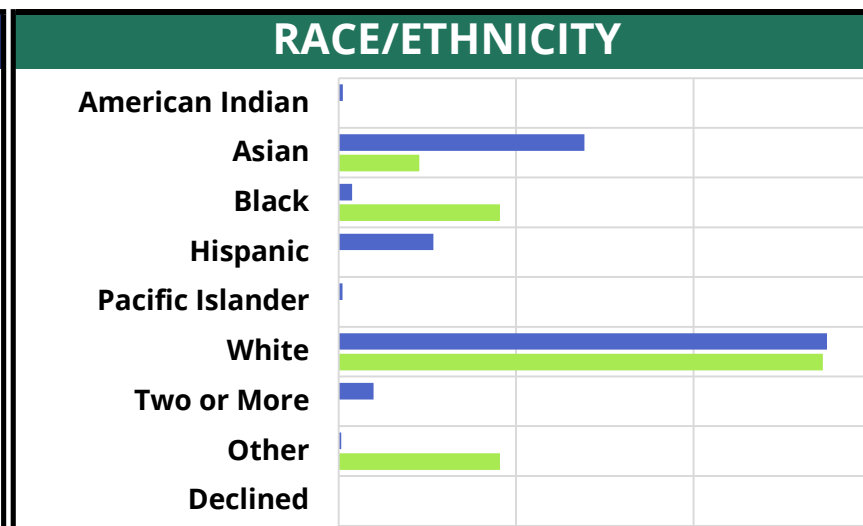
■ Member Count

■ Percent Group

■ Percent Community



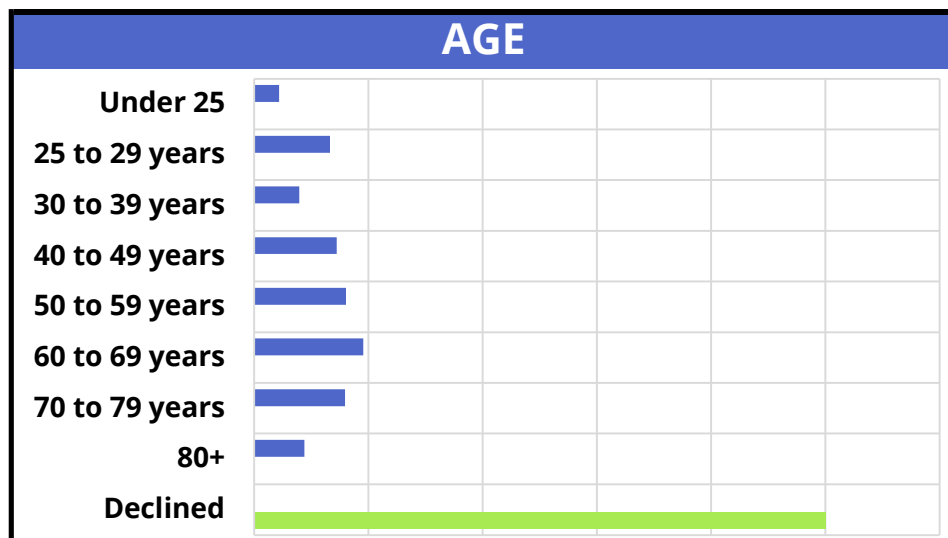
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 7            |
| Property Owner                      | 3            |
| Renter                              | ---          |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



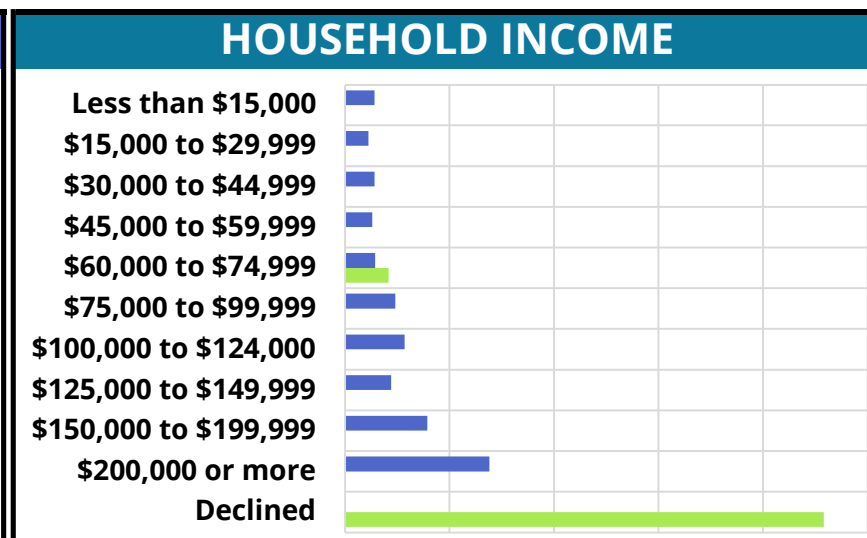
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.5%              |
| Asian            | 1            | 9.1%          | 27.7%             |
| Black            | 2            | 18.2%         | 1.5%              |
| Hispanic         | ---          | ---           | 10.7%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 6            | 54.5%         | 55.0%             |
| Two or More      | ---          | ---           | 3.9%              |
| Other            | 2            | 18.2%         | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Carmel Valley

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 4%                |
| 25 to 29 years | ---          | ---           | 13%               |
| 30 to 39 years | ---          | ---           | 8%                |
| 40 to 49 years | ---          | ---           | 14%               |
| 50 to 59 years | ---          | ---           | 16%               |
| 60 to 69 years | ---          | ---           | 19%               |
| 70 to 79 years | ---          | ---           | 16%               |
| 80+            | ---          | ---           | 9%                |
| Declined       | 11           | 100%          | ---               |
| <b>Total</b>   | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 6%                |
| \$15,000 to \$29,999   | ---          | ---           | 4%                |
| \$30,000 to \$44,999   | ---          | ---           | 6%                |
| \$45,000 to \$59,999   | ---          | ---           | 5%                |
| \$60,000 to \$74,999   | 1            | 8%            | 6%                |
| \$75,000 to \$99,999   | ---          | ---           | 10%               |
| \$100,000 to \$124,000 | ---          | ---           | 11%               |
| \$125,000 to \$149,999 | ---          | ---           | 9%                |
| \$150,000 to \$199,999 | ---          | ---           | 16%               |
| \$200,000 or more      | ---          | ---           | 28%               |
| Declined               | 11           | 92%           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 31, 2024, 8:22:00 AM

What is the official name of your Planning Group?

**Chollas Valley Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Encanto/Chollas Valley**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **4**

Indicate here if you propose to have more than 20 CPG Members.

**No**

Member Details

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**
- **Renter**
- **Non-Profit Owner or Operator**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**Two or More**

Age

**50 to 59**

How will your Planning Group be accessible to all members of your community?

**New Website - chollasvalleycommunityplanning.com to include each neighborhood's information in addition to the Chollas Valley Community Planning Group (CVCPG). Notices at Malcolm X Library, Encanto Rec Center, Facebook.com/cvcpg, Nextdoor, chollasvalleycommunityplanning.com, chollasvalleycpg@gmail.com email news, event flyers, info about City/county govt, provide agendas and translation at meetings, provide Hybrid meetings- phone, web, app, and in-person (currently at Malcolm X Library). Google Voice mail:619-354-0558 Email list gets sent to interested parties, govt reps, SDPD CROs, local nonprofit organizations, schools, etc.**

How will your Planning Group fairly represent all members of your community?

**We are a mixed group of races/ethnicities, ages and wealth. We have single people, families with young children, families with teens, non-married couples, seniors living as couples and individuals, adult child living with parents, physically disabled, unemployed, homemakers, etc. We continue to do outreach for younger, and latino members. We started with translation of Agendas in Spanish in fall of 2023, and offer Spanish translation at all general meetings. An Asian-American member will be rejoining, and we have two Hispanic women waiting for the election to join us. We continue to try to reach the schools and educational community. Over half of our Members of the CVCPG are also chairs/vice chairs of their own neighborhood/community/town councils. We have members that are on local nonprofit boards and sit on large coalitions. Ex. Chollas Creek Coalition (over 20 groups rep for Southeast San Diego and Barrio Logan Area, , Urban Collaborative Projects CDC Joint Town Council Committees, and the Active Transportation and Infrastructure Committee; Encanto Rec Advisory Group, SANDAG social equity group, Health & Human Services Central Region Leadership Team. Several members are involved with the Diamond Business Association, San Diego Black Arts + Culture District, school PTA. We have members in the active military, retired military, school employees,etc. Currently, four members are very active following City Council and Council Committees, including speaking in front of them.**

Applicant Representative

**Sally Smull - Chair**

Email

**salsmull@yahoo.com**

Phone Number

**619-847-9640**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | 2024 Chollas Valley Community Planning Group _CVCPG_ Draft Bylaws.pdf<br>330.8KB |
| <b>PDF</b> | Chollas Valley CPG CVCPG Community Declaration CVCPG.pdf<br>59.7KB               |
| <b>PDF</b> | CVCPG PARTICIPATION REPRESENTATION PLAN Jan 29 2024.pdf<br>95.5KB                |
| <b>PDF</b> | CVCPG Community Group Representation as of 2024.pdf<br>21.9KB                    |
| <b>PDF</b> | CVCPG map.pdf<br>717.5KB   |

# **Chollas Valley Community Planning Group- Community Declaration**

Purpose, objectives, and goals

The CVCPG shall assist the City Planning Department in their commitment to advancing social equity as their foundational principle in the way they develop our City. We support the City's acknowledgement of the negative effects that unjust planning decisions, segregated neighborhoods, massive inequality. Exclusionary zoning has historically affected and continues to impact our underserved neighborhoods and community members.

Therefore, we applaud the city's stated commitment and dedication in developing equitable policies and practices that elevate restorative justice, in all areas the city governs and affects.

The primary goals of CVCPG through planning:

- Stop the concentration of poverty.
- Repair and end historical inequity.
- Assist the city in the development of a policy for a pathway toward restorative justice.
- To assist the city planners in developing policies that will not maintain or increase the concentration of poverty or segregation.
- To assist the city planners in developing policies that will repair the massive disparities in property values in home ownership.
  - Including repairing the post-subprime crisis era effects, where community members experienced huge setbacks in homeownership due to predatory lending and a subsequent epidemic of foreclosures.
  - To assist the city planners in developing policies that protect the depletion of homeownership through the sale of land to predatory investors.
  - Improve mobility.

# **Chollas Valley Community Planning Group- Community Declaration**

- Protect the hillsides slopes, open space, and natural topography.
- Equitably increase tree canopy.

The Community has raised the following issues as a part of the plan development process. designed to respond:

## **Employment Opportunities:**

- Providing jobs is one of the key aims in improving the social and economic well-being of the community.

## **Commercial Centers:**

- The absence of commercial shopping locations in the community is seen as a major problem by community residents.

## **Density and Design of New Development:**

- Although Southeastern San Diego is a predominantly urbanized community, several developable vacant tracts are located in the eastern portion of the community. The density and design of these parcels has the potential to greatly affect the quality of the community.

## **Access:**

- Within several neighborhoods, access to services and freeways via the community's surface street system is difficult. The lack of through north-south streets in many parts of the community is an issue of particular concern.

# **Chollas Valley Community Planning Group- Community Declaration**

## **Community Design:**

- Concern about the appearance of developed areas is a manifestation of the pride that residents have in their community. Methods of improving existing developed areas have been actively sought by residents. In addition, the maintenance and cleanliness of public facilities and streets can have a profound influence on overall community design.

## **Public Facilities:**

- The provision and maintenance of public facilities, including parks, is repeatedly stressed by residents and policy makers alike. Funding public facilities through the Capital Improvement Program rather than relying on Community Development Block Grants is also a community desire.

## **Extremely low Housing Projects:**

- The community has expressed concerns with programs and projects that impact the community with a disproportionately large share of low units.

## **Social Service Facilities:**

- The community planning group is also concerned by the concentration of social service agencies in the community. Specifically, the group is concerned about the issuance of Conditional Use Permits for clinics, criminal rehabilitation, poverty assistance outreach centers and residential care facilities, which seem to be congregated in the community.

## **Recreation and Education Facilities:**

# **Chollas Valley Community Planning Group- Community Declaration**

As with most residential communities with a high percentage of school age children, the parents of the CVCPG area are vitally interested in the provision of the highest quality educational and recreational services and facilities for the community.

January 2024 Draft

# CVCPG Community Group Representation as of 2024:

(not wanting to do details at this time. As a Group- Didn't feel this was truly anonymous since this is part of the public record)

**13 members-** 1 property owner who lives out of area,

Property Owners,

Renters of homes and apartments

1 mobile home renter

Living in someone else's home, no income

**Income-** won't share

**Race/ethnicity:** We are Black, Hispanic, Two or More, White, AAPI,

**Age-** range 30-79

Tried to input for Group, but wouldn't work for me online.

COMMUNITY DECLARATION and  
OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE  
**CHOLLAS VALLEY COMMUNITY PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the **Chollas Valley Community Planning Group** (the “Planning Group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the Planning Group will adhere to and designated services the Planning Group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning Groups are organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The City does not direct or recommend the election, appointment, or removal of Planning Group voting members, or delegate authority to Planning Groups to act on its behalf.

The Planning Group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The Planning Group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a Planning Group in the City of San Diego. The Planning Group acknowledges that the City can revoke recognition of any Planning Group if the City, in its sole discretion, determines these standards are not being met.

The Planning Group will separately maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the Planning Group’s founding, operation, or organization.

The Planning Group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the Planning Group hereby agrees to abide by the following as part of their Operating Procedures:

**1. Name and Geographical Boundaries**

The official name of this organization is the Chollas Valley Community Planning Group (referred to hereafter as “CVCPG”).

The community planning area boundaries for the CVCPG are the boundaries of the Encanto Neighborhoods community, serving the Chollas Valley Community Planning Group (CVCPG) serves the neighborhoods of Alta Vista, Broadway Heights, Chollas View, Emerald Hills, Encanto, Lincoln Park, O’Farrell, and Valencia Park as shown on Exhibit "A." The community planning boundaries of this Planning Group are the boundaries of the Encanto

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Neighborhoods Community, as shown in Exhibit B. Communities include areas south of state route 94 to the north, Lemon Grove to the East, and includes: Alta Vista, Broadway Heights, Chollas View, Emerald Hills, Encanto, Lincoln Park, O'Farrell (South Encanto), and Valencia Park. Zip Codes are 92114 and part of 92102.

## **2. Responsibilities**

### **2.1 Collaboration between City Staff and the Planning Group**

As a recognized body, the Planning Group must work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

As a recognized body, the City must work with the Planning Group during the City's planning process, when requested by the Planning Group, including during the formation of long-range community goals, objectives, and proposals, or revisions for inclusion in a General or Community Plan.

In this section, the reciprocal responsibilities between the Planning Group and City staff are recognized to collaborate fully and meaningfully, one with the other.

The CVCPG shall assist the City Planning Department in their commitment to advancing social equity as their foundational principle in the way they develop our City. We support the City's acknowledgment of the negative effects that unjust planning decisions, segregated neighborhoods, massive inequality, exclusionary zoning and has historically affected and continues to impact our underserved communities and neighborhoods. Therefore, we applaud the City's stated commitment and dedication in developing equitable policies and practices that elevate restorative justice, provide sustainable communities, creates opportunities, fair housing, and investments in our community where the needs are the greatest.

Exhibit C is our Community Declaration

.

### **2.1 Advisory Planning Group Review**

The Planning Group may make advisory recommendations to the City, including all of its subdivisions, committees, employees, officials, entity or person doing business with the City,

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COMMUNITY DELCLARATION and  
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and other governmental agencies on land use matters within the Planning Group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit C, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The Planning Group may make recommendations, or participate in, additional efforts such as identifying capital improvement project (CIP) infrastructure needs or additional City matters. The Planning Group may be called upon to advise on, or participate in, additional efforts such as identifying Capital Improvement Project infrastructure needs, as discussed in Council Policy 000-32. Pursuant to the provisions of Council Policy 600-33, the CVCPG may be asked to review a park general development plan or capital improvements within the park if there is no City-recognized park advisory group. Nothing in this policy precludes the Planning Group from serving as the local advisory group for a Maintenance Assessment District (MAD) nor from seeking to serve as the local manager of a new MAD.

The Planning Group recognizes that City staff and development project applicants are not required by the City to present their project or application before the Planning Group although the City highly encourages applicants to conduct robust engagement with all Planning Groups, the community, and project neighbors.

The Planning Group defines robust engagement as the city having received authentic, verified, written, or oral responses, which are accurately and verifiably recorded for requests from input, with a response rate that is statistically significant at a 95% confidence interval within the Planning Group boundaries. It is the Planning Groups' expectation that this data and the instrument of input be retained by the City for minimum of five years and be available upon request within ten days, which reflects the reciprocal responsibilities between the Planning Group and the City.

### **2.3 Timely Submittal of Planning Group Recommendations to the City**

In order to be considered as part of the City's development review process, Planning Group project review recommendations, if any, shall be submitted to the City within seven calendar days of the Planning Group taking action.

The Planning Groups recommendations must adequately include relevant elements of equity, such as raising the area median income to the City's median income, eliminate 100% restricted income projects, require market rate units with every project on-site, prohibiting the construction of restricted income units within official public-school boundaries in which the schools are within the lower 50% of the official instrument used by the State of

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COMMUNITY DECLARATION and  
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California to measure student achievement, ensure that equity, and de-concentration of poverty limits the concentration of poverty, some of the reviewing factors will ensure the reduction of poverty in our area.

In reviewing individual development projects, the Planning Group should focus such review on conformance with the Land Development Code, and the adopted community plan and 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 draft environmental document. Upon receipt of the plans for projects with substantive revisions, updates, strikeout/underline, and/or involving a reissued environmental document, the planning board may choose to rehear the project, at a regular or special meeting, and may choose to provide a subsequent formal recommendation to the City.

In addition, the Planning Group shall submit its recommendation- if any and any conditions to the project proposed by the Planning Group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/Planning Group name, the date of meeting which the project was heard by the Planning Group, vote results, the Planning Group's conditions/recommendation, name and signature of chair or designated representative.

The Planning Group shall follow a uniform mandatory process for recording Planning Group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the Planning Group's official records.

**2.2 Adherence to Ralph M. Brown Act**

The Planning Group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Guests and Presenters may participate via Zoom or phone, if available. Board Members must attend in person to qualify for a quorum and voting (unless the State or local law changes).

Failure of the Planning Group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the Planning Group to lose its Council recognition and may subject the Planning Group and Planning Group voting members to a loss of indemnification by the City.

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COMMUNITY DECLARATION and  
OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE  
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**2.3 Maintenance of Open Records**

The Planning Group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the Planning Group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the Planning Group in accordance with [Council Policy 600-24](#). The Planning Group will submit to the City the Annual Roster of Planning Group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of Planning Group elections.

**2.4 Independent Entity**

The Planning Group is an independent entity from the City and must be able to operate as such. The City shall provide assistance to Planning Groups at the discretion of the City Manager and subject to the availability of City resources. In addition, Planning Groups may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

**3.1 Membership**

The Planning Group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The Planning Group and its voting members should routinely seek robust community participation in the Planning Group planning and implementation process to serve the best long-term interest of the community at large.

**3.2 Community Outreach**

The CPG may work with the City, other governmental agencies, or other organizations or individuals on issues not specifically stated in these bylaws.

The Planning Group and its voting members shall routinely seek community participation in the Planning Group planning and implementation process to serve the best long-term interest of the community at large.

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COMMUNITY DELCLARATION and  
OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE  
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198

199   **ARTICLE IV Vacancies**

200   Section 1.

201   The CVCPG shall find that a vacancy exists upon receipt of a resignation in writing from one  
202   of its members or upon receipt of a written report from the planning group's secretary reporting  
203   the third consecutive absence or fourth absence in the 12-month period of April through March  
204   each year, of a member(s) from the planning group's regular meetings.

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

208   Vacancies that may occur on the CVCPG should be filled no later than 120 days following the  
209   date of the determination of the vacancy. The term of office of any member filling a vacancy  
210   shall be for the balance of the vacated term.

211   The CVCPG shall fill vacancies at the time the vacancy is declared by the planning group as  
212   described in Section 1 of this Article. Vacancies shall be filled in accordance with the  
213   following:

- 214       • A vacancy shall be declared at a regularly scheduled planning group meeting no later  
215       than the next meeting following the determination.
- 216       • A neighborhood representative seat vacancy shall be open to an eligible member of  
217       the neighborhood until the next regularly scheduled meeting after the declaration of  
218       the vacancy. If by the next meeting following the declaration, no applications from  
219       the neighborhood of the vacated seat have been received, the vacancy will be opened  
220       to any eligible member of the neighborhood.
- 221       • The CVCPG shall fill a vacancy by written ballot at a regularly scheduled meeting.  
222       The results of the written ballot voting must be announced, by name, when the count  
223       has been completed. The voting result must be recorded in the meeting minutes of the  
224       CVCPG.
- 225       • Applications to fill a vacancy will only be accepted from eligible members of the  
226       community.  
227       community.  
228

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- Two or more concurrent vacancies shall be filled by a vote of all eligible members of the community by a secret written ballot.

When the CVCPG is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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 10 members. If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 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 ten members, the planning group will be deemed inactive until it has attained at least ten members in good standing.

### **3.2 Collection of Membership Data**

To measure community representation, the Planning Group shall gather demographic data of existing and new Planning Group voting members at the time of elections or other regular periods to measure inclusion and diversity on the Planning Group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4.Planning Group Composition**

### **4.1 Number of Voting Members**

The **Chollas Valley Community Planning Group** shall consist of: Sixteen (16) elected and appointed members to represent the community. The three (3) appointed seats are identified to represent specific interests or unique stakeholder interests present in the community planning area, (1) for a student attending a public high school or college student living in the Planning Group area, one (1) for a small business operating in the Planning Group area, and one (1) for a San Diego Unified School educator or staff member in the Planning Group area. The remaining thirteen (13) seats will be elected, five (5) at large seats from anywhere within the Planning Group area, eight (8), will consist of one (1) each from the following neighborhoods, Broadway Heights, North Encanto, O'Farrell (South Encanto), Alta Vista, Valencia Park, Emerald Hills, Chollas View, and Lincoln Park.

### **3.3 Voting Member Eligibility**

The Planning Group will ensure that voting members meet the following minimum

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qualifications throughout their entire term of service.

**3.3.1 Minimum Age**

Voting members will be a minimum of 18 years of age except for the student seat. Youth members shall be a minimum age of 16 years old.

**3.3.2 Minimum Attendance Requirements**

The Planning Group shall take attendance to ensure that each voting member attends at least two-thirds of the Planning Group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

Each Voting Board Member will sit on at least one Subcommittee or Working Group or report to their neighborhood or fulfill a necessary task of the CVCPG annually.

**3.3.3 Community Representation**

The Planning Group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (2) resident, who is an individual whose primary address of residence is an address in the community planning area; (3) local business person, who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document or (4) student living or attending public high school in the Planning Group Area, or college student resident who lives in the Planning Group Area..

**3.3 Appointed Seats**

To ensure representation of unique stakeholder interests in the community planning area, the Planning Group has designated three (3) appointed voting seats. These appointed voting seats are described as follows.

In addition to elected members, the **Chollas Valley Community Planning Group** has three (3) appointed seats to better represent specific interests or unique stakeholder interests of the community, referenced in paragraph 4.1. These seats are appointed by a simple majority vote of the non-appointed seats. Appointed seats are counted as part of the community Planning Group membership, vote on group business and, together with the elected members, are referred to throughout as "voting members of the **Chollas Valley Community Planning Group**."

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To ensure representation of unique stakeholder interests in the community planning area, the Planning Group may appoint up to three non-voting members, for a total of nineteen members, to represent ethnicities, age groups, disabilities, renters, and intergenerational households not otherwise represented by the elected members. OR To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. (These appointed non-voting seats may include, but are not limited to bicycle advocates, automobile and public transit advocates, churches, recreation, and sports advocates, rental residents and managers, people with disabilities, artist groups, etc.) Appointed seats need the approval of a majority of voting board members.

Appointed seats shall be for a term of one (1) year, with members remaining eligible for reappointment for a maximum of six sequential terms. Any break in appointment of one year or greater will make the member eligible for reappointment for another six years. Appointed membership shall not affect eligibility for three full terms of three years as an elected, voting member, except that no elected member deemed ineligible for reelection may become an appointed member for at least one year after becoming ineligible for reelection

While elected members may be removed by a two-thirds vote of the voting members of the Community Planning Group in accordance with Section 8.3 if alleged violations of Council Policy or Brown Act are found true, an appointed member will be removed by a simple 2/3 majority vote of all voting eligible members (includes appointed members). A member being voted on to be removed may not cast a vote and is not counted towards the denominator. Example, if there are sixteen voting members, and one member is being voted on for removal, fifteen members would vote, and ten of the fifteen would need to be in favor of removal for a 2/3 majority (10 of 15).

### **3.3 Youth Seats**

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of eighteen shall provide written permission from their legal guardian to serve on the Committee.

### **3.4 Voting Member Term Limits**

The Planning Group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

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**3.5 Maximum Time of Service**

Members of the **Chollas Valley Community Planning Group** shall be elected to serve fixed terms of three (3) years with expiration dates during alternate years to provide continuity. Voting members will not serve for more than nine (9) consecutive years. Planning Group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

**3.6 Waivers of Maximum Time of Service**

The Planning Group may develop procedures for waiving the maximum time of service by vote of its voting members if the Planning Group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a Planning Group choose to exercise this waiver, it will use the following guidelines:

3.6.2.1 Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least ten voting members (See Section 4.1).

3.6.2.2 Waiver of Maximum Time of Service to ensure there are at least ten voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and

3.6.2.3 The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

3.6.2.4 If there are two or more persons wanting a Neighborhood Representative position, the non- maximum termed out Board Members will have the priority.

**4. Equal Participation**

The Planning Group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized Planning Group can serve.

All members of the public affiliated with the community within the geographical boundary of the Planning Group will be allowed to vote in Planning Group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one Planning Group voting member per business tax certificate
- Only one Planning Group voting member per property tax billing

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380 No additional qualifications, such as attendance requirements, will disqualify someone from  
381 voting, and no voting requirement will be stricter than allowed by the California Elections  
382 Code or Section 5.1.1.

383

384 **511 Voter Identification for Resident Community Members**

385 Consistent with state and federal law, proof of residency or identity, must consist of presenting  
386 an original or copy of any of the documents described below in either paragraph (1) or (2).

387 These requirements should be construed liberally by Planning Groups and any doubt resolved  
388 in favor of allowing a community member to vote in the election.

389

390 (1) Current and valid photo identification provided by a third party in the ordinary course of  
391 business that includes the name and photograph of the individual presenting it. Examples of  
392 photo identification include, but are not limited to, the following documents: (A) driver's  
393 license or identification card of any state; (B) passport; (C) employee identification card; (D)  
394 identification card provided by a commercial establishment; (E) credit or debit card; (F)  
395 military identification card; (G) student identification card; (H) health club identification  
396 card; (I) insurance plan identification card; or (J) public housing identification card.

397 (2) Any of the following documents, provided that the document includes the name and address  
398 of the individual presenting it, and is dated since the date of the last election, unless the  
399 document is intended to be of a permanent nature such as a pardon or discharge, including:  
400 (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E)  
401 document issued by a governmental agency; (F) sample ballot or other official elections  
402 document issued by a governmental agency dated for the election in which the individual is  
403 providing it as proof, of residency or identity; (G) voter notification card issued by a  
404 governmental agency; (H) public housing identification card issued by a governmental  
405 agency; (I) lease or rental statement or agreement issued by a governmental agency; (J)  
406 student identification card issued by a governmental agency; (K) tuition statement or bill  
407 issued by a governmental agency; (L) insurance plan card or drug discount card issued by a  
408 governmental agency; (M) discharge certificates, pardons, or other official documents issued  
409 to the individual by a governmental agency in connection with the resolution of a criminal  
410 case, indictment, sentence, or other matter; (N) public transportation authority senior citizen  
411 and disabled discount cards issued by a governmental agency; (O) identification documents  
412 issued by governmental disability agencies;  
413 (P) identification documents issued by government homeless shelters and other government  
414 temporary or transitional facilities; (Q) drug prescription issued by a government doctor or  
415 other governmental health care provider; (R) property tax statement issued by a governmental  
416 agency.  
417 (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of

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418 ownership issued by a governmental agency.

419

420 **6.Voter Identification for Community Business Owners**

421 Business Owners and For-Profit Organizations within the community should present an  
422 original or copy of an IRS employer identification number (EIN) and Business Tax  
423 Certificate or equivalent document showing a business address within the Planning Group  
424 boundaries. There shall be One voter per Business. These requirements should be construed  
425 liberally by Planning Groups and any doubt resolved in favor of allowing a community  
426 business owner to vote in the election.

427

428 **6.Voter Identification for Community Non-Profit Organizations**

429 A Non-Profit Organization senior stakeholder (CEO, director, or the like) within the  
430 community should present an original or copy of an IRS employer identification number  
431 (EIN) and Business Tax Certificate or equivalent document showing a Nonprofit address  
432 within the Planning Group boundaries. There shall be One vote per Nonprofit Organization.  
433 These requirements should be construed liberally by Planning Groups and any doubt resolved  
434 in favor of allowing a community nonprofit senior stakeholder to vote in the election.

435

436 **5.14 Voter Identification for Non-Resident Property Owners**

437 Non-residents who own property within the community must present documents equivalent  
438 to those described in 5.1.1 above, however at least one of these documents should show the  
439 address of the property

440

441 in the community owned by the non-resident and be sufficient to prove ownership. These  
442 requirements should be construed liberally by Planning Groups and any doubt resolved in  
443 favor of allowing a community member to vote in the election.

444

445 **5. Transparency and Inclusion in Operations**

446 The Planning Group will adopt provisions within its Operating Procedures that will govern the  
447 election or appointment of voting members of the Planning Group, their removal if necessary,  
448 and the process to fill vacancies, among other provisions. These provisions will provide for a  
449 fair and transparent process, intended to ensure broad outreach to the community, sufficient  
450 time for community members to participate in elections, and the principles of inclusion and  
451 diversity in Planning Group operations.

452 The planning group will actively seek new members to the extent feasible. If not, enough new  
453 members are found to fill all vacant seats the planning group may retain some members who

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454 have already served for nine consecutive years to continue on the planning group without a  
455 break in service. Refer to Council Policy 600-24 Article III, Section 4 for further clarification.

456 A member of the CVCPG must retain eligibility during the entire term of service.

457 A member of the CVCPG found to be out of compliance with the provisions of Council Policy  
458 600-24 or the planning groups adopted bylaws risks loss of defense and indemnification [legal  
459 protection and representation] pursuant to Ordinance No. O-19883 NS, and any future  
460 amendments thereto.

461 Some provisions of these bylaws constitute requirements under the Brown Act, as outlined in  
462 Council Policy 600-24. A member of the CVCPG who participates in a meeting of the planning  
463 group where actions are alleged to have been in violation of the Brown Act may be subject to  
464 civil or criminal consequences.

465 **ARTICLE V Elections**

466 \_\_\_\_\_

467 Section 1.

468 General elections of CVCPG members shall be held during the month of March in accordance  
469 with the CVCPG's adopted elections procedures.

470 The CVCPG's general elections shall be held annually.

471 The deadline to qualify for candidacy in the March general election shall be prior to the  
472 February noticed regular or special meeting of the full planning group membership preceding  
473 the election. The planning group's Election subcommittee shall be established no later than  
474 January and shall begin soliciting eligible community members to become candidates.

475 In February, the Election subcommittee shall present to the planning group a complete list of  
476 interested candidates collected up to that point in time. Candidates may be added at the  
477 February meeting. A candidate forum may be advertised and held at the February meeting.

478 The CVCPG shall make a good faith effort to utilize means appropriate to publicize the  
479 planning group's eligibility requirements for candidacy and the upcoming elections.

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

483 Each elected seat shall carry a three-year term. The following neighborhood seats shall be open  
484 for election during even-numbered calendar years: Broadway Heights, Chollas View, Emerald  
485 Hills, and Lincoln Park. The following neighborhood seats shall be filled during odd-numbered  
486 calendar years: Alta Vista, Encanto, O'Farrell, and Valencia Park. Each elected At Large seats  
487 shall carry a three-year term from election.

488 All eligible community members may vote on all candidate categories presented on the  
489 approved ballot.

490 The CVCPG holds its election on the same day of and immediately prior to the March regular  
491 meeting.

492 The CVCPG will require proof of identity of those eligible community members who are  
493 seeking to vote in the election. The planning group shall ensure that voting is only by eligible  
494 members of the community. Eligible members of the community are defined in Article III,  
495 Section 2.

496 The ballot presented to eligible community members to vote will clearly identify which seats  
497 individual candidates are running for, how many candidates can be selected, whether there are  
498 limitations on which candidates' various categories of eligible community members can vote  
499 for and which candidates, if any, must receive a 2/3 majority of the vote due to service beyond  
500 ~~eight or~~ nine consecutive years of service.

501 The CVCPG's policy related to write-in candidates is that write-in candidates are not allowed.

502 Voting to elect new community planning group members shall be by secret written ballot.  
503 Proxy voting for elections is not allowed under any circumstances.

504 Development and promotion of "slates" of candidates is contrary to the intent of Council Policy  
505 600-24 and is not allowed.

506 The CVCPG's election becomes final after announcing the election results at the conclusion of  
507 the noticed regular March meeting. The Chair is responsible for preparing, certifying, and  
508 forwarding the election report to the City. New members shall be seated in April at the start of  
509 the regular meeting in order to allow their full participation as elected members at the April  
510 planning group meeting.

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511 Any challenge to the election results must be filed with the chair of the Elections subcommittee  
512 in writing within 24 hours of the counting of the ballots in order to allow enough time to  
513 resolve the issue.

514 Additional voting procedures of the CVCPG are:

515 The ballot presented to eligible community members to vote will clearly identify which seats  
516 individual candidates are running for (a represented neighborhood or at-large) and how many  
517 candidates may be selected in any category. and what terms or remaining terms they are filling  
518 the candidate(s) receiving the highest number of votes in any neighborhood-specific seat shall  
519 be declared the winner. At-Large seats shall be filled by the highest number of votes calculated  
520 for the ~~four~~ five open seats.

521 Candidates who have served beyond nine consecutive years must receive two-thirds of the  
522 votes cast to be seated in accordance with Council Policy 600- 24, Article III, Section 4.

- 523 ● Management of the polls will be handled by Board members or members of an election  
524 subcommittee, or a combination thereof. Board members or members of an election  
525 subcommittee, or a combination thereof individuals with disabilities are accommodated.
- 526 ● Verification of voter eligibility as referenced in Sections 5.1.1 through 5.1.4 in these  
527 Operating Procedures
- 528 ● The Elections Subcommittee will handle Closing the polls, such as indicating when the  
529 closing of the polls is announced during a regular meeting, when a final call for ballots  
530 is announced prior to closing Chair or Elections Subcommittee will make the  
531 announcement .Counting the ballots, including when, by whom, and how to account for  
532 a candidate continuing beyond nine consecutive years of service will be handled by the  
533 election's subcommittee.
- 534 ● A plurality voting system is being used to have a declared winner.
- 535 ● Ballot record keeping are kept in case of challenge for five years and (Chair, Election  
536 Subcommittee Chair, or designated Planning Group member).
- 537 ● Tie-breaking procedure will be using a coin toss to determine candidate winner for the  
538 election.
- 539 ● Announcing election results and when the election becomes final such announcing the  
540 results of the election at the conclusion of the noticed, regular March meeting and  
541 finalizing the results one week after if no election challenges are filed.
- 542 ● Election challenge procedures. Operating procedures should be handled by the election

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subcommittee submitted and received by the secretary within one week from the election, reporting to the Planning Group.

- The Election subcommittee will Maintain confidentiality of secret written ballots. Completed ballots are deposited into a sealed container provided by the city and only opened just before counting
- Electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election) is not allowed.

**5 Election Timing**

The Planning Group will endeavor to host its elections during the month of March each year to be consistent with other Planning Groups.

**Conduct of Meetings**

**Conduct**

The Planning Group members, and the public will conduct themselves reasonably and with civil decorum, and refrain from disrupting the public process as set forth on the Planning Group's agenda.

**CHOLLAS VALLEY PLANNING GROUP GROUND RULES**

These rules and values are how we will treat, support, and communicate with each other and how we will participate and cooperate in making decisions. We will use them in all aspects of our work assignments, meetings, and discussions.

1. We will follow Roberts Rules of Order, which sets forth the responsibilities of each member to listen and communicate so that the meeting can be conducted in an efficient and orderly manner.

2 We agree that one person speaks at a time; there will not be side conversations, there shall be no name-calling.

3. We acknowledge a member's right not to speak on a particular issue, but we agree to participate in discussions and contribute to decisions.

4. We will focus on discussing issues, (stick to the topic).and give constructive feedback.

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5. We will respect the group's time and timetables. Each person will have a chance to speak their mind. However, our contributions will be brief and focus on bringing new facts or approaches or ideas/

6.. We will strive to understand those who disagree with us and be open to changing our minds.

**3.8 Rules of Procedure**

The Planning Group shall follow rules of procedure for its meetings using Robert's Rules of Order, to provide a uniform means for the Planning Group to facilitate public meetings, conduct public business, and resolve disputes. It sets forth the responsibilities of each member to listen and communicate, so that the meeting can be conducted in an efficient and orderly manner.

**3.7 Transparency in Operations**

The Planning Group will maintain transparency in its operating procedures as outlined herein and in Council Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in Planning Group meetings.

Planning Group operating procedures in this section will address the following duties, operations and procedures:

**ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1.

It is the duty of the CVCPG 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, and provide input for infrastructure priorities.

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.

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605 All Planning Group members are expected to participate in at least one committee or work  
606 group per year or Board position or assigned position to assist in our successful short and long-  
607 term planning for our communities.

608 Working Groups may be created by the Chair of the Board to perform a specific task  
609 and/or to create recommendations. Working Groups have no decision-making capacity,  
610 are temporary, and may meet without public notice.

611  
612 **Document Specialist(s).** A Document Specialist(s) will be familiar with and  
613 have available at Board meetings the following documents: Council Policy 600-24, The  
614 Administrative Guidelines, The Encanto Neighborhoods Community Plan, The Brown Act,  
615 Roberts' Rules of Order, The Bylaws, Demographic information for CVCPG, 800-14  
616 Infrastructure Prioritization and additional documents as specified by the Chair.  
617

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

622 **(a) Meeting Procedures**

623 It shall be the duty of each member of the CVCPG to attend all planning group meetings in-  
624 person (and by phone or online application like Zoom if California or local law allows).

625 (i) REGULAR AGENDA POSTING - At least 72 hours before a regular meeting, the agenda  
626 containing a brief general description of each agenda item shall be posted. The brief general  
627 description of each agenda item need not exceed twenty words per item unless the item is  
628 complex. The agenda shall also provide notice of the date, time and location of the meeting.  
629 The agenda shall be posted in a place freely accessible to the general public and shall include  
630 information on how a request for accessible accommodation may be made. If the meeting will  
631 be hybrid, instructions for call-in, internet, or application will be posted.

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

634 The agenda shall be offered to the City for posting on the City's website and should be posted  
635 on the CVCPG website at least 72 hours in advance of the meeting. The agenda shall be  
636 posted on the Chollas Valley Community Planning Group website or via email to requested  
637 community members. If possible, agenda or notice shall be posted on social media such as

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638 Facebook and Nextdoor. Agendas will be sent to all interested parties including neighborhood  
639 councils, nonprofit organizations, schools, SDPD CRO mailing list, etc.

640 **PUBLIC COMMENT** - Any interested member of the public may comment on agenda items  
641 during regular or special planning group meetings. In addition, each agenda for a regular  
642 planning group meeting shall allow for a public comment period at the beginning of the  
643 meeting for items not on the agenda, but are within the scope of authority of the planning  
644 group. Planning group members may make brief announcements or reports to the planning  
645 group on their own activities under the public comment section of the agenda. Neighborhood  
646 Organizations would report under public comment. The planning group may adopt time limits  
647 for public comment to ensure operational efficiencies.

648 Staff Reports from Government Officials will have two minutes each, unless arrangement has  
649 been made with the Chair, Vice Chair, or Secretary for major items and discussion as an  
650 Information Item.

651 iii) **ADJOURNMENTS AND CONTINUANCES** – If the CVCPG does not convene a  
652 regularly scheduled meeting, there shall be a copy of the "Notice of Adjournment" of the  
653 meeting posted on or near the door of the place where the adjourned meeting was to be held  
654 within 24 hours after the time the meeting was to be held.

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

659 iv) **CONTINUED ITEMS** - If an item is continued from a prior regular meeting to a  
660 subsequent - meeting, a new agenda must be prepared as if a regular meeting; otherwise, the  
661 original meeting agenda is adequate.

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

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

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

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

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

680 (vii) DEVELOPMENT PROJECT REVIEW - The CVCPG may not, as a condition of placing  
681 an item on the agenda, require applicants to submit additional information and materials  
682 beyond which the applicant has been required to submit as part of the City's project review  
683 application process.

684 When reviewing development projects, the planning group shall allow participation of affected  
685 property owners, residents and business establishments within proximity to the proposed  
686 development. Individual testimony by affected property owners, residents and business  
687 establishments is allowed (1 minute), with group testimony on agenda items – one minute per  
688 person within group can combine time allowed.

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

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

697 Procedure for individual or group testimony on Agenda Items: Each individual gets no more  
698 than one minute; Group Testimony must have all members present; one minute per person  
699 maximum.

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- 700 A two-thirds vote of the voting members of the CVCPG is required to remove an elected  
701 community planning group member in accordance with Article IX.
- 702 Removing a member due to ineligibility in accordance with Article III, Section 2 requires a  
703 majority vote of the voting members of the CVCPG for the purpose of ratifying the findings  
704 presented by the Secretary to the group.
- 705 Amendments to adopted bylaws require a two-thirds vote of the voting members of the  
706 CVCPG.
- 707 A vote to approve a community plan update or a community plan amendment requires a two-  
708 thirds majority vote of the voting members of the CVCPG.
- 709 All other CVCPG actions, including subcommittee votes, only require a simple majority of the  
710 voting members of the group in attendance when a quorum is present.
- 711 The CVCPG's chair participates in discussions but does not vote except to make or break a tie.
- 712 The planning group shall not engage in, or allow, secret ballot or proxy voting on any agenda  
713 item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail are  
714 also prohibited.
- 715 Votes taken on agenda items shall reflect the positions taken by the elected or appointed  
716 positions on the planning group identified in Article III, Section 1 of Council Policy 600-24.
- 717 (ix) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of  
718 the members of the CVCPG as to action to be taken on an Action Item by members of the  
719 planning group, either by direct or indirect communication, by personal intermediaries, by  
720 serial meetings, or by technological devices, is prohibited, other than at a properly noticed  
721 public meeting.
- 722 (x) SPECIAL MEETINGS - The chair of the CVCPG, or a majority of planning group  
723 members, may call a special meeting. An agenda for a special meeting shall be specified as  
724 such, shall be prepared, and posted at least 24 hours before a special meeting.
- 725 Each member of the planning group shall receive the written notice of the meeting at least 24  
726 hours before the time of the meeting as specified in the notice unless the member files with the  
727 planning group secretary a written waiver of notice at, or prior to the time of, the meeting.  
728 Written notice shall be emailed to all interested parties, and organizations affected by the  
729 meeting. The notice shall identify the business to be transacted or discussed at the meeting. No

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730 other business shall be considered at this meeting. Public testimony on agenda items must be  
731 allowed; however, the non-agenda public comment period may be waived.

732 EMERGENCY MEETINGS - Emergency meetings, requiring no public notice, are called for  
733 matters related to public health and safety. These matters are outside of the purview of the  
734 CVCPG and are prohibited under these bylaws.

735 RIGHT TO RECORD - Any person attending a meeting of the CVCPG must be allowed to  
736 record or photograph the proceedings in the absence of a reasonable finding by the planning  
737 group that the recording cannot continue without noise, illumination, or obstruction of view  
738 that constitutes, or would constitute, a persistent disruption of the meeting.

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

746 **(b) Subcommittees**

747 The CVCPG may establish standing and ad hoc subcommittees when their operation  
748 contributes to more effective discussions at regular planning group meetings.

749 STANDING SUBCOMMITTEES - Pursuant to the purpose of the CVCPG as identified in  
750 Article II, Section 1, the planning group has established a standing subcommittee for  
751 Infrastructure/Community/City/Liaison regarding issues in our communities and communicate  
752 between Get-It-Done Reports not resolved in appropriate time, with city councilmembers,  
753 council representatives or council committees. A Design Standards/ Project Review  
754 Workgroup will meet as needed before full Planning Group meetings Project evaluations.  
755 Subcommittees – relative to the purpose of standing subcommittees and ad-hoc subcommittees,  
756 subcommittee composition, recommendations and protocol for triggering a joint meeting of the  
757 Planning Group and the subcommittee if there is potential for a quorum of the Planning Group  
758 to be present at a subcommittee meeting.  
759

760 (ii) AD HOC SUBCOMMITTEES - Ad hoc subcommittees may be established for finite  
761 period of time to review more focused issue areas and shall be disbanded following their

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762 review. We will create, as needed, an ad hoc subcommittee to address a particular planning or  
763 operational matter. i.e., Outreach and Elections.

764 (iii) SUBCOMMITTEE COMPOSITION – Subcommittee shall contain a majority of  
765 members who are members of the planning group. They shall be appointed by a majority vote  
766 of the voting members of the planning group.

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

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

775 (v) Expenses - All subcommittees are required to get pre-approval from the Vice Chairperson  
776 prior to incurring any expenses.

777 **(c) Abstentions and Recusals**

778 (i) RECUSALS - Any member of the CVCPG with a direct economic (capital )interest in any  
779 project that comes before the planning group or its subcommittees must disclose to the  
780 planning group that economic interest, and must recuse from voting and not participate in any  
781 manner as a member of the planning group for that item on the agenda.

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

785 **(d) Meeting Documents and Records**

786 (i) AGENDA BY MAIL - Requests to mail copies of a regular agenda, and any accompanying  
787 material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon  
788 distribution to a majority of the members of the community planning group, whichever occurs  
789 first. A request to receive agendas and materials may be made for each calendar year and such  
790 request is valid for that entire year but must be renewed by January 1 of the following year.

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791 (ii) AGENDA BY EMAIL= Requests for emailed copies of a regular agenda may be shared via  
792 the Planning Group's Website, optional at Sign-in Sheets at meetings and events, and via  
793 Planning Group's email. Such materials shall be emailed when the agenda is posted, or upon  
794 distribution to a majority of the members of the community planning group, whichever occurs  
795 first. A request to receive agendas and materials may be made for each calendar year and such  
796 request is valid for that entire year but must be renewed by January 1 of the following year.  
797 Agendas may also be requested from the City.

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

807 (iv) MINUTES – For each planning group meeting, a report of CVCPG member attendance  
808 and a copy of approved minutes shall be retained by the planning group and shall be available  
809 for public inspection. A copy of the draft minutes should be made available for public  
810 inspection as soon as possible but no later than the group's next regularly scheduled meeting.

811 The minutes of each planning group meeting shall include the votes taken on each action item  
812 and reflect the names for, against and abstaining when the vote is not unanimous. Recusals  
813 shall also be recorded. Minutes should record speakers and public testimony, and whether each  
814 project applicant (whose project was subject to planning group action) appeared before the  
815 planning group. If an applicant did not appear before the planning group, then the meeting  
816 minutes must indicate the date when and type of notification (e.g., electronic, telephonic,  
817 facsimile) provided to the applicant requesting his or her appearance at the planning group  
818 meeting. A copy of the approved minutes shall be submitted to the City within 14 days after  
819 approval by the planning group and be posted on the planning group's website within 14 days  
820 after approval.

821 The CVCPG is not required to audio or videotape meetings but if recordings are made, they are  
822 subject to a public request to inspect without charge. A cost-recovery fee may be charged for  
823 copies of recordings.

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824 RECORDS RETENTION – CVCPG records must be retained for public review. Community  
825 planning group records are meeting agendas and any other writings that are distributed to at  
826 least a majority of the group members in connection with a matter subject to consideration at  
827 an open meeting of the group. Community planning group records do not include writings that  
828 are required to be submitted to the city in accordance with Council Policy 600-24 to  
829 substantiate and document the CVCPG operations and compliance. The CVCPG also receives  
830 materials that do not qualify as records. The Administrative Guidelines discuss categories of  
831 material that are City records, community planning group records, and non-records.

832 It shall be the duty of the CVCPG and its members to periodically seek community-wide  
833 understanding of and participation in the planning and implementation process as specified in  
834 Article II, Section 1. The planning group shall give due consideration to all responsible  
835 community attitudes insofar as these are deemed to be in the best long-range interest of the  
836 community at large.

837 It shall be the duty of the CVCPG to maintain a current, up-to-date roster of the names, terms,  
838 and category/qualifications of planning group members in its possession, and to forward the  
839 current roster, as well as any updates, to the City. The planning group must also submit to the  
840 City an annual report of accomplishments for the past 12 months and anticipated objectives for  
841 the coming year related to Article II, Section 1 above. Rosters and annual reports constitute  
842 disclosable records under the Brown Act. The Annual Report shall be submitted to the City  
843 within 14 days of the approval of the March minutes.

844 The CVCPG may develop a policy for financial contributions from the citizens of the  
845 community for the purposes of furthering the efforts of the planning group to promote  
846 understanding and participation in the planning process. However, no membership dues shall  
847 be required, and no fee may be charged as a condition of attendance at any planning group  
848 meeting. All contributions must be voluntarily made, and no official planning group  
849 correspondence may be withheld based on any individual's desire to not make a voluntary  
850 contribution. If the Planning Group receives beyond \$250, a bank/credit union account may be  
851 set up. The Planning Group would receive monthly account information from the Vice Chair.

852 Each elected CVCPG member is required to attend an orientation training session administered  
853 by the City as part of planning group and individual member indemnification pursuant to  
854 Ordinance No. O-19883 NS, and any future amendments thereto. If it is not possible for a new  
855 member to attend the training session as required, or if a new member is seated through a  
856 special election or in a month other than March, then the member shall successfully complete  
857 the online orientation training.

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858 As required by O-19883 NS, newly seated planning group members must complete a basic  
859 orientation training session within 60 days of being elected or appointed to a planning group .  
860 or the operation of the CVCPG member will be ineligible to serve. The basic orientation  
861 training session will be scheduled within 60 days of the last day of March each year to meet  
862 this ordinance requirement. Proof of orientation training must be sent to the city Planning  
863 Department, and a copy to the Chairperson and Secretary of the Planning Group by July 1 each  
864 year. All Planning Group members must attend the orientation training annually.

865 3.3 Planning Group Officers

866 The officers of the **Chollas Valley Community Planning Group** shall be elected from and by  
867 the members of the Planning Group. Said officers shall consist of a Chairperson, Vice  
868 Chairperson and Recording Secretary and Correspondence Secretary, And a Technology  
869 Coordinator if possible. The length of an officer's term shall be: one year except that no person  
870 may serve in the same Planning Group office for nine consecutive years per the term limits  
871 established in Section 4.4. After a period of one year in which that person did not serve as an  
872 officer that person shall again be eligible to serve as an officer. The officers of the CVCPG  
873 shall be elected from and by the members of the planning group.

874 Said officers shall consist of a Chairperson, Vice Chairperson, Recording Secretary,  
875 Corresponding Secretary and Parliamentarian.

876 3.3.2 Chairperson

877 The Chairperson shall be the principal officer of a recognized Planning Group and shall  
878 preside over all Planning Group and communitywide meetings organized by the Planning  
879 Group. The Chairperson will be the Planning Group's primary representative to the  
880 Community Planners Committee (CPC). They are also responsible for setting the agenda,  
881 being the point of contact for development applicants, providing written reports, verbal  
882 testimony to the Mayor or City Council, planning staff, community or institutional boards or  
883 agencies or similar organizations. The Chairperson shall organize and  
884 delegate as appropriate. The Chairperson will be the primary spokesperson for local  
885 news media and for press releases. Appeals of discretionary decisions to the City shall  
886 be made by the Chairperson or, if necessary, because of direct economic interest or  
887 absence, by a designee identified to appeal that particular action on behalf of the  
888 planning group

889 3.3.3 Vice Chairperson

890 Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all  
891 the duties and responsibilities of the Chairperson. Shall/May aid in preparing annual  
892 reports/agendas and by direction shall be the CPG spokesperson. This position also serves as

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the alternate representative to the CPC. The Vice Chairperson shall manage all financial disbursements and reimbursements related to CVCPG business upon authorization of the planning group, keep an accurate record of all receipts of disbursements and reimbursements. All actions shall be reported at each regular meeting.

**3.3.4 Recording Secretary and Correspondence Secretary**

Secretary. The Secretary shall be responsible for the Planning Group's correspondence, posting agenda notice of meetings, attendance records, meeting minutes and actions [including identification of those Planning Group's 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.

Correspondence Secretary as a separate position is preferred; their responsibility includes posting meeting notices at public locations at least 72 hours in advance of all meetings, writing letters to government officials regarding approved comments by Planning Group vote, and may participate in sending out agenda emails to government officials and those on the Planning Group's email list.

**3.3.5 Other Officers (not part of succession)**

The parliamentarian shall advise the chair and acts as a consultant for other officers, board members, committee members, and association members on parliamentary procedure.

Technology Coordinator. The Technology Coordinator shall be responsible for maintaining the Planning Group's Webpage and web files for agendas, minutes and notices; posting of social media notices of meetings and agendas, and making sure that materials needed to run a meeting presentation are functional (laptop, microphone, speakers, presentation slides from speakers, etc., and record a hybrid meeting, if possible. Maintain Zoom (or other online) account for use by the Planning Group and run the computer-side of the meeting. The Technology Coordinator may take on these responsibilities or may identify individuals to assist in these duties. Technical coordinators shall manage web site, social media posting, provide administrative and tech support services to aid with meetings, projects, presentations and/ or the operation of the CVCPG (last in the line of succession because of their support responsibilities)

**Parliamentarian**

The parliamentarian shall advise the chair and acts as a consultant for other officers, board members, committee members, and association members on parliamentary procedure.

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929  
930       3.4 Additional Planning Group Officer Responsibilities

931       The **Chollas Valley Community Planning Group** officers and representatives to the  
932       Community Planning Committee (CPC) shall promptly (within 7 days) disseminate to all  
933       elected and appointed Planning Group members pertinent information that is received by the  
934       Planning Group regarding its official business.

935  
936       **4 Open and Public Elections**

937       **5 Additional Planning Group Responsibilities**

938       Planning Group positions may be represented to the City on planning issues that are  
939       not project review recommendations or are an appeal on a City decision by formal  
940       letter.

941       Bylaws amendments can be recommended by the ad hoc subcommittee for the purpose  
942       of developing an amendment. An amendment to the Bylaws will require a two- thirds  
943       vote of the voting members of the Planning Group prior to submission to the offices of the  
944       Mayor and City Attorney for review and approval. See Article II, Section 7.

945  
946       Standard Operating Procedures may be developed by an ad hoc subcommittee and will  
947       be a stand-alone document attached to the Bylaws when completed. Standard  
948       Operating Procedures will be subject to change as needed.

949  
950       Voluntary financial contributions may be accepted for specific purposes by the  
951       community or Board members and will be acknowledged by letter from the Board.

952  
953       The Planning Group encourages engagement and regular  
954       participation with other organizations that may promote greater operational  
955       effectiveness and communication for the public good.

956  
957       5.3 Commitment to Non-Discriminatory Practices

958       The Planning Group, in conducting its responsibilities, will not discriminate against any  
959       person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry,  
960       sexual orientation, marital status, military or veteran status, genetic information, medical  
961       condition, or physical or mental disability.

962  
963       5.4 Records Retention

964       The Planning Group will maintain its official records, including its rosters, annual reports,  
965       meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its  
966       website, in electronic files, or in hard copies) from the date each record is created, and will  
967       make all official records available to the City and to any member of the public upon request.

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Ethical Standards

The Planning Group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how Planning Group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The Planning Group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures

Direct Economic Interest

Planning Group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a Planning Group board to other Planning Group voting members who can show that the decision will not have an effect on their economic interest.

Abstentions for Potential Conflicts of Interest

Planning Group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The Planning Group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community Planning Group quorum for that item, regardless of the point in time they declare their abstention.

Political Actions

Neither the Planning Group nor voting members in their capacity as such may use their title from or position on a Planning Group for political endorsements of individuals. The Planning Group may, however, upon majority vote, take a position on pending legislation that is within the Planning Group's purview.

Donations

Neither the Planning Group nor its voting members shall accept donations on behalf of any individual running for office.

Equal Time for Candidates or Ballot Measures

The Planning Group will endeavor to grant equal time for candidates or ballot measures if

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docketed on the Planning Group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

Professional Conduct

The Planning Group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

Voting Member Training

Each Planning Group voting member shall complete the formal education program in- person or on-line offered by the City.

The Planning Group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the Planning Group, and by no later than June 30 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the Planning Group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

The City Planning Department, Development Staff Department, Housing Commission, or other official organization with knowledge about specific training to assist Planning Group Members to expand their knowledge is allowed and encouraged. (Examples include How to use DSD software, CEQA and How to read environmental reviews, permitting processes, innovative programs, laws and policies on housing, active transportation, infrastructure, and others that may affect how we perform our duties as Planning Group members.

Collaboration with City Staff

Planning Group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the Planning Group.

**Planning Group Rights and Liabilities**

Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the Planning Group or its individual voting members, acting in their capacity to

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the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the Planning Group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the Planning Group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

Violations and Remedies Related to Provisions Citing the Brown Act Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the Planning Group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void Planning Group actions. Individual voting members of the recognized Planning Group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the Planning Group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the Planning Group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The Planning Group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the Planning Group to the Planning Department, and appropriate law enforcement agencies. The Planning

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COMMUNITY DECLARATION and  
OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE  
**CHOLLAS VALLEY COMMUNITY PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

Group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

Violations of Membership Eligibility

Any Planning Group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining Planning Group voting members as outlined in Section 5.2.

Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

Violations and Remedies

If the Planning Group violates these Operating Procedures, it may forfeit its status as a recognized Planning Group and lose its right to indemnification and defense by the City. A Planning Group voting member and the Planning Group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a Planning Group voting member, the Planning Group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The Planning Group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The Planning Group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the Planning Group, or may recommend to the City Council that the Planning Group's recognition be revoked.

The Planning Group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a Planning Group has violated their Operating Procedures or [Council Policy 600-24](#) and the Planning Group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City

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COMMUNITY DELCLARATION and  
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PER CITY COUNCIL POLICY 600-24

Council may revoke the Planning Group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The Planning Group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the Planning Group at a scheduled Planning Group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

Potential Conflicts of Interest

Planning Group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the Planning Group, which may include expulsion from the board. The Planning Group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

Violations and Remedies for Quorum and Attendance Requirements

If the Planning Group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the Planning Group in a temporary inactive status, to allow the Planning Group to work through its membership issues to return to active status. If the Planning Group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the Planning Group's recognition be revoked.

Violations of City Requests for Input

The Planning Group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee. This revocation will only apply if the city has met its reciprocal responsibility to the Planning Group submission of recommendations and requests for information concerning the same matters.

**Collective Action of the Planning Group**

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COMMUNITY DECLARATION and  
OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE  
**CHOLLAS VALLEY COMMUNITY PLANNING GROUP**  
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The official positions and opinions of the Planning Group will not be established or determined by any organization other than the recognized Planning Group, nor by any individual voting member or **Subcommittee of The Planning Group**.

**Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the Planning Group unless recognition of the Planning Group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. (A.) The Chollas Valley Community Planning Group will represent the communities of Alta Vista, Broadway Heights, Chollas View, Emerald Hills, Encanto, Lincoln Park, O'Farrell (South Encanto), and Valencia Park.

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## **Chollas Valley Community Planning Group (CVCPG) Community Engagement and Participation Plan**

The Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website. We will continue to seek out Latinos, AAPI, Youth, and school employees/PTA members.

### **Objective**

To best serve the Community’s interests, the CPG will engage all segments of the **Chollas Valley** Community to foster diverse participation in and within the CPG, and to create and sustain two-way communication with constituents to elicit and represent their needs.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

### **Overarching Goals**

- Educate community members about the role of the CPG and opportunities for involvement.
- Partner with non-profits, community organizations, businesses, schools/universities, and government organizations to build trust with the community.
- Inform the community about land use, General/Community Plans, infrastructure priority needs, projects, and legislation.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Effectively communicate about the CPG’s advocacy for the community in easily understood language.
- Proactively listen to community needs and communicate these to the City.
- Obtain meaningful input from a broad range of community members on land use matters and infrastructure needs (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).

January 2024 CVCPG Chollas Valley Community Planning Group participation representation

- Encourage student and youth participation in CPG committees and other CPG activities

### **Guiding Principles for Public Participation**

The CPG will:

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's [Data Surfer](#) website. Agendas are in Spanish, and Spanish Translation is available at meetings.
- Be respectful of people's opinions and time. • Ensure a safe, accessible meeting space.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Meeting Agendas are offered in Spanish, as is Spanish Translation to meet our demographic needs.
- Document the measured results and submit them to the City Planning Department in the annual report in March.

### **Community Engagement Methods**

1. Public Meetings: The primary platforms for community engagement are the CPG's public meetings, which include the monthly board meeting, standing committee meetings, and ad hoc committee meetings. These meetings are regularly occurring and publicly noticed. They are all open to the public in accordance with the Brown Act and conducted with the degree of formality necessary to ensure all parties have an opportunity to ask questions and be heard. Participants are able to hear relevant information, have an opportunity to ask questions, make comments, and hear the opinions of others.
  - a. Committee meetings are where the bulk of the CPG's work is accomplished and are forums for focused public presentations, briefings, and discussions. The committees are very focused on narrow topics and are excellent for expansive discussion with subject matter experts and community stakeholders.

January 2024 CVCPG Chollas Valley Community Planning Group participation representation

- b. Committee or Board Briefings. The CPG and its committees will regularly invite individuals, government organizations, non-profits, and advocacy groups to present on subject matter within their purview or interest. These briefings provide unique and direct access for the community to experts, candidates, decisionmakers, and activists. The City will also present subject matter that pertains to planning, CEQA, DSD, etc.
  - c. Informal/Informational events. Unnoticed CPG or non-CPG events held to provide public access to CPG member(s) unencumbered by an agenda of business. Principally held to inform the community about the CPG, City planning, and how land use decisions are made. This can also involve tabling at local community events like farmers markets, festivals, sports events, etc. An open forum event focused on soliciting information on community needs and feedback on how City policies/legislation impact them is recommended for the CVCPG. (example: Urban Collaborative Project CDC's annual Transportation Expo at Gompers Prep in February, attend & participate at local community/neighborhood/town council meetings, Friends of the Library). We plan to offer informational forums regarding infrastructure needs and how to find information from the city.
  - d. Web-based Meetings: Any noticed CPG meeting can also be a hybrid meeting. Methods to explore include live-streaming and interactive video conferencing. Informal (non-Brown Act) meetings can be completely web-based. Either approach provides important access to people who are not normally able to participate in person. Currently offering Zoom by Phone, internet or application.
2. Printed public information: The CPG will post meeting notices and informational material in key public locations such as Valencia Park/ Malcolm X Library, our schools, and Encanto Recreation Center. Printed material is intended to target segments of the community that do not or cannot obtain information about the CPG and land use issues through other information channels. The CPG may use flyers to increase the awareness of and participation in the CPG and land use discussions.
- a. The CPG may collaborate with community organizations to employ signage to increase public awareness of key events and issues.
  - b. Newspaper: The CPG will publish notification of elections in the local community papers, if available. The CPG will occasionally advertise key events, often in collaboration with other community organizations, in print media.
3. Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Build relationships with other city advisory boards and committees to cross-pollinate messaging. ( Ex. San Diego Parks & Recreation Board)
4. Internet: The CPG's website [ChollasValleyCommunityPlanning.com](https://ChollasValleyCommunityPlanning.com) is its principal information portal for the public. The CPG uses its website to provide foundational information about the CPG, its members, committees, and meetings. The CPG maintains
- January 2024 CVCPG Chollas Valley Community Planning Group participation representation

access to agendas, minutes, and other CPG-generated material on its website. The CPG posts meeting notices and detailed election material on its website. The CPG has a question/comment form on the website, and it goes directly to [chollasvalleycpg@gmail.com](mailto:chollasvalleycpg@gmail.com)

5.

- a. Social Media: The CPG will regularly post information on key issues and events on multiple platforms. The CPG posts information on several widely used Facebook community pages, on Nextdoor, hope to expand to other social media forms.
- b. As needed, the CPG will use online polls, surveys, and comment forms to seek input on community needs/other initiatives. The CPG occasionally uses Nextdoor and Facebook online polls to collect community opinion about select projects, safety, and traffic concerns.

**Commented [PM1]:** Indicate use of the group's own social media accounts. "The PCPB will regularly post information on key issues and events on multiple platforms including its own Facebook, Instagram....social media accounts."

6. Partnering with Community-Based Organizations: The CPG maintains extensive relationships with community organizations to disseminate information and obtain input on issues.

- a. The CPG partners with local Town/Neighborhood/Community Councils and adjacent community Planning Groups to close communication seams, coordinate on shared issues, and collaborate on projects that impact surrounding neighborhoods.
- b. The CPG maintains relationships with local advocacy groups and community service organizations to understand all facets of an issue and to engage with impacted segments of the community.
- c. The CPG works with our local librarian, and representatives of local state legislators, City council members, County Supervisor, City Planning and Development Services Departments, and the San Diego Police Department to define issues and advise on community interests.
- d. Several CPG members volunteer with the Encanto Recreation Advisory Group, Groundwork San Diego, Chollas Creek Coalition (current efforts include the creation of the Chollas Creek Watershed Regional Park, creation of parks and trails, and protecting our environment), the Urban Collaborative Project's Joint Town Council and Transportation & Infrastructure Group (that shares presentations from MTS, SANDAG, Caltrans, CARB, Tree San Diego, CirculateSD, etc), and seeks to work with local schools, Diamond Business Association, the San Diego Black Arts + Culture District, and the short-term Promise Zone, and Jacob's Center for Innovation that are winding down. This helps to provide insight into land use impacts and community interests.

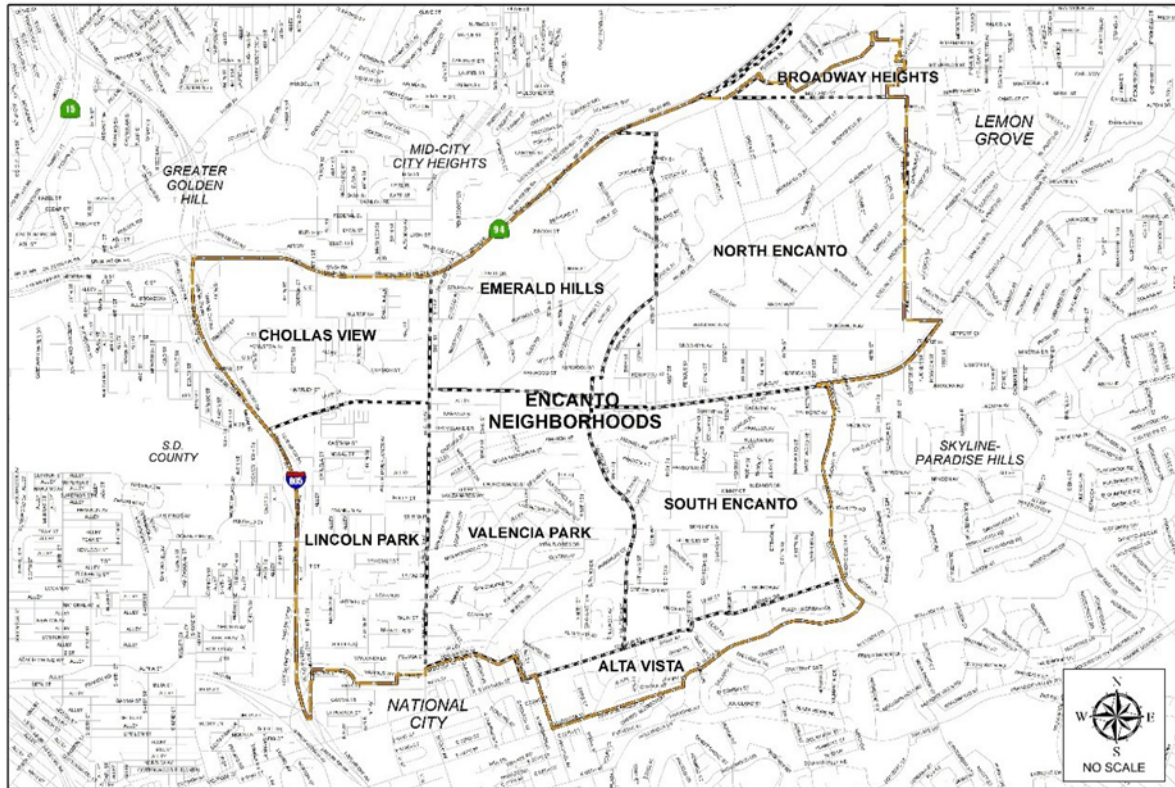
CVCPG Google voice mail: 619-354-0558 Facebook.com/cvcpg

Nextdoor Member – in Emerald Hills (Under CVCPG and Sally Smull)

ChollasValleyCommunityPlanning.com

Working on expanding our emailing lists to include members from additional planning group boards, neighborhood/town/community councils, get on the San Diego Unified's DOJO list to send out flyers, etc.

January 2024 CVCPG Chollas Valley Community Planning Group participation representation



**Exhibit A: Encanto Neighborhoods  
with Voting Districts**

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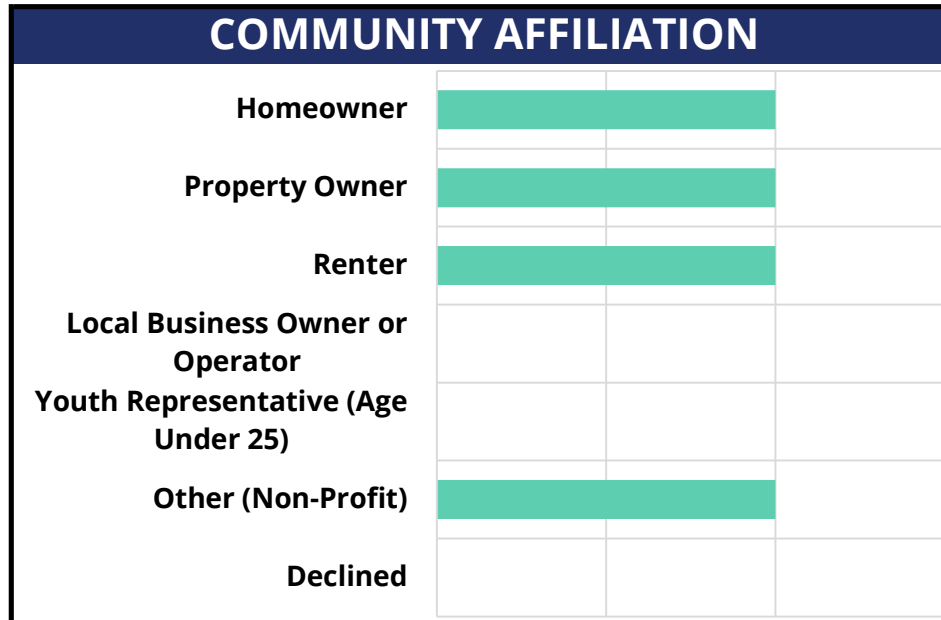


# Chollas Valley

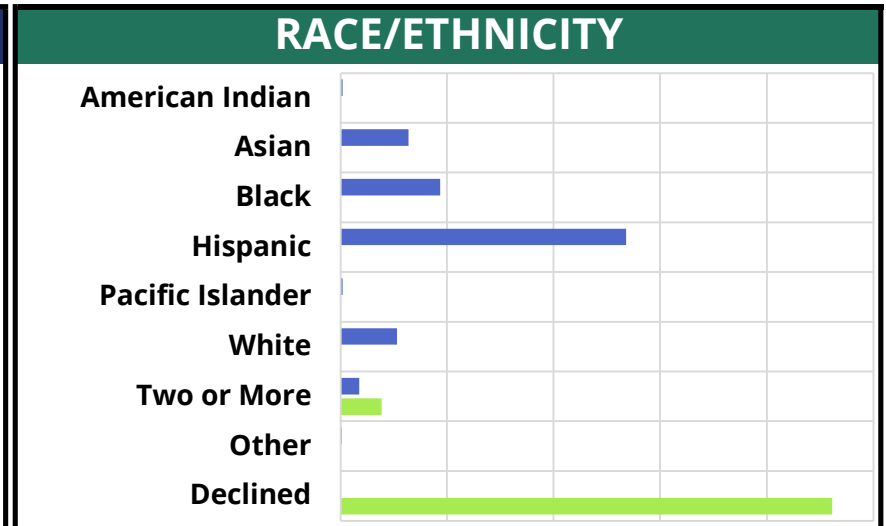
■ Member Count

■ Percent Group

■ Percent Community



| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 1            |
| Property Owner                      | 1            |
| Renter                              | 1            |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other (Non-Profit)                  | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>4</b>     |



| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 12.7%             |
| Black            | ---          | ---           | 18.7%             |
| Hispanic         | ---          | ---           | 53.6%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | ---          | ---           | 10.6%             |
| Two or More      | 1            | 7.7%          | 3.5%              |
| Other            | ---          | ---           | 0.2%              |
| Declined         | 12           | 92.3%         | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Chollas Valley

■ Percent Group ■ Percent Community

| AGE            |              |               |                   |
|----------------|--------------|---------------|-------------------|
| Under 25       |              |               |                   |
| 25 to 29 years |              |               |                   |
| 30 to 39 years |              |               |                   |
| 40 to 49 years |              |               |                   |
| 50 to 59 years |              |               |                   |
| 60 to 69 years |              |               |                   |
| 70 to 79 years |              |               |                   |
| 80+            |              |               |                   |
| Declined       |              |               |                   |
| Age            | Member Count | Percent Group | Percent Community |
| Under 25       | ---          | ---           | 16%               |
| 25 to 29 years | ---          | ---           | 10%               |
| 30 to 39 years | ---          | ---           | 18%               |
| 40 to 49 years | ---          | ---           | 17%               |
| 50 to 59 years | 1            | 8%            | 16%               |
| 60 to 69 years | ---          | ---           | 13%               |
| 70 to 79 years | ---          | ---           | 7%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | 12           | 92%           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |

| HOUSEHOLD INCOME       |              |               |                   |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     |              |               |                   |
| \$15,000 to \$29,999   |              |               |                   |
| \$30,000 to \$44,999   |              |               |                   |
| \$45,000 to \$59,999   |              |               |                   |
| \$60,000 to \$74,999   |              |               |                   |
| \$75,000 to \$99,999   |              |               |                   |
| \$100,000 to \$124,000 |              |               |                   |
| \$125,000 to \$149,999 |              |               |                   |
| \$150,000 to \$199,999 |              |               |                   |
| \$200,000 or more      |              |               |                   |
| Declined               |              |               |                   |
| Household Income       | Member Count | Percent Group | Percent Community |
| Less than \$15,000     | ---          | ---           | 12%               |
| \$15,000 to \$29,999   | ---          | ---           | 16%               |
| \$30,000 to \$44,999   | ---          | ---           | 15%               |
| \$45,000 to \$59,999   | ---          | ---           | 14%               |
| \$60,000 to \$74,999   | ---          | ---           | 10%               |
| \$75,000 to \$99,999   | ---          | ---           | 11%               |
| \$100,000 to \$124,000 | ---          | ---           | 9%                |
| \$125,000 to \$149,999 | ---          | ---           | 3%                |
| \$150,000 to \$199,999 | ---          | ---           | 4%                |
| \$200,000 or more      | ---          | ---           | 4%                |
| Declined               | 12           | 100%          | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 31, 2023, 10:43:57 AM

What is the official name of your Planning Group?

**City Heights Area Planning Committee**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **City Heights**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **4**
- **9**

Indicate here if you propose to have more than 20 CPG Members.

**Yes**

## Member Details

### Group

Member Affiliation(s)

- **Renter**
- **Youth Representative (Age Under 25)**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**Hispanic**

Age

**Under 25**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**25 to 29**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Hispanic**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**Two or More**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**Less than \$15,000**

Race / Ethnicity

**Other**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$30,000 to \$44,999**

Race / Ethnicity

**Two or More**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**
- **Local Business Owner or Operator**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Black**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Black**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Youth Representative (Age Under 25)**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**Two or More**

Age

**Under 25**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**White**

Age

**80+**

How will your Planning Group be accessible to all members of your community?

**- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City). - Ensure a safe, accessible meeting space. - Communicate in ways that are inclusive, transparent and respectful. - Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner. - Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community. - Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City). - Ensure a safe, accessible meeting space. - Communicate in ways that are inclusive, transparent and respectful. - Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner. - Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.**

How will your Planning Group fairly represent all members of your community?

**City Heights is one of the more dense planning groups, and thus, we have a board of 22 members to help with representation of this entire planning area. This board is comprised of members between the age ranges of early-twenties to late-eighties, which helps ensure the voices of all age demographics are heard. There are many racial backgrounds that are represented in our planning group including (but not limited to) white, black, hispanic, middle eastern and Native American. We have students, renters, homeowners, business owners and dedicated space for a non-profit representative. This composition is very representative of the diverse interest of the city heights community.**

Applicant Representative

**Marcellus T. Anderson**

Email

**CHAPC.CHAIR@gmail.com**

Phone Number

**540-915-5341**

CITY OF SAN DIEGO, CALIFORNIA **COUNCIL POLICY**  
**CURRENT**

**Attachment to CP 600-24 – Terms and Conditions**

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
**{City Heights Area Planning Committee}**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the {City Heights Area Planning Committee} (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be { **City Heights Area Planning Committee** }.

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The community planning boundaries of this CPG are the boundaries of the {City Heights} Community, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

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2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### **4. CPG Composition**

##### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

##### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

###### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

##### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

###### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

##### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

###### 4.4.1 Maximum Time of Service

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CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

x Only one elected CPG voting member per business tax certificate x

Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

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(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those

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described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- x Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- x Verification of candidate eligibility prior to printing a ballot x  
Creation of a ballot with all candidates identified by name
- x Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- x Handling of a candidate's absence from a scheduled candidates' forum x  
Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- x Management of the polls
- x Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions x Ballot construction & content x Setting election date(s) x Setting voting time(s)
- x Mail-in ballot procedures, if applicable x  
Closing the polls
- x Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- x Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- x Ballot record keeping x Tie-breaking procedures x Election challenge procedures
- x Timing of installation of newly elected voting members x  
Maintaining confidentiality of secret written ballots

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- x Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- x Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

**6. Conduct of Meetings**

6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

**7. Additional CPG Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards

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should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program inperson or on-line offered by the City.

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The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

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Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

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The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

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**10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The **City Heights Area Planning Committee** Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decisionmaking.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).

- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's [Data Surfer](#) website.
- Be respectful of people's opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

## **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Grocery stores
  - Park and Rec Building(s)
  - Coffee shops
  - Public transit hubs
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

## **Measuring Success**

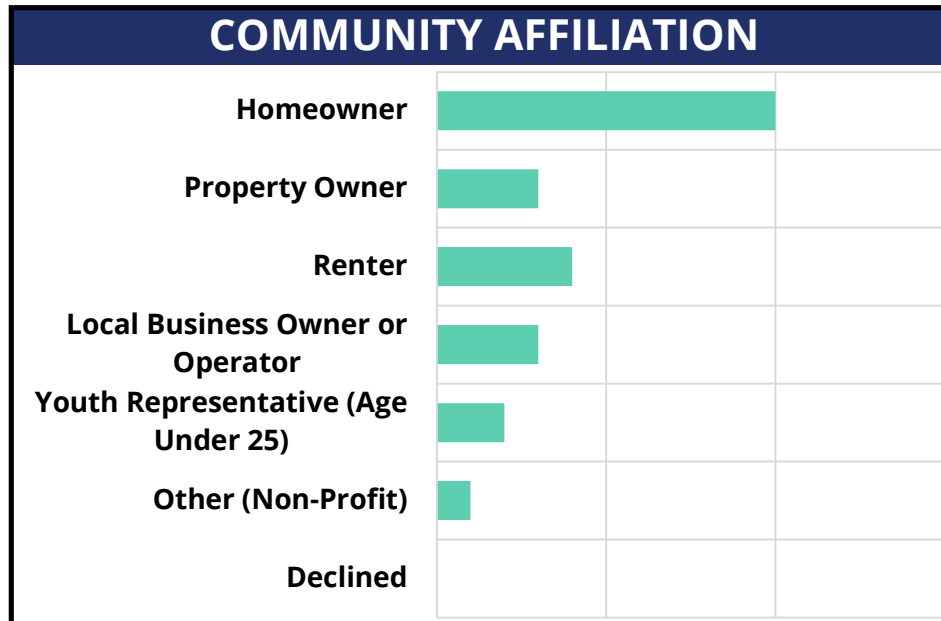
- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

# City Heights

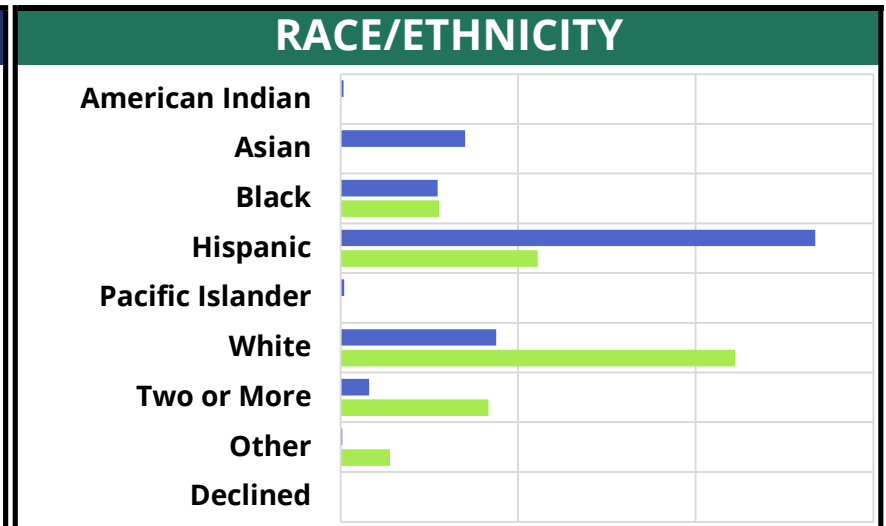
■ Member Count

■ Percent Group

■ Percent Community



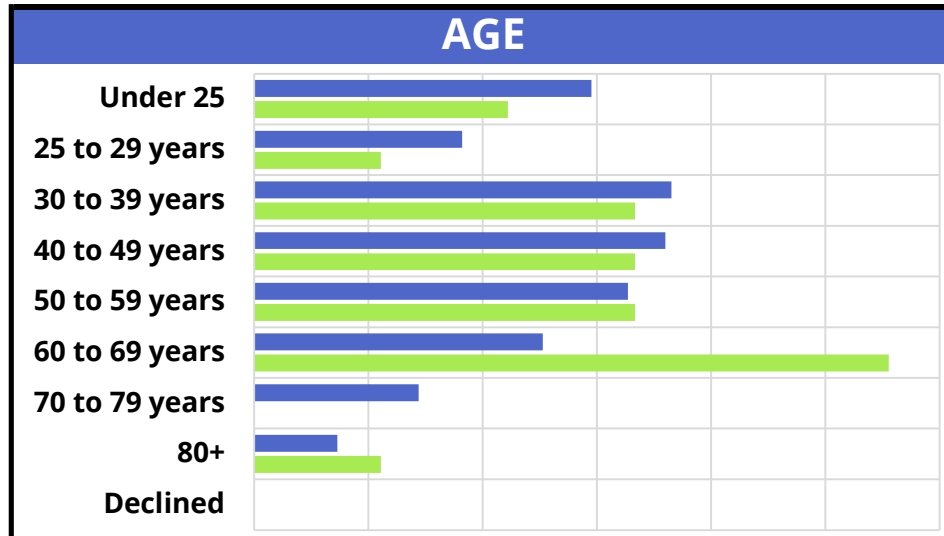
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 10           |
| Property Owner                      | 3            |
| Renter                              | 4            |
| Local Business Owner or Operator    | 3            |
| Youth Representative (Age Under 25) | 2            |
| Other (Non-Profit)                  | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>23</b>    |



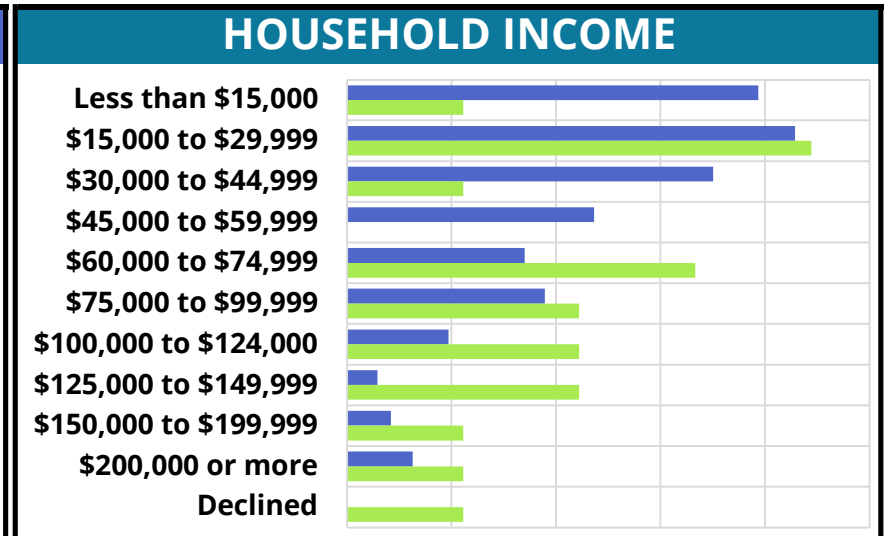
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 14.0%             |
| Black            | 2            | 11.1%         | 10.9%             |
| Hispanic         | 4            | 22.2%         | 53.4%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 8            | 44.4%         | 17.5%             |
| Two or More      | 3            | 16.7%         | 3.2%              |
| Other            | 1            | 5.6%          | 0.2%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>18</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# City Heights

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | 2            | 11%           | 15%               |
| 25 to 29 years | 1            | 6%            | 9%                |
| 30 to 39 years | 3            | 17%           | 18%               |
| 40 to 49 years | 3            | 17%           | 18%               |
| 50 to 59 years | 3            | 17%           | 16%               |
| 60 to 69 years | 5            | 28%           | 13%               |
| 70 to 79 years | ---          | ---           | 7%                |
| 80+            | 1            | 6%            | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>18</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 6%            | 20%               |
| \$15,000 to \$29,999   | 4            | 22%           | 21%               |
| \$30,000 to \$44,999   | 1            | 6%            | 18%               |
| \$45,000 to \$59,999   | ---          | ---           | 12%               |
| \$60,000 to \$74,999   | 3            | 17%           | 9%                |
| \$75,000 to \$99,999   | 2            | 11%           | 9%                |
| \$100,000 to \$124,000 | 2            | 11%           | 5%                |
| \$125,000 to \$149,999 | 2            | 11%           | 1%                |
| \$150,000 to \$199,999 | 1            | 6%            | 2%                |
| \$200,000 or more      | 1            | 6%            | 3%                |
| Declined               | 1            | 6%            | ---               |
| <b>Total</b>           | <b>18</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 29, 2023, 11:22:29 AM

What is the official name of your Planning Group?

**Clairemont Mesa**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Clairemont Mesa**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|  |
|--|
| Group  |
| Member Affiliation(s)  |
| <ul style="list-style-type: none"><li>• <b>Homeowner</b></li></ul> |
| Household Income   |
| <b>Less than \$15,000</b>  |
| Race / Ethnicity   |
| <b>Other</b>   |
| Age  |
| <b>30 to 39</b>  |

Group

Member Affiliation(s)

- **Other**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**White**

Age

**Under 25**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**Less than \$15,000**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Asian**

Age

**40 to 49**

Group

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Other**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**30 to 39**

How will your Planning Group be accessible to all members of your community?

**Accessibility via online, social media methods. Other meeting group outreach. Other items in CP&R Plan attached within**

How will your Planning Group fairly represent all members of your community?

**Let everyone know that all are welcome. LGBT, renters, business owners. Except in extreme circumstances, we turn nobody away.**

Applicant Representative

**Nicholas Reed**

Email

**clairemontplanninggroup@gmail.com**

Phone Number

**(858) 692-5263**

Please include the following documents.

**DOCX** CP\_R Plan - CCPG.docx  
18.9KB

**PDF** CCPG Bylaws October 17 2023.pdf  
745.4KB

**Clairemont Community Planning Group**  
**Operating Procedures Approved October 17<sup>th</sup>, 2023**  
**(Administrative Approval)**

**Introduction and Background**

Through this document, the **Clairemont Community Planning Group** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with Article VI, Section 2(d)iv therein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

**ARTICLE I Name**

Section 1.      The official name of this organization is the Clairemont Community Planning Group.

Section 2.      All activities of this organization shall be conducted in its official name.

- Section 3. The community planning area boundaries for the Clairemont Community Planning Group are the boundaries of the Clairemont Mesa planning area, as shown on Exhibit "A".
- Section 4. Meetings of the Clairemont Community Planning Group shall be held within these boundaries, except that when the Clairemont Community Planning Group does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.
- Section 5. The official positions and opinions of the Clairemont Community Planning Group 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 Clairemont Community Planning Group 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 to, the General Plan or a land use plan when a plan relates to the Clairemont Mesa community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency.
- Section 2. In reviewing individual development projects, the Clairemont Community Planning Group should focus such review on conformance with the Land Development Code and the adopted community plan and/or the General Plan. In order to be considered as part of the City's development review process, CCPG project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

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.

In addition, the CCPG shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning

group, vote results, the CCPG's conditions/recommendation, name and signature of chair or designated representative.

The CCPG shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

- Section 3. All activities of the Clairemont Community Planning Group 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group'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 Clairemont Community Planning Group community 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group, 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 latest version of *Robert's Rules of Order* is used when Council Policy and these bylaws do not address an area of concern or interest.

- Section 7. The Clairemont Community Planning Group may propose amendments to these bylaws by two-thirds 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 Clairemont Community Planning Group shall consist of **TWELVE (12)** elected members to represent the community. These members of the planning group shall constitute the officially recognized community planning group for the purpose of these operating procedures and Council Policy 600-24.

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups. The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

- Section 2. On the Clairemont Community Planning Group elected seats are filled by any eligible member identified below.

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 submitting proof of residence or business ownership within the Planning Group boundaries and demonstrate qualifications to be an eligible member of the community to the planning group Secretary or Election Committee prior to the March election or at the time of voting.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Article III, Section 2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

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 Clairemont Community Planning Group shall require proof of eligibility during elections.

Section 3. Members of the Clairemont Community Planning Group 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.

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 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 Clairemont Community Planning Group must retain eligibility during the entire term of service.
- Section 5. A member of the Clairemont Community Planning Group 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group 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. Tardiness of more than 30 minutes is considered an absence.

A vacancy may also exist following the vote of the Clairemont 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group should fill vacancies at the time the vacancies are declared by the next meeting of the Planning Group following the occurrence of a vacancy. A vacancy shall be filled by selection by planning group members at the time the vacancies are declared or as soon thereafter when an eligible individual has been nominated.

Two or more concurrent vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

Section 3. When the Clairemont Community Planning Group is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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. 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 Clairemont Community Planning Group members shall be held during the month of March in accordance with the adopted elections procedures found in Exhibit B of these bylaws.

The Clairemont Community Planning Group's general election 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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election

subcommittee 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, but is not required before the March election.

Section 2. The Clairemont Community Planning Group 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 Clairemont Community Planning Group holds its election the day of and prior to the March regular meeting.

The Clairemont Community Planning Group 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.

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a

governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

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 2/3 majority of the vote due to service beyond eight consecutive years of service.

The Clairemont Planning Group planning group's policy related to write-in candidates is that write-in candidates are not allowed.

Section 3. Voting to elect new 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 Clairemont Community Planning Group'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Section 5. Exhibit B contains all voting procedures, including: voting times; voting location; voting eligibility; candidate eligibility; promotion of elections; counting votes [plurality, etc.]; ballots; write-in candidates; 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group to attend all planning group meetings.

- (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.

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. The agenda will also be posted on the Clairemont Town Council's website and other social media platforms where available and feasible.

- (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 Clairemont Community Planning Group 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
2. All interested members of the public were given an opportunity to address the subcommittee, and
3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 Clairemont Community Planning Group 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 of the voting members of a community planning group, or every member if less than two-thirds of the voting members of the 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 vote of the voting members of the Clairemont Community Planning Group is required to remove an elected 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 Clairemont 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 vote of the voting members of the Clairemont Community Planning Group.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the Clairemont Community Planning Group.

All other Clairemont Community Planning Group actions, including subcommittee votes, only require a simple majority of the voting members of the group in attendance when a quorum is present.

The Clairemont Community Planning Group planning group's chair shall elect at the beginning of his/her term to either: fully participate in discussions and/or vote on all action items (unless it is necessary to recuse), or not participate in discussions and/or vote on any action items except to make or break a tie.

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 agenda items shall reflect the positions taken by the elected or appointed positions 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group, 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 Clairemont Community Planning Group and are prohibited under these bylaws.
- (xii) **RIGHT TO RECORD** - Any person attending a meeting of the Clairemont Community Planning Group 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) Subcommittees**

The Clairemont Community Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings. All

subcommittee meetings are open to the public and will be publicly noticed. Committee membership shall be for one year. Subcommittees will have a minimum membership of 3 and a maximum of 7, however the number of members of each subcommittee shall be a specific number. A quorum of subcommittee members must be present for the subcommittee to meet. If a quorum is not expected, the chair may appoint alternate subcommittee members no later than 24 hours before the scheduled subcommittee meeting,

- (i) STANDING SUBCOMMITTEES - Pursuant to the purpose of the Clairemont Community Planning Group (CCPG) as identified in Article II, Section 1, the planning group has established the following standing subcommittees including:

\*Project Review – reviews discretionary projects submitted to CCPG by the City and makes recommendations to CCPG for action: 7 members

\*Traffic, Parking, Transportation & Mobility – review issues affecting community and make recommendations to CCPG for action: 5 members

\*Rules Committee – reviews bylaws amendments and recommends actions to CCPG; advises of bylaws compliance during meetings: 3 members

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

- (iii) SUBCOMMITTEE COMPOSITION – Subcommittees shall contain a majority of members who are members of the planning group. Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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** – Subcommittee 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 subcommittee 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 Clairemont Community Planning Group with a direct economic interest in any project that comes before the planning group or its subcommittees 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 Clairemont Planning Group 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 Clairemont Community Planning Group 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 – Clairemont Community Planning Group 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 Clairemont Community Planning Group operations and compliance. The Clairemont Community Planning Group 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 Clairemont Community Planning Group 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 Clairemont Community Planning Group 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 by May 1 of each year. The planning group must also submit to the City an annual report. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March. Rosters and annual reports constitute disclosable records under the Brown Act.
- Section 5. The Clairemont Community Planning Group 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 Clairemont Community Planning Group 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.

## **ARTICLE VII Planning Group Officers**

Section 1. The officers of the Clairemont Community Planning Group shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Treasurer, and Secretary. The length of an officer's term shall be ~~two~~ one years, 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 sets the agenda and is the primary contact for all development applicants.

The chairperson of the Clairemont Planning Committee may choose to fully participate in discussions and/or vote on items and the decision to do so shall be at the sole discretion of the chairperson. However, such chairperson shall decide and clearly disclose to the Clairemont Planning Committee at the beginning of each term whether he/she will participate in Clairemont Planning Committee discussions and/or vote on items and must be consistent accordingly for the duration of the respective term.

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.

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 will organize and staff the elections as well as manage tallying of the ballots. The Vice Chair shall be responsible for communications to the public including, but not limited to print and electronic media (Facebook, Twitter, etc.)

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 Clairemont Community Planning Group officers and representatives to the CPC shall promptly disseminate to all elected 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 Clairemont Community Planning Group 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 Outreach & Participation**

The following are the Clairemont Community Planning Group procedures regarding community participation:

1. We encourage our members to promote outreach and interest in our committee. The Clairemont Community Planning Group will make every effort to reach out to the community at large. Specific procedures are as follows:
  - A. Post notices of the Clairemont Community Planning Group meetings in appropriate public spaces including local libraries and Community Centers.

B. Liaison with local newspapers and newsletters to inform the community of the meetings and activities of the Clairemont Community Planning Group.

C. Liaison with other Community Groups including the Clairemont Town Council.

2. Each member will be asked by the Chair/is expected to serve on a standing or ad hoc subcommittee during their term or will be encouraged to be serve as an officer of the CCPG.

**(b) Conduct of Meetings**

The following are the Clairemont Planning Group procedures regarding conduct of planning group meetings:

1. Quorum: A quorum, defined as a majority of non-vacant seats of the planning group, must be present in order to conduct business and/or to vote on projects or to take actions at regularly scheduled meetings.
2. Public Comment: After the Call to order/Roll Call, the Chair will open the meeting to non-agenda public comments on issues not on the agenda and within the jurisdiction of the Clairemont Community Planning Group. All speakers are limited to 2 minutes.
3. Conduct of Members: All members of the Committee will conduct themselves in a civil and courteous manner.
4. Action by CCPG on Development Projects or on action items:
  - a. Presentations by Applicants: Applicants shall have fifteen minutes to make their presentations.
  - b. Questions from Committee Members: After an applicant's presentation, members of the committee shall have the right to ask the applicant questions. The chair shall have sole responsibility for moderating questions from committee members.
  - c. Public Testimony on Development Projects and action items: After the members of the Planning Group have had an opportunity to ask questions of an applicant, members of the public will be permitted to ask questions of the applicant. Each member of the public will limit their comments and/or questions to 2

minutes. The Chair may allow additional time for a presentation by an organized opposition group. The Chair is authorized to limit total time allowed for discussion to an appropriate length so the meeting may proceed in a timely fashion.

**(c) Elections**

The Administrative Guidelines provide general guidance for planning group elections.

Exhibit B: Elections provides detail and process for the Clairemont Community Planning Group election procedures.

**ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Indemnification and Representation. The Clairemont Community Planning Group 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 O19883 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 Clairemont Community Planning Group 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 Clairemont Planning Group**

In cases of alleged violations of the Clairemont Community Planning Group 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 60024 may be submitted to the planning group chair 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 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 found to be out of compliance with the provisions of these bylaws or Council Policy 600-24, the planning group member 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 Clairemont Community Planning Group 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 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 time frame 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and Clairemont Community Planning Group 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 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 chair or from the offending planning group member will be made available to the elected planning group members 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 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 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 an 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 Clairemont Community Planning Group 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 Clairemont Community Planning

Group 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.

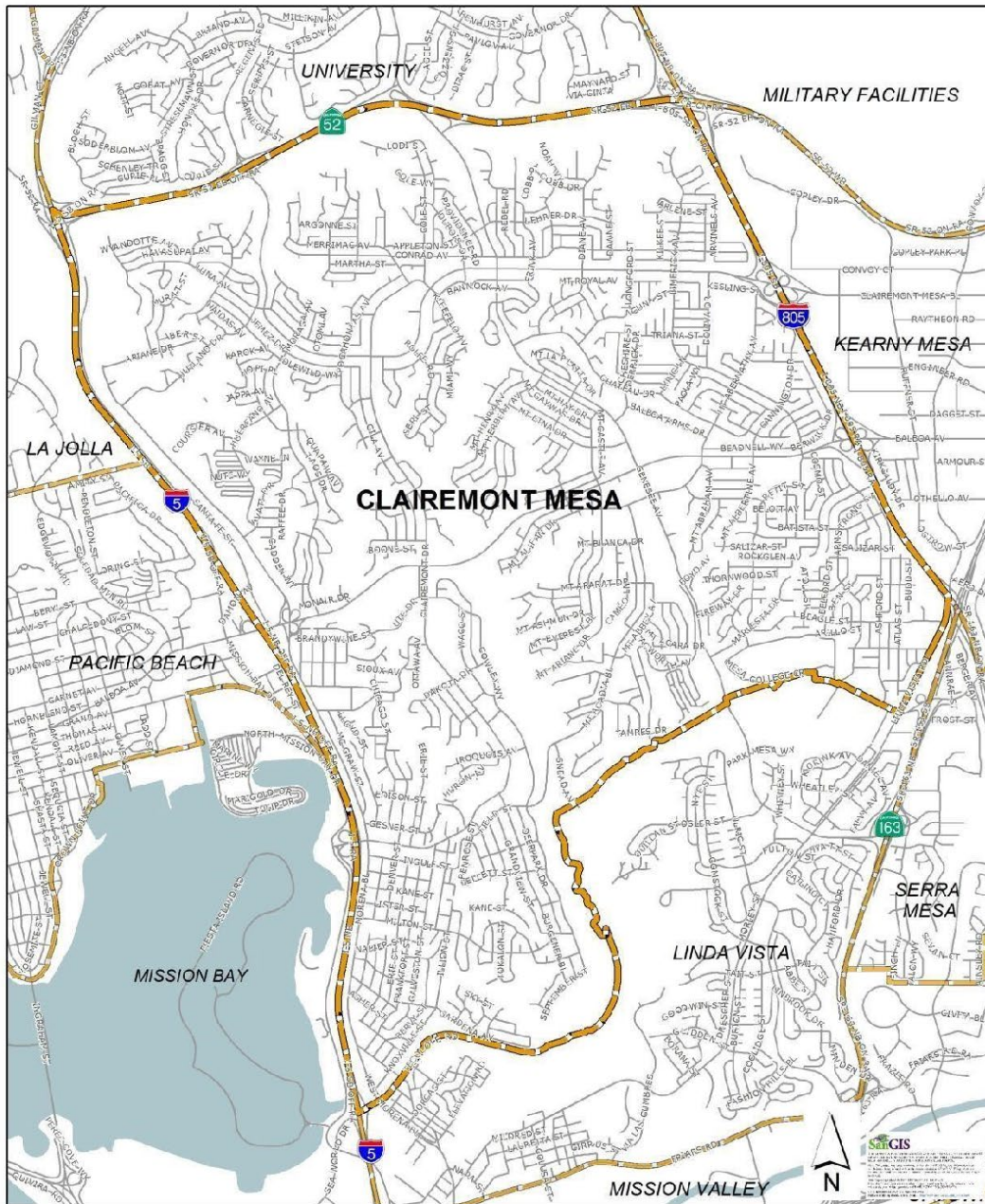
If a violation against the planning group as a whole is proven and there is a failure of the planning group to take corrective action, the planning group will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting 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 risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

Section 4. Ethical Standards See [guidelines](#).

Exhibit A: Clairemont Community Planning Group Boundary Map

Exhibit B: Conduct of Elections and Filling of Mid-Term Vacancies



**Exhibit A: Boundary Map - Clairemont Mesa**

## Exhibit B

### Conduct of Elections And Filling of Mid-term Vacancies

#### **Preface**

These procedures supplement the Clairemont Community Planning Group's Bylaws Article V regarding Elections.

#### **Polls**

Voting Date: Voting will take place on the date of and prior to the regular March meeting.

Voting Place: Voting will take place at the North Clairemont Friendship Senior Center located at 4425 Bannock Ave.

Polls will be open from 9 a.m. to 6 p.m.

Voting will be by secret, written ballot.

Mail-in ballots are not allowed.

Electioneering is prohibited within 100 feet of polls on the day of the CCPG election.

#### **Advertising Election**

At least two weeks prior to elections, the election subcommittee must post public notice of the election, including but not limited to public libraries, the Clairemont Town Council newsletter, and local newspapers and online wherever relevant and feasible. The ability to and criteria for challenging election results must be included in election advertising.

#### **Election Subcommittee**

An election committee will be established at or by the January regular meeting. The CCPG vice chairperson will serve as the election subcommittee chair, unless running, then a mid-term CCPG member will chair the elections subcommittee.

A member of the elections subcommittee will place an attendance sheet at the welcome table before every regular meeting. This member will maintain, a copy of the attendance sheets to help determine the eligibility of potential candidates and submit a copy monthly to the secretary. It will be made clear that this sign-in sheet is voluntary and intended to establish eligibility for potential future candidates for the CCPG.

### **Candidates/Eligibility**

Candidates must be at least 18 years of age.

Candidates must have documented attendance at three regular meetings of the CCPG's last 12 meetings prior to the February regular meeting.

Candidates must qualify as an eligible member of the community by establishing themselves as either:

- a) a 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
- b) resident, who is an individual whose primary address of residence is an address in the community planning area, or
- c) local business person, who is a local business owner, operator, or their designee at a non-residential real property address in the community planning area. Only one CCPG member per establishment will be seated on CMPG at any time.

Candidates must demonstrate eligibility with suitable documents to prove their eligibility in class(es) a, b or c above. Suitable documents include but are not limited to a California driver's license, California identification card, utility bill, rental receipt or mortgage payment statement.

Interested, potential candidates must declare themselves in writing prior to the February meeting.

A final ballot of eligible candidates will be established at the regular February meeting. The elections subcommittee chairperson will announce the eligible ballot candidates at this meeting. Once the ballot is established, no candidates may be added.

Write-in candidates are not allowed.

## **Candidate Statements**

Candidates may choose to submit a statement to be displayed at the polls. Candidate statements are considered public and will be made available to any interested parties before the election. It will be clear to those viewing the statements that each candidate had an opportunity to submit a statement to avoid the appearance of preference toward any candidate(s) by the CCPG.

## **Voter Eligibility**

Voters must be 18 years old or older and must establish themselves as an eligible member of the community as in **Candidates/Eligibility** above.

Voters must demonstrate themselves qualified with suitable documents to prove their eligibility category. Suitable documents include but are not limited to a California driver's license, California identification card, utility bill, rental receipt or mortgage payment coupon.

## **Staffing Polls / Tally of Ballots / Reporting Results**

The Elections Subcommittee chair will designate persons to staff the polls.

The Election Subcommittee will tally the ballots in a secure location, i.e., without candidates or CCPG members present, either before or at the regular March meeting. A plurality voting system will be employed. Candidates receiving the highest number of votes will be declared the winners and awarded the open seats until all seats are filled. That is, if there are 3 available seats and 4 candidates, the 3 candidates receiving the most votes will be declared the successful candidate/s. In case of a tied vote, the winner will be decided by a coin toss.

Election results will be reported by the Elections Subcommittee chairperson to the CCPG as a special item as the last item on the March agenda prior to adjournment. A 24-hour challenge period will be announced at that time as well.

After election results are reported, the elections subcommittee chairperson will announce the beginning of a 24 hour period in which election challenges must be received by the elections subcommittee to be considered. If no challenge is received, the results will become final and will be certified by the CCPG chair and forwarded to the City.

Ballots will remain available for review after the results are reported to the chairperson. Ballots will be held for one year or until any challenge to the results is resolved, whichever is longer.

### **Over-Term Candidates**

A full description of the conditions under which an over-term candidate may remain on the CCPG are found in Council Policy 600-24, Article III, Section 4, including:

Over-term candidates must receive votes from two thirds of voters (ballots cast) to be eligible to win a seat.

Ballots must clearly indicate which candidates are seeking to be elected but are over their 8 years of service.

Over-term candidates will be seated after new candidates, if seats remain open.

Over-term candidates may not comprise more than 25% of CCPG.

### **Filling of Mid-Term Vacant Seats**

If, after the election, one or more seats remain vacant, the CCPG - may advertise the vacancy(ies). -Members of the community may nominate themselves to fill open seats at the next regular meeting, and every April through January meeting until all seats are filled or the term ends. Interested candidates may be found among those who were unsuccessful in the March election.

If one vacancy exists, and one or more person has been deemed eligible to serve, seated members of the CCPG will vote to appoint the nominee(s) or not to appoint the nominee(s), if there is a quorum. A simple majority of members present will decide the outcome. Voting will be by voice vote or written ballot. Each vote must be attributed, recorded and included in the meeting minutes. If a written ballot is used each ballot must include the name of the individual voting member.

While Council Policy 600-24 requires two concurrent vacancies to be filled by a vote of all members of the community by secret ballot, if there is one vacancy that occurs and it is in the process of being filled and a second vacancy subsequently occurs, the Clairemont Community Planning Group shall continue to expediently complete the process to fill the first vacancy by appointment, then embark on filling the second by appointment.

Recently termed-out members are not eligible for appointment until the 1-year break in service is achieved.

When a nominee has been established, the CCPG will allow the nominee 3 minutes to speak, followed by questions from the seated members and answers from the nominee.

If there are more declared candidates than open seats, all candidates may be heard and questioned before voting begins.

In the event of a tie, a coin toss by the chair will determine the winner.

When the appointment process is employed each vote must be attributed, recorded and included in the minutes. When voting is concluded, it will be immediately clear to the CCPG and the public which CCPG member(s) voted for/against which candidate(s).

### **Seating of New Members following the March Election**

New members will be seated at the beginning of the April regular meeting.

### **Disposal of Ballots**

Ballots will be held for 1 year and disposed thereafter.

### **Challenges to Election Results**

If a challenge is received, the elections committee will promptly discuss the challenge to determine if any facts to support the challenge were provided by the individual filing the challenge. Facts should be related to actions taken during the election process that are not in accordance:

- a) with Council Policy 600-24, or
- b) the CCPG's adopted bylaws, or
- c) with announced or published election procedures or lack thereof.

If there is no substance to the challenge and the election results can be certified, newly elected members shall be seated at the beginning of the April regular meeting. A ratification vote of the Elections Committee's findings should be placed on the April agenda for a vote of the voting members present.

If there is substance to the challenge, the Elections Committee should propose an appropriate resolution to the CCPG. The resolution should be placed on the April agenda for a vote of the voting members present, excluding newly elected members. The CCPG elections subcommittee will consult City staff as appropriate, for guidance.

# **CLAIREMONT COMMUNITY PLANNING GROUP**

## **COMMUNITY PARTICIPATION AND REPRESENTATION PLAN**

The Clairemont Community Planning Group (“CCPG”) is committed to engaging a broad and diverse cross-section of our community. Informing our constituents and soliciting input on projects and initiatives is critical to the success of the CCPG as an advisory body to the City.

### **Objective**

To best serve the Community’s interests, the CCPG will engage all segments of the Clairemont Community to foster diverse participation in and within the CCPG, and to create communication with constituents to elicit and represent their needs.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

### **Goals**

- Educate community members about the role of the CCPG and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities, and government organizations to build relationships and trust with the community.
- Inform the community about land use, General/Community Plans, projects, and legislation.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Effectively communicate about the CCPG’s advocacy for the community in easily understood language.
- Obtain meaningful input from a broad range of community members on land use matters.
- Be proactive in listening to community needs and effectively communicating these to the City.
- Encourage student and youth participation.

### **Guiding Principles for Public Participation**

- Provide meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate clearly and transparently.
- Consistently share information with community members using a variety of methods (See Strategies for Community Involvement).
- Make meeting materials available to the general public.
- Be respectful of people’s opinions and time.
- Ensure a safe, accessible meeting space.

## Strategies for Community Involvement

- Public Meetings
  - The primary platform for community engagement is and shall be the CCPG public meetings, which include monthly board meetings, committee meetings, and ad hoc committee meetings. These meetings are regularly occurring and publicly noticed. They are all open to the public in accordance with the Brown Act and conducted with the degree of formality necessary to ensure all parties have an opportunity to ask questions and be heard. Participants are able to hear relevant information, have an opportunity to ask questions, make comments, and hear the opinions of others.
- CCPG Flyers (or equivalent Printed Public Noticing):
  - The CCPG may use flyers to increase the awareness of and participation in the CCPG and land use discussions.
  - The CCPG will post meeting notices and informational material in key public locations such as community centers, libraries, schools, and possibly retail locations such as coffee shops and grocery stores. Printed material targets segments of the community that do not obtain information about the CCPG and land use issues through our other information channels.
  - The CCPG may collaborate with community organizations to employ signage to increase public awareness of key events and issues.
  - The CCPG may publish notification of elections in the local community papers.
  - The CCPG may occasionally advertise key events, often in collaboration with other community organizations, in print media.
- CCPG Website:
  - The CCPG shall create or update a website where the CCPG may post news and flyers about upcoming meetings, issues, and agendas.
- Social Media:
  - The CCPG will regularly post information on key issues and events on multiple platforms, posting information on several widely used Facebook community pages, Nextdoor, Twitter/X, and possibly other applications such as Instagram to engage constituents that may only be active on minimal public social media forums.
- Relationships with Other City Advisory Boards and Community Organizations
  - The CCPG partners with local Town Councils and adjacent community Planning Boards to close communication seams, coordinate on shared issues, and collaborate on projects that impact surrounding neighborhoods.
  - The CCPG maintains relationships with local advocacy groups and community service organizations to understand all facets of an issue and to engage with impacted segments of the community.
  - The CCPG works with local state legislators, City council members, City staff (especially in the Planning and Development Services Departments), and the San Diego Police Department to define issues and advise on community interests.
  - The CCPG shall work with local nonprofits to cross-pollinate messaging.

## Measuring Success

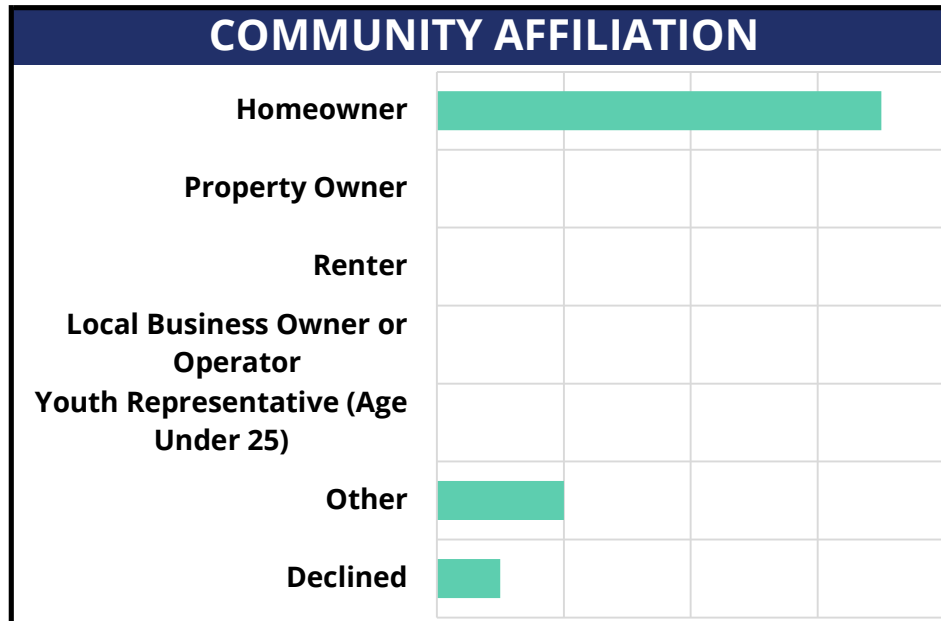
- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Qualitatively measure efforts made to bring in community members that have historically faced barriers to participation in Planning Groups.
- Document the measured results and submit them to the City Planning Department at [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) in the annual report within 14 days of the approval of the ~~in~~ March minutes.

# Clairemont Mesa

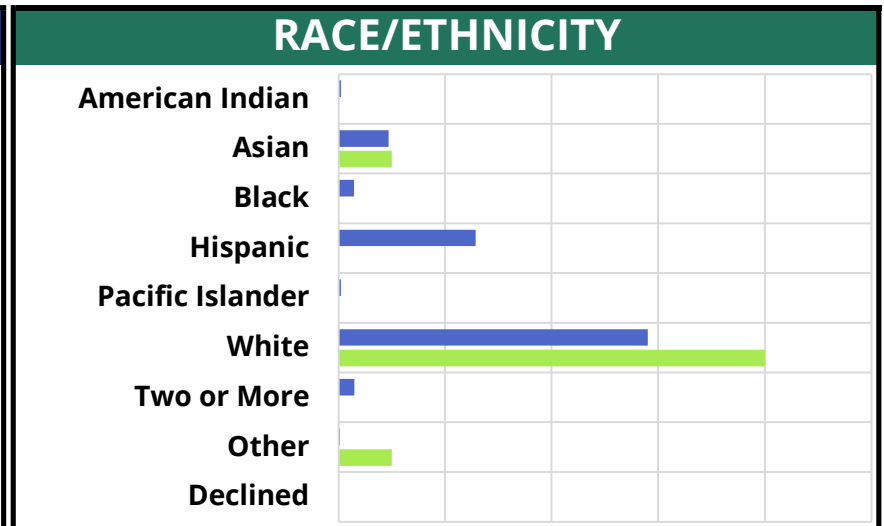
■ Member Count

■ Percent Group

■ Percent Community



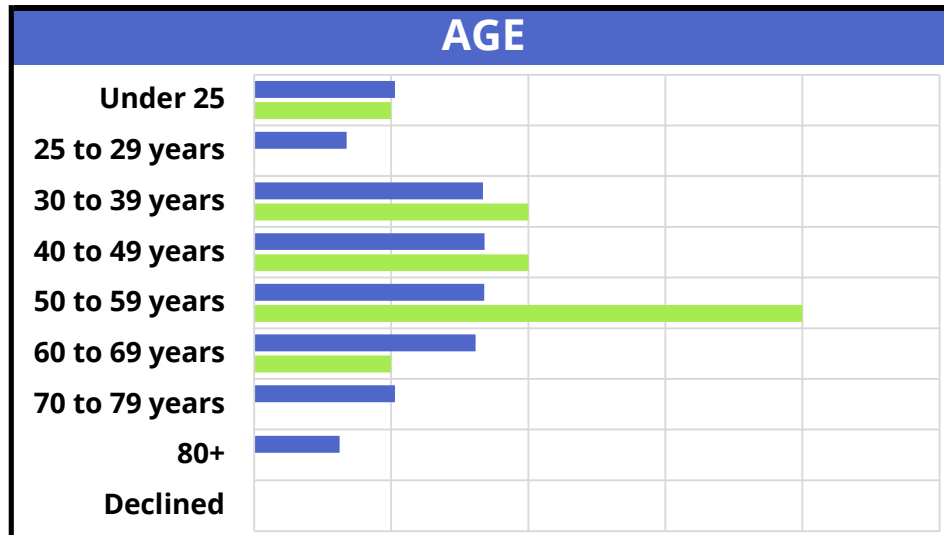
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 7            |
| Property Owner                      | ---          |
| Renter                              | ---          |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 2            |
| Declined                            | 1            |
| <b>Total</b>                        | <b>10</b>    |



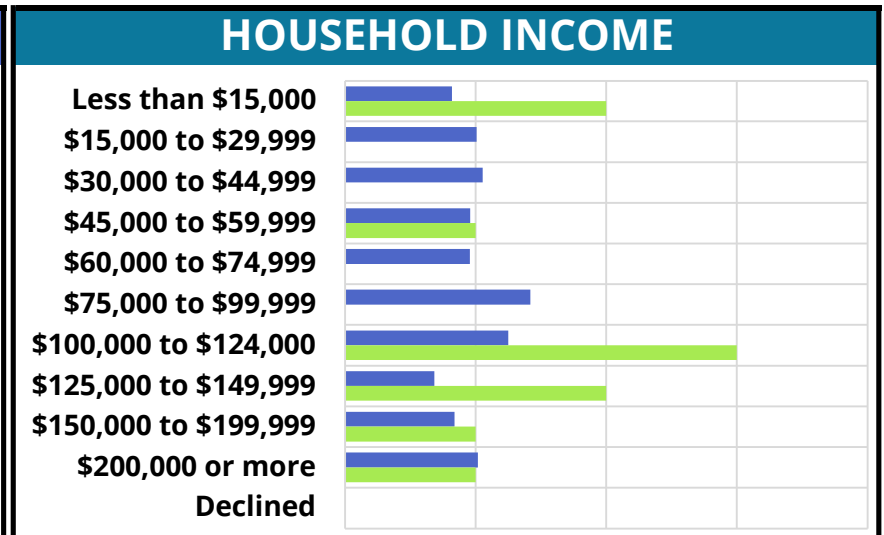
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.5%              |
| Asian            | 1            | 10.0%         | 9.4%              |
| Black            | ---          | ---           | 2.9%              |
| Hispanic         | ---          | ---           | 25.7%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 8            | 80.0%         | 58.0%             |
| Two or More      | ---          | ---           | 2.9%              |
| Other            | 1            | 10.0%         | 0.2%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Clairemont Mesa

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | 1            | 10%           | 10%               |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | 2            | 20%           | 17%               |
| 40 to 49 years | 2            | 20%           | 17%               |
| 50 to 59 years | 4            | 40%           | 17%               |
| 60 to 69 years | 1            | 10%           | 16%               |
| 70 to 79 years | ---          | ---           | 10%               |
| 80+            | ---          | ---           | 6%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 2            | 20%           | 8%                |
| \$15,000 to \$29,999   | ---          | ---           | 10%               |
| \$30,000 to \$44,999   | ---          | ---           | 11%               |
| \$45,000 to \$59,999   | 1            | 10%           | 10%               |
| \$60,000 to \$74,999   | ---          | ---           | 10%               |
| \$75,000 to \$99,999   | ---          | ---           | 14%               |
| \$100,000 to \$124,000 | 3            | 30%           | 12%               |
| \$125,000 to \$149,999 | 2            | 20%           | 7%                |
| \$150,000 to \$199,999 | 1            | 10%           | 8%                |
| \$200,000 or more      | 1            | 10%           | 10%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 13, 2023, 1:10:15 PM

What is the official name of your Planning Group?

**College Area Community Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **College Area**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|                               |
|-------------------------------|
| Group                         |
| Member Affiliation(s)         |
| • <b>Homeowner</b>            |
| Household Income              |
| <b>\$125,000 to \$149,999</b> |
| Race / Ethnicity              |
| <b>White</b>                  |
| Age                           |
| <b>70 to 79</b>               |

Group

Member Affiliation(s)

- **Youth Representative (Age Under 25)**
- **Other**

Household Income

**Less than \$15,000**

Race / Ethnicity

**Other**

Age

**Under 25**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**80+**

Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**Hispanic**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**
- **Non-Profit Owner or Operator**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**Hispanic**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Hispanic**

Age

**60 to 69**

## Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**70 to 79**

## Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Two or More**

Age

**50 to 59**

## Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Hispanic**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Renter**
- **Youth Representative (Age Under 25)**

Household Income

**Less than \$15,000**

Race / Ethnicity

**Black**

Age

**Under 25**

How will your Planning Group be accessible to all members of your community?

**The College Area Community Planning Board adopted the Council Policy 600-24 Exhibit A - Planning Group Community Participation and Representation Plan. It will be uploaded as part of this application. Specific out-reach and participation will include: 1) posting notices and events at the local library; 2) specific outreach to San Diego State University and posting notices and special events with SDSU communications boards and staff, 3) posting notices and events on-line and on social media; 4) communicating directly with the College Area Community Council (a separate entity from the planning board); 5) posting articles and notices in the local newspaper serving the college area in both print and using online content.**

How will your Planning Group fairly represent all members of your community?

**The adopted Planning Group Community Participation Plan and Representation Plan identifies key strategies to be used and /or considered to attract diverse interests serving on the community planning board. The CACPB represents homeowners, renters, business owners, two non-profits, the San Diego State University students' association, and SDSU staff. The board continues to reach out to the younger population and renters in it's outreach to serve on the board. This was very evident when the CACPB and the Community Council partnered with the Business Improvement District in implementing the annual Boo Parade. The activity engaged the participation of over 125 community members, and from that a handful of participants continue to volunteer by serving on the board. Outreach through community activities continues to be a priority.**

Applicant Representative

**Tom Silva; Chair of the College Area Community Planning Group**

Email

**thomasjerome.ts@gmail.com**

Phone Number

**619-261-8233**

Please include the following documents.

**DOCX** Terms and Conditions - CACPG Recognition by City of San Diego.docx  
49.9KB

**DOCX** Exhibit A \_ participation \_and \_representation \_plan \_appendices.docx  
1MB

**PDF** Exhibit B - College Area Community Boundary.pdf  
3.1MB

**PDF** College Area Bylaws - conformed to CP 600-24.pdf  
322.2KB

**DOCX** 5\_guidelines\_for\_ethical\_standards.docx  
15.9KB

**PDF** CPG Recognition Member Composition Form - Worksheet.pdf  
633.3KB

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: College Area Community Planning Board

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

0 American Indian

0 Asian

1 Black

4 Hispanic

0 Pacific Islander

7 White

1 Two or more races

1 Other: Member Didn't Mention

### HOUSEHOLD INCOME

2 Less than \$15,000

0 \$15,000 to \$29,999

0 \$30,000 to \$44,999

1 \$45,000 to \$59,999

3 \$60,000 to \$74,999

2 \$75,000 to \$99,999

2 \$100,000 to \$124,999

2 \$125,000 to \$149,999

0 \$150,000 to \$199,999

2 \$200,000 or more

### COMMUNITY AFFILIATION

8 Homeowner

2 Property Owner

1 Renter

1 Local Business Owner or Operator

2 Youth Representative (Age Under 25)

3 Other : Non-Profit Owner or Operator

### AGE

2 Under 25

0 25 to 29

0 30 to 39

0 40 to 49

2 50 to 59

6 60 to 69

2 70 to 79

2 80 +

**Terms and Conditions: Compliance with Council Policy 600-24**

**TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
COLLEGE AREA COMMUNITY PLANNING BOARD  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Terms and Conditions established herein, and the City's establishment of minimum standards, the College Area Community Planning Board (the CACPB) will adhere to designated services required of all CPG's to provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be College Area Community Planning Board also identified as the CACPB.

The community planning boundaries of this CPG are the boundaries of the College Area Community, as shown in Exhibit B.

## **2. Responsibilities**

### **2.1 Collaboration with City Staff**

As a recognized independent body, the CACPB may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### **2.2 Advisory CACPB Review**

The CACPB may make advisory recommendations to the City and other governmental agencies on land use matters within the CACPB's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CACPB may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP (Capital Improvement Program) infrastructure needs or additional City matters.

The CACPB recognizes that City staff and development project applicants are not required by the City to present their project or application before the CACPB although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### **2.3 Timely Submittal of CACPB Recommendations to the City**

In order to be considered as part of the City's development review process, CACPB project review recommendations, if any, must be submitted to the City within seven (7) calendar days of the CACPB taking action.

In addition, the CACPB shall submit its recommendation and any conditions to the project proposed by the CACPB, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CACPB will follow a uniform mandatory process for recording CACPB project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CACPB's official records.

### **2.4 Adherence to Ralph M. Brown Act**

The CACPB will comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CACPB to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CACPB to lose its Council recognition and may subject the CACPB and CACPB voting members to a loss of indemnification by the City.

### **2.5 Maintenance of Open Records**

The CACPB shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

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and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CACPB by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CACPB in accordance with Policy 600-24. The CACPB will submit to the City the rosters of CACPB voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CACPB elections. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March.

#### 2.6 Independent Entity

The CACPB is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the Mayor/City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The CACPB will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CACPB and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CACPB shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

#### 3.2 Community Outreach

The CACPB and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CACPB shall gather demographic data of existing and new CACPB voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CACPB Composition**

#### 4.1 Number of Voting Members

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The CACPB will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CACPB with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Member Eligibility

The CACPB will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CACPB has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The CACPB shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The CACPB will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CACPB may create appointed non-voting seats. These appointed non-voting seats must be described in the CACPB bylaws. San Diego State University (SDSU) is an educational institution which plays a significant role in the College Area, and the CACPB appoints a voting member from the SDSU Associated Students as well as a voting member from the SDSU Administration. The College Business District is also a voting member of the CACPB

#### 4.4 Voting Member Term Limits

The CACPB shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CACPB voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CACPB voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

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**Commented [PM1]:** Just to be clear, CP 600-24 sets a minimum one-year break. This does not conflict as the CPG sets a higher standard.

**Commented [TS2R1]:** We welcome a 1-year break and do not want a two year.

#### 4.4.2 Waivers of Maximum Time of Service

The CACPB may develop procedures for waiving the maximum time of service by vote of its voting members of the CACPB cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

### **5. Open and Public Elections**

#### 5.1. Equal Participation

The CACPB shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CACPB will be allowed to vote in CACPB elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CACPB voting member per business tax certificate
- Only one elected CACPB voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

##### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I)

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insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CACPB boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CACPB boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The CACPB has adopted provisions within its operating procedures that will govern the election or appointment of voting members of the CACPB, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CACPB

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operations.

CACPB operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- The CACPB has always had its elections occur at a regularly scheduled meeting; however, should a future CACPB governing body find it necessary to have elections occur at polling locations the following two bullet points will apply.
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CACPB will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CACPB and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CACPB's agenda.

#### 6.2 Rules of Procedure

The CACPB has adopted rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for it to facilitate public meetings, conduct public business, and resolve disputes.

#### 6.3 Transparency in Operations

The CACPB will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CACPB meetings.

### **7. Additional CACPB Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The CACPB, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The CACPB will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 7.3 Ethical Standards

The CACPB will outline and adopt ethical standards for all CACPB voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CACPB voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CACPB shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CACPB will use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

##### 7.3.1 Example Standards of Conflicts of Interest

CACPB voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

##### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CACPB board to other CACPB voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

CACPB voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CACPB's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the CACPB nor voting members in their capacity as such may use their title from or position on a CACPB for political endorsements of individuals. The CACPB may, however, upon majority vote, take a position on pending legislation that is within the CACPB's purview.

#### 7.3.5 Donations

Neither the CACPB nor its voting members should accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The CACPB will endeavor to grant equal time for candidates or ballot measures if docketed on the CACPB agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.4 Voting Member Training

The CACPB will require all CACPB voting members to complete the formal education program in- person or on-line offered by the City.

The CACPB will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CACPB, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CACPB's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

CACPB voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

### **8. CACPB Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CACPB or its individual voting members, acting in their capacity to the City, under the

specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CACPB or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CACPB or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CACPB will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CACPB actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CACPB, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CACPB may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CACPB, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CACPB to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CACPB, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

#### 8.3 Violations of Membership Eligibility

Any CACPB voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CACPB voting members as outlined in Section 5.2

##### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CACPB violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CACPB voting member and the CACPB itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CACPB voting member, the CACPB will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CACPB will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CACPB acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CACPB, or may recommend to the City Council that the CACPB's recognition be revoked.

The CACPB acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CACPB has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CACPB acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CACPB at a scheduled CACPB meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CACPB voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CACPB, which may include expulsion from the board. The CACPB will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CACPB is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CACPB in a temporary inactive status, to allow the CACPB to work through its membership issues to return to active status. If the CACPB remains unable to

meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CACPB's recognition be revoked.

#### **8.8 Violations of City Requests for Input**

The CACPB acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG. The CACPB does and will continue to adhere to the provisions of this paragraph.

#### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CACPB unless recognition of the CACPB is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

**College Area Community Planning Board  
Operations and Procedures (Former Bylaws)  
Community Planning Group Recognition -  
Council Policy 600-24**

**GENERAL:**

On September 21, 2022 the San Diego City Council updated Council Policy 600-24. In doing so, it adopted a new procedure to formally recognize Community Planning Groups (CPGs). Existing CPGs, and any new CPG desiring to represent a community, must be formally recognized by the City Council.

Additionally, on September 21, 2022 the City Council established the following minimum documents which must be a part of any CPG Recognition Application:

- Terms and Conditions
- Guidelines for Ethical Standards
- Community Participation and Representation Plan

The College Area Community Planning Board (CACPB) is currently the only recognized community planning group representing the College Area, and the CACPB will be submitting a Recognition Application per City Council Policy 600-24 so that, if recognized by the City Council, it may continue to be the official community planning group for the College Area.

At the regularly scheduled CACPB meeting of November 13, 2023 the board reviewed and formally approved each of those new documents, as well as the demographic composition of the board and the boundary map of the College Area. The CACPB Chair will include them in its application.

In 2016, the City Council approved the CACPB Bylaws. They have been reviewed and made to conform to the Terms and Conditions, the Guidelines for Ethical Standards, and the Community Participation and Representation plan. The following are those modified bylaws, and if the recognition application is approved, they will become the CACPB Operations and Procedures.

**ARTICLE I: Name**

Section 1. Consistent with paragraph 1[Name and Geographic Boundaries] of the Terms and Conditions, the official name of this community Planning Group is the College Area Community Planning Board, hereinafter referred to as the CACPB.

Section 2. All activities of this organization shall be conducted in its official name.

Section 3. The planning area boundaries for the CACPB are coterminous with the limits of the 3.1 square mile College Area community. Exhibit “B” at the end of this document provides the narrative description of the College Area and shows the Boundary Map.

Section 4. Meetings of the CACPB shall be held within these boundaries.

Section 5. The official positions and opinions of the CACPB shall be as established in

Paragraphs 3 and 4 of the Terms and Conditions: [3: Community Participation and Representation, and 4: CACPB Composition].

**ARTICLE II: Purpose of the Community Planning Board and General Provisions**

Section 1. The CACPB has been formed and recognized by the City Council as a community planning group, as defined in City Council Policy 600-24.

As used in these operations and procedures, “planning board” is equivalent to the term “planning group” referenced in City Council Policy 600-24. The purpose of the CACPB is 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 to, the General Plan or a land use plan when a plan relates to the College Area community boundaries. The planning board also advises on other land use matters as requested by the City or other governmental agency 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 CACPB should focus such review on conformance with the Land Development Code, and the adopted community plan and/or the General Plan. Recommendations will be forwarded to the City within 7 days of the action. Section 2.3 “Timely Submittal of CACPB Recommendations to the City” of the Terms and Conditions will apply.

- Section 3. In accordance to section 7.3 of the Terms and Conditions, and consistent with the College Area Guidelines for Ethical Standards, all activities of the CACPB 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, sexual orientation, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.
- Section 4. The CACPB shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Elected and appointed members shall not identify affiliation with a planning board when endorsing candidates for public office. The planning board may take a position on a ballot measure.
- Section 5. The CACPB'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 College Area community 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 CACPB operates under the authority of the Ralph M. Brown Act which requires that meetings of the planning board 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 board. Several provisions of these bylaws constitute Brown Act requirements as outlined in the Policy. Amendments to Council Policy 600-24 will apply to the CACPB, as well as to all other community planning groups, even if individual groups' bylaws are not required to be amended with parallel language.
- 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 CACPB may propose amendments to these bylaws by a two-thirds vote of the voting members of the planning board. 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 Board Organization**

- Section 1. Section 3.1 of the Terms and Conditions govern the membership and set forth the community participation and representation of the board. The CACPB shall have 20 members. Membership shall consist of seventeen (17) elected positions and three (3) appointed positions. These members of the planning board shall constitute the officially recognized community planning board for the purpose of these bylaws and Council Policy 600-24.
- Section 2. Council Policy 600-24 requires that elected members of the CACPB shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the CACPB at least ten (10) of the seventeen (17) elected seats shall be filled by resident property owners.

Planning Board members shall be elected by and from eligible members of the community. To be an eligible community member an individual must be at least eighteen (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 businessperson, 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 CACPB at one time.

An individual may become an eligible member of the community by submitting a registration form to the planning board Secretary at least twenty-eight (28) days prior to the March 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 board's criteria and formal action is taken by the planning board. However, the CACPB shall require proof of eligibility during elections.

In addition to elected members, the CACPB has one (1) voting member appointed by the President of San Diego State University, one (1) voting member appointed by the President of the Associated Students at San Diego State University for an annual term beginning June 1 and ending May 31, and one (1) voting member appointed by the President of the College Area Business Improvement District. The President of the University, the President of the Associated Students, and the President of the Business Improvement District shall submit the names of their

designees in writing to the CACPB Chair on official University or Associated Students or Business Improvement District letterhead, respectively; designees are not eligible to vote until such documentation is received. In the event a designee is unable to continue serving on the Board, the President of the University or the President of the Associated Students or the President of the Business Improvement District may appoint another person. In the event an appointed designee of the Associated Students is unable to attend any meeting during a semester break, an alternate may be sent to participate in Board discussion, debate and voting. In this instance the President of the Associated Students will notify the Chair of the CACPB in writing, before the meeting.

Appointed seats are counted in the twenty (20) planning board membership and vote on planning board business. In the event of the need for removal of an appointed member, the procedures set forth in Article VI, Section 2(a)(viii)(1) will be followed.

- Section 3. Members of the CACPB shall be elected to serve for fixed terms of three (3) years, with expiration dates during alternate years to provide continuity.

Consistent with section 4.4.1 of the Terms and Conditions CACPB voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. No person may serve on the planning board for more than nine (9) consecutive years. A person is eligible for election to the planning board even if such person is not eligible to serve the complete term to which elected. In such an instance, the member must resign when nine (9) years of service have been completed.

The nine (9) 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 board member, an individual who had served for nine (9) consecutive years shall again be eligible for election or appointment to the planning board.

The planning board will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats the planning board may retain some members who have already served for nine (9) consecutive years to continue on the planning board without a break in service.

- Section 4. A member of the CACPB must retain eligibility during the entire term of service.

- Section 5. A member of the CACPB found to be out of compliance with the provisions of Council Policy 600-24 or the planning board's 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 CACPB who participates in a meeting of the planning board 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 CACPB 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 board's Secretary reporting the third (3<sup>rd</sup>) consecutive absence or fourth (4<sup>th</sup>) absence in the twelve (12)-month period of April through March each year, of a member(s) from the planning board's regular meetings.

A vacancy may also exist following a vote of the CACPB 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.

The University, Associated Students, and Business Improvement District designee shall be subject to these same attendance requirements, except that the twelve (12)-month period for the Associated Students President's designee shall be June through May rather than April through March. In the event that a designee fails to meet the attendance requirements, the designee shall lose voting privileges for the remainder of his or her annual term; however, the designee shall retain the privilege of participating in CACPB discussions and debate.

Section 2. A single vacancy that occurs between regular elections for the CACPB shall be filled by selection of the voting members of the CACPB. The vote for-against-abstaining to fill said vacancy must be recorded by name in the minutes. The vote should be taken verbally, but if in writing, the outcome must be announced to the CACPB at the conclusion of the vote.

Two or more concurrent CACPB vacancies occurring between regular elections shall be filled by a vote of all eligible members of the community by secret written ballot.

Vacancies should be filled not earlier than the first regular meeting nor later than one hundred twenty (120) days following the date of the determination of the vacancy unless the end of the 120 day period occurs within 90 days of the annual March election as described in Article V.

The term of office of any member filling a vacancy shall be for the balance of the vacated term.

When such vacancies are created, the Nominations and Elections Committee shall solicit applications from eligible members of the community. The Nominations and Elections Committee shall review the applications received by the announced deadline and shall announce qualified nominees to the CACPB. The Nominations and Elections Committee shall attempt to maintain representation from a broad based cross section of the community as stipulated in Article III, Section 2. No additional nominations will be accepted at the time of the election by the CACPB

when filling a vacancy occurring between regular elections.

- Section 3. When the CACPB is unable to fill a vacancy within one hundred twenty (120) days, as specified above, and the planning board has more than twelve (12) members, a search for a new member should continue, however either the seat may remain vacant until the next planning board election, or these bylaws may be amended to permit decreased membership to a minimum of twelve (12) members. If a vacancy remains for more than sixty (60) days from the time a vacancy is declared, and there are less than twelve (12) elected planning board members in good standing, the planning board shall report in writing the efforts made to fill the vacancy to the City. If, after sixty (60) additional days, the planning board membership has not reached twelve (12) members, the planning board will be deemed inactive until it has attained at least twelve (12) members in good standing.

## **ARTICLE V Elections**

- Section 1. Section 5: Open and Public Elections of the Terms and Conditions shall govern elections to the CACPB. General elections of CACPB members shall be held annually during the month of March in accordance with the sub sections 5.1 through 5.3.

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 board preceding the election. The Nominations and Elections Committee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Nominations and Elections Committee shall present to the planning board a complete list of interested candidates collected up to that point in time. Candidates may be added at the February meeting.

- Section 2. The CACPB shall make a good faith effort to utilize means appropriate to publicize the planning board's eligibility requirements for candidacy and the upcoming elections.

In the election process, the planning board shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for nine (9) consecutive years to leave the CACPB for at least two years.

The CACPB holds its election concurrent to, but separate from, the March regular meeting, at the same location.

There shall be a Nominations and Elections Subcommittee, an ad hoc subcommittee consisting of three (3) members of the CACPB appointed by the Chair and confirmed by a majority vote of the CACPB. Members of the Nominations and Elections Subcommittee shall not be candidates for election.

The CACPB will require proof of identity of those eligible community members who are seeking to vote in the election. The planning board 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, and which candidates, if any, must receive a two-thirds (2/3) majority of the vote due to service beyond nine (9) consecutive years of service. Prior to printing the ballot, the eligibility of each announced candidate shall be verified.

The CACPB planning board's policy related to write-in candidates is that write-in candidates are allowed. An attempt will be made to verify eligibility of the write-in candidate at the time of the candidate's announcement. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

A written or oral challenge to the election results must be made at the March CACPB meeting or within 24 hours of the announcement of results at the March meeting. The basis for such a challenge would consist of

- (1) The ineligibility of one or more of the elected candidates or
- (2) Conduct of the election in a manner inconsistent with the bylaws or with Council Policy 600-24.

- Section 3. Voting to elect new CACPB members shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances.
- Section 4. The CACPB's election becomes final after announcing the election results at the conclusion of the noticed, regular March monthly planning board 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 board meeting.
- Section 5. Article VIII, Section 1(e) contains all voting procedures, including: nominations & elections committee, voter eligibility and sign in, quorum, candidate eligibility, candidate speeches, teller procedures, ballots, challenge procedures and reporting election results.

## **ARTICLE VI Community Planning Board and Member Duties**

Section 1. It is the duty of the CACPB 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 board members to conduct official business of the planning board in a public setting. It is recognized that the officers of the planning board may oversee administrative business of the planning board, 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 board meetings.

It is the duty of a planning board as a whole, and of each individual member, to refrain from conduct that is detrimental to the planning board 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 board's agenda.

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

It shall be the duty of each member of the CACPB to attend all planning board meetings.

(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.

The listing of the agenda item shall include the intended action of the planning board 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 CACPB website at least 72 hours in advance of the meeting.

#### **(ii) PUBLIC COMMENT-**

1. **Agenda Items:** Any interested member of the public may comment on agenda items during regular or special CACPB meetings.
2. **Non-Agenda Items:** Each agenda for a regular CACPB meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but that are within the scope of CACPB authority. .

CACPB members may respond by asking for more factual information, or by asking a question to clarify, and also may schedule the item for a future agenda. However, no discussion, debate or action may be taken on such items.

Board members may also make brief announcements or reports to the planning board on their own activities under the public comment section of the agenda.

The CACPB board may adopt time limits for individual items and for individual speakers during public comment to ensure operational efficiencies.

(iii) ADJOURNMENTS AND CONTINUANCES – If the CACPB 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 twenty-four (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 board 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 five (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 subcommittee of the planning board has discussed the item at a noticed subcommittee meeting,
2. All interested members of the public were given an opportunity to address the subcommittee, and
3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 board, must be present in order to conduct business, to vote on projects, and to take actions at regular or special planning board meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the planning board, 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 CACPB 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 board shall allow participation of affected property owners, residents and business establishments within proximity to the proposed development.

The planning board 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 voting members of the CACPB, or every member if less than two-thirds (2/3) of the voting members of the CACPB 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 board subsequent to the agenda being posted.

#### Voting Requirements Vary by Subject of the Action

1. A two-thirds vote of the voting members of the CACPB is required to remove an elected CACPB member in accordance with Article IX. A two-thirds vote of the voting members of the CACPB is required to request of the appropriate SDSU and/or Business Improvement District authorities that an appointed member of CACPB be removed.
2. Removing a member due to ineligibility in accordance with Article III, Section 2 requires a majority vote of the voting members of the CACPB for the purpose of ratifying the findings presented by the Secretary to the CACPB board.
3. Amendments to adopted bylaws require a two-thirds vote of the voting members of the CACPB.
4. A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the CACPB.

5. All other CACPB actions, including subcommittee votes, only require a simple majority of the voting members of the CACPB in attendance when a quorum is present.

The CACPB planning board's chair fully participates in planning board discussions and votes on all action items.

The planning board 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning board 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 CACPB as to action to be taken on an item by members of the planning board, 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 CACPB, or a majority of planning board 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 twenty-four (24) hours before a special meeting. Each member of the planning board shall receive the written notice of the meeting at least twenty-four (24) hours before the time of the meeting as specified in the notice unless the member files with the planning board 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 twenty-four (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 CACPB and are prohibited under these bylaws.

(xii) **RIGHT TO RECORD** - Any person attending a meeting of the CACPB must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning board 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 board meeting is willfully interrupted by a person or group of persons, so as to make the orderly

conduct of the meeting infeasible, the planning board may first cause removal of the individual or individuals. If that is unsuccessful then the planning board 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 board may also readmit an individual or individuals who were not responsible for the disruption.

**(b) Subcommittees**

The CACPB may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning board meetings.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the CACPB as identified in Article II, Section 1, the planning board has established the following standing subcommittee: (1) Project Review Standing Subcommittee

The Project Review Subcommittee shall review all development projects and make a recommendation to the CACPB. The size of the Project Review Committee may vary, but in no event shall it be established with less than five members, and CACPB Board members must constitute a majority of the subcommittee. Appointments to the Subcommittee are for a period of one year or until the next Annual Meeting, whichever comes sooner.

(ii) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees, including a Nominations and Elections Subcommittee, may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.

(iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall be chaired by a CACPB member and contain a majority of members who are members of the planning board.

Non-members, who are duly appointed by a planning board to serve on a subcommittee, 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** – Subcommittee recommendations must be brought forth to the full planning board for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning board without a formal vote of the full planning board.

**(c) Abstentions and Recusals**

(i) RECUSALS - Any member of the CACPB with a direct economic interest in any project that comes before the planning board or its subcommittees must disclose to the planning board that economic interest, and must recuse from voting and not participate in any manner as a member of the planning board for that item on the agenda.

(ii) ABSTENTIONS – In limited circumstances, planning board 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 board, 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 board members, that is distributed at the planning board meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the planning board 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 board 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 the materials requested by an individual or individuals.

(iii) MINUTES – For each planning board meeting, a report of CACPB member attendance and a copy of approved minutes shall be retained by the planning board, 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 CACPB's next regularly scheduled meeting. Approved minutes should be posted on the CACPB website no later than 14 days after approval. The minutes of each planning board 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 board action) appeared before the planning board. If an applicant did not appear before the planning board 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 board meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning board.

The CACPB 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 – CACPB records must be retained for public review. CACPB records are meeting agendas and any other writings that are distributed to at least a majority of the CACPB members in connection with a matter subject to consideration at an open CACPB meeting. CACPB 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 CACPB's operation and compliance. The CACPB 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 CACPB 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 board 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 CACPB to maintain a current, up-to-date roster of the names, terms, and category/qualifications of planning board members in its possession, and to forward the current roster, as well as any updates, to the City. The planning board 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 CACPB may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the planning board 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 board meeting. All contributions must be voluntarily made, and no official planning board correspondence may be withheld based on any individual's desire to not make a voluntary contribution.
- Section 6. Each elected and appointed CACPB member is required to attend an orientation training session administered by the City as part of planning board 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 board members must complete a basic orientation training session within 60 days of being elected or appointed to a planning board 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 Board Officers

Section 1. The officers of the CACPB shall be elected from and by the members of the planning board. Said officers shall consist of a Chair, Vice Chair, Secretary, and Treasurer. Officers shall be elected at the regular April meeting. The length of an officer's term shall be one year except that no person may serve in the same planning board office for more than nine (9) consecutive years. After a period of one (1) year in which that person did not serve as an officer that person shall again be eligible to serve as an officer.

Section 2. Chair. The Chair shall be the principal officer of a recognized community planning board and shall preside over all planning board and communitywide meetings organized by the planning board. The Chair shall be responsible for setting the agenda for all meetings of the CACPB.

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.

Section 3. Vice Chair. In the absence of the Chair, the Vice Chair shall perform all the duties and responsibilities of the Chair.

Section 4. Secretary. The Secretary shall be responsible for the planning board's correspondence, attendance records, and minutes and actions [including identification of those planning board 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 board members and members of the public have access to this information. The Secretary shall retain a copy of any written documentation, prepared or provided by City staff, applicants, or planning board members, that is distributed at a planning board meeting and arrange for storage of such documents according to procedures established by the City. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.

Section 5. Treasurer. The Treasurer shall handle all financial affairs of the community planning board, including receipt and disbursement of all funds, and maintain financial records.

- Section 6. The Chair shall be a recognized community planning board's representative to the Community Planners Committee (CPC). However, by vote of the planning board, a planning board member other than the chair may be selected as the official representative to CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair for either representative, as well as for the planning board'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 7. The CACPB officers and representatives to the CPC shall promptly disseminate to all elected or appointed planning board members pertinent information that is received by the planning board regarding its official business.
- Section 8. In the event of a vacancy in the office of Chair, the Vice Chair shall assume the office of Chair for the remainder of the term, and a new Vice Chair will be elected by and from the CACPB at its next regular meeting. In the event of a vacancy in any office except that of the Chair, the vacancy shall be filled by and from the CACPB at its next regular meeting. If necessary, the Chair may appoint an interim officer to serve until the vacancy is filled.

#### **ARTICLE VIII Planning Board Policies and Procedures**

- Section 1. The CACPB 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 Board Composition; Conduct of Meetings; Member and Planning Board Responsibilities; and Elections.

##### **(a) Community Participation**

On November 13, 2023 the CACPB adopted its Community Participation and Representation Plan. This plan shall govern the procedures and practices that will be used to encourage participation. The CACPB shall conduct an annual open community forum at the March meeting.

##### **(b) Planning Board Composition**

The following are the CACPB procedures pursuant to Article III, Section 2 regarding planning board composition:

At the annual election, nominees in each category with the highest number of

votes shall be considered elected unless the election of all such persons would result in less than the number of resident property owners serving on the Board required by Article III, Section 2, of these Bylaws. In that situation, the resident property owners) receiving the highest number of votes would be elected in the place of the candidates who are not resident property owners receiving the least number of votes.

**(c) Conduct of Meetings**

The following are the CACPB procedures regarding conduct of planning board meetings:

CACPB agendas shall be posted at the CACPB meeting site seventy-two (72) hours prior to the meeting. In addition, agendas may be posted on the City of San Diego and CACPB web sites and published in the CACPB newsletter.

Regular CACPB meetings are normally held the second Wednesday of each month beginning at 7:00 p.m. and adjourning no later than 9:00 p.m. unless extended by a majority vote. The CACPB may elect to cancel no more than one meeting per year. In the case of a Federal, State, or City holiday, or holiday eve, occurring on the regular monthly meeting date of the CACPB, an alternative meeting date for that meeting may be identified. That alternative date will be reviewed by the CACPB at a regular meeting prior to the affected meeting date, and the alternative date will be announced and advertised on the CACPB website and through other means, if available.

Time shall be allowed at each CACPB meeting, at a time published in the agenda, to provide interested community members an opportunity to address the CACPB. During this portion of the agenda, each speaker shall be limited to three minutes.

During CACPB meetings, questions and comments are encouraged from community members present. The Chair has the discretion to limit the time of such questions or comments.

Community members who wish to address the council should complete a speaker slip. The slip should include the name of the speaker, address, telephone number, and email address (if applicable) and the agenda item or topic of a topic of a non-agenda item. For agenda items, the slip should indicate of the person wishes to speak in favor or opposition to the proposed project or action. This requirement does not preclude audience members from asking questions or providing feedback when requested of the audience.

All standing subcommittee meetings are noticed and are open to the public.

Each standing subcommittee chair shall submit a brief written report at each monthly CACPB meeting and shall prepare a complete written annual report in

March. Subcommittee chairs are responsible for maintaining subcommittee records and for passing the committee records to their successor.

All development projects shall be reviewed by the Projects Review Subcommittee which shall make a recommendation to the CACPB. When necessitated by time constraints, the CACPB by a two-thirds (2/3) vote may decide to consider a position on a project without a recommendation from the Projects Review Subcommittee.

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

The Chair of the Projects Review Subcommittee 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.

#### **(d) Member and Planning Board Responsibilities**

The following are the CACPB procedures regarding member and planning board responsibilities:

[None other than those listed in Article VI of these bylaws.]

#### **(e) Elections Procedures**

The following are procedures pertaining to the elections provisions of these bylaws:

- i. The duties of the Nominations and Elections Subcommittee are to prepare a call for nominations to be published in the College Area Community Council/ CACPB newsletter and other community publications at least sixty (60) calendar days prior to the March meeting; to receive said nominations; to ascertain the eligibility of each nominee; to obtain the written consent of each nominee whose name is placed on the ballot; to prepare the ballot and runoff ballot and to prepare a list of nominees with their statement of qualifications for distribution at the March meeting. The Chair of the Nominations and Elections Subcommittee shall act as chief teller at the election and shall certify the vote to the Chair. In the event of vacancies on the CACPB between annual elections, it shall be the responsibility of the Nominations and Elections Subcommittee to secure nominations to present to the CACPB.
- ii. At the election meeting, tables shall be placed near the entrance and will be staffed by three or four CACPB members who are not candidates for election. These tables should have alphabetical designations (A-H, I-L, etc.) with the corresponding segments of the list of community members eligible to vote. As community members arrive, they must present identification in order to

receive a ballot. New members must submit proof of residency or documentation that they meet the eligibility requirements for community members (driver's license with address matching the qualifying address on member's registration; or utility bill in member's name matching the qualifying address on member's registration). County property records may be consulted to verify eligibility in the case of non-resident property owners.

Community members shall also be given a runoff ballot to be used if necessary.

- iii. Candidates are expected to be present for a Candidate's Forum, which shall take place immediately prior to the election. All candidates nominated from the floor are required to be present

Each candidate shall be given one minute to address the community members at the Candidate's Forum prior to the election.

Electioneering by other community members (actively trying to convince voters to vote for a specific candidate at the time of the election) is prohibited.

- iv. Voting for members of the CACPB shall be by secret ballot. Each eligible voter may vote for no more than as many candidates as there are vacancies. Cumulative voting (casting more than one vote per nominee) shall not be permitted.

The sequence of actions on election night shall be as follows:

- a. Ballots and run-off ballots shall be distributed as members sign in.
- b. There shall be a Candidates' Forum. Voters are asked to listen to candidates' 1-minute speeches at the Candidates Forum.
- c. Immediately following the completion of candidates' speeches, the Elections Subcommittee Chair will declare the election open, and ballots may be cast.
- d. Members of the Elections Subcommittee will then be asked to collect the ballots. Polls will be closed when all of the ballots are collected, and the regular CACPB monthly meeting will commence.
- e. Votes will be tabulated by the Subcommittee, which shall then announce the winners during the regular meeting.
- f. In the event of a tie, the Subcommittee Chair will announce that a runoff election is needed, and the CACPB Chair shall temporarily adjourn the regular meeting. The Subcommittee Chair will announce names of the candidates to be included in the runoff and indicate that runoff ballots should be completed. Polls for the runoff election will be closed when the run-off ballots are collected, and then the regular CACPB meeting will resume while votes are counted.
- g. When the Elections Subcommittee has completed tabulation of the runoff election ballots, the Subcommittee Chair will announce the winners of the runoff election during the regular CACPB meeting.

The tallying of the ballots by the Elections Subcommittee shall take place concurrent with but separate from the CACPB March meeting. The Nominations and Elections Subcommittee Chair shall verify the results and give the results to the CACPB Chair to announce as a noticed agenda item on the March meeting agenda. In the event of a tie, a runoff election shall be conducted as discussed in 'f' above. Voters will be advised by the Elections Subcommittee that if a tie vote for any seat arises, that the runoff vote will occur concurrent with, but separate from, the regular March meeting of the CACPB and that if they remain in attendance they will be allowed to cast a runoff vote. Runoff ballots may not be used by voters or others to affect the runoff following the timeframe established by the Elections Subcommittee.

- v. Any challenge to the election results must be filed with the chair of the Nominations and Elections Subcommittee in writing within twenty-four (24) hours of the counting of the ballots in order to allow enough time to resolve the issue.

If a challenge is received, the Elections Subcommittee shall immediately discuss the challenge to determine if there is any substance provided by the individual filing the challenge and whether either:

- (1) There is no substance to the challenge based on Council Policy 600-24 or adopted CACPB bylaws and election procedures, and the election results can be certified, new members seated in April, and a ratification vote of the Subcommittee's findings can be placed on the April agenda for a majority vote of the voting members of the CACPB;  
OR
- (2) There is substance to the challenge and the CACPB officers should discuss with the Subcommittee the appropriate resolution, including declaring the seat vacant and determining how to fill it, or declaring a new election is needed.

- vi. The CACPB Chair will hold the election ballots for a period of not less than one (1) year from the date of the election.

## **ARTICLE IX Rights and Liabilities of Recognized Community Planning Boards**

- Section 1. Indemnification and Representation. The CACPB 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 CACPB and its duly elected and appointed 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 board, as well as the planning board itself, may be subject to civil remedies. Under certain circumstances, individual planning board 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 CACPB**

In cases of alleged violations of the CACPB Bylaws or Council Policy 600-24 by a planning board member, the planning board may conduct an investigation consistent with the Administrative Guidelines and these bylaws.

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

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

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

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

Investigation procedures for elected and appointed member violations are outlined below:

Any action by the CACPB to discipline or remove a member must occur at a scheduled planning board meeting and be advertised on the agenda as an action

item. Due to the significant nature of removing an elected and appointed 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 board chair. If the complaint is about the chair, it may be presented to any other officer of the planning board.
- 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 board member, the chair [or other officer] may assist in providing appropriate citations to assist the complainant.
- The chair will confer with the planning board 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 chair 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 board, 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 chair, with assistance from the planning board officers, will meet and talk with the planning board member against whom the violation is alleged. The allegations will be presented and the planning board member shall be given opportunity for rebuttal.
- If the chair, with assistance from the planning board 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 board officers, determines that a violation has occurred but the situation can be remedied either by action of the planning board or by the planning board member, then the chair will outline the necessary actions to achieve the remedy.
- If the chair, with assistance from the planning board officers, determines that the situation cannot be remedied and that the interests of the community and CACPB would best be served by the removal of the planning board member, then the chair shall set the matter for discussion at the next planning board meeting. The planning board 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 board discussion.

Presenting a violation to the planning board:

- The matter of removing a seated planning board member will be placed on the planning board's agenda as a potential action item. Supporting materials from the chair or from the offending planning board member will be made available to the elected or appointed planning board members prior to the meeting.
- The matter will be discussed at the planning board's regular meeting with opportunity given to the planning board member who committed the violation to present their case and/or rebut documentation gathered by the chair with the assistance of the planning board officers. The member may also request a continuance of the item to gather more information to present to the planning board.
- At the end of the discussion, the planning board may, by a two-thirds (2/3) vote, choose to remove the member.

Recourse for expelled member:

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

#### **(b) Alleged Violations Against the CACPB as a Whole**

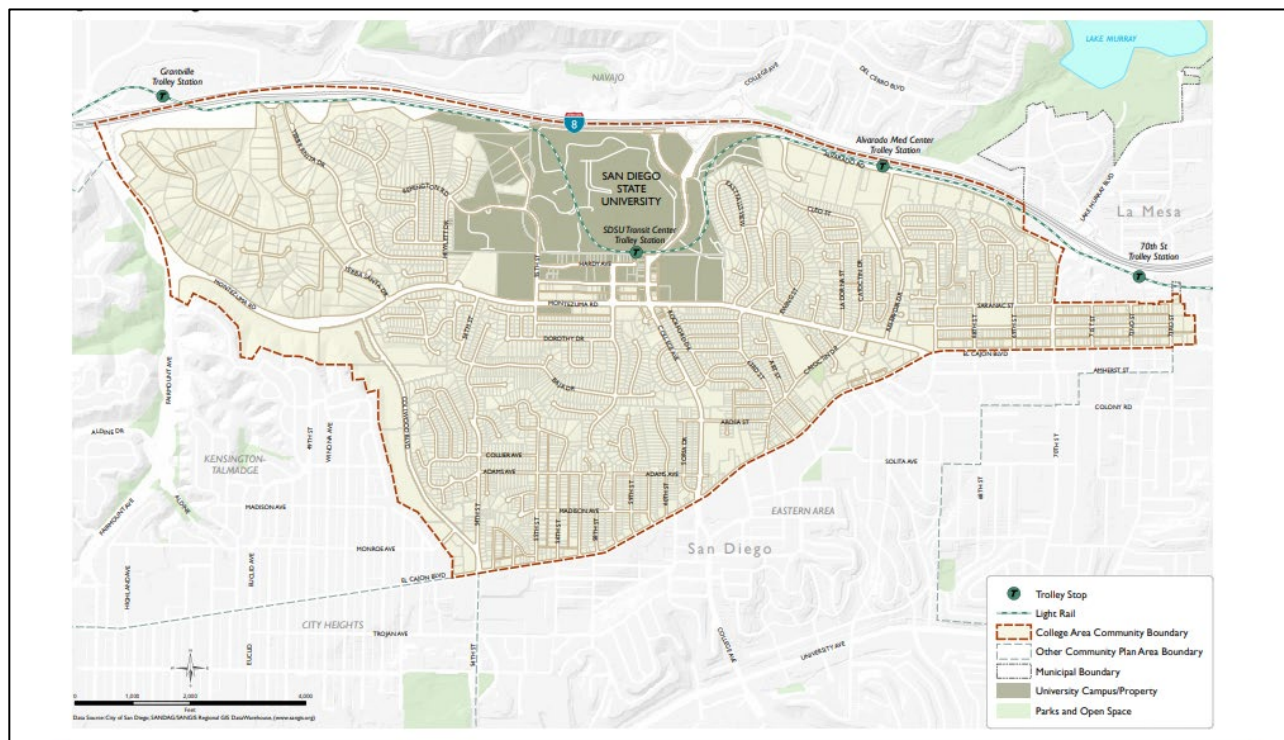
In the case of an alleged violation of the planning board's bylaws or of Council Policy 600-24 by the planning board as a whole or multiple members of the planning board, the violation shall be forwarded in writing to the City. The Mayor's Office will engage in a dialogue with the planning board, determining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

If a violation against the planning board as a whole is proven and there is a failure of the planning board to take corrective action, the planning board will forfeit its rights to represent its community as a community planning board 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 board 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 board is found to be out of compliance with the provisions of this Policy not subject to the Brown Act or its adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

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## Exhibit “B”: CACPB Boundary Map



### NARRATIVE DESCRIPTION:

The College Area is located in the central part of the City of San Diego, just south of the Interstate 8 and west of the City of La Mesa. College Area is 3.1 square miles (1,987 acres) in size. The community lies along the southern rim of Mission Valley and is approximately 8 miles northeast of downtown San Diego. The community shares boundaries with the designated community plan areas of Navajo and Mission Valley to the north, Kensington-Talmadge to the west, and Eastern Area to the south.

College Area is made up of several mesas intersected by canyons, connected by two arterials (Fairmount Avenue/Montezuma Road and College Avenue), and is adjacent to Interstate 8.

Within the community, there are three major streets that provide internal connections and collect most of the community's circulation:

- El Cajon Boulevard (Serving east & west through traffic)
- Montezuma Road (Serving east & west through traffic)
- College Avenue (serving north and south through traffic)

The *SDSU Transit Center and Trolley Station* is located on the San Diego State University Campus; it is a significant transportation hub for the College Area and the City of San Diego.

## **College Area Community Planning Board Ethical Standards**

### **As required for CACPB Recognition by Terms and Conditions, Exhibit A**

This document fulfills paragraph 7.3 Ethical Standards of the Terms and Conditions For City Council Recognition of the College Area Community Planning Board (CACPB) as the College Area's designated Community Planning Group (CPG). It describes the ethical standards the College Area Community Planning Board (CACPB) bylaws will include to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

CACPB voting members with a potential or perceived conflict of interest should recuse themselves from a CACPB hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CACPB board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

CACPB voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CACPB's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CACPB quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the CACPB nor voting members in their capacity as such should use their title from or position on a CACPB for political endorsements of individuals. The CACPB may, however, upon majority vote, take a position on pending legislation that is within the CACPB's purview.

#### 4) Donations

Neither the CACPB nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The CACPB will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CACPB shall establish standards for voting member professional conduct. CACPB voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

**Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The College Area Community Planning Group, (“CACPB”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate CACPB’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of the College Area. Demographic information specific to the College area are provided by the San Diego Association of Governments (SANDAG) [Data Surfer](#) website.

**Overarching Goals:** The CACPB adopts the following goals:

- To educate community members about the role of our Planning Group and opportunities for involvement.
- To continue our practice of establishing partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- To increase and diversify participation in monthly Planning Group meetings and decision- making.
- To communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- To obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- To be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation:** The CACPB agrees to the following principles for public participation:

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods(See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.

- Be respectful of people's opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

**Strategies for Community Involvement:** The CACPB adopts the following strategies to engage community involvement. Implementation of the strategies will depend on available resources.

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library(ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

## **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and **other** survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use “support.”</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>“Are community parks clean?” and “Are community parks safe?” = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn’t have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don’t have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information:** [www.reallygreatsite.com](http://www.reallygreatsite.com)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

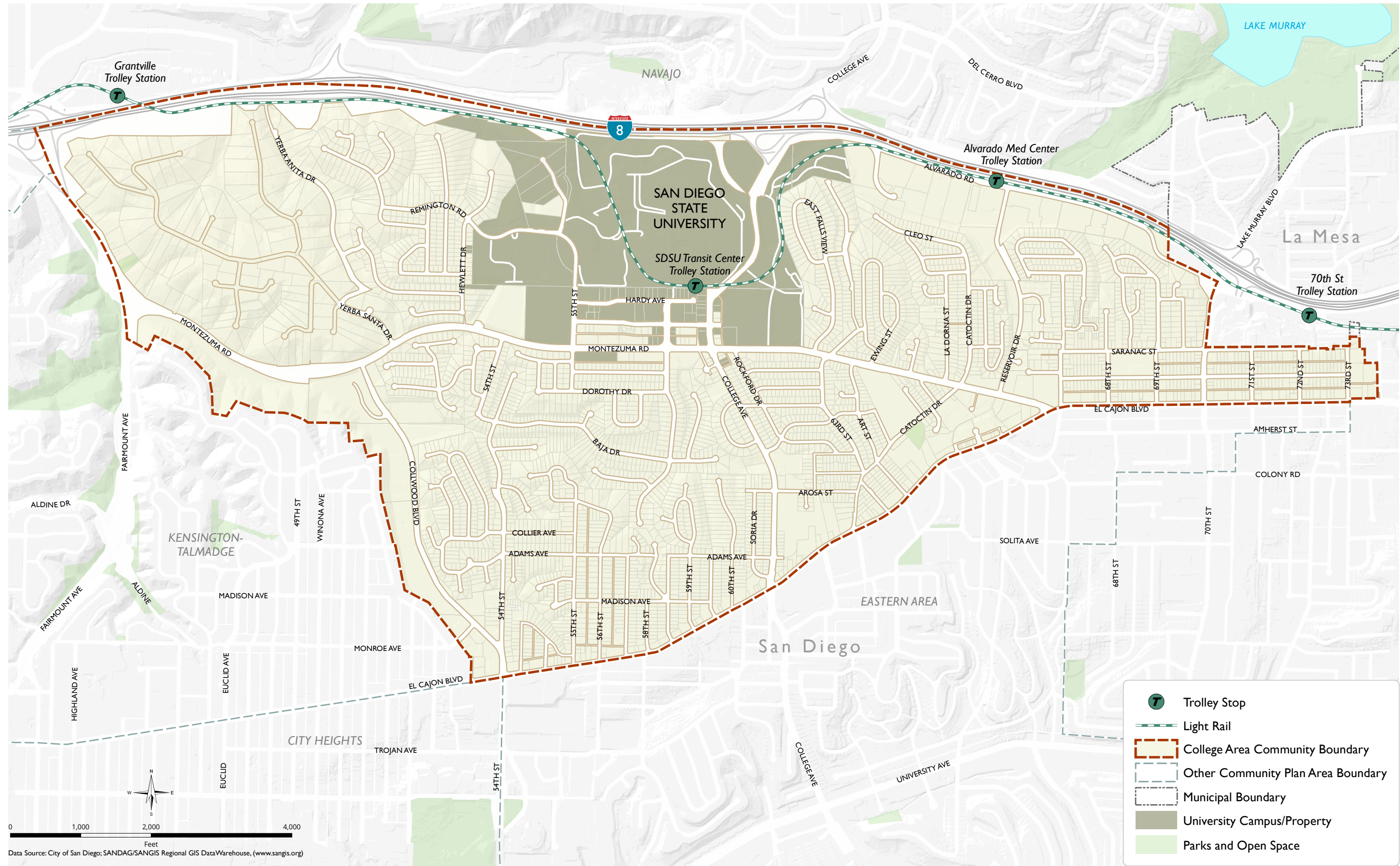
The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.  
Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199  
Time: 6:00 p.m. to 8:00 p.m.  
See Menu Bar above for meeting agenda.

Figure 1-2 Planning Area

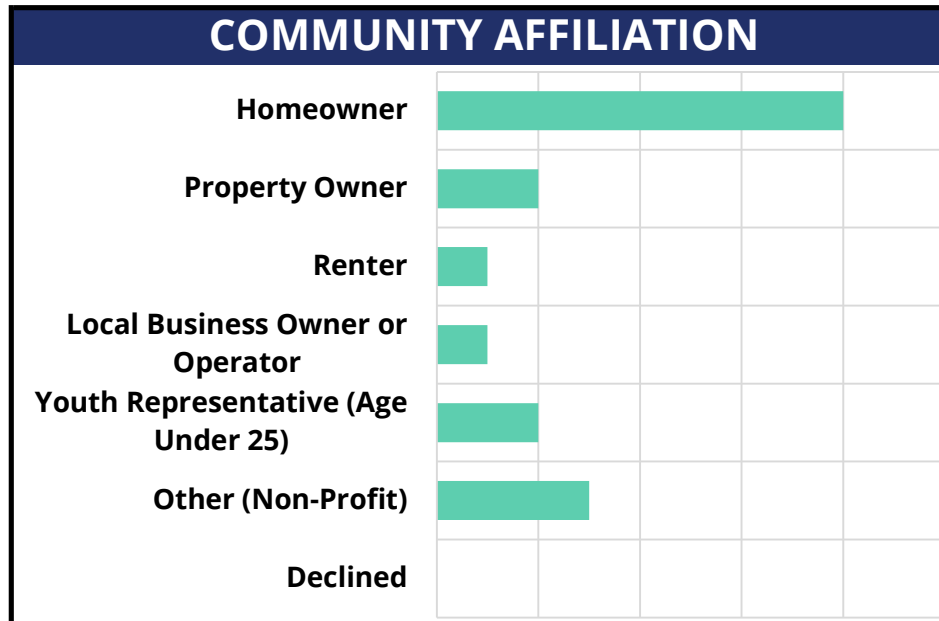


# College Area

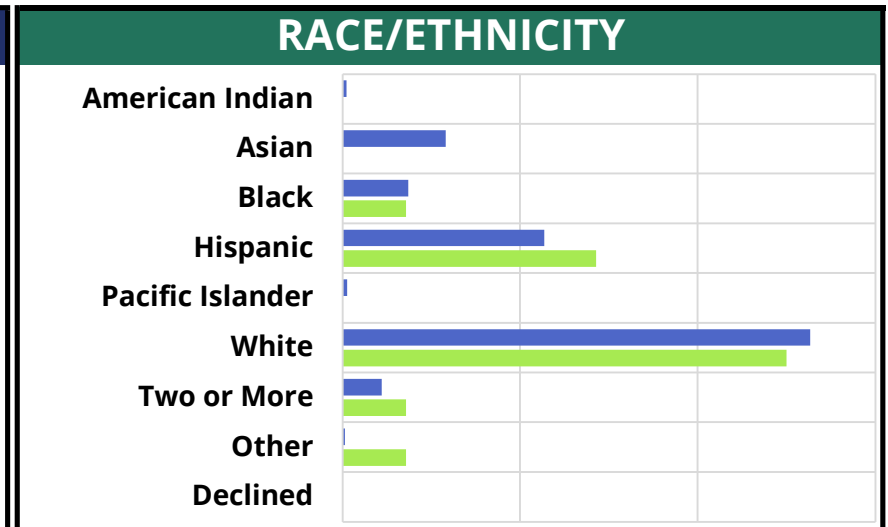
■ Member Count

■ Percent Group

■ Percent Community



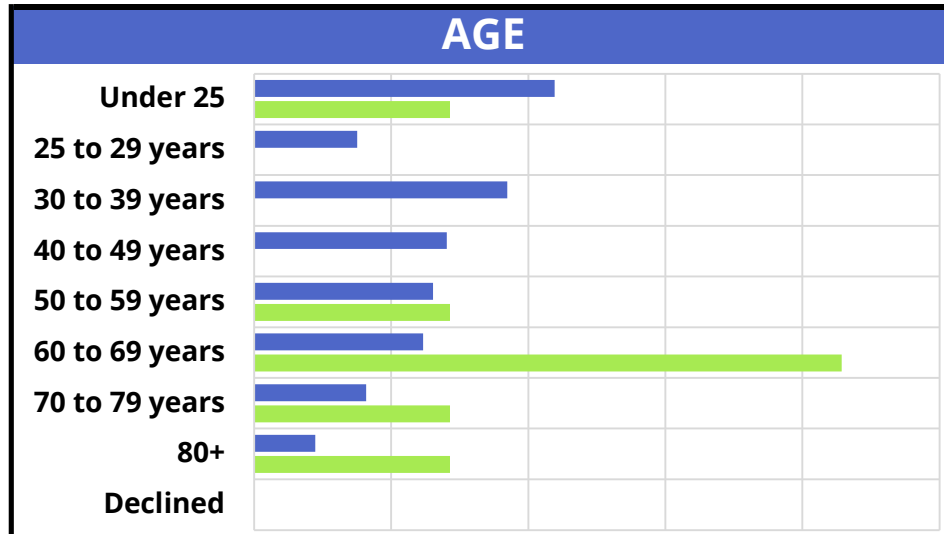
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 8            |
| Property Owner                      | 2            |
| Renter                              | 1            |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | 2            |
| Other (Non-Profit)                  | 3            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>17</b>    |



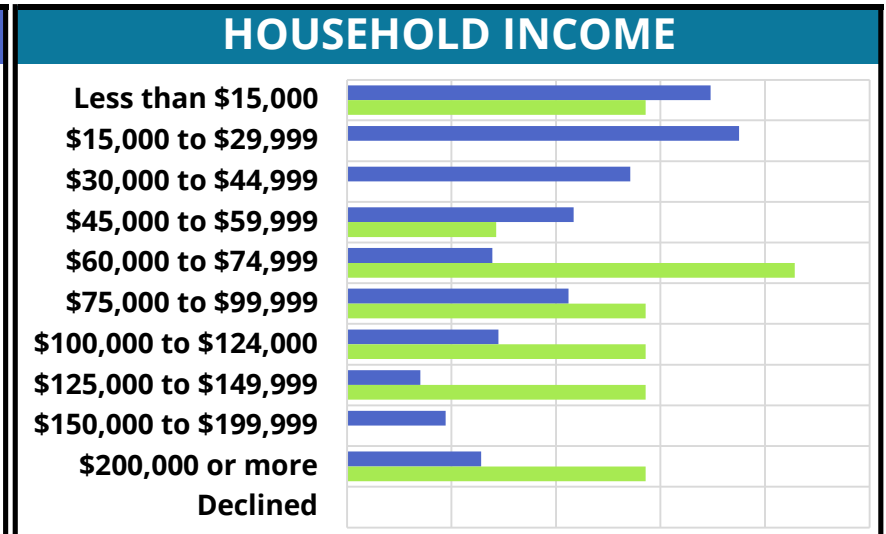
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 11.6%             |
| Black            | 1            | 7.1%          | 7.4%              |
| Hispanic         | 4            | 28.6%         | 22.7%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 7            | 50.0%         | 52.6%             |
| Two or More      | 1            | 7.1%          | 4.4%              |
| Other            | 1            | 7.1%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>14</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# College Area

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | 2            | 14%           | 22%               |
| 25 to 29 years | ---          | ---           | 8%                |
| 30 to 39 years | ---          | ---           | 18%               |
| 40 to 49 years | ---          | ---           | 14%               |
| 50 to 59 years | 2            | 14%           | 13%               |
| 60 to 69 years | 6            | 43%           | 12%               |
| 70 to 79 years | 2            | 14%           | 8%                |
| 80+            | 2            | 14%           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>14</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 2            | 14%           | 17%               |
| \$15,000 to \$29,999   | ---          | ---           | 19%               |
| \$30,000 to \$44,999   | ---          | ---           | 14%               |
| \$45,000 to \$59,999   | 1            | 7%            | 11%               |
| \$60,000 to \$74,999   | 3            | 21%           | 7%                |
| \$75,000 to \$99,999   | 2            | 14%           | 11%               |
| \$100,000 to \$124,000 | 2            | 14%           | 7%                |
| \$125,000 to \$149,999 | 2            | 14%           | 4%                |
| \$150,000 to \$199,999 | ---          | ---           | 5%                |
| \$200,000 or more      | 2            | 14%           | 6%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>14</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 27, 2023, 12:44:14 PM

What is the official name of your Planning Group?

**Del Mar Mesa Community Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Del Mar Mesa**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **1**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

|  |
|--|
| Group  |
| Member Affiliation(s)  |
| <ul style="list-style-type: none"><li>• <b>Property Owner</b></li><li>• <b>Local Business Owner or Operator</b></li><li>• <b>Other</b></li></ul> |
| Household Income   |
| <b>\$125,000 to \$149,999</b>  |

How will your Planning Group be accessible to all members of your community?

**City of San Diego Planning Department notices and website postings. Next Door website. DMMCPB Website. Community email notices.**

How will your Planning Group fairly represent all members of your community?

**Del Mar Mesa is a relatively small, almost exclusively residential community: +/- 550 owner occupied single-family homes. The major exception to this description is the Fairbanks Grand Del Mar Resort which is located within the Community Planning Area. The Del Mar Mesa Community Planning Area is one of the few planning areas in the City of San Diego that is planned to remain rural or semirural. The Specific Plan and the underlying zoning require that the community develops consistent with agricultural zoning. The primary uses and amenities in Del Mar Mesa consist of single-family residential on larger lots, hiking and equestrian trails, horse stables and a resort hotel and golf course. Many of the residents of Del Mar Mesa keep horses on their property and the ability to maintain horses on residential property is relatively unique in the City of San Diego today and is preserved in rural communities such as Del Mar Mesa. The diverse interests of our Community are those of typical residential homeowners: City services such as public utilities, roads, police, fire, and emergency response. As such, the Board is composed of homeowners elected by quadrant and at-large and with representation to the Board by the Fairmont Grand Del Mar as specified by the provisions in Article 3 (c)the Del Mar Mesa Community Planning Board Bylaws.**

Applicant Representative

**Paul Metcalf**

Email

**paul@pmdevcon.com**

Phone Number

**619-733-6056**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | Terms and Conditions.pdf<br>362.2KB                           |
| <b>PDF</b> | Guidelines for Ethical Standards.pdf<br>329.7KB               |
| <b>PDF</b> | Participation and Representation Plan Appendices.pdf<br>1.4MB |
| <b>PDF</b> | Membership Worksheet.pdf<br>649.7KB                           |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Del Mar Mesa Community Planning Board

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

\_\_\_ American Indian

\_\_\_ Asian

\_\_\_ Black

\_\_\_ Hispanic

\_\_\_ Pacific Islander

10 White

\_\_\_ Two or more races

1 Other: India

### HOUSEHOLD INCOME

\_\_\_ Less than \$15,000

\_\_\_ \$15,000 to \$29,999

\_\_\_ \$30,000 to \$44,999

\_\_\_ \$45,000 to \$59,999

\_\_\_ \$60,000 to \$74,999

\_\_\_ \$75,000 to \$99,999

\_\_\_ \$100,000 to \$124,999

\_\_\_ \$125,000 to \$149,999

\_\_\_ \$150,000 to \$199,999

\_\_\_ \$200,000 or more

### COMMUNITY AFFILIATION

\_\_\_ Homeowner

9 Property Owner

\_\_\_ Renter

1 Local Business Owner or Operator

\_\_\_ Youth Representative (Age Under 25)

1 Other : Developer Rep

### AGE

\_\_\_ Under 25

\_\_\_ 25 to 29

\_\_\_ 30 to 39

4 40 to 49

4 50 to 59

2 60 to 69

\_\_\_ 70 to 79

1 80 +

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
**Del Mar Mesa Community Planning Board**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the operating procedures established herein, the City desires to establish minimum standards the Del Mar Mesa Community Planning Board (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these operating procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these operating procedures with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Del Mar Mesa Community Planning Board.

The community planning boundaries of this CPG are the boundaries of the Del Mar Mesa Community, as shown in Exhibit B, the Del Mar Mesa Specific Plan, Approved and Certified by the City Council and Coastal Commission in 2000 (O-18821).

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

#### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

#### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CPG Composition**

#### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively,

representing the various community interests set forth in these operating procedures. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

#### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### **5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these operating procedures and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### **5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community

members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these operating procedures
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

#### 6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

#### 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

### **7. Additional CPG Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

##### 7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

##### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the

specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these operating procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these operating procedures they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these operating procedures or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CPG violates these operating procedures it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these operating procedures by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their operating procedures or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The CPG acknowledges that any of its voting members found to be in violation of these operating procedures shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through

its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

#### **10. Term of the Operating Procedures**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

**Del Mar Mesa Community Planning Board Bylaws  
Amended February 224**

**These Bylaws are pursuant to Council Policy 600-24,  
(Effective Date 9/21/22) and attached hereto with the Terms  
and Conditions and Operating Procedures contained  
therein. Any variance between these Bylaws and CP 600-24  
is incidental and CP 600-24 shall prevail as correct in its  
interpretation.**

**ARTICLE I Name**

Section 1. The official name of this organization is the Del Mar Mesa Community 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 Del Mar Mesa Community Planning Board are the boundaries of the Del Mar Mesa community identified in the Del Mar Mesa Specific Plan, as shown on Exhibit "A." Land Use Figure 5. Page 18 and the Planning Department's Exhibit "A.

Section 4. Meetings of the Del Mar Mesa Community Planning Board shall be held within these boundaries, except that when the Del Mar Mesa Community 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 meeting facility available.

Section 5. The official positions and opinions of the Del Mar Mesa Community Planning Board shall not be established or determined by any organization other than the Planning Board nor by any individual member of the Planning Board other than one authorized to do so by the Planning Board.

**ARTICLE II Purpose and Responsibilities of the Community Planning Board and General Provisions**

Section 1. The Del Mar Mesa Community 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 to, the General Plan or a land use plan when a plan relates to the Del Mar Mesa community planning area boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency as

detailed in Council Policy 600-24, (amended 9/21/22) “Policy” Articles. I-VII: As a recognized independent body, the CPG may work with City staff throughout the City’s planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

Section 2. In reviewing individual development projects, the Del Mar Mesa Community Planning Board should focus such review on conformance with the Land Development Code, 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 choose to provide a subsequent formal recommendation to the City.

Section 3. All activities of the Del Mar Mesa Community 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 Del Mar Mesa Community 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 Del Mar Mesa Community Planning Board may take a position on a ballot measure. Neither the Del Mar Mesa Community Planning Board nor its voting members should accept donations on behalf of any individual running for office. The Del Mar Mesa Community Planning Board will endeavor to grant equal time for candidates or ballot measures if docketed on the Del Mar Mesa Community Planning Board agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

Section 5. The Del Mar Mesa Community 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 Del Mar Mesa community 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 Operating Procedures provide explanations of the Policy's minimum standard operating procedures and responsibilities of this planning group. *Robert's Rules of Order Newly Revised* is used when the Policy, the Policy's Operating Procedures and these bylaws do not address an area of concern or interest.

Section 7. The Del Mar Mesa Community Planning Board may propose amendments to these bylaws by majority vote of the elected members of the planning group. Proposed amendments shall be submitted to the offices of the Planning Department for review and approval. Any proposed amendments that are inconsistent with Council Policy 600-24 shall not be approved by the Planning Department 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 Del Mar Mesa Community Planning Board shall consist of: 15 elected and/or appointed voting 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 Del Mar Mesa Community Planning Board shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the Del Mar Mesa Community Planning Board elected seats are filled by distribution of seats among the following interests that represent the

community:

**(a)** Eight (8) Residential members consisting of two (2) representative from each neighborhood quadrant as shown on the attached Exhibit “A,” and five(5) at-large representatives selected from the entire community for a total of thirteen (13).

**(b)** One(1) Developer member. As developable land decreases, these seats shall revert to Residential seats on an at-large basis (refer to procedures in Article VIII.

**(c)** One (1) Resort representative of The Resort or its successor entity.

**(d)** One (1) Community Service representative who shall be the Planning Board’s designated representative on outside boards and committees (excepting those identified in paragraph (g) below), unless the Board designates an alternative. This representative will also provide input to the Planning Board on community-wide issues of importance to residents and property owners.

**(e)** One (1) Open Space representative; who will provide input to the Planning Board on the protection and management of designated open space within the community planning area.

**(f)** One (1) Trails representative who shall be the Planning Board’s designated representative on the Rancho Penasquitos Citizens Advisory Committee unless the Board designates an alternative and who will provide input to the Planning Board on issues related to the trail system within community planning area and adjacent planning areas.

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 qualifications contained in (1), (2), or (3) above to be an eligible member of the community to the planning group Secretary or Election Committee prior to the March election or at the time of voting.

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 Del Mar Mesa Community Planning Board shall require proof of eligibility during elections.

In addition to elected members, the Del Mar Mesa Community Planning Board has three appointed seats to better represent specific interests of the community. These seats for the Community Service, Open Space, and Trails representatives are appointed by the Residential members of the Planning Board (refer to Article VIII). Appointed seats are counted in the (15) fifteen planning group membership and vote on planning group business.

Section 3. Members of the Del Mar Mesa Community Planning Board shall be elected to serve for fixed terms of: 2 years with expiration dates during alternate years to provide continuity. The appointed representatives shall be appointed for fixed terms of 1 year and may be eligible for re-appointment annually.

No person may serve on the planning group for more than: eight consecutive years. The eight-year limit refers to total maximum consecutive years of service time, not to individual seats held. As per Council Policy 600-24, (Effective Date 9/21/22), Should Del Mar Mesa Community Planning Board choose to exercise Waiver of Maximum Time of Service it will use the following guidelines:

(1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).

(2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and

(3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the

required break in service as required by this section.

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 Del Mar Mesa Community Planning Board must retain eligibility during the entire term of service.

Section 5. A member of the Del Mar Mesa Community 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-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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 Del Mar Mesa Community Planning Board shall fill vacancies at the time the vacancies are declared or not later than 120 days afterwards.

Vacancies shall be filled by selection by the Del Mar Mesa Community Planning Board which will provide a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community input

at the time of vacancies are declared. Nominee appointments may be suggested by Planning Board members to be followed by a public vote of the Planning Board. In selecting members to fill vacancies, a person should be chosen who meets the qualifications of the specific seat that is vacant.

Two or more concurrent community planning group vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

Section 3. When the Del Mar Mesa Community Planning Board is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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 10 members.

If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 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 10 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 Del Mar Mesa Community Planning Board members shall be held during the month of March in accordance with the Del Mar Mesa Community Planning Board's adopted elections procedures.

The Del Mar Mesa Community 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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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: two meetings of the Del Mar Mesa Community Planning Board's last 12 meetings prior to the February regular meeting preceding the election. Attendance shall be certified by the Secretary from the monthly attendance roles. Candidates must also attend the regular February Planning Board meeting or submit a letter to the Planning Board prior to the meeting requesting nomination. Candidates shall also meet the qualifications listed in Article VIII.

Section 2. The Del Mar Mesa Community 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. The Del Mar Mesa Community Planning Board election procedures encourage equal participation by all Del Mar Mesa members of the public via comment posers, community E-blasts, NextDoor social media, including term limits which voting members of a recognized CPG can serve.

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 Del Mar Mesa Community Planning Board holds its election by electronic voting or in person secret ballot voting at the regular March meeting.

The Del Mar Mesa Community 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 a 2/3 majority of the vote due to service beyond eight consecutive years of service.

The Del Mar Mesa Community Planning Board's policy related to write-in candidates is that write-in candidates are not allowed.

Section 3. Voting to elect new community planning group members shall be by secret electronic or written ballot. The ballot presented to eligible members to vote will clearly identify which categories candidates have established eligibility in, how many candidates can be selected, and with candidates, if any, must receive a two-thirds majority of the vote to serve beyond eight consecutive years of service. 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 Del Mar Mesa Community 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.

Section 5. General elections of Del Mar Mesa Community Planning Board members and be held immediately prior to the March Del Mar Mesa Community Planning Board meeting at 6:00 pm at location TBD or via Online. Candidate eligibility is detailed in Article III

Section 2. Voter eligibility is defined as: 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.

The ballot presented to eligible members to vote will clearly identify which categories candidates have established eligibility in, how many candidates can be selected, and which candidates, if any, must receive a two-thirds majority of the vote to serve beyond eight consecutive years of service. Proxy voting for elections is not allowed under any circumstances.

Any challenge to the election results must be filed with the chair of the Elections subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

An Election Officer will be appointed by the Chairman to oversee the election process, to verify and tabulate ballot outcomes with report to the Chairman at the end of the March Meeting.

## **ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1. It is the duty of the Del Mar Mesa Community 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 Del Mar Mesa Community Planning Board to attend all planning group meetings.

(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.

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 of posting on the City's website.

(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 Del Mar Mesa Community 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 it were 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
2. All interested members of the public were given an opportunity to address the subcommittee, and
3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 Del Mar Mesa Community 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 of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the community planning group is required to remove an elected – community planning group members 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

Amendments to adopted bylaws require a two-thirds vote of the voting members of the Del Mar Mesa Community Planning Board.

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

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

The Del Mar Mesa Community Planning Board's chair 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 agenda items shall reflect the positions taken by the elected or appointed positions 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 Del Mar Mesa Community Planning Board and are prohibited under these bylaws.

(xii) RIGHT TO RECORD - Any person attending a meeting of the Del Mar Mesa Community 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) Subcommittees**

The Del Mar Mesa Community Planning Board may establish standing and ad hoc subcommittees when their operation contributes to more

effective discussions at regular planning group meetings.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the Del Mar Mesa Community Planning Board as identified in Article II, Section 1, the planning group has established ad hoc subcommittees as necessary to fulfill the duties of the Planning Board (paragraph (ii) below). Subcommittees are listed on the agenda for the regular Planning Board meetings.

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

(iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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** – Subcommittee 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 subcommittee 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 Del Mar Mesa Community Planning Board with a direct economic interest in any project that comes before the planning group or its subcommittees 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 charge for the cost of reproducing any the materials requested by an individual or individuals

(iii) MINUTES – For each planning group meeting, a report of the Del Mar Mesa Community 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 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 Del Mar Mesa Community 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 and RECORD RETENTION – Del Mar Mesa Community 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 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 Del Mar Mesa Community Planning Board operation and compliance. The Del Mar Mesa Community Planning Board also receive 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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, by the end of March each year, an annual report of accomplishments for the past calendar year 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 Del Mar Mesa Community 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 community wide meetings organized by the planning group. 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.

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.

Del Mar Mesa Community Planning Board shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 Del Mar Mesa Community Planning Board officers and representatives to the CPC shall promptly disseminate to all elected 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 Del Mar Mesa Community 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. In the event of inconsistency or other need for interpretive clarification, The City Of San Diego, California, COUNCIL POLICY, Attachment to CP 600-24- Operating Procedures shall supersede as the ruling principle or final authority.

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 Del Mar Mesa Planning Board participates on other committees and with other organizations including but not limited to Penasquitos Preserve Citizens Advisory Council, and Northwestern Division Police Citizens Advisory Council. The Del

Mar Mesa Planning Board chairman will appoint representatives to other organizations as needed.

**(b) Planning Group Composition**

The following are the Del Mar Mesa Community Planning Board procedures pursuant to Article III, Section 2 regarding planning group composition:

1. Elected Seats. Planning Board members and candidates for membership shall meet the meeting attendance requirements discussed in Article V, Section 1 as well as the following eligibility requirements for their respective seat:

a). Residential members shall reside within the community planning area and have resided there for at least 30 days prior to their election or nomination.

b) Developer members shall be a landowner or an employee, owner or representative of a development company possessing developable property within the community planning area.

2. Appointed Seats. The community interests represented by the Planning Board necessitate that the Planning Board appoint qualified persons to fulfill specific functions as members of the Board. The three appointed Planning Board seats of Community Service representative, Open Space representative and Trails representative shall be appointed by the Residential members of the Planning Board at the first regular meeting following the certification of the annual election. Nominations for these seats may be presented at the same meeting and appointments will be made by a vote of the Residential members of the Board. The Fairmont Grand Del Mar Resort representative will be recognized at the same meeting. Each appointed member will have the same general duties as an elected board member and will also have various specific duties described below:

The Community Service representative shall be the Planning Board's designated representative on outside boards and committees (excepting those identified for the Trails representative below), unless the Board designates an alternate. This representative will also provide input to the Planning Board on community-wide issues of importance to residents and property owners. The Community Service representative shall meet the eligibility requirements of a Residential member.

The Open Space representative shall provide input to the Planning Board on the protection and management of designated open space within the community planning area. The Open Space representative shall meet the eligibility requirements of a Residential member or be a property owner (or their representative) within the community planning area.

The Trails representative shall be the Board's designated representative on the Los Rancho Penasquitos Preserve Citizens Advisory Committee unless the Board designates an alternate, and who will, provide input to the Planning Board on issues related to the trail system within the community planning area and adjacent areas. The Trails representative shall meet the eligibility requirements of a Residential member or be a property owner (or their representative) within the community planning area.

3. Conversion of Seats. The community interests represented by the Planning Board will change as land within the community planning area is developed. These changes will be accommodated through the conversion of Developer member seats to Residential member seats. One Developer seat shall revert to Residential effective at the March meeting of each year if, on December 31<sup>st</sup> of the prior year the number of existing houses and building permits issued by the City in the Del Mar Mesa planning area 20exceeds 350 permits for the first seat, 425 permits for the second seat, and 500 permits for the third and final seat. Any vacant seat(s) will be converted first. In absence of any vacant seats, the seat with the member with the shortest length remaining of their term will be converted.

### **(c) Conduct of Meetings**

The following are the Del Mar Mesa Community Planning Board procedures regarding conduct of planning group meetings:

The Del Mar Mesa Planning Board agenda is posted on the City of San Diego Website as well as Nextdoor Del Mar Mesa. The agenda shall include but not be limited to: Roll Call of Committee members, Adoption of the Agenda, Parliamentary Items, Consent Agenda, Approval of Minutes, Chair's Report, Non-Agenda Public Comment, Announcements, Elected Officials, Subcommittee Reports, Liaisons and Planners Reports, Information and Action Items, with Procedures for maintaining a civil meeting environment are from the latest version of Robert's Rules of Order.

Meeting operations include but are not limited to, parliamentary items and non-agenda public comment (limited to three minutes per speaker) and

announcements (limited to one minute each). Public comment on agenda items follows the presentation of the item/project and is limited to a maximum of three minutes per speaker; this includes the public and Board members. The Chair can however adjust time allotments depending on factors such as number of speakers and time available for discussion.

The Elections Handbook, which is an attachment to the Administrative Guidelines, provides general guidance for planning group elections. Elections procedures will be developed by an ad hoc Elections Subcommittee subject to Planning Board approval.

#### **(d) Member and Planning Group responsibilities**

The following are the Del Mar Mesa Community Planning Board procedures regarding member and planning group responsibilities:

Planning committee's positions may be represented to the City on planning issues that are not project review recommendation in a variety of formats including letter, memos, position statements, testimony, and verbal communications.

21 Changes to these Bylaws shall be proposed by an Ad Hoc Bylaws Subcommittee and approved by a two-thirds vote of the voting members of the Board. Proposed changes must be submitted in writing, noticed in the monthly agenda, and announced at the previous monthly meeting. Changes shall not become effective until approved by the Mayors' Office and City Attorney.

### **ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the Del Mar Mesa Community Planning Board or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the Del Mar Mesa Community Planning Board or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal

violation of the Brown Act.

When the Del Mar Mesa Community Planning Board

or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

## Section 2. Brown Act Remedies. Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the Del Mar Mesa Community Planning Board will ensure good faith, voluntary

compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void Del Mar Mesa Community Planning Board

actions. Individual voting members of the recognized Del Mar Mesa Community Planning Board

, as

well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the Del Mar Mesa Community Planning Board

, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the Del Mar Mesa Community Planning Board

may also potentially face criminal misdemeanor charges

for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The Del Mar Mesa Community Planning Board

, or any of its individual voting members, may seek

assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the Del Mar Mesa Community Planning Board

to

appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The Del Mar Mesa Community Planning Board

, or any of

its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or San Diego Ordinance O-19883.

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

#### **(a) Alleged Violations by a Member of the Del Mar Mesa Community Planning Board**

In cases of alleged violations of the Del Mar Mesa Community 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 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 planning group may remove a member by a two-thirds 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 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 Del Mar Mesa Community 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 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 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 chair 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 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 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 the remedy.

- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and the Del Mar Mesa Community 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 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. 24Supporting materials from the chair or from the offending planning group member will be made available to the elected planning group members 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 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 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 an elected planning group member removed by a 2/3 vote 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 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 Del Mar Mesa Community Planning Board as a Whole**

If the Del Mar Mesa Community Planning Board violates these Operating Procedures, it may forfeit its status as a recognized Del Mar Mesa Community Planning Board

and lose its right to indemnification and defense by the City. A Del Mar Mesa Community Planning Board

voting member and the

Del Mar Mesa Community Planning Board

itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a Del Mar Mesa Community Planning Board

voting member, the

Del Mar Mesa Community Planning Board

will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The Del Mar Mesa Community Planning Board

will respond to the City in a

dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The Del Mar Mesa Community Planning Board

acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the Del Mar Mesa Community Planning Board

, or may recommend to the City

Council that the Del Mar Mesa Community Planning Board

's recognition be revoked.

The Del Mar Mesa Community Planning Board

acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a Del Mar Mesa Community Planning Board

has violated their Operating Procedures or Policy 600-24

and the Del Mar Mesa Community Planning Board

has failed to take corrective action deemed adequate in the sole discretion of the

City Council, the City Council may revoke the Del Mar Mesa Community Planning Board

's recognition under this Policy. The City

Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The Del Mar Mesa Community Planning Board

acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the Del Mar Mesa Community Planning Board

at a scheduled Del Mar Mesa Community Planning Board meeting.

This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Del Mar Mesa Community Planning Board's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Del Mar Mesa Community Planning Board (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information:** [www.reallygreatsite.com](#)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center

1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.



## **COMMUNITY PLANNING GROUP ROSTER TEMPLATE**

Community Planning Group- \_\_\_\_\_

Election Year- \_\_\_\_\_

Election Date- \_\_\_\_\_

Meeting Location- \_\_\_\_\_

Meeting Time and Date- \_\_\_\_\_

CPC Representative- \_\_\_\_\_

CPC Alternate - \_\_\_\_\_

### **Planning Group Contact Information**

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email Address \_\_\_\_\_

### **CPG Members Information**

Role- \_\_\_\_\_

Name- \_\_\_\_\_

Email Address- \_\_\_\_\_

Term Start Date- \_\_\_\_\_

Term End Date- \_\_\_\_\_

Continuous Service Years- \_\_\_\_\_

Eligibility Category- \_\_\_\_\_

If "other" fill in here- \_\_\_\_\_

Role- \_\_\_\_\_

Name- \_\_\_\_\_

Email Address- \_\_\_\_\_

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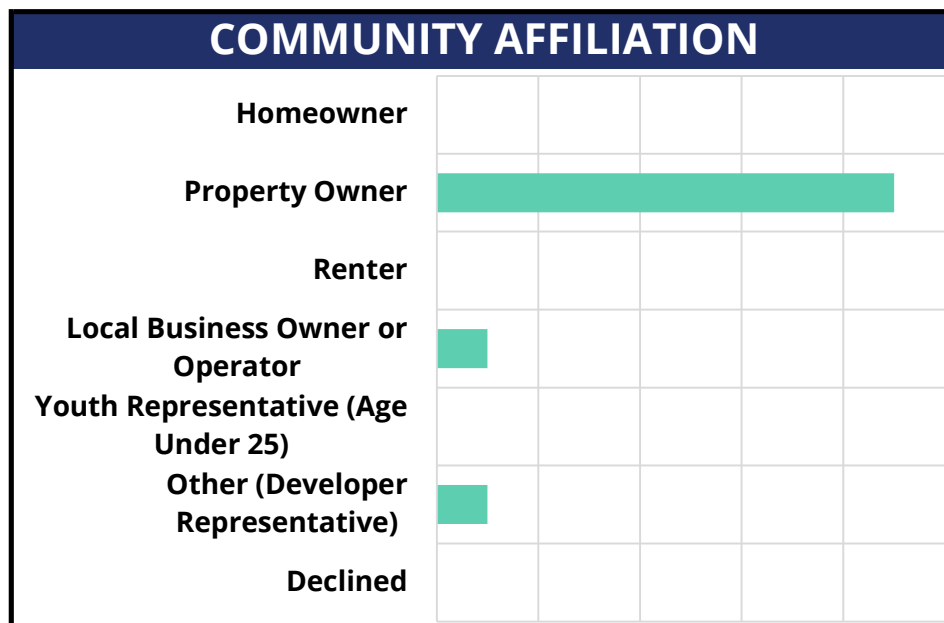
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# Del Mar Mesa

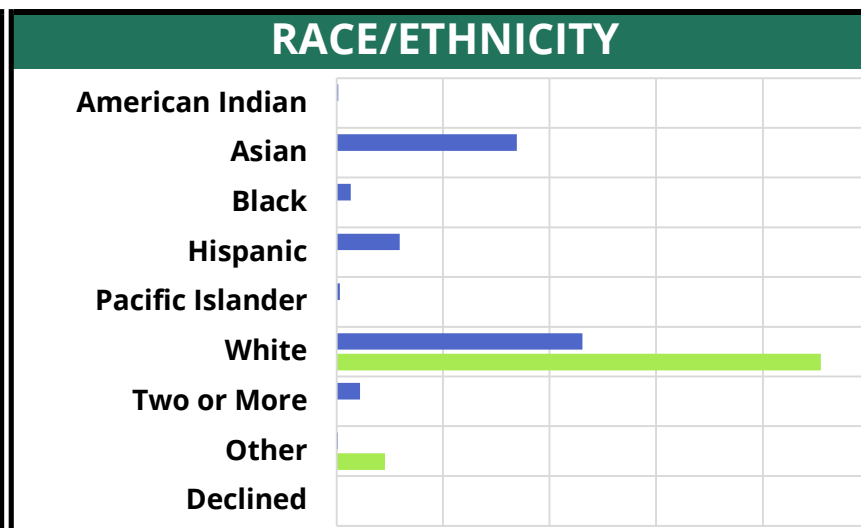
■ Member Count

■ Percent Group

■ Percent Community



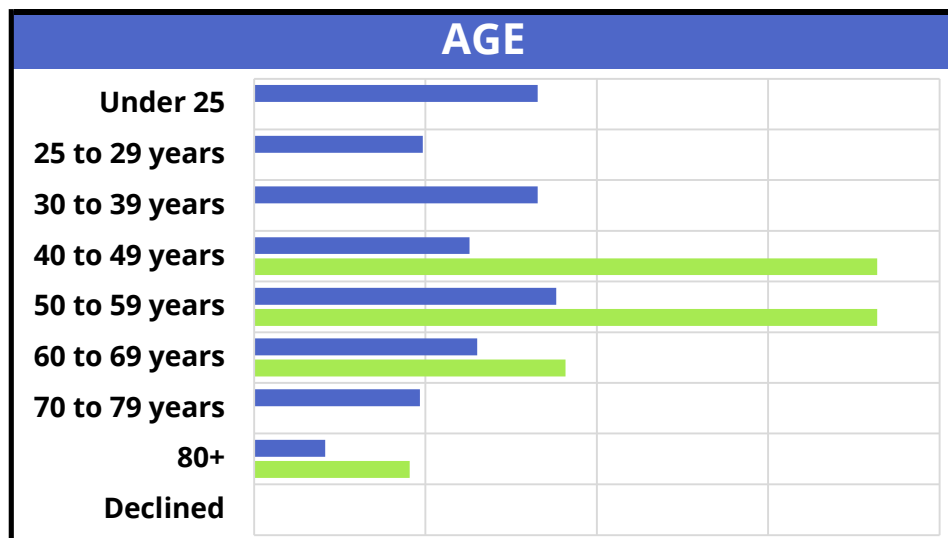
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | ---          |
| Property Owner                      | 9            |
| Renter                              | ---          |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other (Developer Representative)    | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



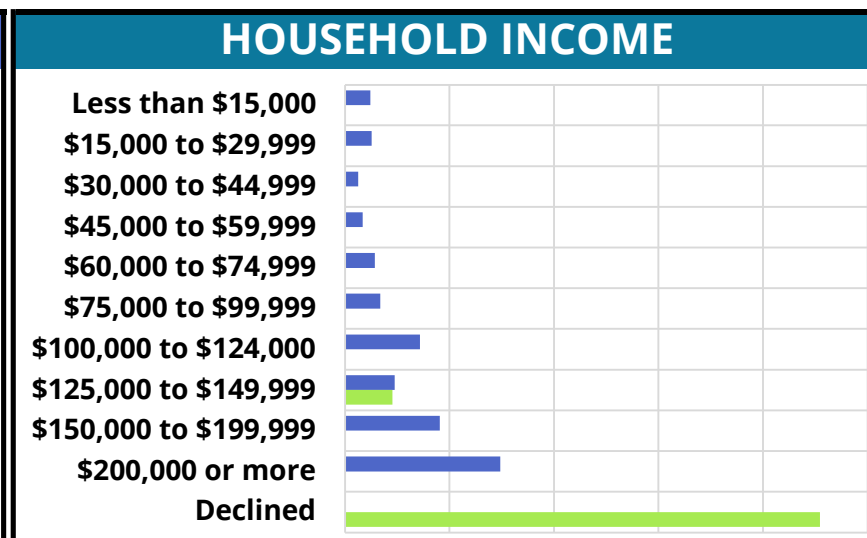
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 33.8%             |
| Black            | ---          | ---           | 2.7%              |
| Hispanic         | ---          | ---           | 11.8%             |
| Pacific Islander | ---          | ---           | 0.6%              |
| White            | 10           | 90.9%         | 46.1%             |
| Two or More      | ---          | ---           | 4.4%              |
| Other            | 1            | 9.1%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Del Mar Mesa

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 17%               |
| 25 to 29 years | ---          | ---           | 10%               |
| 30 to 39 years | ---          | ---           | 17%               |
| 40 to 49 years | 4            | 36%           | 13%               |
| 50 to 59 years | 4            | 36%           | 18%               |
| 60 to 69 years | 2            | 18%           | 13%               |
| 70 to 79 years | ---          | ---           | 10%               |
| 80+            | 1            | 9%            | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 5%                |
| \$15,000 to \$29,999   | ---          | ---           | 5%                |
| \$30,000 to \$44,999   | ---          | ---           | 3%                |
| \$45,000 to \$59,999   | ---          | ---           | 3%                |
| \$60,000 to \$74,999   | ---          | ---           | 6%                |
| \$75,000 to \$99,999   | ---          | ---           | 7%                |
| \$100,000 to \$124,000 | ---          | ---           | 14%               |
| \$125,000 to \$149,999 | 1            | 9%            | 9%                |
| \$150,000 to \$199,999 | ---          | ---           | 18%               |
| \$200,000 or more      | ---          | ---           | 30%               |
| Declined               | 10           | 91%           | ---               |
| <b>Total</b>           | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



Downtown Community Planning Council San Diego  
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## DCPC Chair CPG Application Preamble 12.24.2023

In light of the recent reforms to Council Policy 600-24, the Downtown Community Planning Council (DCPC) has embarked on a transformative journey towards becoming a more inclusive and community-centric organization. The changes to 600-24 were necessary as they addressed the need for Community Planning Groups to be representative of the communities they serve. It was painfully apparent that such representation was lacking, and many of these groups were weaponized by the few to obstruct the City's efforts in addressing our most pressing challenges.

Over the past year, the DCPC has made significant strides in mirroring the composition of our community. We have seated a broader spectrum of members, including increased representation of women, people of color, individuals from various age groups, members of the handicap community, and those with lived experience being homeless. Yet, we acknowledge that our work is far from complete. Downtown San Diego has diverse backgrounds, and we remain committed to ensuring our board reflects it.

Our efforts extend beyond representation. We have intensified our engagement with the community, enhancing accessibility to our activities and deliberations. By offering remote participation options through platforms like Zoom and accepting public comments electronically, we have seen a notable rise in both attendance and pre-submitted written contributions. Our engagement extends to social media, where we actively utilize Twitter, have launched an Instagram account, and are exploring further digital platforms to maintain consistent and open communication channels. Our meetings have garnered attention across various media, including social media, print news, and local television, highlighting our commitment to transparency and public involvement.

As we progress, we seek the City's continued partnership and support in our endeavors. We are dedicated to collaboratively tackling our greatest challenges: housing scarcity, homelessness, Vision Zero, and climate change. With the City Council's endorsement as the official Community Planning Group for Downtown, we are confident in our ability to serve as an authentic representation of our community and to foster a fruitful relationship with the City in our collective pursuit of a more equitable and sustainable future.

Thank you,

A handwritten signature in black ink, appearing to read 'Manny Rodriguez'.

Manny Rodriguez  
2023-2024 Executive Chairperson  
Downtown Community Planning Council

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 25, 2023, 3:30:36 PM

What is the official name of your Planning Group?

**DOWNTOWN COMMUNITY PLANNING COUNCIL (DCPC)**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Downtown/Centre City**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **3**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Strategies for Community Involvement • Create a simple DCPC fact sheet to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a CPG • Share meeting agendas in digital formats including social media pages, San Diego Planning Dept website, and a dedicated DCPC website • Consistently post printed monthly meeting information providing digital, phone and mail contacts for recurring monthly meetings, committee meetings and notices for special meetings at local places that provide public notification bulletin boards including, but not limited to: o Main Public Library o Park and Rec Building(s) o Public transit hubs o Condominiums o Grocery stores o Coffee shops o Schools o Apartments • Build relationships with other city advisory boards to cross-pollinate messaging • Set up informal meetings or calls with local non-profit organizations to introduce and discuss the CPG's role, build relationships, and encourage board membership on seats reserved for community nonprofits • Advertise monthly meetings and elections in local community paper(s)/newsletter(s) • Host informal events outside of DCPC meetings associated with elections and the annual meeting to invite the public to learn about the DCPC and how to participate in monthly meetings • Organize informal town hall events associated with DCPC subcommittee meetings to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the DCPC to attend • Work with the council office and the Mayor's office to amplify outreach • Make online interactive activities, such as surveys, to seek input on community needs and other DCPC initiatives**

How will your Planning Group fairly represent all members of your community?

**DCPC Chair CPG Application Preamble 12.24.2023** In light of the recent reforms to Council Policy 600-24, the Downtown Community Planning Council (DCPC) has embarked on a transformative journey towards becoming a more inclusive and community-centric organization. The changes to 600-24 were necessary as they addressed the need for Community Planning Groups to be representative of the communities they serve. It was painfully apparent that such representation was lacking, and many of these groups were weaponized by the few to obstruct the City's efforts in addressing our most pressing challenges. Over the past year, the DCPC has made significant strides in mirroring the composition of our community. We have seated a broader spectrum of members, including increased representation of women, people of color, individuals from various age groups, members of the handicap community, and those with lived experience being homeless. Yet, we acknowledge that our work is far from complete. Downtown San Diego has diverse backgrounds, and we remain committed to ensuring our board reflects it. Our efforts extend beyond representation. We have intensified our engagement with the community, enhancing accessibility to our activities and deliberations. By offering remote participation options through platforms like Zoom and accepting public comments electronically, we have seen a notable rise in both attendance and pre-submitted written contributions. Our engagement extends to social media, where we actively utilize Twitter, have launched an Instagram account, and are exploring further digital platforms to maintain consistent and open communication channels. Our meetings have garnered attention across various media, including social media, print news, and local television, highlighting our commitment to transparency and public involvement. As we progress, we seek the City's continued partnership and support in our endeavors. We are dedicated to collaboratively tackling our greatest challenges: housing scarcity, homelessness, Vision Zero, and climate change. With the City Council's endorsement as the official Community Planning Group for Downtown, we are confident in our ability to serve as an authentic representation of our community and to foster a fruitful relationship with the City in our collective pursuit of a more equitable and sustainable future. Thank you, **Manny Rodriguez 2023-2024 Executive Chairperson Downtown Community Planning Council**

Applicant Representative

**BOB LINK**

Email

**RBL1480@GMAIL.COM**

Phone Number

**619.458.2430**

Please include the following documents.

**PDF** 2023 DCPC CPG OPERATING PROCEDURES\_DCPC\_\_appvl\_12.20.23.pdf  
296.7KB

**PDF** Exhibit A.1\_DCPC Adopted Ethical Standards\_DCPC\_\_appvl\_12.20.23.pdf  
2.1MB

**PDF** Exhibit A.2\_DCPC Representation Plan\_DCPC\_\_appvl\_12.20.23.pdf  
126KB

**PDF** Exhibit B\_Rev DCPC Representation Boundaries\_DCPC\_\_appvl\_12.20.23.pdf  
158.2KB

**PDF** Exhibit C. DCPC Community Representation\_DCPC\_\_appvl\_12.20.23.pdf  
79.2KB

**PDF** DCPC CHAIR Preamble\_Representation.pdf  
63.2KB

**PDF** DCPC Membership Composition\_DCPC\_\_appvl\_12.20.23.pdf  
727.5KB



## DCPC Membership Composition

compared with CP 600-24 SANDAG 2021 Baseline

### Community Planning Group Recognition Member Composition Form - Worksheet

Planning Group Name: **DOWNTOWN COMMUNITY PLANNING COUNCIL (DCPC)**

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

#### RACE/ETHNICITY

\_\_\_ American Indian  
\_\_\_ Asian  
1 \_\_\_ Black  
1 \_\_\_ Hispanic  
1 \_\_\_ Pacific  
Islander  
5 \_\_\_ White  
5 \_\_\_ Two or more races  
1 \_\_\_ Other Ashkenazi Jewish Hispanic

#### HOUSEHOLD INCOME

\_\_\_ Less than \$15,000  
\_\_\_ \$15,000 to \$29,999  
\_\_\_ \$30,000 to \$44,999  
\_\_\_ \$45,000 to \$59,999  
1 \_\_\_ \$60,000 to \$74,999  
2 \_\_\_ \$75,000 to \$99,999  
2 \_\_\_ \$100,000 to \$124,999  
3 \_\_\_ \$125,000 to \$149,999  
\_\_\_ \$150,000 to \$199,999  
6 \_\_\_ \$200,000 or more

#### COMMUNITY AFFILIATION

4 \_\_\_ Homeowner  
\_\_\_ Property Owner  
6 \_\_\_ Renter  
3 \_\_\_ Local Business Owner or Operator  
\_\_\_ Youth Representative (Age Under 25)  
1 \_\_\_ Other : Nonprofit Organization \_\_\_\_\_  
  
1 \_\_\_ Unreported  
4 \_\_\_ Vacant

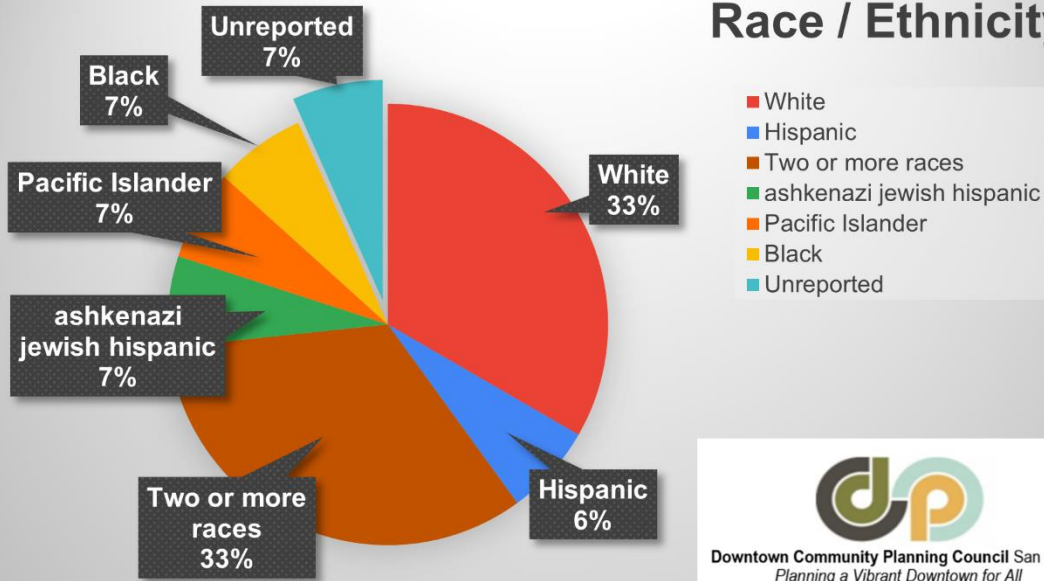
#### AGE

1 \_\_\_ Under 25  
1 \_\_\_ 25 to 29  
7 \_\_\_ 30 to 39  
1 \_\_\_ 40 to 49  
1 \_\_\_ 50 to 59  
2 \_\_\_ 60 to 69  
1 \_\_\_ 70 to 79  
\_\_\_ 80 +

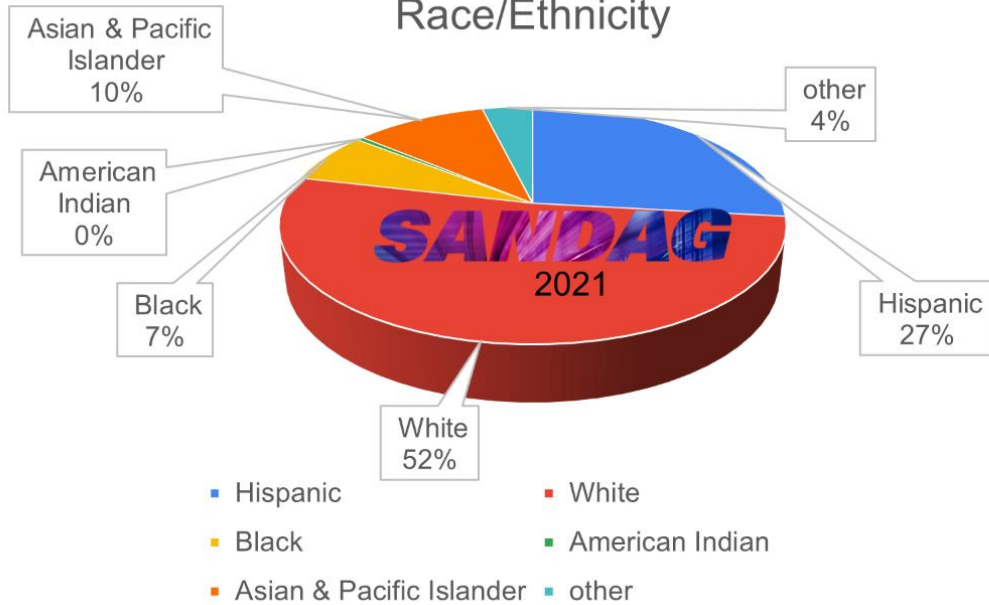


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## Race / Ethnicity



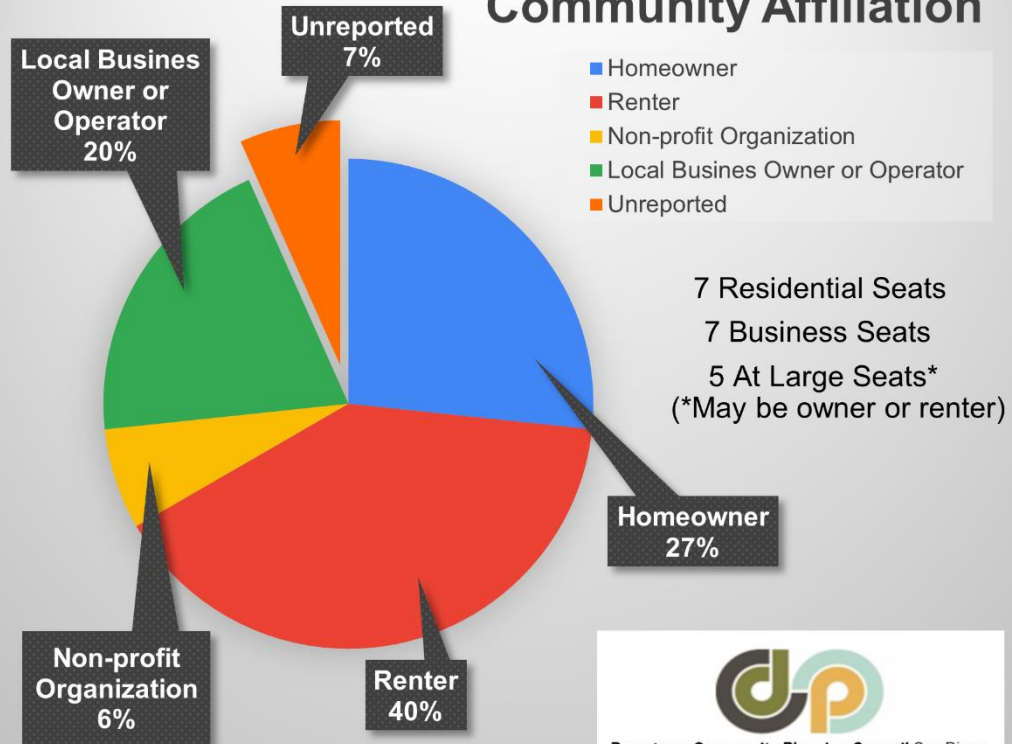
## Race/Ethnicity





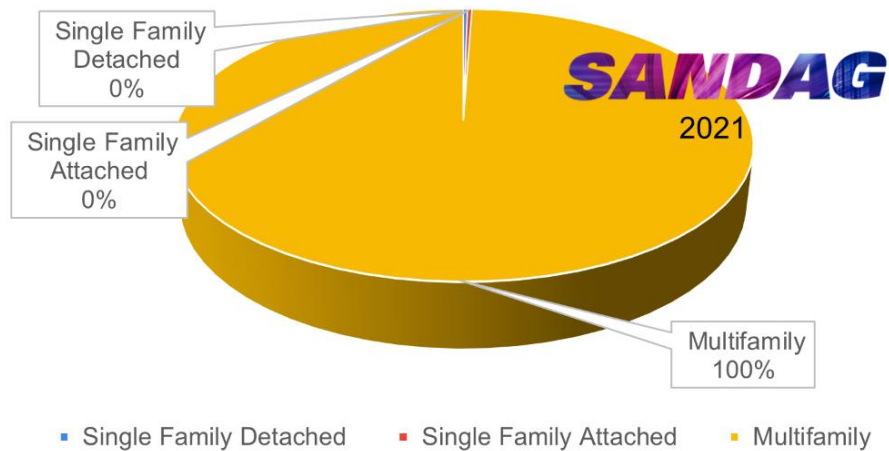
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## Community Affiliation



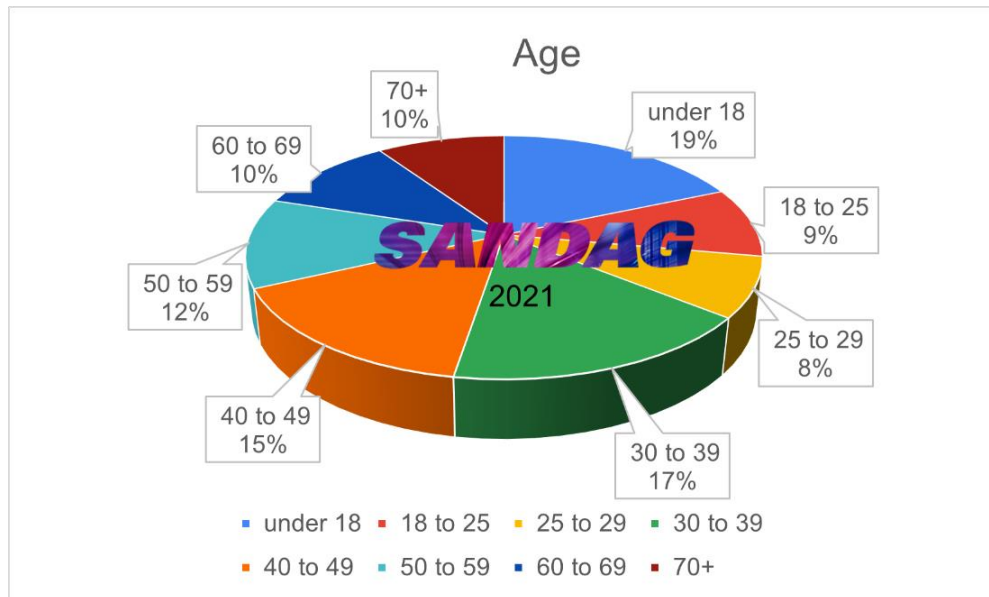
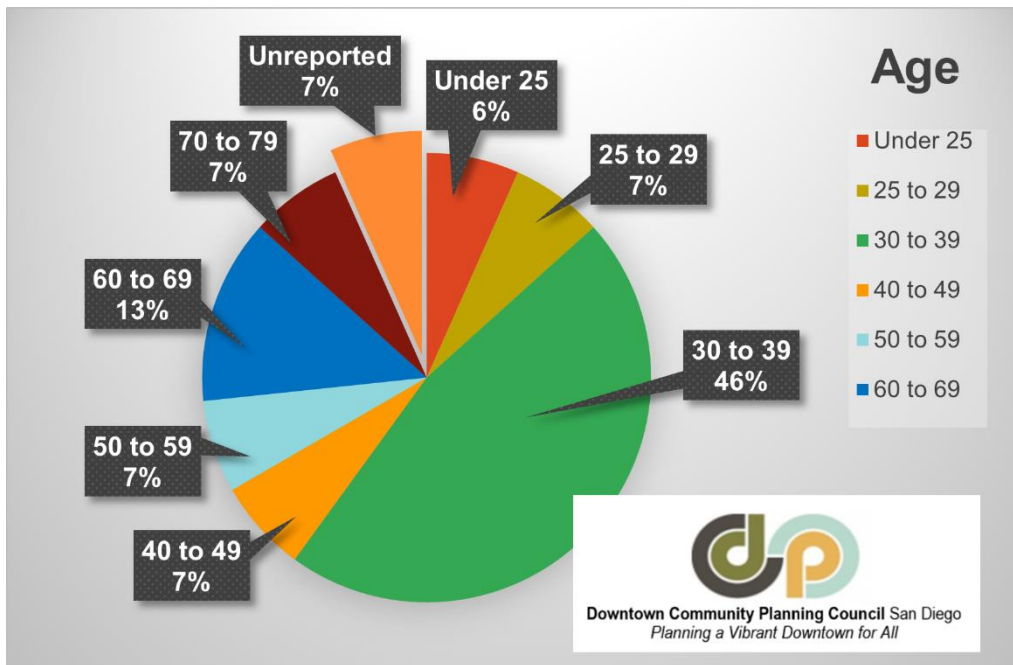
  
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## Community Affiliation



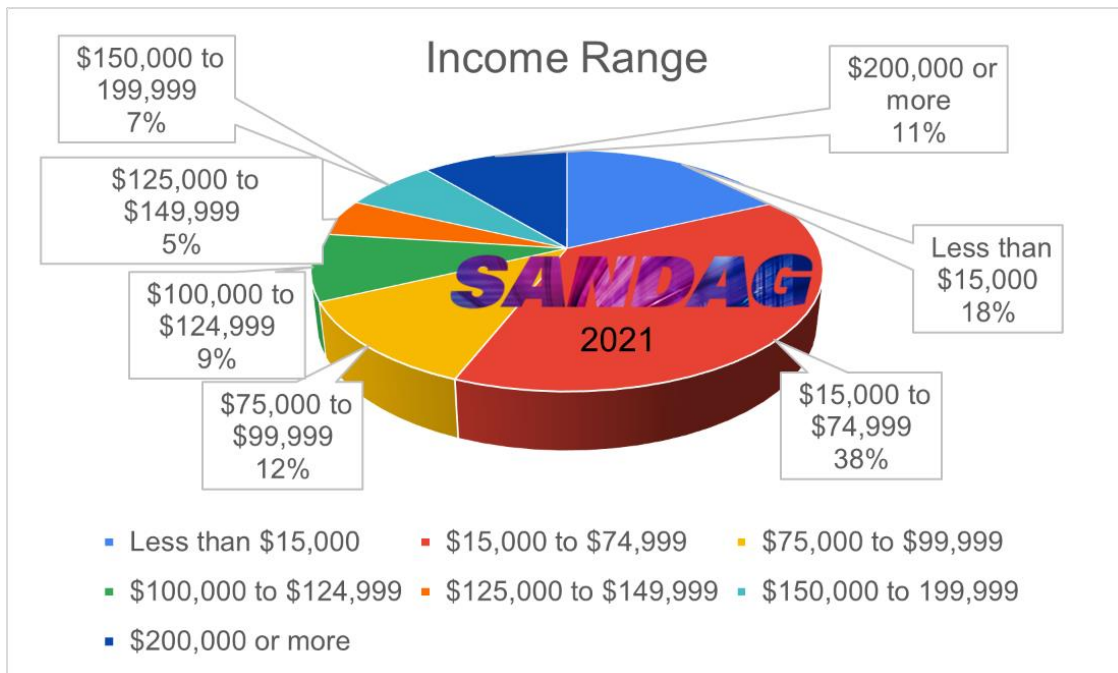
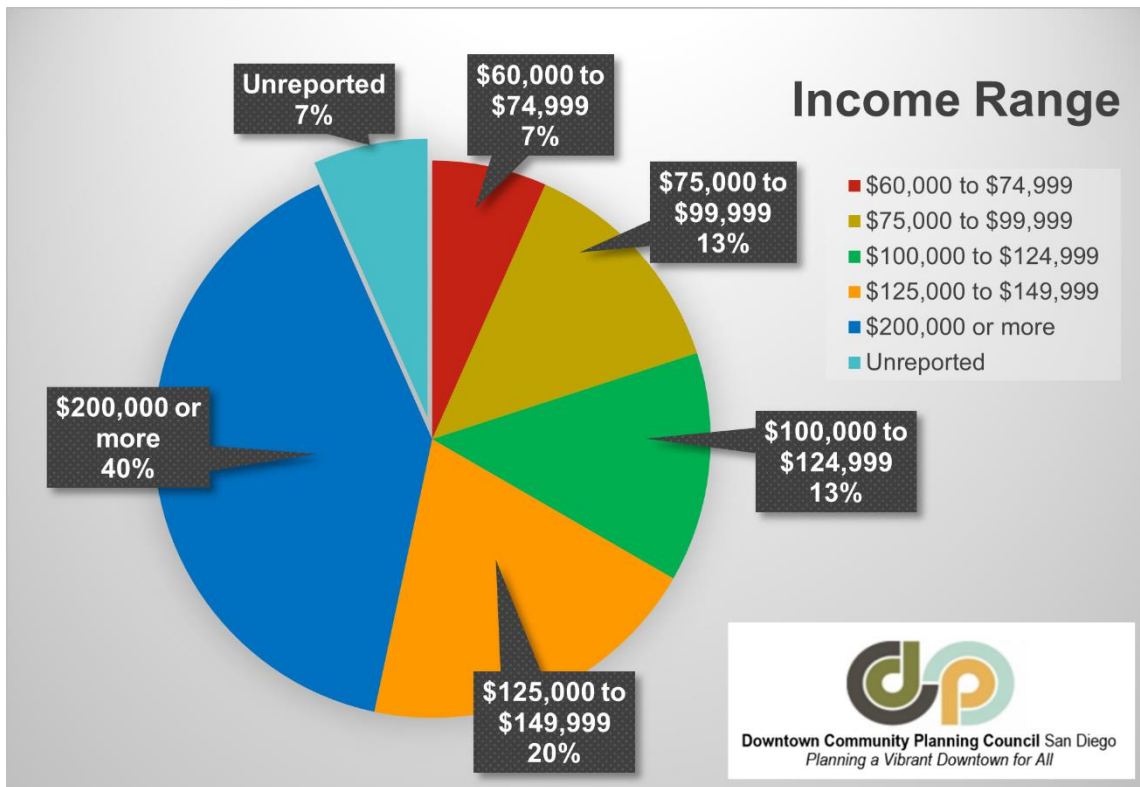


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**OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
DOWNTOWN COMMUNITY PLANNING COUNCIL (DCPC)  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Preamble**

The San Diego City Council adopted Policy 600-24 (“Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups”) on September 21, 2022. The purpose included, in part, “The Council intends to create a process to formally recognize Community Planning Groups (CPGs) by establishing the requirements of recognition that each CPG must follow to be formally recognized.” To assist in implementation, a document was issued entitled “Terms and Conditions for City Council Recognition of (CPGs) as an Independent Community Planning Group Per City Council Policy 600-24” (hereinafter, T&C). That document contains elements which must be incorporated into the DCPC CPG Operating Procedures in order to be certified by the San Diego city council as Community Planning (Downtown) Area CPG. Subsequent Planning Department guidance confirmed that additions may be made as local CPGs approved their Operating Procedures. Accordingly, these Operating Procedures are those of DCPC CPG. It is recognized that the City Council will periodically review and update Council Policy 600-24 as well as DCPC CPG compliance with the policy as updated.

**Introduction and Background**

Through this document, the Downtown Community Planning Council (DCPC) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the DCPC CPG will adhere to and designated services DCPC CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). DCPC CPG is an independent organization voluntarily created and operated by community members who are not City employees, City agents, or City representatives. DCPC CPG is not a city-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of DCPC CPG voting members, or delegate authority to DCPC CPG to act on its behalf.

DCPC, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the Downtown community. DCPC acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. DCPC acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.



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DPC will separately and independently maintain documentation related to the DCPC founding, operation, or organization as required by Council Policy 600-24.

In accordance with Council Policy 600-24, DCPC has included the following Exhibits with the Terms and Conditions / Operating Procedures:

- Exhibit A.1 – DCPC Adopted Ethical Standards
- Exhibit A.2 – DCPC Community Participation and Representation Plan
- Exhibit B – DCPC Community Planning Boundaries. (Per Council Policy 600-24 Exhibit B, will be updated to incorporate changes that may occur in the Community Planning Area and resulting changes to diverse resident and business representation in respective sub areas.)
- Exhibit C – DCPC Community Representation ((19) member board)



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## **OPERATING PROCEDURES**

In consideration of Policy 600-24 and the Terms and Conditions established herein, the DCPC CPG hereby agrees to abide by the following:

### **1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Downtown Community Planning Council (DCPC). The community planning boundaries of this CPG are the boundaries of the Downtown Community, as shown in Exhibit B.

### **2. Responsibilities**

#### **2.1 Collaboration with City Staff**

As a recognized independent body, DCPC may work with City staff throughout the City's planning process when requested by the city, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

#### **2.2 Advisory CPG Review**

DCPC may make advisory recommendations to the city and other governmental agencies on land use matters within DCPC's geographical boundaries or where outside matters directly impact those matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

DCPC may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

Only an official representative of the DCPC CPG shall provide recommendations to the city, following an official CPG vote. However, nothing herein prevents any individual from expressing their personal opinions, but such personal opinions should indicate they are personal and not the opinion of DCPC.

DCPC recognizes that City staff and development project applicants are not required by the city to present their project or application before DCPC although the city encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

#### **2.3 Timely Submittal of CPG Recommendations to the City**

In order to be considered as part of the City's development review process, DCPC project review recommendations, if any, must be submitted to the city within seven calendar days of DCPC taking action or as otherwise permitted by the city.



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In addition, DCPC shall submit its recommendation and any conditions to the project proposed by DCPC, using Bulletin 620 Distribution Form, as may be amended, or reasonable facsimile.

DCPC will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of DCPC's official records.

#### 2.4 Adherence to California Legislative Code 54950.5 Brown Act

DCPC and its individual Board members must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of DCPC to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for DCPC to lose its Council recognition and may subject DCPC and CPG voting members to a loss of indemnification by the City.

#### Rules of Parliamentary Procedure. (SDCC 600-24 II B)

DCPC CPG adopts Robert's Rules of Order that shall be used as a procedural guide when this Policy and CPG requirements do not address an area of concern or interest. These rules of procedure provide a uniform means to facilitate public meetings, conduct public business, and resolve disputes.

DCPC shall follow the Robert's Rules of Order procedures for setting times for agenda items to be considered and to adhere to a meeting schedule that has a standard start and end time for meetings as a courtesy to CPG voting members, the public, applicants, and others who may be in attendance.

The City may monitor CPG agendas to determine whether City staff should attend a CPG hearing. DCPC CPG shall prioritize agenda items in a manner that is respectful of the time of City staff, all elected officials, speakers, guests and members in attendance.

#### 2.5 Maintenance of Open Records

DCPC shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request. In addition, each recognized CPG must submit its advisory recommendations and any Open and Public records requested by the City to the City within ten business days of preparation so that the City may make the information publicly available.

Questions regarding scope, media and timeliness of responding to public requests and establishment of reimbursement therefore will be referred to the assigned City Planning



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Department contact.

Written applications submitted to DCPC by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by DCPC in accordance with Policy 600-24. DCPC will submit to the city the rosters of CPG voting board members by May 1<sup>st</sup> of each year and will also submit to the city any changes to rosters as a result of DCPC elections and other actions to fill interim vacancies.

Section 2.5 duties are the responsibility of DCPC's Chairperson or his/her designee, unless otherwise designated by the city or majority vote of non-vacant seats of the Board members.

### 2.6 Independent Entity

DCPC is an independent entity from the City and retain the ability to continue to operate as such. The City may provide assistance to DCPC at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council. DCPC's treasurer, or if none, its designated representative, who may or may not be a Board member, should keep record(s) of all incoming and outgoing DCPC moneys, as may be required by the city or if no direction from the city, by DCPC.

## **3. Community Participation and Representation**

### 3.1 Membership on Board

DCPC will ensure that voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups. This goal applies to good faith efforts to seek out Board candidates and to considerations by elected Board members after being elected.

DCPC and its voting members should routinely seek robust community participation in DCPC planning and implementation process to serve the best long-term interest of the community at large. The DCPC Community Participation and Representation Plan is included with DCPC application and will be maintained accordingly (see Exhibit A).

### 3.2 Community Outreach

DCPC and its voting members shall routinely seek community participation in DCPC planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data



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To measure community representation, DCPC shall gather demographic data of existing and new CPG voting Board members at the conclusions of elections or other regular periods to measure inclusion and diversity on DCPC. This data should be submitted to the city along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted anonymously in a manner to ensure the privacy of responses and respondents. DCPC CPG Board Composition

#### **4. CPG Composition**

##### 4.1 Number of Voting Members

The Downtown Community Planning Council shall consist of nineteen (19) total members elected 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. The elected member representation interest is provided in Exhibit C.

##### 4.2 Voting Board Member Eligibility

DCPC voting Board members must meet the following minimum qualifications throughout their entire term of service (as well as satisfy the elements of section 4.3 below):

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age at the time of seating on the Board unless DCPC has an appointed voting youth representative.

###### 4.2.2 Minimum Attendance Requirements

DCPC shall take attendance to ensure that each voting member attends at least eight of DCPC's regularly scheduled twelve meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. DCPC shall not establish attendance requirements for voting member attendance prior to their election or appointment as a voting member.

##### 4.3 Community Representation as Candidate and Board Member

DCPC Chairperson or Elections Committee if appropriately established by DCPC will ensure that individuals who desire to serve on DCPC Board as voting members be affiliated as of the closing date for submission of candidacy for the election to serve as a voting Board member, with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official



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document.

#### 4.3.1 Definitions

” Downtown community planning area” shall mean the area defined by the City of San Diego’s City Planning Department as the Downtown community planning area.

As illustrated in Exhibit B, “Neighborhoods” shall mean each of the seven (7) geographically distinct “Downtown Neighborhoods” within the Downtown community planning area as shown in Exhibit B attached hereto. The neighborhoods are (1) East Village North; (2) East Village South; (3) Cortez; (4) Little Italy; (5) Columbia; (6) Marina; (7) Gaslamp Quarter and Civic Core.

#### 4.3.2 Allocation of Voting Seats. The voting member seats of DCPC are allocated as follows:

(1) Resident Seats (seven (7)): Each neighborhood, except as provided in paragraph (4.31), is allocated one resident seat.

(2) Businesses Seats (seven (7)): Each neighborhood, except as provided in paragraph (4.3.1), is allocated one business seat.

As noted above, seat allocation based upon shared representative interests: Gaslamp Quarter and Civic Core shall share allocation of one (1) Resident seat and one (1) business seat.

(3) At Large Seats (five (5)). There are five At Large Seats available to any resident, business, or community organization within the Downtown community planning area. Three of these seats are reserved for community organizations serving within the planning area.

DCPC shall take steps to confirm that DCPC Board membership is restricted:

- Only one elected CPG voting member per business
- Only one elected CPG voting member per property tax billing

If those bulleted restrictions are deemed by the chairperson or designee serving as chair at the time of the election to be violated, then the following shall apply to determine which of the competing persons shall serve on DCPC board:

If two or more persons in the same bulleted category have filed and are otherwise eligible to run for the Board, they shall be on the election ballot with notations that they are in the same specified category and that only the highest vote getter among them will be seated on the Board if otherwise eligible and a winning vote getter.

If there is a serving member on the Board and a winning candidate possesses the same restriction, then that winning candidate shall not serve and that election



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candidate will be disqualified if a winner (unless the serving Board member within the same category resigns).

If anyone's eligibility to be a candidate in a general or special election is disputed or contested, the chairperson or designee shall make an initial preliminary determination and if considered not eligible or if otherwise contested, the process shall be governed by subsection 5.2.2, of these Operating Procedures.

#### 4.4 Voting Member Terms and Term Limits

DCPC Terms for voting Board members elected by the community shall be two (2) years. In accordance with Council Policy 600-24, term limits to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

No person may serve on the DCPC CPG board for more than eight consecutive years. 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 to the planning group.

##### 4.4.2 Waivers of Maximum Time of Service

DCPC may only waive the maximum time of consecutive years service by vote of its non-vacant voting members if DCPC cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so as follows:

- Waivers of Maximum Time of Service shall not be granted unless it is necessary to ensure there are at least 10 voting members (See Section 4.1).
- Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service shall count as time served beyond the required break in service as required by this section.

#### 4.5 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, DCPC may create appointed non-voting seats.

4.5.1 The addition of non-voting seats shall be approved by majority vote of the non-vacant seats of CPG Board members and may address and be designated as seats for such as but not limited to youth, business representative(s), residential residences of single or multiunit structures, underrepresented groups, local school representative(s), non-profit group(s), or other community stakeholders as approved by the Board, especially as the community changes.



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4.5.2 The maximum number of non-voting seats shall not exceed 20% (rounded downward) of the number of Board seats including any that are vacant, unless the Board approves a greater number by at least 2/3rds vote of all non-vacant seats of the Board.

4.5.3 The term of each non-voting seat shall be one year from appointment, with maximum duration of two continuous years without a one-year break in service.

4.5.4 If a general or special election is occurring for DCPC, no selection of an individual shall be made between and including the dates of announcement for candidate application and the close of the election. Following the seating of Board members after a general or special election, the majority of non-vacant Board members may select and appoint non-voting Board members.

4.5.5 Prior to filling any non-voting seat created by DCPC, the agenda for a prior regular Board meeting shall include at least an information item to seek applicants and may include at least a deadline for applications and a request for qualifications to serve, which qualifications shall include at least the same eligibility prerequisites for voting Board members, above, and verification of status as within the designated non-voting seat. At a future meeting supported by an agenda item the Board may vote to select among the applicants by majority vote of Board members present.

4.5.6 Once seated, each non-voting member shall have the rights and opportunities to receive agenda and documents and to speak as a member of the Board on all matters to which a voting member can speak.

4.5.7 Conflict of interest and ethical standards, attendance requirements for indemnification under O-19883 NS and removal procedures shall apply.

## **5. Open and Public Elections.**

*All general and special elections in which the public may vote shall be open and public.*

However, prohibited are:

- Any prerequisites for voting other than as stated in these Operating Procedures or Council Policy,
- Write-in candidates, and
- Methods of voting when not physically present at the voting location(s) such as voting by absentee ballot, proxy, mail-in balloting or electronic means.

### 5.1 Equal Participation

DCPC election procedures are intended to encourage equal participation by all members of the public of the Downtown community and no voter shall possess super voting ability such as being counted as more than one vote. Any otherwise qualified voter who needs



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assistance due to a disability or need for translation, should be provided assistance with that person's vote remaining secret as much as practical.

- All members of the public affiliated with the community within the geographical boundary of DCPC will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per these Operating Procedures.
- No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.
- If anyone's ability to cast a vote in a CPG election is disputed or contested, a conditional ballot shall be allowed and processed as per these Operating Procedures.

5.1.1 Voter Identification for Voter Eligibility

DCPC will require proof of identity and eligibility from those seeking to vote in general or special elections for Board members. Consistent with state and federal law, proof of residency or identity should consist of presenting an original or true copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally, and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents:

- (A) driver's license or identification card of any state;
- (B) passport;
- (C) employee identification card;
- (D) identification card provided by a commercial establishment;
- (E) credit or debit card;
- (F) military identification card;
- (G) student identification card;
- (H) health club identification card;
- (I) insurance plan identification card; or
- (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including:

- (A) utility bill;
- (B) bank statement;
- (C) government check;



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- (D) government paycheck;
- (E) document issued by a governmental agency;
- (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity;
- (G) voter notification card issued by a governmental agency;
- (H) public housing identification card issued by a governmental agency;
- (I) lease or rental statement or agreement issued by a governmental agency;
- (J) student identification card issued by a governmental agency;
- (K) tuition statement or bill issued by a governmental agency;
- (L) insurance plan card or drug discount card issued by a governmental agency;
- (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter;
- (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency;
- (O) identification documents issued by governmental disability agencies;
- (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities;
- (Q) drug prescription issued by a government doctor or other governmental health care provider;
- (R) property tax statement issued by a governmental agency;
- (S) vehicle registration issued by a governmental agency; or
- (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within DCPC boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address



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within the DCPC CPG boundaries. These requirements should be construed liberally, and any doubt resolved in favor of allowing a community member to vote in the election.

**5.1.4 Voter Identification for Community Non-Resident Property Owners**

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally, and any doubt resolved in favor of allowing a community member to vote in the election.

**5.1.5 Disputed Ballots.**

If there is a dispute or question about qualifications to vote, then that elector may provide a secret conditional ballot in a sealed envelope. If the outcome for any seat depends on counting the vote(s) of the conditional ballots, then qualifications as an elector shall be ruled upon by DCPC chair (with that elector having the option to timely and confidentially present reasons why (s)he is a qualified elector) and counted if approved as a qualified voter.

**5.2 Transparency and Inclusion in Operations**

DCPC provisions that will govern the election or appointment of voting members of DCPC, their removal if necessary, and the process to fill vacancies, which will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations include the following:

**5.2.1 Cut-off and deadline date and time** for the submission of nominations by candidates or others for voting Board member positions shall, unless otherwise determined by DCPC for a particular election, be actual receipt “in hand” or electronically no later than 5:30 p.m. of DCPC regular February meeting before an annual March election, or if a special election is called, then 5:30 p.m. on the date of the regular or special meeting immediately preceding the election. If such a meeting is not held, for example by reason of lack of a quorum, the deadline shall remain that date and time as if a meeting had been held. Nominations may be via email or in hard copy using the form developed by the DCPC or its ad hoc elections committee or any other form which contains the same conceptual information.

**5.2.2 Verification of candidate eligibility** prior to printing a ballot *shall be performed and verified preliminarily by the elections committee chairperson or his or*



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*her designee* prior to the printing of ballots. If the initial preliminary determination is considered not eligible, or if otherwise contested eligibility is challenged, the potential candidate's name shall remain on the ballot unless voluntarily withdrawn, and if that candidate received sufficient votes to be elected, then the Board members by majority vote of those present at that or another meeting with a proper agenda item, shall rule upon that candidate's eligibility after that candidate and those in support have been given the option to present to the existing Board, for no more than 15 total minutes, why that candidate is eligible. Those supporting and those opposing the candidate's eligibility shall be provided with equal total time of presentations. The eligibility requirements should be construed liberally, and any doubt resolved in favor of allowing the candidate to run for office. Consideration shall not include political beliefs or adversely consider any protected status such as but not limited to ethnicity, gender identification, or whether a property owner, business owner or other such status, unless such consideration is to improve diversity. Upon conclusion of the presentations, the existing Board members who are present and were present throughout the presentations shall decide at that meeting, by majority vote, upon each challenged candidate's eligibility.

5.2.3 Creation of a ballot shall include all candidates identified by name. All candidates shall be listed by name. Random listing, secretly selected, should occur. If the duration(s) of seats are not equal and the ballot does not differentiate who would win the shorter duration Board seats, then the successful candidate(s) running for more than one seat wins the seat with the longest duration, and so forth for the shorter duration seats. If seats are listed separately per duration, one candidate may apply and run for multiple seats, but if winning any seat, the shorter duration seat's vote for that candidate shall not count. If a candidate is running for multiple seats, that explanation should be included on the ballot. }

If the election seats at the first election following certification of DCPC are staggered, then the winning candidates in the subsequent elections, which also should stagger the seats, shall be as selected as per the above.

If a candidate is running who if elected will have served beyond the maximum duration, the ballot shall contain a narrative explaining that circumstance and the prerequisite(s) for being elected under those circumstances.

5.2.4 Write In candidates shall not be allowed in any election.

5.2.5 Handling of a candidate's absence from a scheduled candidates' forum for a regular or special election: If a candidates' forum is held, it should be included on an agenda and posted per the Brown Act, included on DCPC website, and a copy provided to each known candidate, with the forum scheduled to be held no later than 72 hours prior to before the first date of voting. In the absence of a candidate's forum, or should a candidate be absent from a candidates' forum, then all candidates



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may timely submit a written statement, via the DCPC secretary, no longer than 200 words, which shall be posted on the DCPC website, or if no website exists, then provided to the city planning department with a request the notice be posted on the city's planning department's website. The candidates should be given as much prior notice as practical for this option of a written statement, but no less than 24 hours, via email, telephone, or other means to their previously provided contact information. DCPC may implement this process of written statements from the candidates with or without a candidates' forum.

5.2.6 Location(s) of polls, including managing multiple concurrent polling locations, if allowed shall include at least the location of the DCPC meeting at which the ballots are counted and any other location(s) decided upon by a majority vote of members present of the existing Board as may be recommended by an election ad hoc or other subcommittee.

5.2.7 Management of the polls shall occur by the officers of DCPC or their designees, or as may be recommended by an election ad hoc or other subcommittee and be sufficient in number throughout the voting process that at least one person is distributing ballots after (s)he verifies each voter's eligibility and at least one person is at the ballot box to protect the integrity and secrecy and maintain the ballots. Upon closure of the voting each voting segment or day, the person managing the ballot box shall seal the ballot box and provide that sealed ballot box to the chairperson or chairperson's designee. For example, sign near the drop location on the ballot box and seal over that signature and the drop opening with transparent tape.

5.2.8 Verification of voter eligibility is as referenced above in Sections 5.1.1 - 5.1.5 in these Operating Procedures.

5.2.9 Ballot construction & content for general or special elections of Board members shall be as per section 5.2.3 above and as may be set forth in the governing documents. The preparation and copying of the ballot shall be coordinated by the chairperson or the chairperson's designee.

5.2.10 Setting election date(s) and locations for voting on each date shall be suggested by the chairperson or chairperson's designee or an ad hoc or other subcommittee but approved by the majority of Board members present at any regular or special meeting which should occur no later than during the meeting on the date of the deadline for applications by Board candidates.

5.2.11 Setting voting time(s) should occur in conjunction with the determination of the dates of voting, above in section 5.2.10, provided however that the duration for voting must include a minimum of two hours of voting at the time and place of a



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DCPC meeting.

5.2.12 Mail-in ballot procedures may be requested and authorized only to accommodate individual disability that did not permit in person voting. Absentee ballots, proxy voting, and electronic voting are not permitted. Only in-person voting is permitted.

5.2.13 Closing the polls should be preceded by at least one announcement that the polls are closing, “in approximately 5 minutes” before the balloting is closed for that session of voting.

5.2.14 The counting of ballots shall be completed by the ad hoc committee chairperson and witnessed by at least one other ad hoc committee member, so that at least two persons witness the counting. The results shall be announced in an open session of the Board. All hard copy ballots shall be delivered to the DCPC Chairperson at the open meeting and be available for recount, if requested by a candidate or an existing board member. If a successful candidate would be serving beyond the maximum continuous duration, that circumstance should be resolved and explained publicly at the meeting in which successful candidates are announced.

5.2.15 Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner. In any general or special election, the candidate(s) receiving the highest number of votes shall be the winning candidates. Winning candidates for any other voting circumstance shall be as specified within these Operating Procedures. If any candidate has received a winning number of votes but is disqualified per these Operating Procedures or if for whatever reason does not present in person and serve as a Board member within 31 calendar days after being announced as a winner, such as resigning or losing eligibility, then the candidate with the next highest number of votes shall be the winning candidate and serve in that candidate’s slot.

5.2.16 Ballot record keeping Ballots cast in general or special elections shall be preserved by DCPC’s secretary or designee until the close of the second regular meeting from the announcement of who were the successful candidates, unless otherwise required by law or the city.

5.2.17 Tie-breaking procedures Breaking of any tie for selection of any voting Board member or, if applicable, any non-voting Board member, or selection of officers, shall occur at the meeting at which the voting ends or the successful Board candidate(s) are announced, whichever is later. The chairperson or designee shall supervise the breaking of the tie(s). Ties shall be resolved by flipping a coin.

5.2.18 Election challenge procedures. Any challenge to a general or special election for a voting or, if any, non-voting Board member must be submitted at and



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during the meeting at which the voting ends or the successful candidate(s) are to be announced, whichever is later. The challenge(s) may be made verbally by the contesting voter or candidate and shall state in open session in detail all the bases for the challenge. Any interested person or any Board member may speak to support or oppose the challenge. The procedures for deciding the challenge(s) shall be the same as per subsection 5.2.14, above. Upon conclusion of the presentations, the existing Board members who are present shall decide at that meeting, by majority vote, upon each challenge.

5.2.19 Timing of installation of newly elected voting members. Newly elected voting Board members shall be seated at the April DCPC meeting for regular elections or immediately at the same meeting of the announcement of the winning candidates for special elections or regular meeting following the announcement of winning candidates, with the newly elected Board members being counted toward the existence of a quorum.

5.2.20 Maintaining confidentiality of secret written ballots. Ballots which are cast shall not require any identification of the voter. All ballots shall be maintained as confidential during the voting and counting process. If there is any conditional ballot(s), efforts should be attempted to maintain as much as practical the confidentiality of how any conditional elector voted.

5.2.21 Discouragement of electioneering. Individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election shall remain at least 100 feet from both the locations of voter check-in and the ballot box. If violated, then the persons managing the voting should inform the violator(s) of the general terms of this subsection 5.2.21 and/or may post a note or sign or verbalize to potential voters the prohibition of this subsection or take similar action.

5.2.22 Next steps if a seat remains unfilled due to lack of, or ineligibility of a candidate, or as a result of a successful election challenge or if resignation(s) occur: If there were not sufficient candidates to fill any vacancy for a voting or, if any, non-voting Board member position, the Board members may decide to hold another election as a special election or to fill the vacancy(ies) using the same non-voting Board members procedures for Board appointment of voting Board members, above, in subsection 4.5.4 above.

If a vacancy by way of resignation or otherwise of a voting Board member occurs: Within two weeks before or after an election, the Board may appoint to the Board as a voting Board member the candidate(s) with the next highest number of votes.

If for any reason a voting or non-voting position becomes vacant, any replacement shall serve the remainder of the person's term of which they are



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replacing and if reelected, that duration shall count toward any maximum *time of continuous service*.

### 5.3 Election Timing

DCPC will endeavor to host its general elections for voting Board members during the month of March each year as relevant and applicable to be consistent with other CPGs. Special elections for voting Board members may be held at any time, such as to fill a position created by resignation, with procedures as per these Operating Procedures for general elections or as may be determined by a subcommittee and approved by DCPC. Timing of the selection of non-voting Board members, if any, shall occur as per these Operating Procedures or as otherwise timely warranted, using those procedures.

### 5.4 Election of Officers

The DCPC CPG shall have at least the following officers, with at least the following duties. Elections are to be annual and after any new voting Board members are seated. There is no maximum duration for being reelected as an officer. Self-nominations are permitted, and a second is not necessary. The vote shall be by the majority of the Board members present and voting. Nominees may vote for the position as to which they are running. If an officer resigns from the position or the office otherwise becomes vacant, then the vacant officer's position shall be voted upon at the next meeting following that vacancy, supported by an agenda item.

#### 5.4.1 Chairperson. The Chairperson:

- (1) shall be the principal officer of the DCPC and may participate in discussions and voting as any other Board member, provided however, that the chairperson should attempt to be the last speaker and should not make a motion or a second unless (s)he believes no other Board member will do so;
- (2) shall develop proposed agenda with consult of the Executive Committee comprised of elected officers if established by board vote, and preside over all CPG regular and special meetings organized by DCPC;
- (3) shall tally the votes and announce publicly how each member voted or abstained, or announce that the vote was unanimous in the affirmative or negative.
- (4) may appoint subcommittee Chairs subject to the ratification by the majority of present and voting Board members;
- (5) is responsible for all committee appointments subject to ratification by a majority of present and voting Board members;
- (6) should sign official communications although such can be signed by the chairperson's designee or as otherwise determined by a vote of DCPC on a



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case-by-case basis. Appeals of discretionary decisions to the City shall be made by the President or, if necessary, because of direct economic interest or absence, by a designee identified to appeal that particular action on behalf of DCPC;

(7) shall be the official public speaker and representative on behalf of CPG matters. If any Board member speaks publicly on CPG matters, they may do so but only as an individual and should identify their comments as from an individual and not on behalf of DCPC, unless expressly decided otherwise by DCPC upon a particular issue or matter;

(8) shall be the recognized representative of this CPG to the Community Planners Committee ("CPC"); however, by vote of Board members present and voting, a Board member other than the Chairperson may be selected as the official representative to CPC with the same voting rights and privileges as the Chair;

(9) shall perform the duties assigned to the Chairperson within these Operating Procedures;

(10) should perform other duties as assigned by DCPC or as deemed necessary or appropriate within urgent circumstances.]

**5.4.2 Vice chairperson.** The vice chairperson shall, in *the* absence of the chairperson or failure or refusal to perform the duties of the chairperson or as otherwise designated by the chairperson or DCPC CPG, perform any or all the duties and responsibilities of the President.

**5.4.3 Secretary.** The secretary or the chairperson's or secretary's designee shall be responsible for the DCPC CPG's correspondence, attendance records, minutes and actions including noting if a quorum exists or is lost during a regular or special meeting, noting in the minutes those Board members who voted on an action item and whether each voted in the affirmative or negative and those who abstained or recused and the reasons, coordinate the maintenance of CPG records as required by the city and these Operating Procedures, and assure that DCPC Board members and members of the public have access to that information. Other duties and responsibilities may be assigned by the chairperson.

**5.4.4 Treasurer.** If the Officer position of Treasurer is established by DCPC, the treasurer shall maintain the financial records and oversee and record income, donations received, and expenditures, file as relevant for reimbursements from the city, and perform other tasks as set forth in these Operating Procedures or as necessary, or as directed by a city representative. In the absence of a Treasurer the Chairperson shall perform Treasurer functions.



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5.4.5 **Parliamentarian.** A parliamentarian may be elected as a non-officer for a one year officer term or for special meetings, with duties to include at least ruling upon parliamentarian issues, keeping tract and enforcing any applicable time limits for speakers or agenda items, maintaining order among the public, maintaining order among the Board members, and other duties as may be assigned by the chairperson. If the parliamentarian is unable to perform these duties, such as being absent or temporarily out of the meeting room, the chairperson may assume these duties or appoint a designee to act as temporary parliamentarian.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The DCPC CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on DCPC's agenda. Board members should conduct themselves in accordance with the "Golden Rule" by treating others as they would have others treat them. Board members should treat each other, applicants, city staff, and the public with courtesy and respect at all times, even if disagreement exists. Board members should allow other Board members and members of the public to speak without interruption and without intimidation and allow the presiding officer to conduct the meeting in the best interests of the community. Parliamentary interruptions should be allowed unless clearly intended to disrupt the public meeting, as determined by the presiding officer.

### 6.2 Rules of Procedure

To provide a uniform means for DCPC CPG to facilitate public meetings and conduct public business and resolve disputes, Robert's Rules of is adopted and applies except as explicitly contradicted by San Diego city Council Policy 600-24, the Brown Act, or state or federal regulations or laws, as may be amended. If there is no guidance within those provisions, the presiding officer shall in his or her sole discretion apply a procedure which (s)he deems reasonable and in the best practical interest of the community and this CPG.

### 6.3 Transparency in Operations

DCPC CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

### 6.4 Meeting Procedures

It shall be the duty of each member of the Downtown Community Planning Council to attend all planning group meetings.

6.4.1 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,



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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., 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 DCPC website at least 72 hours in advance of the meeting.

**6.4.2 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.

**6.4.3 Adjournments And Continuances** – If the Downtown Community Planning Council 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 a special meeting.

**6.4.4 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 a regular meeting; otherwise the original meeting agenda is adequate.

**6.4.5 Consent Agenda** – Any interested member of the public may comment on a consent agenda item. Any interested member of the public or member of the planning group may request that a consent agenda item be moved to the Action Agenda for discussion.

**6.4.6 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



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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.

**6.4.7 Development Project Review** – The Downtown Community Planning Council 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.

**6.4.8 Action On Agenda Items** – An item not noticed on the agenda may be added if either two-thirds of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the DCPC is required to remove an elected 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 DCPC for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the DCPC.

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

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

The Downtown Community Planning Council planning group’s Chair 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



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telephone or by e-mail are also prohibited.

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

**6.4.9 Collective Concurrence** – Any attempt to develop a collective concurrence of the members of the Downtown Community Planning Council 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.

**6.4.10 Special Meetings** – The chair of the Downtown Community Planning Council, 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.

**6.4.11 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 Downtown Community Planning Council and are prohibited under these bylaws.

**6.4.12 Right To Record** – Any person attending a meeting of the Downtown Community Planning Council 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.

**6.4.13 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.



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**6.4.14 Subcommittees**

The Downtown Community Planning Council may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

- (1) Standing Subcommittees – Pursuant to the purpose of the Downtown Community Planning Council as identified in Article II, Section 1, the planning group shall have the authority to, and may, establish subcommittees as necessary.
- (2) Ad Hoc Subcommittees – Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.
- (3) Subcommittee Composition – Each subcommittee shall be composed of not more than thirteen (13) members of the Downtown Community Planning Council. Subcommittee meetings at which there is a possibility of attendance by a quorum of the Downtown Community Planning Council must be noticed as a meeting of the Downtown Community Planning Council. Subcommittees shall contain a majority of members who are members of the planning group. Members on a subcommittee shall be appointed by the Chairperson with the approval of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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.

- (4) Recommendations – Subcommittee 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 or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.
- (5) Subcommittee Chair Meeting Summaries – Within 7 days following a subcommittee meeting, the chair will submit a written report summarizing the meeting to the Secretary for inclusion in the next DCPC docket packet.

**Abstentions and Recusals**

**6.5 Recusals** – Any member of the Downtown Community Planning Council with a direct economic interest in any project that comes before the planning group, or its



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subcommittees must recuse from voting and not participate in any manner as a member of the planning group for that item on the agenda.

**6.6 Abstentions** – Planning group members may abstain from either voting on an action item, or from participating and voting on an action item, but must state the reason for doing so prior to a vote being taken. The reason is to be included in the meeting minutes.

**6.7 Meeting Documents and Records**

**6.7.1 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.

**6.7.2 Agenda At Meeting** – Any written documentation, prepared or provided by City staff or designated agents, 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 or designated agents, 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.

**6.7.3 Minutes** – For each planning group meeting, a report of Downtown Community Planning Council 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



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the approved minutes shall be submitted to the City or its designated agents within 14 days after approval by the planning group.

The Downtown Community Planning Council 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.

**6.7.4 Records Retention** – Downtown Community Planning Council 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 DCPC operations and compliance. The DCPC 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.

## **7. Additional DCPC CPG Responsibilities**

### **7.1 Commitment to Non-Discriminatory Practices**

All activities of DCPC shall be nonpartisan and nonsectarian. DCPC, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender identification, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability, or any other status protected by federal, state or local law.

### **7.2 Records Retention**

The DCPC CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

***These responsibilities will be coordinated by DCPC's secretary or designee, unless otherwise designated.***

### **7.3 Ethical Standards**

The DCPC CPG adopted Ethical Standards are provided as Exhibit A. to this Terms and Conditions document.



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#### 7.4 Voting Member Training

All DCPC CPG voting members are required to complete the formal education program in-person or on-line offered by the City.

Attendance by all community planning group members at a Community Planning Group Orientation Workshop is required by City Council Policy 600-24. In order to meet the criteria for indemnification, this training must be completed within 60 days of being elected, or as soon as it is scheduled.

The workshop is typically offered once a year in the spring following annual elections in March and typically includes review of Council Policy 600-24 and the development project review process.

Evidence of completion of annual training shall be part of DCPC's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

DCPC CPG voting members will collaborate with the city on an ongoing basis and as requested by the city to increase its voting members' understanding of the role and responsibilities of DCPC.

### **8. DCPC CPG Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the DCPC CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against DCPC or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When DCPC or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.



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## 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the DCPC CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of DCPC, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of DCPC may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. DCPC, or any of its individual voting members, may seek assistance, as well as training, from the city to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by DCPC to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. DCPC, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

## 8.3 Violations of Membership Eligibility

Any DCPC CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2 and these Terms and Conditions.

### 8.3.1 Removal of Ineligible DCPC Voting Board Members

The procedure for removal of voting Board member(s) for failure to retain eligibility, should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation include the following:

(A) If immediate action is required, such as determining a Board member's right to remain on this Board prior to a necessary, time dependent deadline-oriented vote taking place at the meeting, DCPC may vote per to add an agenda item per Brown Act prerequisites, with those items including for example "Determination of Board Member's eligibility on this Board" as an action item. If that agenda item is adopted, any accuser or person claiming that Board member's ineligibility shall present whatever verbal and documentary evidence which is available, followed by the Board member(s) and at issue



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and any advocates being given at least the identical time for rebuttal. Board vote by those present shall be supported by at least a 2/3rds affirmative vote of non-vacant seats not counting the accused for removal, and removal shall be immediate. If removal remains contested by the accused, (s)he may cast a separate conditional vote on the substantive matter which shall not be counted unless otherwise determined as valid by final decision of the San Diego Director of the Planning Department rendered in writing no later than 5 business days from DCPC's meeting, or by a court of law.

(B) In the alternative, action may proceed pursuant to the disciplinary process of an elected Board member as contained in section 4.2 of these Operating Procedures.

#### 8.4 Violations and Remedies

If the DCPC CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and DCPC itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions [Operating Procedures] by a CPG voting member, DCPC will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. DCPC will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

DCPC acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of DCPC, or may recommend to the City Council that DCPC's recognition be revoked.

DCPC acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions [Operating Procedures] or Policy 600-24 and DCPC has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke DCPC's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting and non-voting Members in Violation of Terms and Conditions

The DCPC CPG acknowledges that any of its voting or non-voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by DCPC



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at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the city within 60 days of the allegation so as to ensure a fair and public process.

No complaint or decision regarding any complaint shall be discriminatory such as holding any protected status against any party, for example, that party's race, color, sex, gender, gender identification, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability, or any other status protected by federal, state or local law.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action, which may include expulsion from the board. DCPC will report in writing instances of disciplinary action to the city within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If DCPC is unable to meet quorum and attendance requirements for three consecutive months, then City may place DCPC in a temporary inactive status, to allow DCPC to work through its membership issues to return to active status. If DCPC remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that DCPC's recognition be revoked.

#### 8.8 Violations of City Requests for Input

DCPC acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the DCPC CPG**

The official positions and opinions of the DCPC CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of DCPC.

### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the DCPC CPG unless the recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as



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it may be amended. Proposed amendments shall be adopted by a 2/3rds vote of non-vacant seats and 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. Amendments to the Operating Procedures are not valid until approved by the city.

**Attachments:**

- Exhibit A.1. DCPC Adopted Ethical Standards
- Exhibit A.2. DCPC Community Participation and Representation Plan
- Exhibit B. DCPC Community Planning Boundaries
- Exhibit C. DCPC Community Representation



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## **DCPC Adopted Ethical Standards**

This document describes the adopted ethical standards of the **Downtown Community Planning Council (DCPC)** Community Planning Group (CPG) Operating Agreement. The adopted Ethical Standards address the CP 600-24 requirements to be eligible for recognition by the San Diego City Council including the standards outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

### **1. Conflicts of Interest**

DCPC CPG voting members with a potential or perceived conflict of interest should recuse themselves from a DCPC hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

It is expected that DCPC members will act in good faith to fulfill their authorized duties. If a conflict is suspected, but it is not recognized or acknowledged by a member, the group may call for a vote about whether to determine whether a member should recuse and whether the group should discount that member's participation and vote on the item.

The vote should be 2/3 of the voting members of the planning group, or by a unanimous vote if less than 2/3 of the voting members of the group are present. The vote should be taken before the item is discussed.

If the member still refuses to recuse, the community planning group should make it a part of the public record that a vote of the group considered the member ineligible to participate. The participation of the member will be deemed void and the vote of the member not counted toward the planning group recommendation.

The refusal by a member to recuse from the community planning group discussion and vote may result in discipline of the member under CP 600-24,

### **2. Abstentions for Potential Conflicts of Interest**

DCPC CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The DCPC record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a DCPC quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.



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### 3. Political Actions

Neither DCPC nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the DCPC purview.

### 4. Donations

Neither DCPC nor its voting members will accept donations on behalf of any individual running for public office.

### 5. Equal Time for Candidates or Ballot Measures

DCPC will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 6. Professional Conduct

DCPC shall reinforce consistent standards, including Roberts Rules of Order (attached), for voting member professional conduct. DCPC voting members will be guided to treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## Roberts Rules of Order – Simplified

### Guiding Principles:

- Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.
- Everyone has the right to know what is going on at all times. Only urgent matters may interrupt a speaker.
- Only one thing (motion) can be discussed at a time.

A **motion** is the topic under discussion (e.g., “I move that we add a coffee break to this meeting”). After being recognized by the president of the board, any member can introduce a motion when no other motion is on the table. A motion requires a second to be considered. If there is no second, the matter is not considered. Each motion must be disposed of (passed, defeated, tabled, referred to committee, or postponed indefinitely).

### How to do things:

**You want to bring up a new idea before the group.**

After recognition by the president of the board, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.

**You want to change some of the wording in a motion under discussion.**

After recognition by the president of the board, move to amend by

- adding words,
- striking words or
- striking and inserting words.

**You like the idea of a motion being discussed, but you need to reword it beyond simple word changes.**

Move to substitute your motion for the original motion. If it is seconded, discussion will continue on both motions and eventually the body will vote on which motion they prefer.

**You want more study and/or investigation given to the idea being discussed.**

Move to refer to a committee. Try to be specific as to the charge to the committee.

**You want more time personally to study the proposal being discussed.**

Move to postpone to a definite time or date.

**You are tired of the current discussion.**

Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3<sup>rd</sup>s vote.

**You have heard enough discussion.**

Move to close the debate. Also referred to as calling the question. This cuts off discussion and brings the assembly to a vote on the pending question only. Requires a 2/3<sup>rd</sup>s vote.

**You want to postpone a motion until some later time.**

Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is dead. To kill a motion at the time it is tabled requires a 2/3<sup>rd</sup>s vote. A majority is required to table a motion without killing it.

You believe the discussion has drifted away from the agenda and want to bring it back.  
 "Call for orders of the day."

You want to take a short break.  
 Move to recess for a set period of time.

You want to end the meeting.  
 Move to adjourn.

You are unsure the president of the board announced the results of a vote correctly.  
 Without being recognized, call for a "division of the house." A roll call vote will then be taken.

You are confused about a procedure being used and want clarification.  
 Without recognition, call for "Point of Information" or "Point of Parliamentary Inquiry." The president of the board will ask you to state your question and will attempt to clarify the situation.

You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.  
 Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.

You want to change an action voted on at an earlier meeting.  
 Move to rescind. If previous written notice is given, a simple majority is required. If no notice is given, a 2/3<sup>rd</sup>s vote is required.

### Unanimous Consent:

If a matter is considered relatively minor or opposition is not expected, a call for unanimous consent may be requested. If the request is made by others, the president of the board will repeat the request and then pause for objections. If none are heard, the motion passes.

- **You may INTERRUPT a speaker for these reasons only:**
  - to get information about business –point of information to get information about rules– parliamentary inquiry
  - if you can't hear, safety reasons, comfort, etc. –question of privilege
  - if you see a breach of the rules –point of order
  - if you disagree with the president of the board's ruling –appeal
  - if you disagree with a call for Unanimous Consent –object

| Quick Reference          |                  |                     |                |                             |                                  |
|--------------------------|------------------|---------------------|----------------|-----------------------------|----------------------------------|
|                          | Must Be Seconded | Open for Discussion | Can be Amended | Vote Count Required to Pass | May Be Reconsidered or Rescinded |
| Main Motion              | √                | √                   | √              | Majority                    | √                                |
| Amend Motion             | √                | √                   |                | Majority                    | √                                |
| Kill a Motion            | √                |                     |                | Majority                    | √                                |
| Limit Debate             | √                |                     | √              | 2/3 <sup>rd</sup> s         | √                                |
| Close Discussion         | √                |                     |                | 2/3 <sup>rd</sup> s         | √                                |
| Recess                   | √                |                     | √              | Majority                    |                                  |
| Adjourn (End meeting)    | √                |                     |                | Majority                    |                                  |
| Refer to Committee       | √                | √                   | √              | Majority                    | √                                |
| Postpone to a later time | √                | √                   | √              | Majority                    | √                                |
| Table                    | √                |                     |                | Majority                    |                                  |
| Postpone Indefinitely    | √                | √                   | √              | Majority                    | √                                |



**Downtown Community Planning Council San Diego**  
*Planning a Vibrant Downtown for All*

## **DCPC Community Participation and Representation Plan**

This document is the Community Participation and Representation Plan of the **Downtown Community Planning Council (DCPC)** Community Planning Group's (CPG) as required by Council Policy 600-24. The Community Participation and Representation Plan incorporates the CP 600-24 requirements to be eligible for recognition by the San Diego City Council

The Downtown Community Planning Council (DCPC) Community Planning Group (CPG) is committed to engaging a broad and diverse cross section of our community members in monthly meetings and to electing DCPC members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of DCPC to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate DCPC goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

DCPC plan is crafted to reflect the unique demographics and characteristics of our community.

### **Overarching Goals**

- Educate community members about the role of DCPC and opportunities for involvement
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community
- Increase and diversify participation in monthly DCPC meetings and decision making
- Communicate about DCPC's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning. Obtain meaningful input from a broad range of community members
- Be proactive in listening to community needs and effectively communicating these to the City

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage residents to participate in a simple and accessible manner
- Communicate in ways that are inclusive, transparent and respectful



**Downtown Community Planning Council San Diego**  
*Planning a Vibrant Downtown for All*

- Consistently share information with community members using digital, meeting room video monitor agendas and presentations, printed materials as an aide to better understanding
- Make meeting materials available in the languages spoken within the community
- Facilitate use of accessibility devices for those hard of hearing.
- Be respectful of people's opinions and time
- Ensure a safe, accessible meeting space

### **Strategies for Community Involvement**

- Create a simple DCPC fact sheet to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a CPG
- Share meeting agendas in digital formats including social media pages, San Diego Planning Dept website, and a dedicated DCPC website
- Consistently post printed monthly meeting information providing digital, phone and mail contacts for recurring monthly meetings, committee meetings and notices for special meetings at local places that provide public notification bulletin boards including, but not limited to:
  - Main Public Library
  - Park and Rec Building(s)
  - Public transit hubs
  - Condominiums
  - Grocery stores
  - Coffee shops
  - Schools
  - Apartments
- Build relationships with other city advisory boards to cross-pollinate messaging
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the CPG's role, build relationships, and encourage board membership on seats reserved for community nonprofits
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)
- Host informal events outside of DCPC meetings associated with elections and the annual meeting to invite the public to learn about the DCPC and how to participate in monthly meetings
- Organize informal town hall events associated with DCPC subcommittee meetings to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the DCPC to attend
- Work with the council office and the Mayor's office to amplify outreach
- Make online interactive activities, such as surveys, to seek input on community needs and other DCPC initiatives



**Downtown Community Planning Council San Diego**  
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### **Reimbursement of DCPC Operating Expenses**

- DCPC shall manage and document expenses relevant to Public Participation in accordance with Council Policy 600-24
- Authorized expenses are anticipated to include Website and media development, maintenance and subscriptions, printing, unique services required to support Council Policy 600-24. Member time and minor incidental expenses are not anticipated to be authorized.
- Total authorized expenses shall be limited to the ceiling established by Council Policy as may be adjusted.
- Reimbursement of expenses above and beyond those authorized by Council Policy 600-24 may result from authorized fund raising and donations. Reimbursement of Member time and minor incidental expenses are not authorized.
- Reimbursement requests shall be filed in accordance with Council Policy and the attached reimbursement expense form, appropriately executed and as may be amended.

### **Measuring Success**

- Monitor monthly and annual meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- DCPC successful representation will also be qualitatively measured and documented in annual report to City Council, highlighting the intentional efforts made to bring in community members that have historically faced DCPC participation barriers.



Downtown Community Planning Council San Diego  
Planning a Vibrant Downtown for All

## Downtown Community Planning Area & Neighborhoods



**Commented [BL1]:** MP: City Planning may choose to recreate this map so all the maps are uniform and details (e.g., streets are clearer).

**Commented [BL2]:** Manny updated map  
Corte E to 11th  
Core E 6th to 10th  
S B to E  
EVN - notch out Bdwy to E, 6th to 10th  
Gaslamp W 6th to 7th  
EVN notch out 6th to 7th, E to Market  
EVS notch out 6th to 7th, Market to Comml  
Marina - Move convention Center S of N. Harbor to Marina (except)  
EVS - Move Convention Ctr Park to Sigsbee, Newton to S. Harbor to EVS



**Downtown Community Planning Council** San Diego  
*Planning a Vibrant Downtown for All*

**Exhibit**<sup>[BL1]</sup><sup>[BL2]</sup> C:

**Downtown Community Planning Council Membership Categories and District Distribution**

**DCPC- DISTRICT MEMBER SEATS – (19 TOTAL)**

DCPC members are elected by DCPC eligible voters as defined in Article III.

| <u>District</u>         | <u>Members in District</u> | <u>Categories in Each District</u>  |
|-------------------------|----------------------------|---|
| East Village – North    | 2                          | 1 resident, 1 business entity   |
| East Village – South    | 2                          | 1 resident, 1 business entity   |
| Cortez                  | 2                          | 1 resident, 1 business entity   |
| Little Italy            | 2                          | 1 resident, 1 business entity   |
| Columbia                | 2                          | 1 resident, 1 business entity   |
| Marina                  | 2                          | 1 resident, 1 business entity   |
| Core & Gaslamp (Shared) | 2                          | 1 resident, 1 business entity   |
| Community Organization  | 3                          | 3   |
| At Large                | 2                          | 2   |
| <b>TOTAL MEMBERS</b>    | <b>19</b>                  | 7 Residents<br>7 Business entities<br>3 Community Organizations<br>2 At Large |

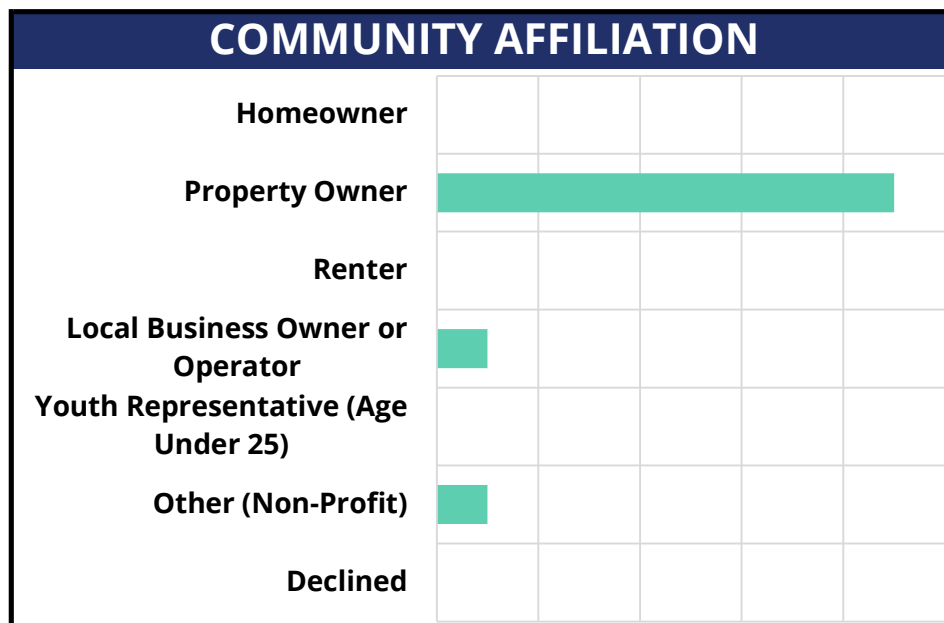
| First       | Last                       | Email  | YEAR FIRST ELECTED | Two-Year Term Expires | Neighborhood        | Seat                   |
|-------------|----------------------------|--|--------------------|-----------------------|---------------------|------------------------|
| Christopher | Eddy                       | <a href="mailto:gaslampheritage@aol.com">gaslampheritage@aol.com</a>             | 2020               | 2024                  | At Large            | Community Organization |
| Gabrielle   | Werve                      | <a href="mailto:gabriellewerve@gmail.com">gabriellewerve@gmail.com</a>           | 2023               | 2024                  | At Large            | At Large               |
| Manny       | Rodriguez                  | <a href="mailto:Chair@downtownplanningsd.org">Chair@downtownplanningsd.org</a>   | 2022               | 2024                  | At Large            | At Large               |
| Moriah      | Saldana                    | <a href="mailto:moriah.saldana@gmail.com">moriah.saldana@gmail.com</a>           | 2023               | 2024                  | At Large            | At Large               |
| Tyler       | Winslow                    | <a href="mailto:tyler.winslow@hpinvestors.com">tyler.winslow@hpinvestors.com</a> | 2022               | 2024                  | At Large            | At Large               |
| Jexsi       | Grey                       | <a href="mailto:jexsigrey@gmail.com">jexsigrey@gmail.com</a>                     | 2023               | 2024                  | Cortez              | Resident               |
| Bob         | Link                       | <a href="mailto:rbl1480@gmail.com">rbl1480@gmail.com</a>                         | 2019               | 2024                  | EV North            | Resident               |
| Chloé       | Lauer                      | <a href="mailto:chloe@slpurbanplanning.com">chloe@slpurbanplanning.com</a>       | 2021               | 2024                  | EV South            | Resident               |
| Joshua      | George                     | <a href="mailto:josh@smokinisrealbbq.com">josh@smokinisrealbbq.com</a>           | 2023               | 2024                  | Horton.Gaslamp.Core | Business               |
| vacant      | (Bahrami)                  |  |                    | 2024                  | Little Italy        | Resident               |
| Gregory     | Helmer                     | <a href="mailto:greg@gahelmer.com">greg@gahelmer.com</a>                         | 2023               | 2025                  | Columbia            | Resident               |
| vacant      | vacant                     |  |                    | 2025                  | Columbia            | Business               |
| Jean Paul   | Schwarz                    | <a href="mailto:jps@theschwarzgroup.com">jps@theschwarzgroup.com</a>             | 2021               | 2025                  | Cortez              | Business               |
| Michael     | (ex McCleary)<br>Villarina | <a href="mailto:michaelv@architectslocal.com">michaelv@architectslocal.com</a>   | 2021               | 2025                  | EV North            | Business               |
| Vanessa     | (ex Rotondi)<br>Randolph   | <a href="mailto:vdrcreative@gmail.com">vdrcreative@gmail.com</a>                 | 2023               | 2025                  | EV South            | Business               |
| Yichao      | Gu                         | <a href="mailto:guyichao0926@gmail.com">guyichao0926@gmail.com</a>               |                    | 2025                  | Horton.Gaslamp.Core | Resident               |
| vacant      | (Cahill)                   |  |                    | 2025                  | Little Italy        | Business               |
| Brendan     | Bargmann                   | <a href="mailto:brendan.bargmann@gmail.com">brendan.bargmann@gmail.com</a>       | 2023               | 2025                  | Marina              | Resident               |
| vacant      | vacant                     |  |                    | 2025                  | Marina              | Business               |

# Del Mar Mesa

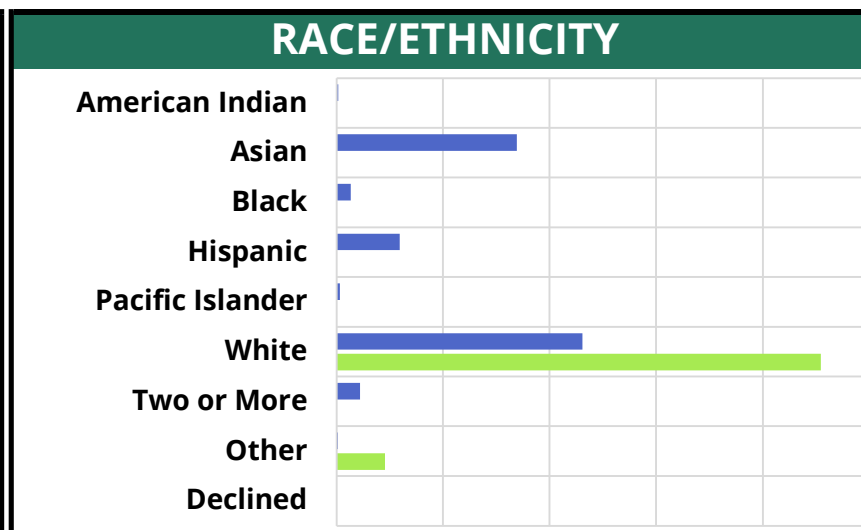
■ Member Count

■ Percent Group

■ Percent Community



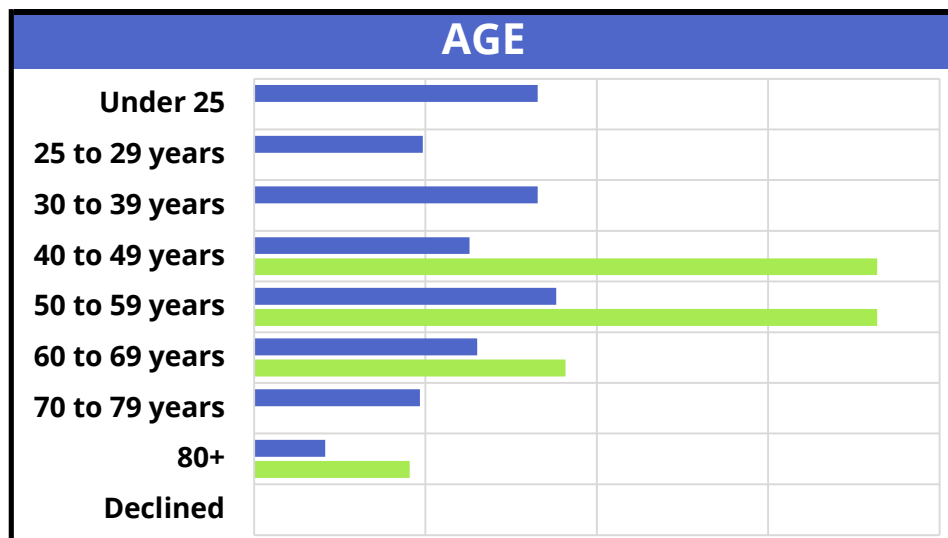
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | ---          |
| Property Owner                      | 9            |
| Renter                              | ---          |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other (Non-Profit)                  | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



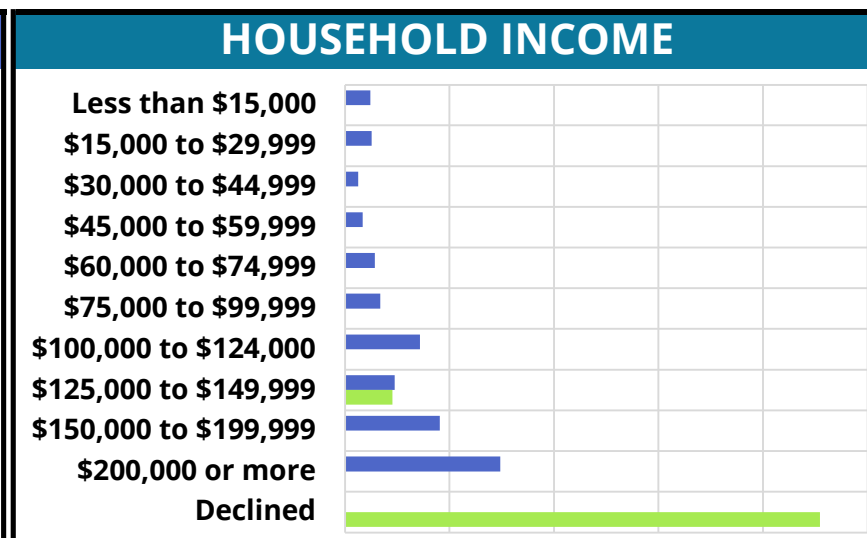
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 33.8%             |
| Black            | ---          | ---           | 2.7%              |
| Hispanic         | ---          | ---           | 11.8%             |
| Pacific Islander | ---          | ---           | 0.6%              |
| White            | 10           | 90.9%         | 46.1%             |
| Two or More      | ---          | ---           | 4.4%              |
| Other            | 1            | 9.1%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Del Mar Mesa

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 17%               |
| 25 to 29 years | ---          | ---           | 10%               |
| 30 to 39 years | ---          | ---           | 17%               |
| 40 to 49 years | 4            | 36%           | 13%               |
| 50 to 59 years | 4            | 36%           | 18%               |
| 60 to 69 years | 2            | 18%           | 13%               |
| 70 to 79 years | ---          | ---           | 10%               |
| 80+            | 1            | 9%            | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 5%                |
| \$15,000 to \$29,999   | ---          | ---           | 5%                |
| \$30,000 to \$44,999   | ---          | ---           | 3%                |
| \$45,000 to \$59,999   | ---          | ---           | 3%                |
| \$60,000 to \$74,999   | ---          | ---           | 6%                |
| \$75,000 to \$99,999   | ---          | ---           | 7%                |
| \$100,000 to \$124,000 | ---          | ---           | 14%               |
| \$125,000 to \$149,999 | 1            | 9%            | 9%                |
| \$150,000 to \$199,999 | ---          | ---           | 18%               |
| \$200,000 or more      | ---          | ---           | 30%               |
| Declined               | 10           | 91%           | ---               |
| <b>Total</b>           | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 11, 2023, 1:44:18 PM

What is the official name of your Planning Group?

**Eastern Area Communities Planning Committee**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Eastern Area**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **4**
- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**1. Create a EACPC promotional flyer in English and Spanish to distribute in community hubs to help educate the community on the role of EACPC, how to get involved, and the benefits of serving on a Planning Group. 2. Launch our EACPC website early 2024 that will include: Meeting agendas, approved meeting minutes, links to meeting videos, links to our six communities' websites, calendar of upcoming community meetings and events, comment form, community surveys 3. Post printed monthly meeting information in English and Spanish at our libraries: College-Rolando Library and Oak Park Library 4. Post online surveys both on our website and social media to seek input on community needs/other initiatives 5. Continue to look for additional opportunities to partner with community-based nonprofits such as Groundwork to build relationships and to hold special meetings where we can engage more people on community issues**

How will your Planning Group fairly represent all members of your community?

**EACPC membership should reflect the diversity of our communities. Our goal: 1. Elect EACPC members who are representative of our communities and interests 2. Engage a broad and diverse cross-section of our community members in monthly meetings Action to achieve our goal: 1. Expand our outreach and ensure that it includes marginalized groups and community members that have historically faced barriers to participate in planning groups 2. Ensure that our meetings are transparent and accessible and provide access to all planning group documents 3. Measure our progress annually by collecting demographic data for our members and make adjustments to achieve our DEI goals**

Applicant Representative

**Lynn Edwards**

Email

**eacpc.sd@gmail.com**

Phone Number

**619-381-1418**

Please include the following documents.

**PDF**

EACPC Operating Procedures.pdf  
233.2KB

**PDF**

Exhibit A EACPC Map of Planning Group Boundaries.pdf  
1.6MB

**PDF**

Exhibit B EACPC Community Participation and Representation Plan.pdf  
718.8KB

**PDF**

EACPC Ethical Standards.pdf  
71.1KB

**PDF**

EACPC membership composition form.pdf  
699.5KB

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**EASTERN AREA COMMUNITIES PLANNING COMMITTEE**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

## **Introduction and Background**

Through this document, the **Eastern Area Communities Planning Committee, EACPC** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the EACPC will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The EACPC is not a City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The EACPC, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The EACPC acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The EACPC acknowledges that the City can revoke recognition of any planning group through binding arbitration, if the City Attorney, in its sole discretion, determines these standards are not being met.

The EACPC will separately and independently maintain any legally required documents related to the planning group’s founding, operation, or organization.

The EACPC will also include with these Operating Procedures, a Community Participation and Representation Plan, and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

### **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the Eastern Area Communities Planning Committee (EACPC).

## Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Eastern Area Communities Planning Committee (EACPC)

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

## RACE/ETHNICITY

<sup>1</sup> American Indian

Asian

Black

1 Hispanic

Pacific Islander

5 White

1 Two or more races

1 Other: \_\_\_\_\_

## HOUSEHOLD INCOME

Less than \$15,000

\$15,000 to \$29,999

<sup>1</sup> — \$30,000 to \$44,999

\$45,000 to \$59,999

2 \$60,000 to \$74,999

4 \$75,000 to \$99,999

1 \$100,000 to \$124,999

\$125,000 to \$149,999

1 \$150,000 to \$199,999

\$200,000 or more

## COMMUNITY AFFILIATION

9 Homeowner

\_\_\_\_Property Owner \_\_\_\_\_25 to 29

\_\_\_\_Renter 30 to 39

\_\_\_\_ Local Business Owner or Operator 2 40 to 49

\_\_\_\_ Youth Representative (Age Under 25) 50 to 59

\_\_\_\_ Other : \_\_\_\_\_ 3 60 to 69

## AGE

Under 25

\_\_\_\_\_ 25 to 29

30 to 39

2 40 to 49

50 to 59

3 60 to 69

4 70 to 79

80 +

The community planning boundaries of the EACPC are the boundaries of the El Cerrito, Oak Park, Redwood Village, Rolando, Rolando Park, and Webster communities, as shown in Exhibit A.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the EACPC will work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The EACPC may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan is within its boundaries.

The EACPC may, on their own accord or upon City request, make recommendations, or participate in, additional efforts such as identifying Capital Improvement Project (CIP) infrastructure needs or additional City matters.

The EACPC recognizes that City staff and development project applicants are not required by the City to present their project or application before the EACPC, although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, the EACPC project review recommendations, if any, shall be submitted to the City within seven calendar days of the EACPC taking action.

In addition, the EACPC shall submit its recommendation and any conditions to the project proposed by the EACPC, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g., letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The EACPC shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes the project recommendations that shall be part of the EACPC's official records.

### 2.4 Adherence to Ralph M. Brown Act

The EACPC must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by

conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the EACPC to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the EACPC to lose its Council recognition and may subject the EACPC and the EACPC voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The EACPC shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the EACPC by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the EACPC in accordance with [Council Policy 600-24](#). The EACPC will submit to the City the Annual Roster of the EACPC voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of EACPC elections.

#### 2.6 Independent Entity

The EACPC is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the Mayor and/or City Attorney and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The EACPC will ensure that its voting members, to the greatest extent possible, represent the entire community, community interests, and the entire demographic diversity of the entire community.

#### 3.2 Community Outreach

The EACPC and its voting members should routinely seek diverse community participation in the EACPC planning and implementation process to serve the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the EACPC shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the EACPC. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### 4. Planning Group Composition

##### 4.1 Number of Voting Members

The EACPC will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The EACPC shall consist of: 15 voting members elected to represent the communities as follows.

|                          |         |
|--------------------------|---------|
| Area 1: El Cerrito       | 2 Seats |
| Area 2: Rolando          | 2 Seats |
| Area 3: Redwood Village  | 2 Seats |
| Area 4: Rolando Park     | 2 Seats |
| Area 5: Oak Park         | 3 Seats |
| Area 6: Webster          | 2 Seats |
| Business Representative: | 1 Seat  |
| At-Large:                | 1 Seat  |

##### 4.2 Voting Member Eligibility

The EACPC will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the EACPC has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

###### 4.2.2 Minimum Attendance Requirements

The EACPC shall take attendance to ensure that each voting member attends at least two-thirds of the EACPC's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

##### 4.3 Community Representation

The EACPC will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### 4.3.1 Appointed seats

To ensure representation of unique stakeholder interests in the community planning area, the EACPC may create appointed non-voting seats.

#### 4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

#### 4.4 Voting Member Term Limits

The EACPC shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the EACPC shall be elected to serve fixed terms of: two (2) years. Voting members will not serve their service time for more than eight (8) consecutive years if elected to two-year terms, Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The EACPC may develop procedures for waiving the maximum time of service by vote of its voting members if the EACPC cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should the EACPC choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

### **5. Open and Public Elections**

#### 5.1. Equal Participation

The EACPC shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the EACPC will be allowed to vote in the EACPC elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected EACPC voting member per business tax certificate
- Only one elected EACPC voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The EACPC will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the EACPC, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in the EACPC operations.

5.2.1 Election Timing

The EACPC will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

5.2.2 Deadline to qualify for candidacy in elections

The deadline to qualify for candidacy in the March general election will be the regularly noticed February meeting or any special meeting of the full planning Group membership preceding the March election.

The EACPC's ad-hoc Election Subcommittee will be established no later than January and will begin soliciting eligible community members to become candidates. In February, the Election subcommittee will 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.

5.2.3 Candidate eligibility

The EACPC 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 (8) consecutive years to leave the group for at least one year.

The EACPC will require proof of identity of those eligible community members who are seeking to vote in the election. The planning group will ensure that voting is only by eligible members of the community.

#### 5.2.4 Ballot preparation

The Election Subcommittee will prepare the ballot, which will clearly identify which seats individual candidates are running for, how many candidates can be selected, whether there are limitations on which candidates that 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.

Voting to elect new EACPC 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.

#### 5.2.5 Write-in candidates

Write-in candidates will be allowed during the election, as long as the write-in candidate meets eligibility requirements. Any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

#### 5.2.6 Election date(s)

The EACPC holds its elections concurrent to, but separate from, the regular meeting in March of each year. Voting members may receive a ballot and vote without being required to attend the EACPC March meeting. The election will be by secret written ballot.

#### 5.2.7 Voting time(s)

Voting shall take place between 6:00 pm and 8:00 pm.

#### 5.2.8 Ballot counting

The votes will be tallied by the Election Committee, however, in no event will a single person count the votes. If there is a single person acting as the Election Committee, the Chairperson will appoint a member of the EACPC that is not a candidate to assist with the counting of the votes. The tallying of the ballots by the Elections Subcommittee shall take place concurrent with but separate from the EACPC March meeting.

#### 5.2.9 Voting system

The candidate in each category who receives the highest number of votes will be the elected representative.

#### 5.2.10 Ballot record keeping

Election materials such as candidate applications, proof of candidate eligibility and voting ballots will be retained by the Election Subcommittee Chair until the seating of the election winners at the

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**CURRENT**

April planning group meeting. A summary of the election including the names of the candidates, the seats on the ballot and the vote counts for each seat will be retained by the Chairperson.

5.2.11 Tie-breaking procedures

In the event of a tie, a separate ballot will be provided for eligible EACPC members to vote on the candidate of their choice.

In the event a tie is the result of a tie vote, the tie will be decided by the toss of a coin. Should the candidates be unable to decide between them who will select the front or back of the coin, the then-presiding Chairperson will assign the choices to the candidates. The candidate who selects or is assigned the side of the tossed coin that lands face up will be the winner of the tie.

5.2.12 Election results

The results of the votes will be provided to the Chairperson to announce the successful candidates to the public by the end of the March meeting.

5.2.13 Election challenge procedures

Any challenge to the election results must be filed with the chair of the Elections subcommittee in writing within forty-eight (48) hours of the counting of the ballots in order to allow enough time to resolve the issue.

5.2.14 Installation of newly elected voting members

The EACPC's annual election becomes final after announcing the election results at the conclusion of the noticed, regular March monthly planning group meeting. The Chairperson is responsible for preparing, certifying, and forwarding the election report to the City. New members will 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.

5.2.15 Confidentiality of ballots

The Election Subcommittee shall manage the polls and count the ballots. This includes preparing the ballots for distribution and verifying each eligible member's identification before giving one a ballot, as well as collecting and counting the ballots. Completed ballots are deposited into a sealed container and opened after the polls close at 8 pm. After confirming the count, the Election Subcommittee Chair reports the results to the Chairperson.

5.2.16 Vacancies

The EACPC shall find that a vacancy exists upon receipt of a written report from the planning group's secretary reporting the fourth absence in the twelve (12) month period of April through March each year, of a member(s) from the planning groups regular meetings and the member may be removed by the remaining EACPC voting members as described in Section 8.3.1.

5.2.17 Timeframe for filling vacancies

Vacancies that may occur on the EACPC should be filled not later than one hundred twenty (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. Upon announcement of a vacancy,

the EACPC shall allow a ninety (90) day period to fill a vacancy with an eligible representative of the neighborhood or of the community designation from which the vacancy occurred as outlined in Section 6.3.3. The vacancy shall be filled at the first regular meeting at which an eligible member announces an interest in the vacant seat. Should only one (1) eligible community member express interest in the vacant seat, that person shall be appointed to the vacant seat. In the event there are two (2) or more eligible community representatives interested in a vacant seat, that seat shall be filled by an election of the EACPC members present at the next regular meeting of the committee. Any vote to seat a new member shall be conducted by either a voice vote recorded in the minutes of the meeting or, if by written vote, the outcome of all votes shall be announced and recorded in the minutes of the meeting.

Should a vacancy continue after the initial ninety (90) day period, that seat will then be considered an “at large” seat and will be available to any eligible community member within the boundaries of the EACPC. The “at large” seat will retain such designation the remainder of the term of the seat. When the term of any “at large” seat is complete and the seat is up for election, the seat will revert back to the District for which it was originally allocated. In the event that a previously designated “at large” becomes vacant, the seat shall revert back to the community for which it was originally allocated. In the event that a previously designated “at large” becomes vacant, the seat shall revert back to the District for which it was originally allocated. A committee member displaced by an “at large” seat reverting back to its original neighborhood or community designation may run for an available community seat or designation for which he or she is then eligible.

Two or more concurrent EACPC vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

When the EACPC is unable to fill a vacancy within one hundred twenty (120) days, as specified above, and the planning group has more than twelve members, a search for a new member should continue, however either the seat may remain vacant until the next planning group election, or these Operating Procedures may be amended to permit a membership decrease to a minimum of twelve (12) members. If a vacancy remains for more than sixty (60) days from the time a vacancy is declared, and there are less than twelve (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 sixty (60) additional days, the planning group membership has not reached twelve (12) members, the planning group will be deemed inactive until it has attained at least twelve (12) members in good standing.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The EACPC and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the EACPC’s agenda.

### 6.2 Rules of Procedure

The EACPC shall adopt rules of procedure for its meetings, such as [Robert’s Rules of Order](#), [Rosenberg’s Rules of Order](#), [Democratic Rules of Order](#), or [Simplified Rules of Order](#) to provide

a uniform means for the EACPC to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The EACPC will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in EACPC meetings.

It is the duty of the EACPC 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 EACPC members to conduct official business of the EACPC in a public setting. It is recognized that the officers of the EACPC may oversee administrative business of the EACPC, 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 EACPC meetings.

It is the duty of the EACPC as a whole, and of each individual member, to refrain from conduct that is detrimental to the EACPC 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 EACPC's agenda.

#### 6.3.1 Meeting Procedures

It shall be the duty of each member of the EACPC to attend all planning group meetings.

##### 6.3.1.1 Regular Agenda Posting

At least seventy-two (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 twenty (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.

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

The agenda shall be offered to the City for posting on the City's website.

##### 6.3.1.2 Public Comment

Any interested member of the public may comment on agenda items during regular or special EACPC meetings. In addition, each agenda for a regular EACPC 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 EACPC. The EACPC members may make brief announcements or reports to the EACPC on their own activities under the public comment section of the agenda. In order to ensure operational efficiencies for the EACPC to conduct its scheduled business, the EACPC may limit the amount of time provided each speaker during public comment. Should there

be three (3) or fewer speakers, the time allowed shall be no more than three (3) minutes per person. In the event there are more than three (3) speakers, the amount of time allowed for each speaker shall be left to the discretion of the Chairperson; however, in no event shall the time for each speaker shall be limited to less than one minute.

#### 6.3.1.3 Adjournments and Continuances

If the EACPC does not convene a regularly scheduled meeting, there will 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 EACPC were present, the subsequent meeting, if not a regular meeting, must be noticed as if a special meeting.

#### 6.3.1.4 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.

#### 6.3.1.5 Consent Agenda

For items to be considered for a “Consent Agenda” all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

#### 6.3.1.6 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 EACPC meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the EACPC, 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.

#### 6.3.1.7 Development Project Review

The EACPC 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 EACPC shall allow participation of affected property owners, residents, and business establishments within proximity to the proposed development.

The EACPC 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.

#### 6.3.1.8 Action on Agenda Items

An item not noticed on the agenda may be added if either two-thirds (2/3) of the voting members of the EACPC, or every member if less than 2/3 of the voting members of the EACPC 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 EACPC subsequent to the agenda being posted.

1. A two-thirds (2/3) vote of the voting members of the EACPC is required to remove an elected community planning group member in accordance with Section 8.
2. Removing a member due to ineligibility requires a majority vote of the voting members of the EACPC for the purpose of ratifying the findings presented by the Secretary to the group.
3. Amendments to the Operation Procedures require a two-thirds vote of the voting members of the EACPC.
4. A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the EACPC.
5. All other EACPC actions, including subcommittee votes, only require a simple majority of the voting members of the group in attendance when a quorum is present. The EACPC's Chairperson participates in discussions but does not vote except to make or break a tie.

The EACPC 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 agenda items shall reflect the positions taken by the elected or appointed positions on the EACPC identified in Article III, Section 1 of Council Policy 600-24.

#### 6.3.1.9 Collective Concurrence

Any attempt to develop a collective concurrence of the members of the EACPC as to action to be taken on an item by members of the EACPC, 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.

#### 6.3.1.10 Special Meetings

The Chairperson of the EACPC, or a majority of EACPC 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 twenty-four (24) hours before a special meeting. Each member of the EACPC 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 twenty-four (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.

#### 6.3.1.11 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 EACPC and are prohibited under these Operating Procedures.

#### 6.3.1.12 Right to Record

Any person attending a meeting of the EACPC must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the EACPC that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.

#### 6.3.1.13 Disorderly Conduct

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

#### 6.3.2 Community Participation

The following are the EACPC procedures regarding community participation:

1. Any interested member of the public may comment on agenda items during regular or special EACPC meetings. In addition, each agenda for a regular EACPC meeting will 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 EACPC.
2. EACPC members may make brief announcements or reports to the EACPC on their own activities under the public comment section of the agenda.
3. In order to ensure operational efficiencies for the EACPC to conduct its scheduled business, the EACPC may limit the amount of time provided each speaker during public comment as follows:
  - (1) Should there be three (3) or fewer speakers, the time allowed will be no more than three (3) minutes per person.

(2) In the event there are more than three (3) speakers, the amount of time allowed for each speaker will be left to the discretion of the Chairperson, however in no event will the time for each speaker will be limited to less than one minute. In order to expedite the meeting, each speaker may be asked to fill out a card or sheet with information regarding their name and the nature of their comment.

Additionally, the EACPC Agenda for its regular meetings will be posted at a location that allows public access and public viewing of the Agenda for no less than seventy-two hours in advance of the meeting. Special meeting Agendas will be posted for at least twenty-four (24) hours prior to the start of the meeting.

#### 6.3.3 Planning Group Composition

Elected seats on the EACPC will be distributed among the neighborhoods and community interests as follows and as shown on Exhibit A:

|                          |         |
|--------------------------|---------|
| Area 1: El Cerrito       | 2 Seats |
| Area 2: Rolando          | 2 Seats |
| Area 3: Redwood Village  | 2 Seats |
| Area 4: Rolando Park     | 2 Seats |
| Area 5: Oak Park         | 3 Seats |
| Area 6: Webster          | 2 Seats |
| Business Representative: | 1 Seat  |
| At-Large:                | 1 Seat  |

One (1) of the two (2) seats, or in the case of Area 5, one (1) of the three (3) seats, available to each Voting District will be available to be filled no less than once each year during the March elections. In the event a community seat remains vacant, the procedures outlined in Section 5.2.16 and Section 5.2.17 will be followed to fill the vacancy.

#### 6.3.4 Conduct of Meetings

The following are the EACPC procedures regarding conduct of EACPC meetings:

Agendas will be provided to the City to be posted on the City television channel and for distribution to those on the City's email list.

In general, the agenda for the EACPC meetings will be sequenced in the following manner:

- (1) General public comment for items not on the Agenda will follow opening procedures and remarks;
- (2) Information from the Fire Department or Police Department representatives;

- (3) Information from our elected State Representatives and Council District Representatives;
- (4) Development Review projects;
- (5) Information presentations;
- (6) Committee and subcommittee information not previously provided;

#### 6.3.5 Member and Planning Group Responsibilities

The EACPC will have the authority power to amend these Operating Procedures, subject to the review and approval of the Mayor and the City Attorney. Operating Procedures amendments do not become final until notification of effective date by the City.

The EACPC accepts voluntary contributions from the public. Such contributions allow the planning group to pay for a post office box, for copies of agendas, and information provided at meeting and for postage.

#### 6.3.6 Subcommittees

The EACPC may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular EACPC meetings.

##### 6.3.6.1 Standing Subcommittees

Pursuant to the purpose of the EACPC, the EACPC has established a standing Development Review Subcommittee and will create ad hoc committees as needed to address a particular planning or operational matter, such as election or Operating Procedures review subcommittees.

The Development Review Subcommittee will consist of no less than three (3) and no more than seven (7) members. This subcommittee is established for the purpose of in-depth review of development plans and city staff comments for projects proposed within the EACPC boundaries and to review how proposed development complies with zoning, guidelines and goals of the Mid-City Communities Plan and the City of San Diego General Plan. The Development Review Subcommittee meetings shall be open to all interested members of the public. The subcommittee shall take a vote and make a recommendation based upon such vote to the full EACPC board. In addition to the recommendation and vote, it shall be the responsibility of this committee to relay information regarding attendance at the meeting, public comment, developer comments, owner comments, and summarize other criteria of the subcommittee meeting to the full EACPC in order to allow the members to make a well-informed decision.

##### 6.3.6.2 Ad Hoc Subcommittees

Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review. Topics may include those not regularly within the purview of the EACPC, but are of interest to the EACPC and are consistent with responsibilities according to Council Policy 600-24.

##### 6.3.6.3 Subcommittee Composition

Subcommittees shall contain a majority of members who are members of the EACPC.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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. Each non-member appointed to a subcommittee is encouraged to pursue indemnification in accordance with Ordinance No. O-19883 NS. It shall be strictly the responsibility of any non-member serving on a subcommittee of the EACPC, to pursue indemnification should he or she desire to be indemnified by the City in accordance with Ordinance No. O-19883 NS. It shall not be the duty of the Chairperson, Vice-Chairperson, Secretary, Treasurer or any other member of the EACPC to ensure that a non-EACPC-member subcommittee member take the necessary steps to become indemnified regardless of whether the committee to which the non-member is appointed be a standing subcommittee or an ad-hoc subcommittee.

#### 6.3.6.4 Recommendations

Subcommittee recommendations must be brought forth to the full EACPC for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the EACPC without a formal vote of the full planning group.

#### 6.3.6 Abstentions and Recusals

##### 6.3.6.1 Recusals

Any member of the EACPC with a direct economic interest in any project that comes before the planning group or its subcommittees must disclose to the EACPC that economic interest, and must recuse from voting and not participate in any manner as a member of the EACPC for that item on the agenda.

##### 6.3.6.1 Abstentions

In limited circumstances, EACPC 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.

#### 6.3.7 Meeting Documents and Records

##### 6.3.7.1 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 EACPC, 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.

##### 6.3.7.2 Agenda at Meeting

Any written documentation, prepared or provided by City staff, applicants, or EACPC members that is distributed at the EACPC meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the EACPC 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 EACPC 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 the materials requested by an individual or individuals.

#### 6.3.7.3 Minutes

For each EACPC meeting, a report of EACPC member attendance and a copy of approved minutes shall be retained by the EACPC, 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 EACPC's next regularly scheduled meeting. The minutes of each EACPC 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 EACPC. If an applicant did not appear before the EACPC 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 EACPC meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the EACPC.

The EACPC 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.

#### 6.3.8 Representative to the Community Planners Committee

The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by vote of the EACPC, a EACPC member other than the chair may be selected as the official representative to CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair for either representative, as well as for the EACPC's alternate to CPC shall be forwarded in writing to the staff representative to CPC prior to extension of voting rights and member attendance.

#### 6.4 Planning Group Officers

The officers of EACPC shall be elected from and by the members of the EACPC. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be 1 year.

##### 6.4.1 Chairperson

The Chairperson shall be the principal officer of the EACPC and shall preside over all EACPC and communitywide meetings organized by EACPC. The Chairperson will be EACPC's representative to the Community Planners Committee (CPC), unless otherwise designated.

The Chairperson shall be additionally be responsible to set the agenda, provide adequate notice of the EACPC meetings, be the point of contact for development applicants and community representatives, shall attend meetings on behalf of the EACPC or may make arrangements for an alternate representative to attend.

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 EACPC.

#### 6.4.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

#### 6.4.3 Secretary

The Secretary shall be responsible for the EACPC's correspondence, attendance records, and minutes and actions [including identification of those EACPC members that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons] and shall assure that EACPC 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.

#### 6.4.4 Treasurer

The treasurer shall keep an accurate record of all funds received and disbursed. At the request of the EACPC, the treasurer shall prepare an annual chapter budget and report of finances, and submit them for approval. In the absence of the president, vice president, and secretary, the treasurer shall preside at meetings of the EACPC.

#### 6.4.5 Other Officers

The EACPC may identify additional officers responsible for the effective operation of the EACPC.

#### 6.5 Additional EACPC Officer Responsibilities

The EACPC officers and representatives to the CPC shall promptly disseminate to all elected EACPC members pertinent information that is received by EACPC regarding its official business.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The EACPC, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The EACPC will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The EACPC will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how the EACPC voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The EACPC shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The EACPC should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards.

#### 7.3.1 Direct Economic Interest

The EACPC voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

The EACPC voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The EACPC's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a EACPC quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the EACPC nor voting members in their capacity as such may use their title from or position on the EACPC for political endorsements of individuals. The EACPC may, however, upon majority vote, take a position on pending legislation that is within the EACPC's purview.

#### 7.3.5 Donations

Neither the EACPC nor its voting members shall accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The EACPC group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The EACPC voting members shall treat each other, applicants, city staff, and the public with courtesy and respect at all times.

#### 7.4 Voting Member Training

Each EACPC voting member shall complete the formal education program in-person or on-line offered by the City.

The EACPC will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the EACPC, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the EACPC's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

The EACPC voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of EACPC.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the EACPC or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the EACPC or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the EACPC or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the EACPC will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void the EACPC actions. Individual voting members of the recognized EACPC, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past

actions of the EACPC and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the EACPC may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The EACPC, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@san diego.gov](mailto:SDPlanningGroups@san diego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the EACPC to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The EACPC, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

### 8.3 Violations of Membership Eligibility

The EACPC voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining EACPC voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the EACPC violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. An EACPC voting member and the EACPC itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by an EACPC voting member, the EACPC will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The EACPC will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The EACPC acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the EACPC, or may recommend to the City Council that the EACPC's recognition be revoked.

The EACPC acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that an EACPC has violated their Operating Procedures or [Council Policy 600-24](#) and the EACPC has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the EACPC's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The EACPC acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the EACPC at a scheduled EACPC meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

The EACPC voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the EACPC, which may include expulsion from the board. The EACPC will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the EACPC is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the EACPC in a temporary inactive status, to allow the EACPC to work through its membership issues to return to active status. If the EACPC remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the EACPC's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The EACPC acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the EACPC will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the EACPC.

### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the EACPC unless recognition of the EACPC is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

**EXHIBIT A: MAP OF PLANNING GROUP BOUNDARIES.**

EACPC will represent the communities of El Cerrito, Oak Park, Redwood Village, Rolando, Rolando Park, and Webster

**EXHIBIT B: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN**

**Guidelines for CPG Ethical Standards**  
**Eastern Area Communities Planning Committee**  
**As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Eastern Area Communities Planning Committee (EACPC) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

1) Conflicts of Interest

EACPC voting members will not receive any compensation to attend meetings nor will it be part of their job duties.

EACPC voting members with a potential or perceived conflict of interest should recuse themselves from a EACPC hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the EACPC board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

2) Abstentions for Potential Conflicts of Interest

EACPC voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. EACPC's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a EACPC quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

3) Political Actions

Neither the EACPC nor voting members in their capacity as such should use their title from or position on a EACPC for political endorsements of individuals. The EACPC may, however, upon majority vote, take a position on pending legislation that is within the EACPC's purview.

4) Donations

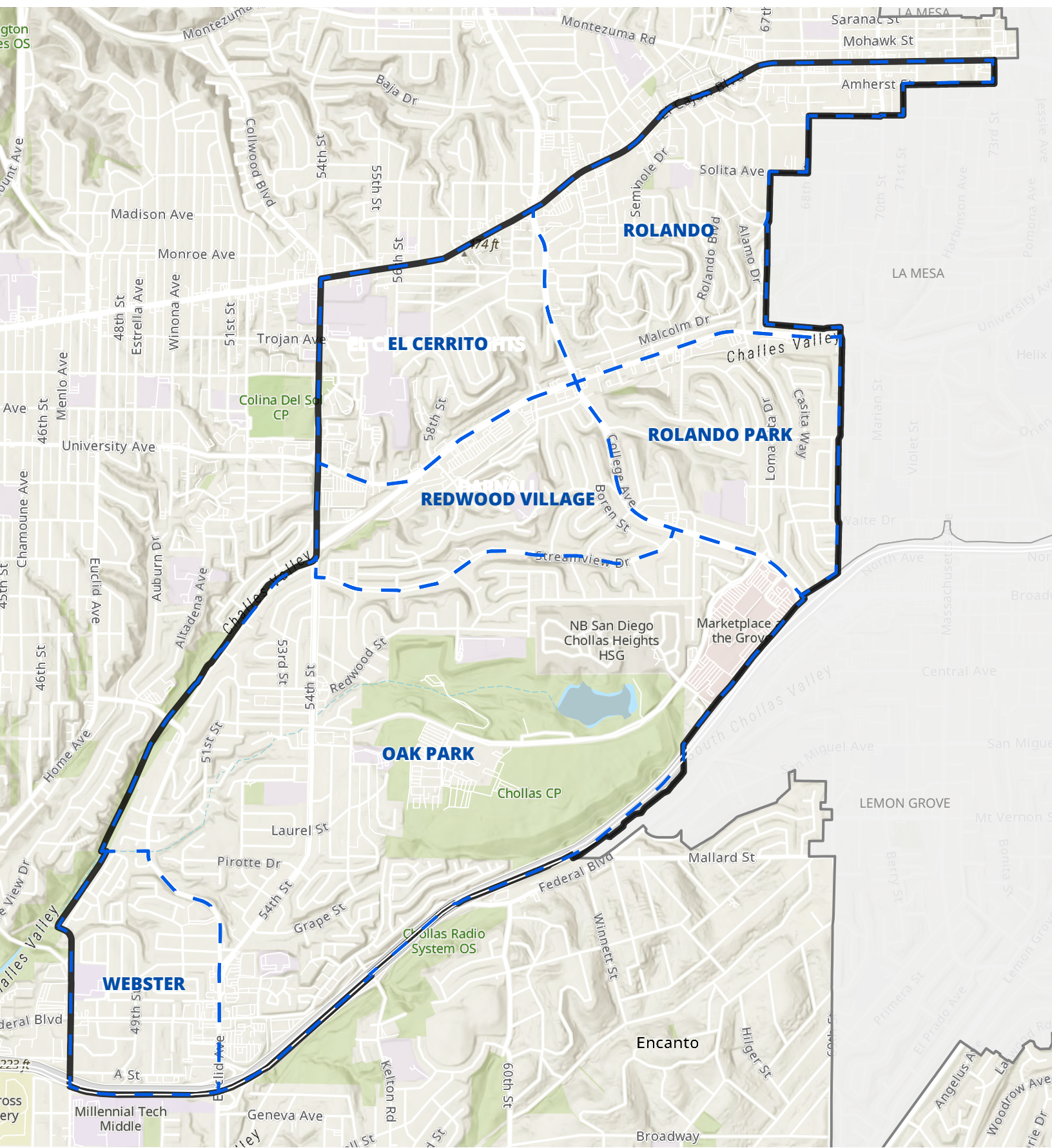
Neither the EACPC nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The EACPC will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The EACPC shall establish standards for voting member professional conduct. EACPC voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.



- Eastern Area Community
- Mid City: Eastern Area Neighborhoods
- City of San Diego

The Mid City Neighborhoods mapped here are those illustrated in the Mid Cities Community Plan.

**DRAFT**

## **Suggested Strategies – Community Participation & Representation Plan** **As required for Planning Group Recognition by Terms and Conditions, Exhibit B of** **Council Policy 600-24**

The Eastern Area Communities Planning Committee, EACPC, (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing EACPC members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate the EACPC’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of the EACPC and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly EACPC meetings and decision- making.
- Communicate about the EACPC’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g., General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).

- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's [Data Surfer](#) website.
- Be respectful of people's opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

## **Our Strategies for Community Outreach and Involvement**

### **What we are already doing**

- Posting monthly meeting information on social media such as Facebook and Nextdoor for several years as well as sending out to our mailing list
- Holding hybrid meetings that conform to the Brown Act, but still allow as many community members as possible to attend
- Our D9 office already shares our meeting information with the public in weekly newsletters and social media posts; we'll ask our D4 office and our Mayor's Office representative to do the same
- We recently partnered with Groundwork to hold a special meeting with city engineering and the Oak Park and Redwood Village communities to address concerns on the CIP project for Streamview Dr.
- Already sharing information and upcoming events with other Mid-City planning groups and will continue to build relationships with other city advisory boards and planning groups to cross-pollinate messaging

### **What we will do in the next year**

- Create a EACPC promotional flyer in English and Spanish\* to distribute in community hubs to help educate the community on the role of EACPC, how to get involved, and the benefits of serving on a Planning Group.
- Launch our website for the EACPC\*\* by the beginning of 2024 that will include:
  - Meeting agendas
  - Approved meeting minutes
  - Links to meeting videos
  - Links to our six communities' websites
  - Calendar of upcoming community events
  - Comment form
  - Community surveys
- Link from community websites to EACPC's website
- Post printed monthly meeting information in English and Spanish\* at our libraries:
  - College-Rolando Library
  - Oak Park Library
- Ask communities to include monthly meetings and elections in local community newsletters, e.g., Oak Park and El Cerrito

- Ask our community councils for agenda time at meetings to provide regular updates from our planning group
- Post online surveys both on our website and social media to seek input on community needs/other initiatives
- Continue to look for additional opportunities to partner with community-based nonprofits such as Groundwork to build relationships and to hold special meetings where we can engage more people on community issues

### **What we will do if we have funding/resources**

- Post printed monthly meeting information in English and Spanish and possibly other languages at other places (we have six communities)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Look for informal events and pop ups such as a table at the next Rolando Street Festival to talk in person with interested parties and hand out literature about our planning group

### **Measuring Our Success**

- Monitor quarterly and year-over-year meeting attendance, number of voters in elections, social media and website metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

\*Translation assistance from Groundwork

\*\*Website development and hosting assistance from Groundwork

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application.

\*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |

**Websites:** Websites are developed to provide accessible information to the public.

***Share Information:*** This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application  |
|--|--|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.  |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.  |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.  |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.  |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.  |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues. |

**Workshops:** An informal public meeting that may include presentations and include opportunities for interaction among participants.

***Bringing people together:*** An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues.

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |

**Avoid offering too few or too many options.**

Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.


**EXAMPLE FLYER**

# Community Planning Group

**WHY SHOULD YOU JOIN?**

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information:** [www.reallygreatsite.com](http://www.reallygreatsite.com)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center

1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

# Eastern Area

■ Member Count

■ Percent Group

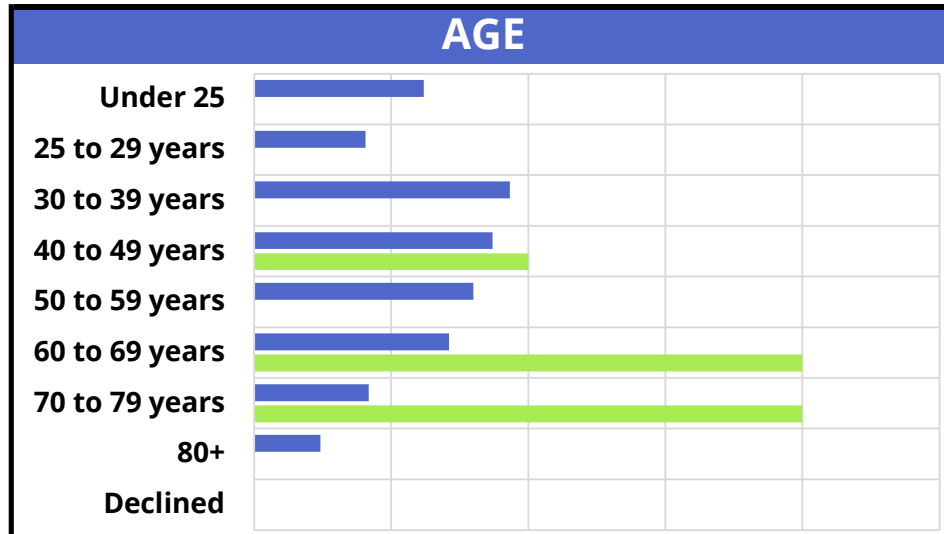
■ Percent Community

| COMMUNITY AFFILIATION               |              |  |
|-------------------------------------|--------------|--|
| Homeowner                           |              |  |
| Property Owner                      |              |  |
| Renter                              |              |  |
| Local Business Owner or Operator    |              |  |
| Youth Representative (Age Under 25) |              |  |
| Other                               |              |  |
| Declined                            |              |  |
| Community Affiliation               | Member Count |  |
| Homeowner                           | 10           |  |
| Property Owner                      | ---          |  |
| Renter                              | ---          |  |
| Local Business Owner or Operator    | ---          |  |
| Youth Representative (Age Under 25) | ---          |  |
| Other                               | ---          |  |
| Declined                            | ---          |  |
| <b>Total</b>                        | <b>10</b>    |  |

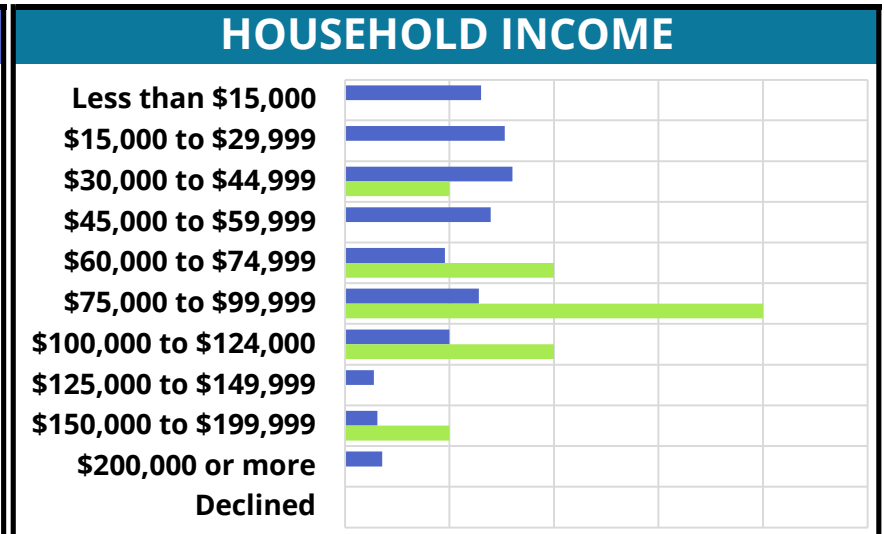
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | 1            | 10.0%         | 0.3%              |
| Asian            | ---          | ---           | 13.8%             |
| Black            | 1            | 10.0%         | 15.8%             |
| Hispanic         | 1            | 10.0%         | 36.5%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 5            | 50.0%         | 28.9%             |
| Two or More      | 1            | 10.0%         | 3.9%              |
| Other            | 1            | 10.0%         | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Eastern Area

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 12%               |
| 25 to 29 years | ---          | ---           | 8%                |
| 30 to 39 years | ---          | ---           | 19%               |
| 40 to 49 years | 2            | 20%           | 17%               |
| 50 to 59 years | ---          | ---           | 16%               |
| 60 to 69 years | 4            | 40%           | 14%               |
| 70 to 79 years | 4            | 40%           | 8%                |
| 80+            | ---          | ---           | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 13%               |
| \$15,000 to \$29,999   | ---          | ---           | 15%               |
| \$30,000 to \$44,999   | 1            | 10%           | 16%               |
| \$45,000 to \$59,999   | ---          | ---           | 14%               |
| \$60,000 to \$74,999   | 2            | 20%           | 10%               |
| \$75,000 to \$99,999   | 4            | 40%           | 13%               |
| \$100,000 to \$124,000 | 2            | 20%           | 10%               |
| \$125,000 to \$149,999 | ---          | ---           | 3%                |
| \$150,000 to \$199,999 | 1            | 10%           | 3%                |
| \$200,000 or more      | ---          | ---           | 4%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 20, 2023, 8:01:37 AM

What is the official name of your Planning Group?

**Greater Golden Hill Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Golden Hill**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **3**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|                           |
|---------------------------|
| Group                     |
| Member Affiliation(s)     |
| • <b>Homeowner</b>        |
| Household Income          |
| <b>Less than \$15,000</b> |
| Race / Ethnicity          |
| <b>White</b>              |
| Age                       |
| <b>50 to 59</b>           |

Group

Member Affiliation(s)

- **Homeowner**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$60,000 to \$74,999**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**
- **Local Business Owner or Operator**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Hispanic**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**
- **Local Business Owner or Operator**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$30,000 to \$44,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$30,000 to \$44,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Renter**
- **Local Business Owner or Operator**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**25 to 29**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**70 to 79**

How will your Planning Group be accessible to all members of your community?

**Public Meetings, Posted Meeting Minutes, Posted Agendas, Public Comments**

How will your Planning Group fairly represent all members of your community?

**Through our ethical standards, openness to new members and public participation of the general public**

Applicant Representative

**Beau Benko**

Email

**beaubenko@gmail.com**

Phone Number

**209-747-6637**

Please include the following documents.

**PDF**

Operating-Procedures 12 23.pdf  
194.9KB

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**Greater Golden Hill Planning Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

## **Introduction and Background**

Through this document, the Greater Golden Hill Planning Group (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

### **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **Greater Golden Hill Planning Group**.

The community planning boundaries of this planning group are the boundaries of the **Greater Golden Hill** Community, as shown in Exhibit A.

## 2. Responsibilities

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible

location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses

and respondents.

#### **4. Planning Group Composition**

##### 4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **Greater Golden Hill Planning Group** shall consist of: **Sixteen** elected members.

##### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

###### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

##### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

###### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the planning group may create appointed non-voting seats. These appointed non-voting seats are described as follows.

NA

###### 4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may

CP-600-24 Planning Group Operating

participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the **Greater Golden Hill Planning Group** shall be elected to serve fixed terms of: 2 years with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years if elected to two- or four-year terms, or nine (9) consecutive years if voting members are elected to three-year terms. planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate

- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

Planning group operating procedures in this section will address the following election procedures:

- Cut-off date for candidates to submit nominations, which generally should be a planning group's regular February meeting before an annual March election.
- Verification of candidate eligibility prior to printing a ballot and the forms of verification required for eligibility per Section 5.1.1. through 5.1.4 of these operating procedures and who/where they are submitted.
- Creation of a ballot with all candidates' identification such as name, community affiliation they are fulfilling per Section 4.2 and 4.3, and what terms or remaining terms they are filling.
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot.
- Handling of a candidate's absence from a scheduled candidates' forum, such as indicating whether a proxy representing the candidate can read their statement in their absence or if a hybrid meeting can be arranged by the planning group if a candidate can't attend in-person for a particular reason.
- Location(s) of polls. Operating procedures can include voting times for poll locations and identify where the poll location or locations (if managing multiple locations is allowed) are listed (such as on an announcement, agenda or website)
- Management of the polls which should also address what roles volunteers, members of an election subcommittee, or a combination thereof will have in managing the polls or how individuals with disabilities are accommodated.
- Verification of voter eligibility as referenced in Sections 5.1.1 through 5.1.4 in these Operating Procedures.
- Ballot construction & content, such as indicating what open positions are available and how many candidates to vote for and indicating any limitations for write-in candidates
- Setting election date(s) such as indicating that the annual election date is the noticed,

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**COUNCIL POLICY**

**CURRENT**

- regular meeting date in March or during specific duration of days, if allowed.
- Setting voting time(s.) that are reasonable such as during or just before the noticed, regular March meeting or during multiple days, if allowed.
  - Mail-in ballot procedures, if applicable.
  - Closing the polls, such as indicating when the closing of the polls is announced during a regular meeting, when a final call for ballots is announced prior to closing or indicating who makes the announcement (e.g. Chair, Elections Subcommittee Chair, Secretary, etc.).
  - Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service.
  - Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner.
  - Ballot record keeping addressing how long ballots are kept in case of challenge and by who (Chair, Election Subcommittee Chair or designated planning group member).
  - Tie-breaking procedures such as using a coin toss to determine candidate or holding a run-off election.
  - Announcing election results and when the election becomes final such as announcing the results of the election at the conclusion of the noticed, regular March meeting and finalizing the results one week after, if no election challenges are filed.
  - Election challenge procedures. Operating procedures should address the planning group's role or election subcommittee's role in addressing challenges, where election challenges are submitted and received by whom, timing for resolution and reporting to the planning group.
  - Timing of installation of newly elected voting members such as whether newly elected members are seated at the immediately, at the end of the meeting at which the election was held, or the following month.
  - Maintaining confidentiality of secret written ballots which could include whose responsibility it is on the election subcommittee and how this is done (e.g. completed ballots are deposited into a sealed container and only opened just before counting).
  - Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election). Operating procedures could address assigning the responsibility to a planning group member, member of the election subcommittee or volunteer for ensuring electioneering is taking place in close proximity of polls.
  - Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge, such as appointing a runner-up candidate or holding a special election.
  - Determining that a vacancy exists consistent with Section 4.2.2 Minimum Attendance Requirements within a 12-month period from March to April of each year and Section 8.3 Violations of Membership Eligibility.
  - Timeframe for filling vacancies and inability to fill vacancies within the designated timeframe, such as filling vacancies no later than 120 days after a vacancy is declared by the planning group and holding the seat vacant until the next election if the planning group has more than 10 voting members in good standing, when the planning group is unable to fill a vacancy within 120 days.

### 5.3 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt rules of procedure for its meetings, such as [Robert's Rules of Order](#), [Rosenberg's Rules of Order](#), [Democratic Rules of Order](#), or [Simplified Rules of Order](#) to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and procedures:

- Regular agenda content and posting consistent with the Brown Act, relative to time allotted for non agenda public comment and individual/group testimony on agenda items, adjournments and continuances, consent agenda, quorum, action items especially as it relates to development project review, collective concurrence, special meetings and emergency meetings, right to record and meeting minutes.
- General meeting procedures and planning group responsibilities such as: Recording attendance and absences of voting members, reports from government officials and neighborhood organizations, how a group represents non-project recommendations, internal operating procedures amendment process or development of procedures and participation with other committees or organizations.
- Subcommittees – relative to the purpose of standing subcommittees and ad-hoc subcommittees, subcommittee composition, recommendations and protocol for triggering a joint meeting of the planning group and the subcommittee if there is potential for a quorum of the planning group to be present at a subcommittee meeting.
- Abstentions and recusals consistent with Section 7.3 Ethical Standards. Operating procedures should indicate that recusals are noted in the meeting minutes and also include a planning group member's reason for abstaining.
- Representative (other than the Chairperson) to the Community Planners Committee (CPC). Operating procedures should address if this duty falls automatically within the Vice-Chair's responsibility or if a member of the planning group is appointed.

#### 6.4 Planning Group Officers

The officers of the Greater Golden Hill Planning Group 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 committee office for more than four consecutive terms. 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.

##### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. The Chairperson shall also be responsible for setting regular meeting agendas, being the primary point of contact for the committee, and for committee correspondence. 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.

##### 6.4.2 Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. In addition, the Vice Chairperson shall be responsible for identification of those planning committee members that - 20 - constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons. In the absence of the Chairperson, the Vice Chairperson shall assign these duties to another committee member

##### 6.4.3 Secretary

Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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.

#### 6.5 Additional planning group Officer Responsibilities

The **Greater Golden Hill Planning Group** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The planning group should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards. **[THE FOLLOWING ARE EXAMPLES OF ACCEPTABLE PLANNING GROUP ETHICAL STANDARDS:]**

7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

#### 7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@saniego.gov](mailto:SDPlanningGroups@saniego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for

these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

**10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES.: The Greater Golden Hill Planning Group will represent the community of Greater Golden Hill

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Greater Golden Hill Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing ground rules for

dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group

**WHY SHOULD YOU JOIN?**

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**

 **Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

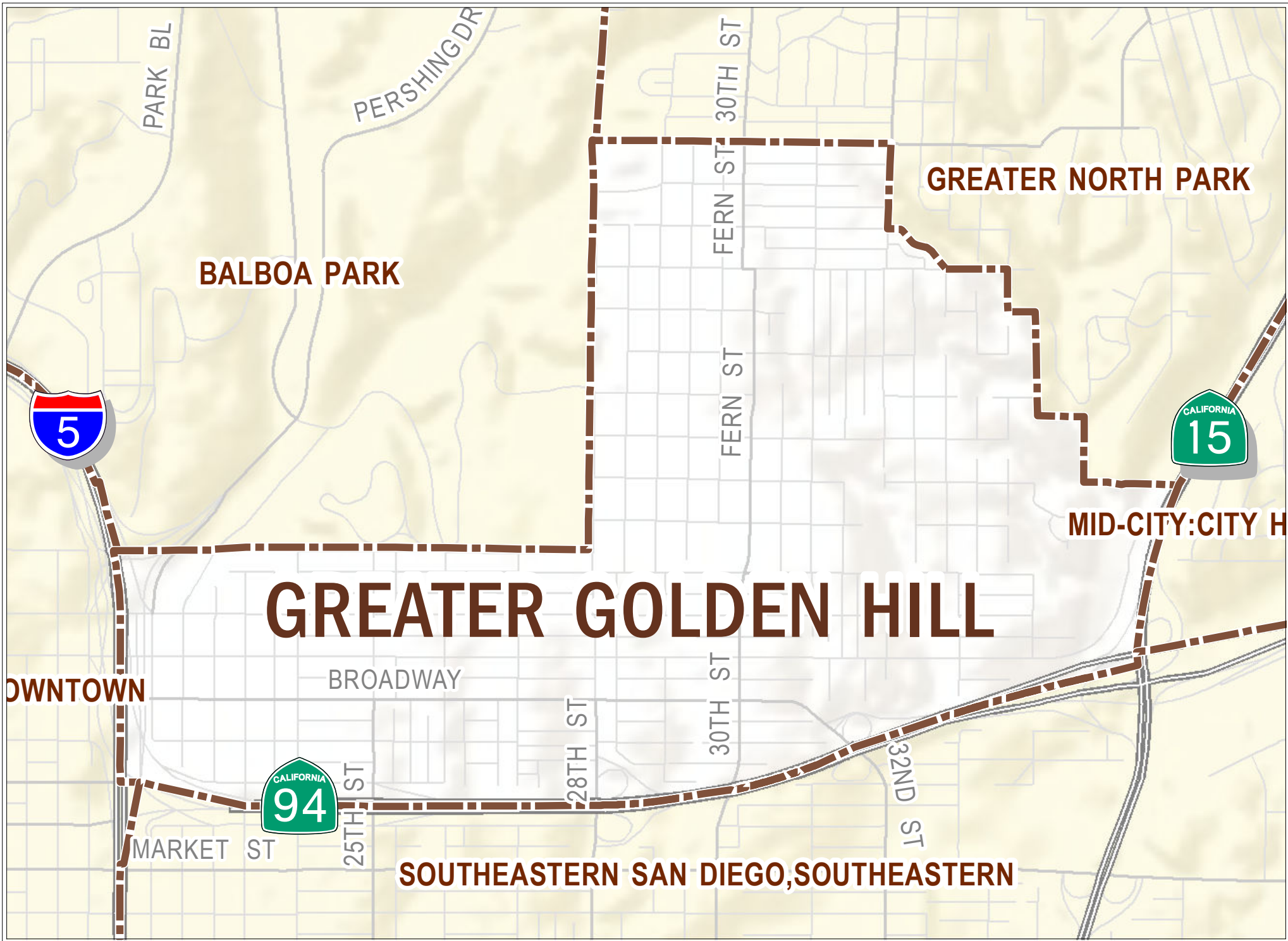
Occur every 3rd Wednesday of the month.

Location: Community Recreation Center

1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.



Golden Hill 12/27/23

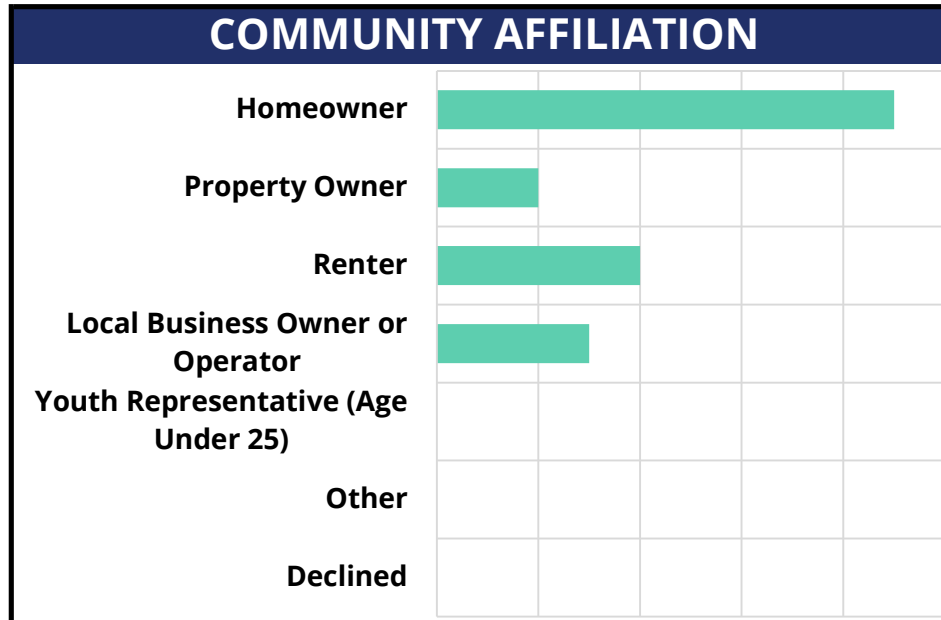
| <b>Name</b>       | <b>Position</b>           |
|-------------------|---------------------------|
| Monica delaCruz   | chair                     |
| David Swarens     | vice chair                |
| Diego Lynch       | recording secy            |
| Beau Benko        | CPC                       |
| Susan Bugbee      | historic/<br>elect/mbrshp |
| Joe Coneglio      | Member                    |
| Elizabeth Mayer   | Bicycle                   |
| Barbara Mitana    | Member                    |
| Richard Santini   | Member                    |
| Francisco Vallejo | Member                    |

# Greater Golden Hill

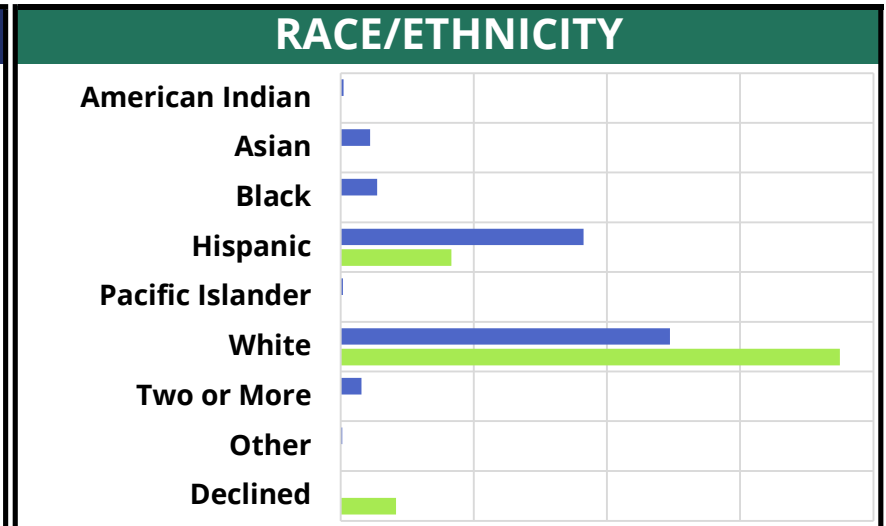
■ Member Count

■ Percent Group

■ Percent Community



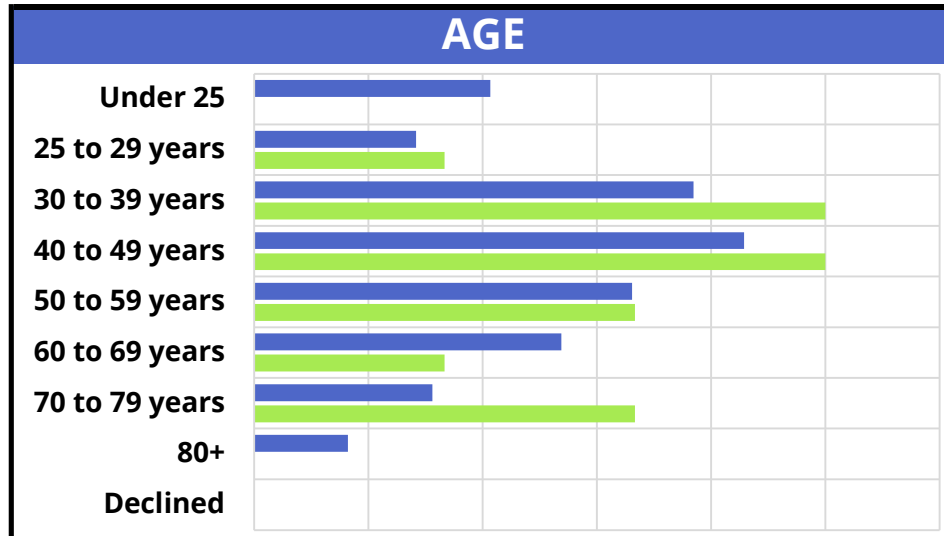
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 9            |
| Property Owner                      | 2            |
| Renter                              | 4            |
| Local Business Owner or Operator    | 3            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>18</b>    |



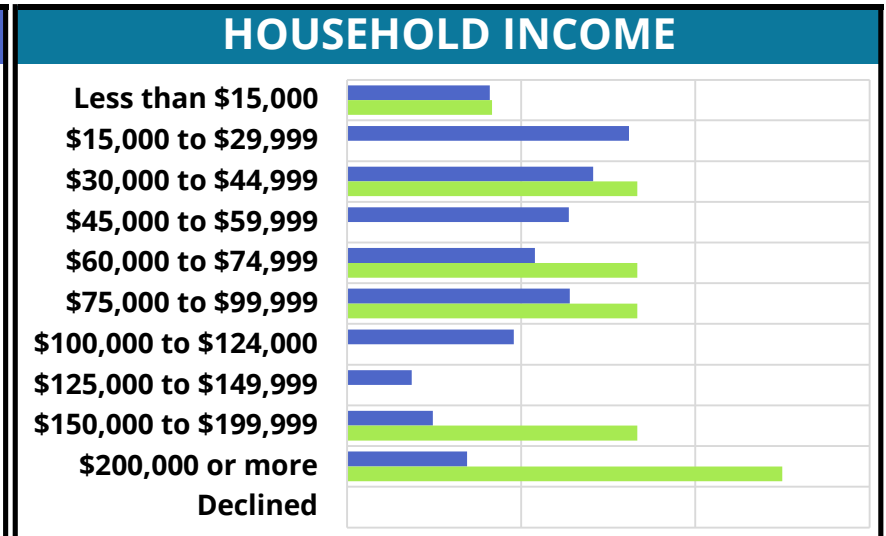
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.5%              |
| Asian            | ---          | ---           | 4.4%              |
| Black            | ---          | ---           | 5.5%              |
| Hispanic         | 2            | 16.7%         | 36.5%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 9            | 75.0%         | 49.5%             |
| Two or More      | ---          | ---           | 3.1%              |
| Other            | ---          | ---           | 0.2%              |
| Declined         | 1            | 8.3%          | ---               |
| <b>Total</b>     | <b>12</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Greater Golden Hill

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 10%               |
| 25 to 29 years | 1            | 8%            | 7%                |
| 30 to 39 years | 3            | 25%           | 19%               |
| 40 to 49 years | 3            | 25%           | 21%               |
| 50 to 59 years | 2            | 17%           | 17%               |
| 60 to 69 years | 1            | 8%            | 13%               |
| 70 to 79 years | 2            | 17%           | 8%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 8%            | 8%                |
| \$15,000 to \$29,999   | ---          | ---           | 16%               |
| \$30,000 to \$44,999   | 2            | 17%           | 14%               |
| \$45,000 to \$59,999   | ---          | ---           | 13%               |
| \$60,000 to \$74,999   | 2            | 17%           | 11%               |
| \$75,000 to \$99,999   | 2            | 17%           | 13%               |
| \$100,000 to \$124,000 | ---          | ---           | 10%               |
| \$125,000 to \$149,999 | ---          | ---           | 4%                |
| \$150,000 to \$199,999 | 2            | 17%           | 5%                |
| \$200,000 or more      | 3            | 25%           | 7%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Oct 26, 2023, 11:58:08 AM

What is the official name of your Planning Group?

**Kearny Mesa Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Kearny Mesa**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **6**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|   |
|---|
| Group   |
| Member Affiliation(s)   |
| <ul style="list-style-type: none"><li>• <b>Local Business Owner or Operator</b></li></ul> |
| Household Income  |
| <b>\$200,000 or more</b>  |
| Race / Ethnicity  |
| <b>White</b>  |
| Age   |
| <b>40 to 49</b>   |

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Other**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$30,000 to \$44,999**

Race / Ethnicity

**American Indian**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Property Owner**
- **Local Business Owner or Operator**

Household Income

**Less than \$15,000**

Race / Ethnicity

**American Indian**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

How will your Planning Group be accessible to all members of your community?

**Website, Community Bulletin board, Neighborhood outreach, monthly meetings, monthly night walks**

How will your Planning Group fairly represent all members of your community?

**The Kearny Mesa Planning Group consists of members from many different races, employment and economic backgrounds. Our members vote to create equal opportunities for all members of the Kearny Mesa Community.**

Applicant Representative

**Jeffrey Sallen**

Email

**jsallen@voitco.com**

Phone Number

**6195595300**

Please include the following documents.

- PDF** Guidelines for CPG Ethical Standards\_Kearny Mesa\_10.25.23.pdf  
258.1KB
- PDF** Participation and Representation Plan\_Kearny Mesa Planning Group\_10.25.23.pdf  
1.1MB
- PDF** Terms and Conditions\_Kearny Mesa CPG\_10.25.23.pdf  
477.9KB

**Attachment to CP 600-24 – Terms and Conditions**

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
**KEARNY MESA COMMUNITY PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the **Kearny Mesa Community Planning Group** (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be **Kearny Mesa CPG**.

The community planning boundaries of this CPG are the boundaries of the **Kearny Mesa Community**, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

#### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

#### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CPG Composition**

#### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively,

representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

#### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a two-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### **5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### **5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community

members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

#### 6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

#### 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

### **7. Additional CPG Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

##### 7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

##### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

### 7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

### 7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

### 7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

### 7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

## 7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

## 7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

## **8. CPG Rights and Liabilities**

### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the

specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through

its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the **Keary Mesa Community Planning Group's** (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### **1) Conflicts of Interest**

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### **2) Abstentions for Potential Conflicts of Interest**

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### **3) Political Actions**

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### **4) Donations**

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### **5) Equal Time for Candidates or Ballot Measures**

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The **Kearny Mesa Community Planning Group** (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate The Planning Group’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing ground rules for

dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (Panda) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group

## WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**



**Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information:** [www.reallygreatsite.com](http://www.reallygreatsite.com)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

🔔 👤 ▼

HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.

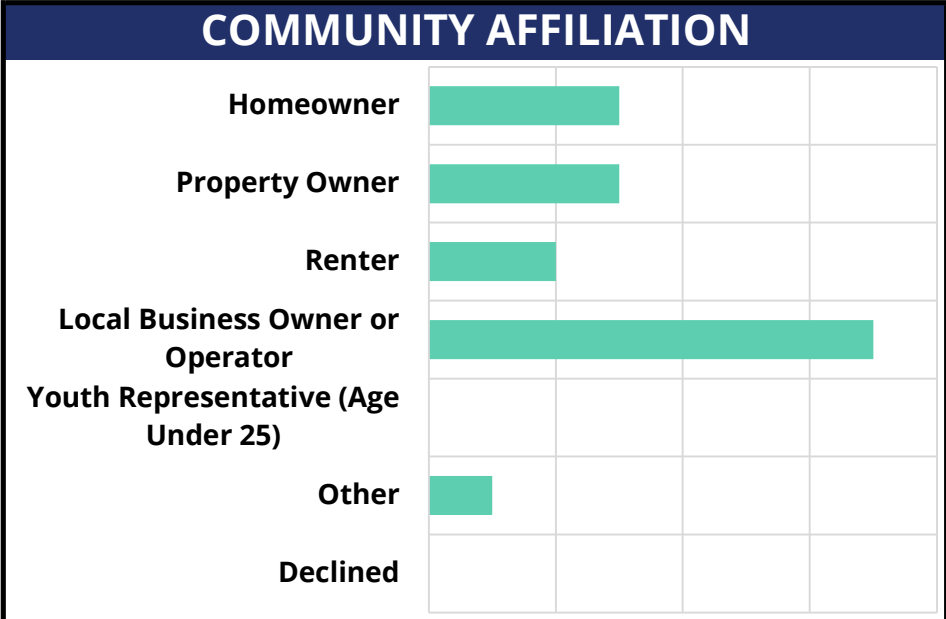


### Monthly Meetings:

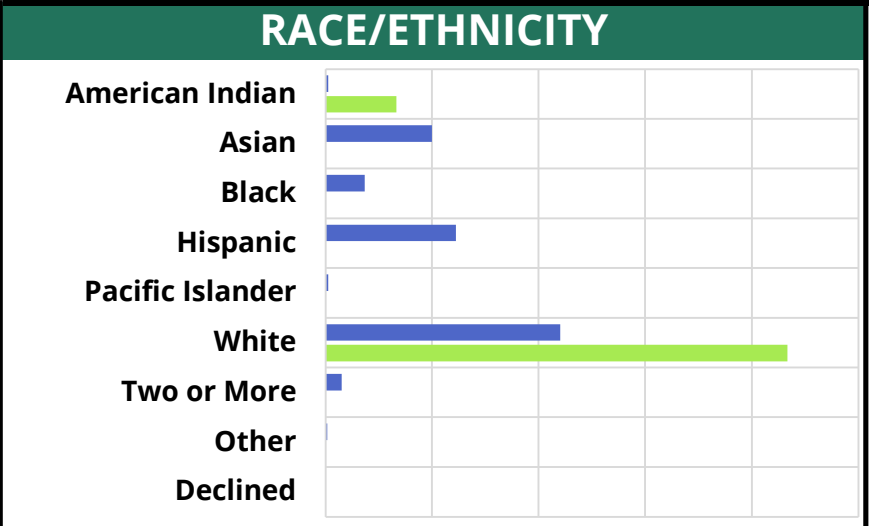
Occur every 3rd Wednesday of the month.  
Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199  
Time: 6:00 p.m. to 8:00 p.m.  
See Menu Bar above for meeting agenda.

# Kearny Mesa

Member Count    Percent Group    Percent Community



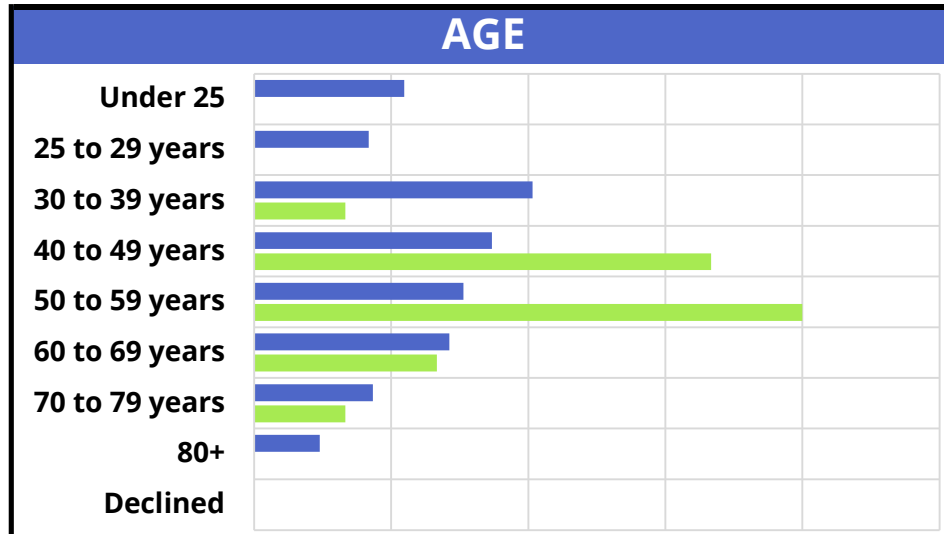
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 3            |
| Property Owner                      | 3            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 7            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 1            |
| Declined                            | ---          |
| Total                               | 16           |



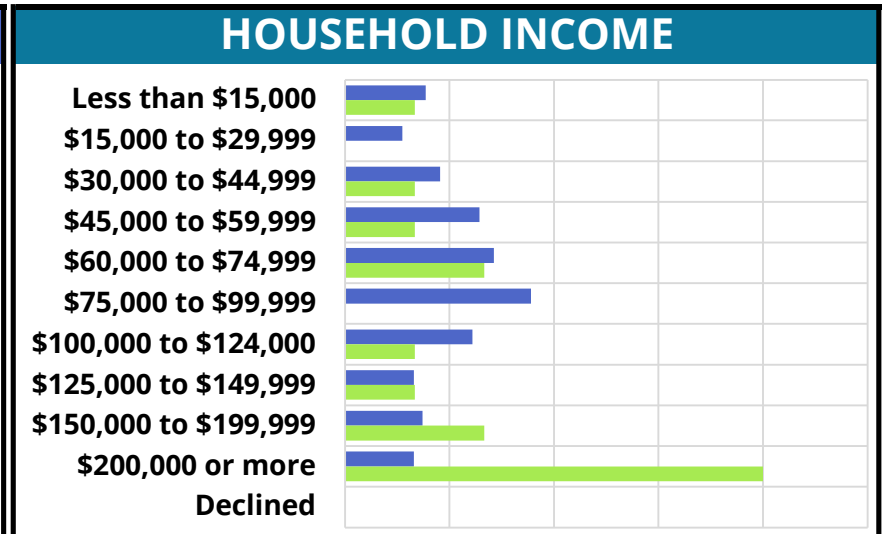
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | 2            | 13.3%         | 0.5%              |
| Asian            | ---          | ---           | 19.9%             |
| Black            | ---          | ---           | 7.3%              |
| Hispanic         | ---          | ---           | 24.5%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 13           | 86.7%         | 44.0%             |
| Two or More      | ---          | ---           | 3.0%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| Total            | 15           | 100.0%        | 100.0%            |

# Kearny Mesa

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 11%               |
| 25 to 29 years | ---          | ---           | 8%                |
| 30 to 39 years | 1            | 7%            | 20%               |
| 40 to 49 years | 5            | 33%           | 17%               |
| 50 to 59 years | 6            | 40%           | 15%               |
| 60 to 69 years | 2            | 13%           | 14%               |
| 70 to 79 years | 1            | 7%            | 9%                |
| 80+            | ---          | ---           | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 7%            | 8%                |
| \$15,000 to \$29,999   | ---          | ---           | 5%                |
| \$30,000 to \$44,999   | 1            | 7%            | 9%                |
| \$45,000 to \$59,999   | 1            | 7%            | 13%               |
| \$60,000 to \$74,999   | 2            | 13%           | 14%               |
| \$75,000 to \$99,999   | ---          | ---           | 18%               |
| \$100,000 to \$124,000 | 1            | 7%            | 12%               |
| \$125,000 to \$149,999 | 1            | 7%            | 7%                |
| \$150,000 to \$199,999 | 2            | 13%           | 7%                |
| \$200,000 or more      | 6            | 40%           | 7%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 31, 2023, 3:18:04 PM

What is the official name of your Planning Group?

**Kensington Talmadge Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Kensington-Talmadge**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**See Community Participation and Representation Document (Exhibit B of the Bylaws)**

How will your Planning Group fairly represent all members of your community?

**The Kensington Talmadge Community Planning Group will establish the following goals which will be pursued using the means identified below to broaden community outreach. 1. Educate community members about the role of our CPG and opportunities for involvement and do so in simple easy-to-understand language. When requested, we will make meeting materials available by mail or in other languages as translated by the City. We will educate the public on our role in the community development process by developing a CPG fact sheet that could be printed in several local business newsletters which have a broader distribution, as well as by being posted at several local businesses. 2. Establish relationships with local schools, community-oriented businesses and non-profits, and other community organizations to build relationships and trust within the community. The Kensington Talmadge Planning Group will continue its ongoing relationships with the local city advisory bodies of the Adams Avenue Business Association, El Cajon Boulevard Business Improvement Association, and Talmadge Maintenance Assessment District, as well as private community organizations such as the Kensington-Talmadge Community Association, and Talmadge Community Council. Others may join this list as they arise. 3. Increase and diversify participation in our regular CPG meetings and decision making. To increase and diversify participation in our regular CPG meetings, the KTPG will have online events that are not meetings, but which instead are informal forums for discussion and education on the role of the CPG. By familiarizing the public with the planning group, these events may create more interest in its work. These will be held at least once a year. We will participate in in-person events held by other community groups at their request. 4. Obtain meaningful input from a broad range of community members, and be proactive in listening to community needs and communicate these to the City. We will develop a planning group email list both to inform interested community members of our activities, and from time to time, to solicit responses from the community. 5. Success will be measured by the size of our email list, attendance at our online events, and responses to any surveys we may conduct. At this time, attendance at our meetings would not be a good measurement of success as we may be required to hold our meetings well outside our community.**

Applicant Representative

**David Moty**

Email

**dkmoty@gmail.com**

Phone Number

**619-255-2882**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | Ken_Tal 4_terms_and_conditions-template FINAL.pdf<br>159.8KB         |
| <b>PDF</b> | Ken_Tal 5_guidelines_for_ethical_standards_FINAL.pdf<br>63.9KB       |
| <b>PDF</b> | Ken_Tal 6_community_participation_representation_FINAL.pdf<br>64.3KB |
| <b>PDF</b> | KTPG Bylaws Approved 231211 CLEAN COPY.pdf<br>187KB                  |
| <b>PDF</b> | KTPG Bylaws Approved 231211 Redline With Edits.pdf<br>236KB          |
| <b>PDF</b> | 5_worksheet.pdf<br>678.8KB   |

KENSINGTON TALMADGE DEMOGRAPHIC DATA  
collected December 11, 2023

Board Size: 14 members

Board members in attendance: 11 Members

The questions were asked in the following manner:

| Age<br>(suggested age ranges were not supplied in the policy - please circle one) | 18-30 | 31-45 | 46-60 | 61 & above | Not Reported | Not Returned | Absent |
|---|-------|-------|-------|------------|--------------|--------------|--------|
|   | 0     | 1     | 2     | 4          | 3            | 1            | 3      |

| Nature of Relationship with Community<br>(please circle as many as apply) (Property owner was not an option requested by council policy) | Homeowner | Business Owner | Renter |  |   |   |   |
|--|-----------|----------------|--------|--|---|---|---|
|  | 7         | 1              | 1      |  | 3 | 1 | 3 |

|   |   |   |   |   |
|---|---|---|---|---|
| Duration of Relationship with Community (in years)<br>(What relationship means in this context was not explained) | 5, 9, 14, 22, 30, 40, 42  | 3 | 1 | 3 |
| Length of Service with Planning Group (in years)  | 1, 1, 2, 3, 3, 4, 32  | 3 | 1 | 3 |
| Ethnicity (self reported)   | European, Latina, German/Jewish, Western European, Western European   | 5 | 1 | 3 |
| Race (self reported)  | Caucasian, Hispanic, Minority, White, White   | 5 | 1 | 3 |
| Professional Background or Expertise  | Architecture, Artificial Intelligence, High School, Journalist & Community Volunteer, Military, Non-profit Director, PhD Scientist & Legal Professional | 3 | 1 | 3 |

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OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
**Kensington Talmadge Community Planning Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Operating Procedures established herein, the City desires to establish minimum standards the Kensington Talmadge Community Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Operating Procedures with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Operating Procedures established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Kensington Talmadge Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the Kensington Talmadge Community, as shown in Exhibit A.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit A, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

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Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March.

2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, diverse race, ethnicity, and age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit B).

3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. CPG Composition**

4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community. The Kensington-Talmadge Planning Group shall consist of 13 elected board members.

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4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws. The Kensington-Talmadge Planning Group does not have any appointed stakeholder seats.

4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

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- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public

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housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot

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- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Operating Procedures
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

**5.3 Election Timing**

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

**6. Conduct of Meetings**

**6.1 Professional Conduct**

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

**6.2 Rules of Procedure**

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes. The Kensington-Talmadge Planning Group shall follow Robert's Rules of Order.

**6.3 Transparency in Operations**

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

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General elections of Kensington-Talmadge Planning Group members shall be held during the month of March in accordance with the adopted Kensington-Talmadge Planning Group's election procedures. The Kensington-Talmadge Planning Group's general elections shall be held annually.

The deadline to qualify for candidacy in the March general election shall be by the February noticed regular or special meeting of the full planning group membership preceding the election. The planning group's Election Subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates.

By the regular January meeting, the Kensington-Talmadge Planning Group Chairperson shall: appoint an Election Subcommittee with a minimum of three members, of whom at least two shall be elected board members who will not be running for election; appoint one of these elected board members as the Election Subcommittee Chairperson; and appoint a minimum of one eligible community member, who will not run for election. There must be a majority of elected board members on the subcommittee. These appointments are subject to a majority vote confirmation by the voting members by the regular January meeting.

The Election Subcommittee shall follow all policy and procedures within Council Policy 600-24 and within the Kensington-Talmadge Planning Group Bylaws, herein.

Article III, Sections 1, 2, and 3; shall serve as a basis for seeking candidates for the annual election. The Election Subcommittee shall report the names of the eligible community members who have agreed to be candidates at the regular February meeting. Candidates may be added at the February meeting.

After the election of planning group members, the election subcommittee shall seek candidates for the various planning group offices. The Election Subcommittee shall be disbanded at the call to order of the regular April meeting.

The Kensington-Talmadge Planning Group 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 ballot presented to eligible community members to vote will clearly state candidates are running for "at-large" seats which are filled by the candidates receiving the greatest number of votes in descending order except in the case of a candidate who has served eight or more consecutive years. The ballot will state how many candidates can be selected. If there are any candidates who have served eight or more consecutive years, the ballot will clearly indicate that those candidates must receive a two-thirds majority of the vote due to service beyond eight consecutive years of service.

Voting shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances.

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The Kensington-Talmadge Planning Group's election becomes final after announcing the election results at the conclusion of the noticed, regular March planning group meeting or upon publication of the results, as specified in the approved election procedures. The 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 voting members at the April planning group meeting.

Any challenge to the election results must be filed with the Chairperson of the Election Subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue. Refer to Article IX, Section 3 Kensington-Talmadge Planning Group Bylaws, herein.

Procedures for election and voting include the following: Voting Time; Voting Location(s); Voting Eligibility; Candidate Eligibility; Promotion of Elections; Counting Votes; Ballots; Write-in Candidates; Managing Polls and Counting Ballots; Reporting Election Results to the Kensington-Talmadge Planning Group Chairperson; and Election Challenge Criteria and Procedures.

(1) VOTING TIME(S): Shall be publicly announced at or before the February Kensington Talmadge Planning Group meeting or included in the Notice of Adjournment and shall be noticed in the regular March meeting agenda or notice of adjournment.

(2) VOTING LOCATION(S): Shall be publicly announced at or before the February Kensington Talmadge Planning Group meeting or included in the Notice of Adjournment and shall be noticed in the regular March meeting agenda or notice of adjournment.

(3) VOTER ELIGIBILITY: According to Council Policy 600-24 "to be an eligible member of the community, a member must be at least eighteen years of age, and affiliated with the community as a:

(a) 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

(b) resident, who is an individual whose primary address or residence is an address in the community planning area, or

(c) 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.

In accordance with the above Council Policy, the Kensington-Talmadge Planning Group "shall require proof of eligibility" at every March election, to be demonstrated to and verified by the Election Subcommittee.

At each March election, the voter will provide any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent

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nature such as a pardon or discharge, including:

(A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency. Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

Non-residents who own property within the community should present documents similar to those described in (A) through (T) above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(4) **CANDIDATE ELIGIBILITY:** In accordance with Council Policy 600-24 “planning group members shall be elected by and from eligible members of the community,” and meet one of three categories as delineated above.

The deadline to qualify for candidacy in the March election shall be by the February noticed regular or special meeting of the full planning group membership preceding the election.

(5) **PROMOTION OF ELECTIONS:** Promotion of elections will be handled in accordance with our Community Participation and Representation Plan attached as Exhibit B.

(6) **COUNTING VOTES:** Candidates are elected by the plurality method of counting votes. With a plurality vote, vacancies are filled by the candidates receiving the greatest number of votes in descending order.

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Ballots marked with more than the maximum number of votes allowed shall be tallied as “Overvotes” and shall be excluded from the total count. Ballots with no votes marked shall be tallied “Unvoted” and shall be excluded from the total count.

When a termed-out candidate requires a two-thirds majority vote for re-election, the two-thirds majority vote shall be calculated from the total number of ballots cast by eligible community members participating in the election, less the exclusions noted above.

In case of a tie, the winner will be determined by the toss of a coin by the Chairperson of the Election Subcommittee.

(7) **BALLOTS:** Voting shall be by secret written ballot. Ballots will clearly explain the total number of candidates for which one can vote. Refer to Article V, Sections 2 and 3 above.

(8) **WRITE-IN CANDIDATES:** Write-in candidates are not allowed.

(9) **MANAGING THE POLLS AND COUNTING THE BALLOTS:** The Election Subcommittee shall manage the polls and count the ballots. This includes preparing the ballots for distribution and verifying each eligible community member’s identification before giving one a ballot, as well as collecting and counting the ballots. After confirming the count, the Election Subcommittee Chairperson reports the results in writing to the Kensington-Talmadge Planning Group Chairperson.

(10) **REPORTING THE ELECTION RESULTS TO THE KENSINGTON TALMADGE PLANNING GROUP CHAIRPERSON:** The election becomes final after the Kensington-Talmadge Planning Group Chairperson announces or publishes the results reported by the Election Subcommittee Chairperson.

(11) **ELECTION CHALLENGE CRITERIA AND PROCEDURES:** Any challenge to the election results must be filed with the Chairperson of the Election Subcommittee in writing within 24 hours of the counting of the ballots and announcement or publication of the tally.

It is the duty of the Kensington-Talmadge Planning Group 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

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process as set forth on the planning group's agenda.

(a) Meeting Procedures

It shall be the duty of each member of the Kensington-Talmadge Planning Group to attend all planning group meetings.

(1) **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.

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

If the community planning group maintains a website, the agenda should also be posted on that website 72 hours in advance of the meeting.

Community planning groups shall offer their agendas to the City for posting on the City's website.

(2) **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.

(3) **ADJOURNMENTS AND CONTINUANCES** – If the Kensington-Talmadge Planning Group 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.

(4) **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.

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

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

(6) **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.

(7) **DEVELOPMENT PROJECT REVIEW** – The Kensington-Talmadge Planning Group 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.

(8) **ACTION ON AGENDA ITEMS** – An item not noticed on the agenda may be added if either two-thirds of the voting members of the planning group, or every voting member if less than two-thirds 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.

Voting requirements vary by subject of the action:

(1) Removing an elected community planning group member, in accordance with Article IX of these bylaws, requires a two-thirds vote of the elected board members of a community planning group.

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(2) Approving an amendment to adopted bylaws requires a two-thirds vote of the elected board members of a community planning group.

(3) A ratifying vote to remove a member due to ineligibility in accordance with Article III, Section 5 of this Policy requires a majority vote of the elected board members of a community planning group.

(4) Approval of a community plan update or a community plan amendment requires a majority vote of the elected board members of a community planning group.

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

Whether stated or unstated, every motion approved by the elected planning group or a subcommittee thereof, will be understood to include a clause authorizing the author or the chair to make non-substantive corrections of formatting, punctuation, grammar, spelling, style or typographical error to the approved motion or the document authorized thereby.

The Kensington-Talmadge Planning Group Chairperson fully participates in planning group discussions and votes on all action items. As a full participant in the planning group, the Chairperson of the Kensington-Talmadge Planning Group is entitled to make motions.

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 are allowed only as authorized by law.

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

(9) **COLLECTIVE CONCURRENCE** – Any attempt to develop a collective concurrence of the members of the Kensington-Talmadge Planning Group 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.

(10) **SPECIAL MEETINGS** – The Chairperson of the Kensington-Talmadge Planning Group, or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and if prepared and posted at least 72 hours before the special meeting, no further notice is required. If a special meeting is called with less than 72 hours-notice, each member of the planning group shall receive the written or electronic 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. If requested, 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.

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(11) **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 Kensington-Talmadge Planning Group and are prohibited under these bylaws.

(12) **RIGHT TO RECORD** – Any person attending a meeting of the Kensington-Talmadge Planning Group 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.

(13) **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.

(a) **Subcommittees**

The Kensington-Talmadge Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings. Various ad hoc subcommittees will be created, as needed, to address a particular planning group or operational matter, such as the Election Subcommittee. All standing and ad hoc subcommittee membership shall be disbanded at the call to order of the regular April meeting.

(1) **STANDING SUBCOMMITTEES** – Pursuant to the purpose of the Kensington-Talmadge Planning Group as identified in Article II, Section 1, the planning group has established the Kensington Maintenance Assessment District Subcommittee(s) as standing subcommittees. The Kensington Maintenance Assessment District Subcommittee(s) shall meet at least once per year.

**MAINTENANCE ASSESSMENT DISTRICT SUBCOMMITTEE(S)**

The Kensington Maintenance Assessment District Subcommittee(s) shall consist of a minimum of three, but no more than seven members appointed annually by the newly elected Chairperson of the Kensington-Talmadge Planning Group, subject to the confirmation by a majority vote of the voting planning group members. Appointments shall be made for twelve-month terms after the election of officers at the regular April meeting and before the close of the regular May meeting, and as vacancies occur. If the outgoing Kensington Maintenance Assessment District Subcommittee(s) has a report to submit at the April meeting, they may do so during the appropriate agenda item under public comment.

(2) **AD HOC SUBCOMMITTEES** – Ad hoc subcommittees may be established for finite periods of time to review more focused issue areas and shall be disbanded following their review. Such issues may align with elements in the City of San Diego General Plan or the adopted Community Plan. Ad hoc subcommittees are named by the presiding

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Kensington-Talmadge Planning Group Chairperson. Ad hoc subcommittee members and ad hoc subcommittee Chairpersons are appointed, as needed, by the Kensington-Talmadge Planning Group Chairperson, subject to confirmation by a majority vote of the elected board members.

(3) **SUBCOMMITTEE COMPOSITION** – Subcommittees, other than the Kensington Maintenance District Subcommittee(s), shall contain a majority of members who are members of the planning group. No more than two less than a quorum of the total Kensington-Talmadge Planning Group Members may serve on any subcommittee. All Subcommittee Chairpersons shall be an elected board member. Subcommittee members who are not elected board members shall be eligible community members. For qualifications to be an eligible community member, refer to Article V, Section 5 (3) Kensington-Talmadge Planning Group Bylaws, herein.

The Kensington Maintenance Assessment District Subcommittees(s) shall contain at least one elected board member. The Chairperson may appoint no more than one elected board member to the Subcommittee who is not a property owner in the maintenance assessment district(s). All other members of the Kensington Maintenance Assessment District Subcommittee(s) shall be property owners in that subcommittee's maintenance assessment district or zone of that district. If there is only one subcommittee governing all of the districts/zones, the Chairperson shall strive to provide equitable representation within the subcommittee for each maintenance assessment district/zone.

Non-elected members, who are duly appointed by a planning group to serve on a subcommittee, 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.

(4) **RECOMMENDATIONS** – Subcommittee 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 subcommittee recommendation, be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

The procedures for recommendations from the Kensington Maintenance Assessment District Subcommittee shall be as follows: Kensington Maintenance Assessment District Subcommittee initial recommendations shall not be amended in substance or intent by the planning group. If a Kensington Maintenance Assessment District Subcommittee recommendation is not approved by the planning group, the Chairperson shall request the Subcommittee to amend the recommendation. If the Subcommittee does not amend the recommendation, the planning group may at a regularly scheduled meeting within 90 days amend or reject the Subcommittee recommendation. In that instance the Chairperson shall then submit the planning group recommendation to the City, or notify the City of the planning group's rejection of the Subcommittee recommendation. The amended recommendation or notification of rejection shall include the Subcommittee's initial recommendation as an attachment.

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**(b) Abstentions and Recusals**

(1) **RECUSALS** – Any member of the Kensington-Talmadge Planning Group with a direct economic interest in any project that comes before the planning group or its subcommittees 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.

(2) **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.

**(c) Meeting Documents and Records**

(1) **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.

(2) **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 of the materials requested by an individual or individuals.

(3) **MINUTES** – For each planning group meeting, a report of Kensington-Talmadge Planning Group 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 scheduled meeting.

The minutes of each planning group meeting shall include the group members who constitute a quorum at the meeting. In accordance with the Brown Act section 54953(c)(2) the votes taken on each action item shall include: group members who voted for, against, or abstained, on the item. 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. If the community

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planning group maintains a website, the approved minutes shall be posted within 14 days after approval by the group.

The Kensington-Talmadge Planning Group is not required to audio or videotape, 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.

(4) **RECORDS RETENTION** – Kensington-Talmadge Planning Group records as described below 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 community planning group. Community planning group records do not include writings that are required to be submitted to the City in accordance with this policy to substantiate and document a group's operation and compliance. Community planning groups also receive 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.

It shall be the duty of the Kensington-Talmadge Planning Group 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.

It shall be the duty of the Kensington-Talmadge Planning Group 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 twelve 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.

The Kensington-Talmadge Planning Group 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.

Each year, all currently elected Kensington-Talmadge Planning Group members are 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 member to attend the training session as required, or if a member is seated through a special election or in a month other than March, then the member shall successfully complete the online orientation training.

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Kensington-Talmadge Planning Group eligible community members, who are also duly appointed to subcommittee(s), but are not elected members, and who have not previously attended a City orientation meeting, as described above, are encouraged to attend one.

The officers of the Kensington-Talmadge Planning Group shall be elected from and by the elected members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be one year, commencing with the annual April election of officers by the newly seated and continuing elected board members. An officer's term shall end with the call to order by the most senior re-elected or continuing member of the planning group at the regular April meeting. The most senior member is the elected member who has the longest continuous service on the planning group. Any ties will be decided by the drawing of lots. The senior member shall chair the April meeting, and as the first order of business, conduct the election of the new Chairperson who will immediately assume office. 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 in the same planning group office that person shall again be eligible to serve in that office.

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

The duties of the Chairperson include setting the agenda for the regular monthly meetings in conjunction with the elected planning group Secretary and subcommittee chairpersons. The Chairperson will include any items voted onto the agenda during a previous Kensington-Talmadge Planning Group meeting. The Chairperson together with the assigned City representative shall publicly notice said agenda.

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 community planning group.

The Chairperson also serves as the point of contact for the City, the community, and development applicants, including posting agendas and relevant planning group information on appropriate community websites.

The Chairperson shall be the representative to the citywide Community Planners Committee (note Section 5 below).

The Chairperson appoints all subcommittee members and subcommittee Chairpersons and liaisons to other groups, subject to confirmation by a majority vote of the elected board members.

The Chairperson is responsible for filing the required Annual Report of the Kensington-Talmadge Planning Group to the City which includes maintaining the Planning Group Public Roster.

**Vice Chairperson.** In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

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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 who 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.

The Secretary shall be responsible for maintaining eligibility records for the currently elected board members, including attendance at regular meetings and reporting any ineligibilities, vacancies, or resignations at the next regular meeting.

The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by a majority vote of the planning group, a planning group member other than the Chairperson may be selected as the official representative to the CPC with the same voting rights and privileges as the Chairperson. Designation of a member, other than the Chairperson, as the planning group's representative or alternate to the CPC, shall be forwarded in writing to the staff representative to the CPC prior to extension of voting rights and member attendance.

The Kensington-Talmadge Planning Group representatives to the CPC shall promptly disseminate to all elected board members pertinent information that is received by the planning group regarding its official business.

Treasurer. The Treasurer shall receive all monies, and deposit Kensington-Talmadge Planning Group funds in the name of the planning group. The Treasurer shall pay all bills as directed by the planning group; keep an accurate accounting of all receipts and disbursements; and should report the financial condition at each regular planning group meeting.

The Kensington-Talmadge Planning Group 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. For additional references for the Kensington-Talmadge Planning Group's procedures and policies see: Article VIII Planning Group Policies and Procedures and Article IX Rights and Liabilities of Recognized Community Planning Groups in Council Policy 600-24; see also: *the Administrative Guidelines for Implementation of Council Policy 600-24*.

This bylaws article lists additional procedures which are incorporated into and referenced within the Kensington-Talmadge Planning Group Bylaws rather than found in Exhibits attached to the bylaws. However, any procedures found in exhibits have the same effect as if they were incorporated directly into Articles I through VII of the bylaws. Procedures 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.

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(a) Community Participation

Community participation will be handled in accordance with the Community Participation and Representation Plan attached as Exhibit B.

(b) Planning Group Composition

The following are the Kensington-Talmadge Planning Group procedures pursuant to Article III, Section 2 regarding planning group composition:

Procedures Pursuant to Article III, Section 2: The Kensington-Talmadge Planning Group “shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests” refer to Article III, Section 2 in Kensington-Talmadge Planning Group Bylaws, herein. Procedures include, but are not limited to, striving for an equitable representation of elected board members from the two primary neighborhoods of Kensington and Talmadge and the Council Policy 600-24 categories of eligible community members. Such representation may be obtained by actively pursuing qualified candidates from both neighborhoods and the Council Policy categories for the annual elections, and to serve on subcommittees, or to serve as liaisons to other community or neighborhood groups.

(c) Conduct of Meetings

The following are the Kensington-Talmadge Planning Group procedures regarding conduct of planning group meetings:

**Public Notice of Meeting Agendas:** Regular meeting agendas are publicly noticed at least 72 hours before the meeting by posting on appropriate community and City web sites, as available, as well as a physical copy being posted at a location specified by resolution of the board. Requests for digital copies may be made directly to the City.

Public comment on non-agenda items is scheduled early on the regular meeting agendas. Usually, two to three minutes are allowed for an individual; more time may be granted by the Chairperson for a group presentation. However, no discussion or action may be taken on such non-agenda items.

Agenda items for regular and subcommittee meetings are open to public comment by the respective Chairpersons. The Planning Group Chairperson may open public comment either before or after the respective elected members' discussion. A subcommittee Chairperson generally opens public comment after the duly appointed subcommittee members' discussion of an item. In any case, during the discussion by elected or duly appointed members, such members may ask questions of the public.

Elected board members, and by extension duly appointed subcommittee members, and the public/audience are encouraged to participate in discussions in a normative civil manner.

The Chairperson, at his or her discretion, may extend the time for a specific agenda item by up to 10 minutes. Any further time extensions for an agenda item will be voted on and approved by the planning group.

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Public Comment under Non-Agenda and Agenda items will be limited to 2 minutes per speaker unless extended at the discretion of the chairperson or a vote of the full planning group.

All Kensington-Talmadge Planning Group meetings are to adjourn at 8:30 pm unless another time has been noticed on the agenda, or the planning group votes to extend the adjournment of the meeting.

Any items on the agenda not heard by adjournment will automatically be tabled until the next month's meeting. The Chairperson is encouraged to prioritize agenda items to accommodate higher priority action items if time is limited.

**Subcommittee Membership and Operations:**

Kensington Maintenance Assessment District Subcommittee(s): The Kensington-Talmadge Planning Group shall be the official Advisory Body for the Kensington Maintenance Assessment District(s) and shall establish standing subcommittee(s) to assist in its advisory role. The Kensington Maintenance Assessment District(s) are landowner district(s), requiring certain adjustments to standard City policies on subcommittees.

Election Subcommittee: The Kensington-Talmadge Planning Group Election Subcommittee is an ad hoc subcommittee constituted not later than January for a particular task and time frame: the election of planning group members in March and planning group officers in April.

**(d) Member and Planning Group Responsibilities**

The following are the Kensington-Talmadge Planning Group procedures regarding member and planning group responsibilities:

Planning Group's Position on Planning Issues: The Kensington-Talmadge Planning Group's positions or recommendations on City planning issues may be formulated by a majority vote of the elected board members at a regular meeting or a special meeting.

Such items require at least 72 hours public notice on a scheduled or revised agenda, however, only 24 hours public notice is required for a special meeting agenda. The Chairperson is encouraged to call a special meeting if the planning issue is time sensitive.

The resultant recommendations or positions of the Kensington-Talmadge Planning Group, which are not project review, may be presented to the appropriate City agency in the form of a letter signed by the Chairperson; an official email from the Chairperson or from the Secretary; or as public testimony by assigned community representative(s); or verbally as directed by a majority vote of the elected board members after a noticed planning group action. Project Review recommendations must be submitted on the appropriate City form.

Voluntary financial contributions: Voluntary financial contributions may be received to defray the expenses incurred by the Kensington-Talmadge Planning Group's operations. A policy on contributions may be established by majority vote of the planning group.

Participation with Other Organizations: The Kensington-Talmadge Planning Group endeavors to participate with other community and neighborhood organizations, such as the Talmadge Maintenance Assessment District (TMAD) and its associated non-profit organization the Talmadge Community Association; the Adams Avenue Business Association and the El Cajon Boulevard Business Improvement Association. The Kensington-Talmadge Planning Group includes reports from representatives to or from, such liaison committees during the regular planning group meeting.

## **7. Additional CPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

#### 7.3.1 Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are

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still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and

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indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

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In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

**8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions**

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

**8.6 Potential Conflicts of Interest**

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

**8.7 Violations and Remedies for Quorum and Attendance Requirements**

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

**8.8 Violations of City Requests for Input**

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

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**9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

**10. Term of the Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Proposed amendments shall be submitted to the office 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.

Amendments to the Operating Procedures are not valid until approved by the City.

Attachment:

**EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION**

**Kensington-Talmadge Planning Group Bylaws**  
**May 16, 2008**  
**Amended December 11, 2023; Recognized by City xx-xx-xx**

**ARTICLE I   Name**

- Section 1.      The official name of this organization is the Kensington-Talmadge Planning Group.
- Section 2.      All activities of this organization shall be conducted in its official name.
- Section 3.      The community planning area boundaries for the Kensington-Talmadge Planning Group are the boundaries of the Kensington-Talmadge community, as shown on Exhibit A: Kensington-Talmadge Planning Group Boundary Map.
- Section 4.      Meetings of the Kensington-Talmadge Planning Group shall be held within these boundaries, except that when the Kensington-Talmadge Planning Group does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.
- Section 5.      The official positions and opinions of the Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group 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 to, the General Plan or a land use plan when a plan relates to the Kensington-Talmadge community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency 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 Kensington-Talmadge Planning Group should focus such review on conformance with the Land Development Code, 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 choose to provide a subsequent formal recommendation to the City.

- Section 3. All activities of the Kensington-Talmadge Planning Group shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed or national origin, or sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.
- Section 4. The Kensington-Talmadge Planning Group shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Community Planning Group 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 Kensington-Talmadge Planning Group'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 Kensington-Talmadge community 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 Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group, as well as to all other community planning groups, even if individual groups' bylaws are not required to be amended.
- 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 Newly Revised* is used when the Policy, the Administrative Guidelines, and these bylaws do not address an area of concern or interest.
- Section 7. The Kensington-Talmadge Planning Group may propose amendments to these bylaws by two-thirds vote of the elected board members of the planning group.

### **ARTICLE III Community Planning Group Organization**

Section 1. The Kensington-Talmadge Planning Group shall consist of 13 elected board members to represent the community. Refer to Article IV Vacancies, and Article V Elections of the Kensington-Talmadge Planning Group Bylaws, herein. 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 voting members of the Kensington-Talmadge Planning Group shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the Kensington-Talmadge Planning Group elected seats are filled by any eligible community member as identified in Article V, Section 5 (3) below. There is no further restriction on the distribution of seats among interests in the community.

Section 3. Members of the Kensington-Talmadge Planning Group shall be elected to serve for fixed terms of two years with expiration dates during alternate years to provide continuity. Seven seats will be up for election during even years, and six seats will be up for election during odd years. No person may serve on the planning group for more than eight consecutive years.

After a one-year break in service as a planning group member, an individual who has 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 only so far as is needed to fill ten seats.

Section 4. A member of the Kensington-Talmadge Planning Group must retain eligibility during the entire term of service.

Section 5. A member of the Kensington-Talmadge Planning Group found to be out of compliance with the provisions of *Council Policy 600-24* or the planning group's adopted bylaws risks loss of 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 Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group 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 group's regular meetings. If it is the Secretary who has the absences, then the Chairperson shall issue the written report.

After a hearing of the report by the board, the vacancy must be affirmed by a majority vote of the board.

Section 2. Vacancies that may occur on the Kensington-Talmadge Planning Group 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.

Vacancies shall be filled by appointment by the planning group Chairperson, subject to a majority vote confirmation by the voting members of the planning group within 120 days from the date the vacancies are declared by the Secretary at a regular noticed meeting.

Section 3. When the Kensington-Talmadge Planning Group is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than ten members, a search for a new member should continue, however the seat may remain vacant until the next planning group election.

If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 elected board members in good standing, the planning group shall report to the City in writing the efforts made to fill the vacancy. If, after 60 additional days, the planning group membership has not reached 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

## **ARTICLE V Elections**

Section 1. General elections of Kensington-Talmadge Planning Group members shall be held during the month of March in accordance with the adopted Kensington-Talmadge Planning Group's election procedures. The Kensington-Talmadge Planning Group's general elections shall be held annually.

The deadline to qualify for candidacy in the March general election shall be by the February noticed regular or special meeting of the full planning group membership preceding the election. The planning group's Election Subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates.

By the regular January meeting, the Kensington-Talmadge Planning Group Chairperson shall: appoint an Election Subcommittee with a minimum of three members, of whom at least two shall be elected board members who will not be running for election; appoint one of these elected board members as the Election Subcommittee Chairperson; and appoint a minimum of one eligible community member, who will not run for election. There must be a majority of elected board members on the subcommittee. These appointments are subject to a majority vote confirmation by the voting members by the regular January meeting.

The Election Subcommittee shall follow all policy and procedures within *Council Policy 600-24* and within the Kensington-Talmadge Planning Group Bylaws, herein.

Article III, Sections 1, 2, and 3; shall serve as a basis for seeking candidates for the annual election. The Election Subcommittee shall report the names of the eligible community members who have agreed to be candidates at the regular February meeting. Candidates may be added at the February meeting.

After the election of planning group members, the election subcommittee shall seek candidates for the various planning group offices. The Election Subcommittee shall be disbanded at the call to order of the regular April meeting.

Section 2. The Kensington-Talmadge Planning Group 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 ballot presented to eligible community members to vote will clearly state candidates are running for "at-large" seats which are filled by the candidates receiving the greatest number of votes in descending order except in the case of a candidate who has served eight or more consecutive years. The ballot will state how many candidates can be selected. If there are any candidates who have served eight or more consecutive years, the ballot will clearly indicate that those candidates must receive a two-thirds majority of the vote due to service beyond eight consecutive years of service.

Section 3. Voting shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances.

Section 4. The Kensington-Talmadge Planning Group's election becomes final after announcing the election results at the conclusion of the noticed, regular March planning group meeting or upon publication of the results, as specified in the approved election procedures. The 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 voting members at the April planning group meeting.

Any challenge to the election results must be filed with the Chairperson of the Election Subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue. Refer to Article IX, Section 3 Kensington-Talmadge Planning Group Bylaws, herein.

Section 5. Procedures for election and voting include the following: Voting Time; Voting Location(s); Voting Eligibility; Candidate Eligibility; Promotion of Elections; Counting Votes; Ballots; Write-in Candidates; Managing Polls and Counting Ballots; Reporting Election Results to the Kensington-Talmadge Planning Group Chairperson; and Election Challenge Criteria and Procedures.

(1) VOTING TIME(S): Shall be publicly announced at or before the February Kensington Talmadge Planning Group meeting or included in the Notice of Adjournment and shall be noticed in the regular March meeting agenda or notice of adjournment.

(2) VOTING LOCATION(S): Shall be publicly announced at or before the February Kensington Talmadge Planning Group meeting or included in the Notice of Adjournment and shall be noticed in the regular March meeting agenda or notice of adjournment.

(3) VOTER ELIGIBILITY: According to Council Policy 600-24 “to be an eligible member of the community, a member must be at least eighteen years of age, and affiliated with the community as a:

(a) 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

(b) resident, who is an individual whose primary address or residence is an address in the community planning area, or

(c) 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.

In accordance with the above Council Policy, the Kensington-Talmadge Planning Group “shall require proof of eligibility” at every March election, to be demonstrated to and verified by the Election Subcommittee.

At each March election, the voter will provide any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including:

(A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

Non-residents who own property within the community should present documents similar to those described in (A) through (T) above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(4) **CANDIDATE ELIGIBILITY:** In accordance with *Council Policy 600-24* “planning group members shall be elected by and from eligible members of the community,” and meet one of three categories as delineated above.

The deadline to qualify for candidacy in the March election shall be by the February noticed regular or special meeting of the full planning group membership preceding the election.

(5) **PROMOTION OF ELECTIONS:** Promotion of elections will be handled in accordance with our Community Participation and Representation Plan attached as Exhibit B.

(6) **COUNTING VOTES:** Candidates are elected by the plurality method of counting votes. With a plurality vote, vacancies are filled by the candidates receiving the greatest number of votes in descending order.

Ballots marked with more than the maximum number of votes allowed shall be tallied as “Overvotes” and shall be excluded from the total count. Ballots with no votes marked shall be tallied “Unvoted” and shall be excluded from the total count.

When a termed-out candidate requires a two-thirds majority vote for re-election, the two-thirds majority vote shall be calculated from the total number of ballots cast by eligible community members participating in the election, less the exclusions noted above.

In case of a tie, the winner will be determined by the toss of a coin by the Chairperson of the Election Subcommittee.

(7) **BALLOTS:** Voting shall be by secret written ballot. Ballots will clearly explain the total number of candidates for which one can vote. Refer to Article V, Sections 2 and 3 above.

(8) **WRITE-IN CANDIDATES:** Write-in candidates are not allowed.

(9) **MANAGING THE POLLS AND COUNTING THE BALLOTS:** The Election Subcommittee shall manage the polls and count the ballots. This includes preparing the ballots for distribution and verifying each eligible community member’s identification before giving one a ballot, as well as collecting and counting the ballots. After confirming the count, the Election Subcommittee Chairperson reports the results in writing to the Kensington-Talmadge Planning Group Chairperson.

(10) **REPORTING THE ELECTION RESULTS TO THE KENSINGTON TALMADGE PLANNING GROUP CHAIRPERSON:** The election becomes final after the Kensington-Talmadge Planning Group Chairperson announces or publishes the results reported by the Election Subcommittee Chairperson.

(11) ELECTION CHALLENGE CRITERIA AND PROCEDURES: Any challenge to the election results must be filed with the Chairperson of the Election Subcommittee in writing within 24 hours of the counting of the ballots and announcement or publication of the tally.

## **ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1. It is the duty of the Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group to attend all planning group meetings.

(1) 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.

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

If the community planning group maintains a website, the agenda should also be posted on that website 72 hours in advance of the meeting.

Community planning groups shall offer their agendas to the City for posting on the City's website.

(2) 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.

(3) ADJOURNMENTS AND CONTINUANCES – If the Kensington-Talmadge Planning Group 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.

(4) 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.

(5) CONSENT AGENDA – For items to be considered for a “Consent Agenda” all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

(6) 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.

(7) DEVELOPMENT PROJECT REVIEW – The Kensington-Talmadge Planning Group 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.

(8) ACTION ON AGENDA ITEMS – An item not noticed on the agenda may be added if either two-thirds of the voting members of the planning group, or every voting member if less than two-thirds 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.

Voting requirements vary by subject of the action:

- (1) Removing an elected community planning group member, in accordance with Article IX of these bylaws, requires a two-thirds vote of the elected board members of a community planning group.
- (2) Approving an amendment to adopted bylaws requires a two-thirds vote of the elected board members of a community planning group
- (3) A ratifying vote to remove a member due to ineligibility in accordance with Article III, Section 5 of this Policy requires a majority vote of the elected board members of a community planning group.
- (4) Approval of a community plan update or a community plan amendment requires a majority vote of the elected board members of a community planning group.
- (5) All other group actions, including subcommittee votes, only require a simple majority of the voting members of the community planning group in attendance when a quorum is present.

Whether stated or unstated, every motion approved by the elected planning group or a subcommittee thereof, will be understood to include a clause authorizing the author or the chair to make non-substantive corrections of formatting, punctuation, grammar, spelling, style or typographical error to the approved motion or the document authorized thereby.

The Kensington-Talmadge Planning Group Chairperson fully participates in planning group discussions and votes on all action items. As a full participant in the planning group, the Chairperson of the Kensington-Talmadge Planning Group is entitled to make motions.

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 are allowed only as authorized by law.

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

(9) COLLECTIVE CONCURRENCE – Any attempt to develop a collective concurrence of the members of the Kensington-Talmadge Planning Group 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.

(10) SPECIAL MEETINGS – The Chairperson of the Kensington-Talmadge Planning Group, or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and if prepared and posted at least 72 hours before the special meeting, no further notice is required. If a special meeting is called with less than 72 hours-notice, each member of the planning group shall receive the written or electronic 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. If requested, 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.

(11) 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 Kensington-Talmadge Planning Group and are prohibited under these bylaws.

(12) **RIGHT TO RECORD** – Any person attending a meeting of the Kensington-Talmadge Planning Group 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.

(13) **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.

**(a) Subcommittees**

The Kensington-Talmadge Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings. Various ad hoc subcommittees will be created, as needed, to address a particular planning group or operational matter, such as the Election Subcommittee. All standing and ad hoc subcommittee membership shall be disbanded at the call to order of the regular April meeting.

(1) **STANDING SUBCOMMITTEES** – Pursuant to the purpose of the Kensington-Talmadge Planning Group as identified in Article II, Section 1, the planning group has established the Kensington Maintenance Assessment District Subcommittee(s) as standing subcommittees. The Kensington Maintenance Assessment District Subcommittee(s) shall meet at least once per year.

**MAINTENANCE ASSESSMENT DISTRICT SUBCOMMITTEE(S)**

The Kensington Maintenance Assessment District Subcommittee(s) shall consist of a minimum of three, but no more than seven members appointed annually by the newly elected Chairperson of the Kensington-Talmadge Planning Group, subject to the confirmation by a majority vote of the voting planning group members. Appointments shall be made for twelve-month terms after the election of officers at the regular April meeting and before the close of the regular May meeting, and as vacancies occur. If the outgoing Kensington Maintenance Assessment District Subcommittee(s) has a report to submit at the April meeting, they may do so during the appropriate agenda item under public comment.

(2) **AD HOC SUBCOMMITTEES** – Ad hoc subcommittees may be established for finite periods of time to review more focused issue areas and shall be disbanded following their review. Such issues may align with elements in the City of San Diego General Plan or the adopted Community Plan. Ad hoc subcommittees are named by the presiding Kensington-Talmadge Planning Group

Chairperson. Ad hoc subcommittee members and ad hoc subcommittee Chairpersons are appointed, as needed, by the Kensington-Talmadge Planning Group Chairperson, subject to confirmation by a majority vote of the elected board members.

(3) SUBCOMMITTEE COMPOSITION – Subcommittees, other than the Kensington Maintenance District Subcommittee(s), shall contain a majority of members who are members of the planning group. No more than two less than a quorum of the total Kensington-Talmadge Planning Group Members may serve on any subcommittee. All Subcommittee Chairpersons shall be an elected board member. Subcommittee members who are not elected board members shall be eligible community members. For qualifications to be an eligible community member, refer to Article V, Section 5 (3) Kensington-Talmadge Planning Group Bylaws, herein.

The Kensington Maintenance Assessment District Subcommittees(s) shall contain at least one elected board member. The Chairperson may appoint no more than one elected board member to the Subcommittee who is not a property owner in the maintenance assessment district(s). All other members of the Kensington Maintenance Assessment District Subcommittee(s) shall be property owners in that subcommittee's maintenance assessment district or zone of that district. If there is only one subcommittee governing all of the districts/zones, the Chairperson shall strive to provide equitable representation within the subcommittee for each maintenance assessment district/zone.

Non-elected members, who are duly appointed by a planning group to serve on a subcommittee, 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.

(4) RECOMMENDATIONS – Subcommittee 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 subcommittee recommendation, be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

The procedures for recommendations from the Kensington Maintenance Assessment District Subcommittee shall be as follows: Kensington Maintenance Assessment District Subcommittee initial recommendations shall not be amended in substance or intent by the planning group. If a Kensington Maintenance Assessment District Subcommittee recommendation is not approved by the planning group, the Chairperson shall request the Subcommittee to amend the recommendation. If the Subcommittee does not amend the recommendation, the planning group may at a regularly scheduled meeting within 90 days amend or reject the Subcommittee recommendation. In that instance the Chairperson shall then submit the planning group recommendation to the City, or notify the City of the planning group's rejection of the Subcommittee recommendation. The

amended recommendation or notification of rejection shall include the Subcommittee's initial recommendation as an attachment.

**(b) Abstentions and Recusals**

(1) RECUSALS – Any member of the Kensington-Talmadge Planning Group with a direct economic interest in any project that comes before the planning group or its subcommittees 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.

(2) 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.

**(c) Meeting Documents and Records**

(1) 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.

(2) 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 of the materials requested by an individual or individuals.

(3) MINUTES – For each planning group meeting, a report of Kensington-Talmadge Planning Group 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 scheduled meeting.

The minutes of each planning group meeting shall include the group members who constitute a quorum at the meeting. In accordance with the Brown Act section 54953(c)(2) the votes taken on each action item shall include: group members who voted for, against, or abstained, on the item. 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. If the community planning group maintains a website, the approved minutes shall be posted within 14 days after approval by the group.

The Kensington-Talmadge Planning Group is not required to audio or videotape, 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.

(4) RECORDS RETENTION – Kensington-Talmadge Planning Group records as described below 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 community planning group. Community planning group records do not include writings that are required to be submitted to the City in accordance with this policy to substantiate and document a group's operation and compliance. Community planning groups also receive 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 Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group 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 twelve 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 Kensington-Talmadge Planning Group 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 year, all currently elected Kensington-Talmadge Planning Group members are 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 member to attend the training session as required, or if a member is seated through a special election or in a month other than March, then the member shall successfully complete the online orientation training.

Kensington-Talmadge Planning Group eligible community members, who are also duly appointed to subcommittee(s), but are not elected members, and who have not previously attended a City orientation meeting, as described above, are encouraged to attend one.

## **ARTICLE VII Planning Group Officers**

Section 1. The officers of the Kensington-Talmadge Planning Group shall be elected from and by the elected members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be one year, commencing with the annual April election of officers by the newly seated and continuing elected board members. An officer's term shall end with the call to order by the most senior re-elected or continuing member of the planning group at the regular April meeting. The most senior member is the elected member who has the longest continuous service on the planning group. Any ties will be decided by the drawing of lots. The senior member shall chair the April meeting, and as the first order of business, conduct the election of the new Chairperson who will immediately assume office. 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 in the same planning group office that person shall again be eligible to serve in that office.

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

The duties of the Chairperson include setting the agenda for the regular monthly meetings in conjunction with the elected planning group Secretary and subcommittee chairpersons. The Chairperson will include any items voted onto

the agenda during a previous Kensington-Talmadge Planning Group meeting. The Chairperson together with the assigned City representative shall publicly notice said agenda.

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 community planning group.

The Chairperson also serves as the point of contact for the City, the community, and development applicants, including posting agendas and relevant planning group information on appropriate community websites.

The Chairperson shall be the representative to the citywide Community Planners Committee (note Section 5 below).

The Chairperson appoints all subcommittee members and subcommittee Chairpersons and liaisons to other groups, subject to confirmation by a majority vote of the elected board members.

The Chairperson is responsible for filing the required Annual Report of the Kensington-Talmadge Planning Group to the City which includes maintaining the Planning Group Public Roster.

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 who 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.

The Secretary shall be responsible for maintaining eligibility records for the currently elected board members, including attendance at regular meetings and reporting any ineligibilities, vacancies, or resignations at the next regular meeting.

Section 5. The Chairperson shall be a recognized community planning group's representative to the Community Planners Committee (CPC). However, by a majority vote of the planning group, a planning group member other than the Chairperson may be selected as the official representative to the CPC with the same voting rights and privileges as the Chairperson. Designation of a member, other than the Chairperson, as the planning group's representative or alternate to the CPC, shall be forwarded in writing to the staff representative to the CPC prior to extension of voting rights and member attendance.

- Section 6. The Kensington-Talmadge Planning Group representatives to the CPC shall promptly disseminate to all elected board members pertinent information that is received by the planning group regarding its official business.
- Section 7. Treasurer. The Treasurer shall receive all monies, and deposit Kensington-Talmadge Planning Group funds in the name of the planning group. The Treasurer shall pay all bills as directed by the planning group; keep an accurate accounting of all receipts and disbursements; and should report the financial condition at each regular planning group meeting.

## **ARTICLE VIII Planning Group Policies and Procedures**

- Section 1. The Kensington-Talmadge Planning Group 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*. For additional references for the Kensington-Talmadge Planning Group's procedures and policies see: Article VIII Planning Group Policies and Procedures and Article IX Rights and Liabilities of Recognized Community Planning Groups in *Council Policy 600-24*; see also: the *Administrative Guidelines for Implementation of Council Policy 600-24*

This bylaws article lists additional procedures which are incorporated into and referenced within the Kensington-Talmadge Planning Group Bylaws rather than found in Exhibits attached to the bylaws. However, any procedures found in exhibits have the same effect as if they were incorporated directly into Articles I through VII of the bylaws. Procedures 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**

Community participation will be handled in accordance with the Community Participation and Representation Plan attached as Exhibit B.

### **(b) Planning Group Composition**

The following are the Kensington-Talmadge Planning Group procedures pursuant to Article III, Section 2 regarding planning group composition:

**Procedures Pursuant to Article III, Section 2:** The Kensington-Talmadge Planning Group "shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests" refer to Article III, Section 2 in Kensington-Talmadge Planning Group Bylaws, herein. Procedures include, but are not limited to, striving for an equitable representation

of elected board members from the two primary neighborhoods of Kensington and Talmadge and the *Council Policy 600-24* categories of eligible community members. Such representation may be obtained by actively pursuing qualified candidates from both neighborhoods and the Council Policy categories for the annual elections, and to serve on subcommittees, or to serve as liaisons to other community or neighborhood groups.

### **(c) Conduct of Meetings**

The following are the Kensington-Talmadge Planning Group procedures regarding conduct of planning group meetings:

**Public Notice of Meeting Agendas:** Regular meeting agendas are publicly noticed at least 72 hours before the meeting by posting on appropriate community and City web sites, as available, as well as a physical copy being posted at a location specified by resolution of the board. Requests for digital copies may be made directly to the City.

Public comment on non-agenda items is scheduled early on the regular meeting agendas. Usually, two to three minutes are allowed for an individual; more time may be granted by the Chairperson for a group presentation. However, no discussion or action may be taken on such non-agenda items.

Agenda items for regular and subcommittee meetings are open to public comment by the respective Chairpersons. The Planning Group Chairperson may open public comment either before or after the respective elected members' discussion. A subcommittee Chairperson generally opens public comment after the duly appointed subcommittee members' discussion of an item. In any case, during the discussion by elected or duly appointed members, such members may ask questions of the public.

Elected board members, and by extension duly appointed subcommittee members, and the public/audience are encouraged to participate in discussions in a normative civil manner.

The Chairperson, at his or her discretion, may extend the time for a specific agenda item by up to 10 minutes. Any further time extensions for an agenda item will be voted on and approved by the planning group.

Public Comment under Non-Agenda and Agenda items will be limited to 2 minutes per speaker unless extended at the discretion of the chairperson or a vote of the full planning group.

All Kensington-Talmadge Planning Group meetings are to adjourn at 8:30 pm unless another time has been noticed on the agenda, or the planning group votes to extend the adjournment of the meeting.

Any items on the agenda not heard by adjournment will automatically be tabled until the next month's meeting. The Chairperson is encouraged to prioritize agenda items to accommodate higher priority action items if time is limited.

**Subcommittee Membership and Operations:**

Kensington Maintenance Assessment District Subcommittee(s): The Kensington-Talmadge Planning Group shall be the official Advisory Body for the Kensington Maintenance Assessment District(s) and shall establish standing subcommittee(s) to assist in its advisory role. The Kensington Maintenance Assessment District(s) are landowner district(s), requiring certain adjustments to standard City policies on subcommittees.

**Election Subcommittee:** The Kensington-Talmadge Planning Group Election Subcommittee is an ad hoc subcommittee constituted not later than January for a particular task and time frame: the election of planning group members in March and planning group officers in April.

**(d) Member and Planning Group Responsibilities**

The following are the Kensington-Talmadge Planning Group procedures regarding member and planning group responsibilities:

**Planning Group's Position on Planning Issues:** The Kensington-Talmadge Planning Group's positions or recommendations on City planning issues may be formulated by a majority vote of the elected board members at a regular meeting or a special meeting.

Such items require at least 72 hours public notice on a scheduled or revised agenda, however, only 24 hours public notice is required for a special meeting agenda. The Chairperson is encouraged to call a special meeting if the planning issue is time sensitive.

The resultant recommendations or positions of the Kensington-Talmadge Planning Group, which are not project review, may be presented to the appropriate City agency in the form of a letter signed by the Chairperson; an official email from the Chairperson or from the Secretary; or as public testimony by assigned community representative(s); or verbally as directed by a majority vote of the elected board members after a noticed planning group action. Project Review recommendations must be submitted on the appropriate City form.

**Voluntary financial contributions:** Voluntary financial contributions may be received to defray the expenses incurred by the Kensington-Talmadge Planning Group's operations. A policy on contributions may be established by majority vote of the planning group.

**Participation with Other Organizations:** The Kensington-Talmadge Planning Group endeavors to participate with other community and neighborhood organizations, such as the Talmadge Maintenance Assessment District (TMAD) and its associated non-profit organization the Talmadge Community Association; the Adams Avenue Business Association and the El Cajon Boulevard Business Improvement Association. The Kensington-Talmadge Planning Group includes reports from representatives to or from, such liaison committees during the regular planning group meeting.

## **ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Indemnification and Representation. The Kensington-Talmadge Planning Group 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 *Council Policy 600-24* and these bylaws; and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies. The Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group**

In cases of alleged violations of the Kensington-Talmadge Planning Group 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 planning group may remove a member by a two-thirds 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-19883 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the Kensington-Talmadge Planning Group 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 the 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 present 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 Kensington-Talmadge Planning Group 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 board members 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 two-thirds vote, choose to remove the member.

Recourse for expelled member:

- There is no appeal available to an elected board member removed by a two-thirds 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 two-thirds vote 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 Kensington-Talmadge Planning Group 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 Kensington-Talmadge Planning Group 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 risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

Exhibit A: Kensington-Talmadge Planning Group Boundary Map. For a map of the existing boundary, refer to the City of San Diego, Community Planning Areas map at <https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=a27073a739ef4e1aa4d2e51f0dc41012>

Exhibit B: Community Participation and Representation Plan

**Kensington Talmadge Planning Group**  
**Guidelines for CPG Ethical Standards**  
**As required for CPG Recognition by Terms and Conditions,**  
**Exhibit C**

This document describes recommended ethical standards the Kensington Talmadge Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

# Kensington Talmadge Community Planning Group

## Participation & Representation Plan

### Exhibit B

The Kensington Talmadge Community Planning Group (CPG) is committed to engaging a broad and diverse cross section of our community members in regular meetings and to electing CPG members who are interested in the development process and are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households, business operators, property and home owners, elderly residents, families with and without children, unrelated adults sharing housing together, and single adults. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our CPG to serve as a recognized advisory body to the City.

Through this community participation and representation plan the Kensington Talmadge Planning Group will establish the following goals which will be pursued using the means identified below to broaden community outreach.

1. Educate community members about the role of our CPG and opportunities for involvement and do so in simple easy-to-understand language. When requested, we will make meeting materials available by mail or in other languages as translated by the City.

We will educate the public on our role in the community development process by developing a CPG fact sheet that could be printed in several local business newsletters which have a broader distribution, as well as by being posted at several local businesses.

2. Establish relationships with local schools, community-oriented businesses and non-profits, and other community organizations to build relationships and trust within the community.

The Kensington Talmadge Planning Group will continue its ongoing relationships with the local city advisory bodies of the Adams Avenue Business Association, El Cajon Boulevard Business Improvement Association, and Talmadge Maintenance Assessment District, as well as private community organizations such as the Kensington-Talmadge Community Association, and Talmadge Community Council. Others may join this list as they arise.

3. Increase and diversify participation in our regular CPG meetings and decision making.

To increase and diversify participation in our regular CPG meetings, the KTPG will have online events that are not meetings, but which instead are informal forums for discussion and education on the role of the CPG. By familiarizing the public with the planning group, these events may create more interest in its work. These will be held at least once a year. We will participate in in-person events held by other community groups at their request.

4. Obtain meaningful input from a broad range of community members, and be proactive in listening to community needs and communicate these to the City.

We will develop a planning group email list both to inform interested community members of our activities, and from time to time, to solicit responses from the community.

5. Success will be measured by the size of our email list, attendance at our online events, and responses to any surveys we may conduct. At this time, attendance at our meetings would not be a good measurement of success as we may be required to hold our meetings well outside our community.

**From:** [David Moty](#)  
**To:** [Pangilinan, Marlon](#)  
**Subject:** [EXTERNAL] Re: Planning Group Recognition Application - RECEIVED  
**Date:** Tuesday, January 2, 2024 6:16:03 PM

---

**\*\*This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.\*\***

---

Marlon,

It's the same people as in our roster, except that Vito Spano resigned a few months ago.

David

|                       |                 |
|-----------------------|-----------------|
| David Moty (chair)    | 2024            |
| Brian Helmich (v ch)  | 2025            |
| David Roth (sec)      | 2025            |
| Lisa Sinclair (treas) | 2024            |
| Ken Baer              | 2025            |
| Geoff Hueter          | 2024            |
| Ari Isaak             | 2025            |
| Paul Krueger          | 2025            |
| Daniele Laman         | 2024            |
| Fred Lindahl          | 2024            |
| <del>Vito Spano</del> | <del>2024</del> |
| Lisa Stone            | 2025            |
| Ralph Teyssier        | 2024            |
| Paul Tourkin          | 2025            |
| Roger Utt             | 2025            |

On Tue, Jan 2, 2024 at 4:09 PM Pangilinan, Marlon <[MPangilinan@sandiego.gov](mailto:MPangilinan@sandiego.gov)> wrote:

Hi David,

I just wanted to let you know that we received your application in our inbox. Thank you! - Both to you and your group for all your effort in submitting your application. We're reviewing submitted applications, as well as drafts from the various groups and will let you know if we have any questions about your application.

I did have one request that I'm asking of all the applicants and that is if you can send me a

list of names of the planning group members represented in your group's application. We want to make sure that there are actual individuals filling and representing the seats on the group. If it's the same people on your current planning group roster you can just provide that to me.

Thank you and Happy New Year!

**Marlon I. Pangilinan**

Program Coordinator

City of San Diego

City Planning Department

T (619) 235-5293

[sandiego.gov/planning](http://sandiego.gov/planning)

**CONFIDENTIAL COMMUNICATION**

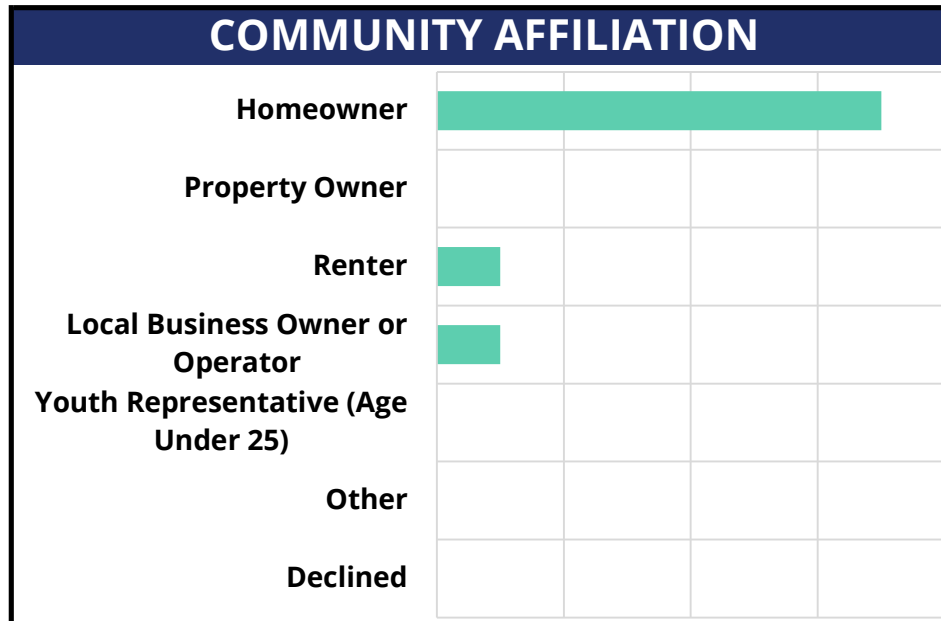
This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

# Kensington-Talmadge

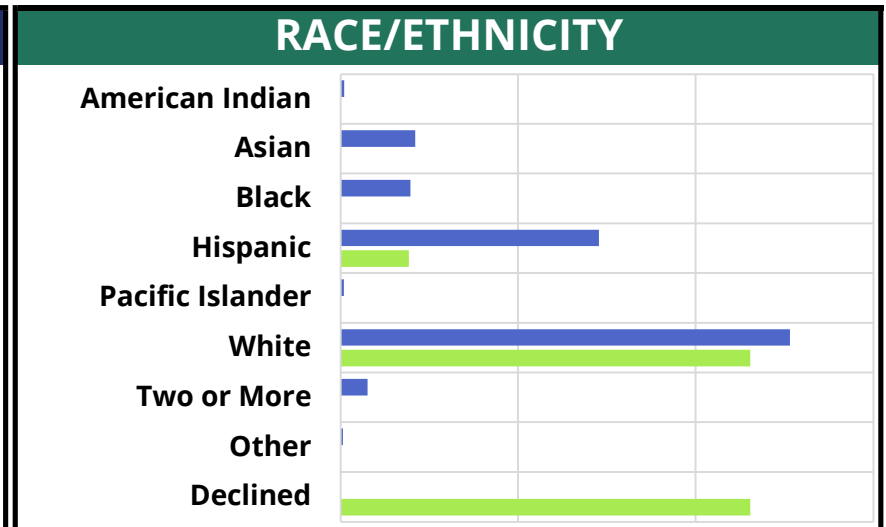
■ Member Count

■ Percent Group

■ Percent Community



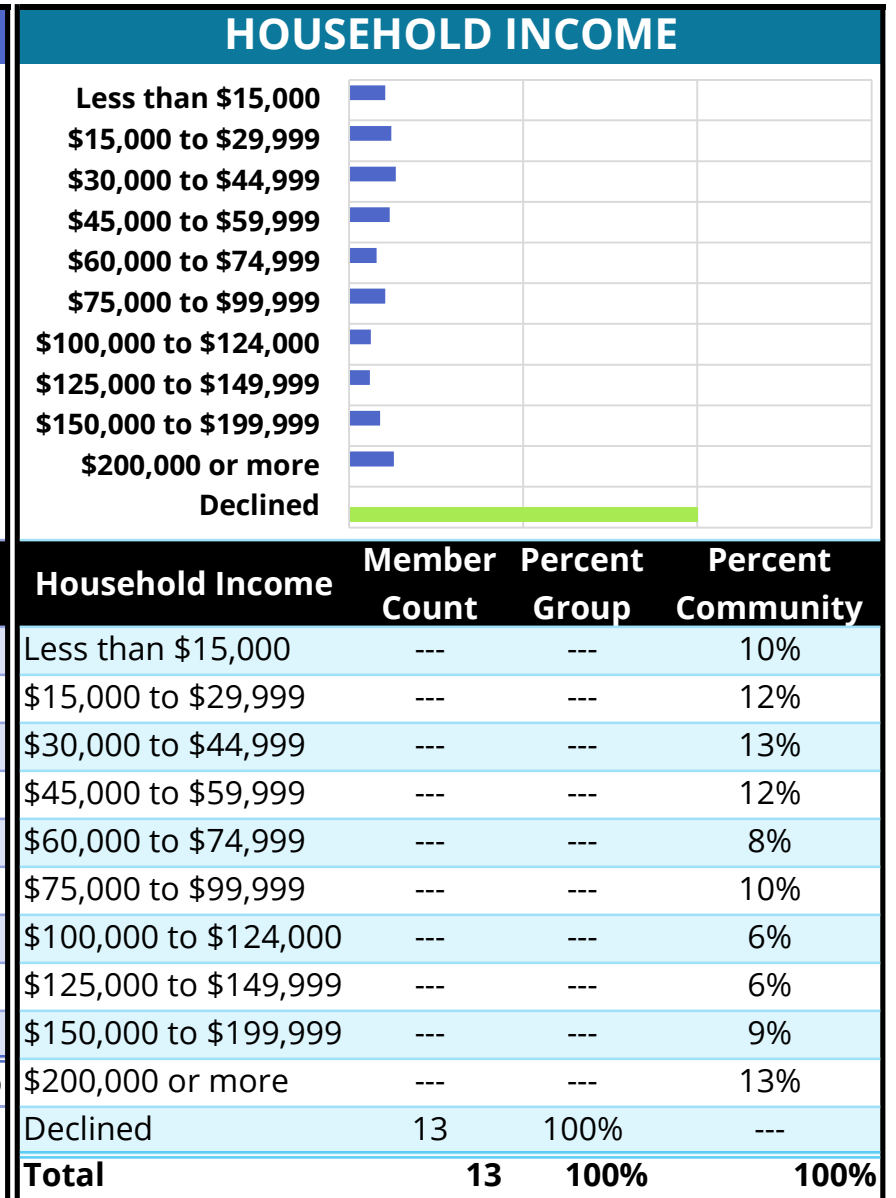
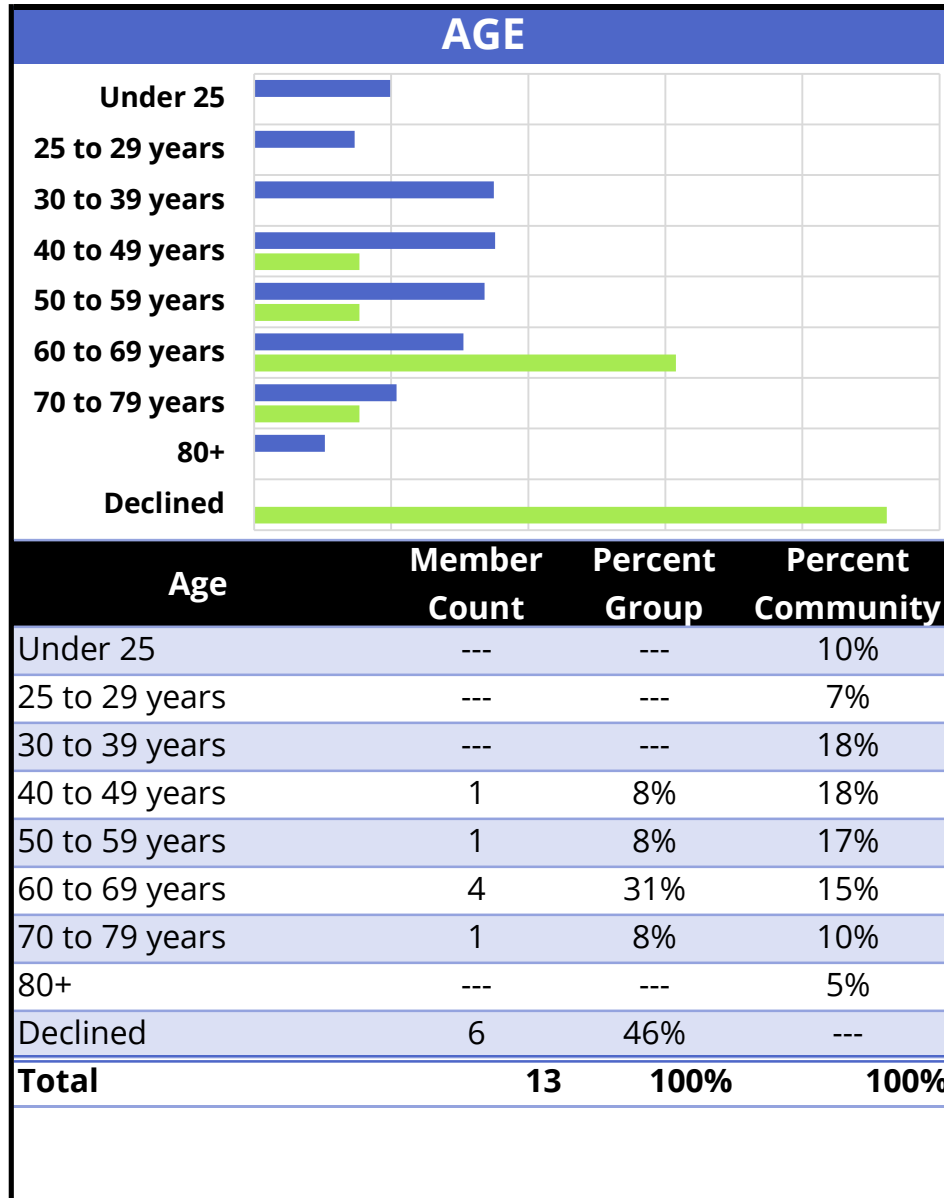
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 7            |
| Property Owner                      | ---          |
| Renter                              | 1            |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>9</b>     |



| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 8.4%              |
| Black            | ---          | ---           | 7.9%              |
| Hispanic         | 1            | 7.7%          | 29.1%             |
| Pacific Islander | ---          | ---           | 0.3%              |
| White            | 6            | 46.2%         | 50.6%             |
| Two or More      | ---          | ---           | 3.0%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | 6            | 46.2%         | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Kensington-Talmadge

■ Percent Group ■ Percent Community



# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 10, 2023, 5:57:21 PM

What is the official name of your Planning Group?

**Linda Vista Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Linda Vista**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **7**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**1. Post informational LVPG flyers in community hubs to educate the community on the role of the LVPG, how to get involved, and the benefits of serving on a planning group. 2. Post notices for LVPG meetings in areas throughout the Linda Vista community such as: libraries; recreation centers; Bayside Community Center; and, community bulletin boards at high-traffic areas including grocery stores, coffee shops, places of worship. 3. Advertise elections, town hall events, and monthly meeting information in digital spaces such as Facebook, X (formerly Twitter), and Nextdoor, and other applications as they become available. 4. Advertise elections, town hall events, and monthly meeting information in local community paper(s), e.g., Linda Vista Update, Times of San Diego. 5. In addition to regular LVPG meetings, the LVPG will host informational events such as an Open House or occupy a table/stall at the Love Linda Vista Farmers Market, and invite the public to learn about the LVPG and how to participate in monthly meetings.**

How will your Planning Group fairly represent all members of your community?

**LVPG has always encouraged community participation, has placed a premium on ALL voices in the community, and will continue to do so with positive engagement of the community as described in the previous answer. Currently, the LVPG has robust representation from six of our seven census tracts; these members represent homeowners, renters, property owners, and business owners. Outreach efforts as described previously will of course also apply to any areas lacking representation. In the spirit of fair representation, individuals who serve on the LVPG have a track record of being sensitive to the needs of ALL members of the community. For example, in the recent past, the LVPG has advocated for the interests of renters who were displaced by eviction notices as well as for residents with concerns about land uses in their neighborhoods. LVPG embraces the diversity of the community it represents and the greatest effort will be made to reach the greatest number of community members for the purpose of fair representation.**

Applicant Representative

**Felicity Senoski**

Email

**happydogz247@yahoo.com**

Phone Number

**(619) 318-6042**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | LVPG Operating Procedures Approved.pdf<br>284.4KB                            |
| <b>PDF</b> | LVPG Community Participation and Representation Plan 12 10 23.pdf<br>200.8KB |
| <b>PDF</b> | maplindavista.pdf<br>409.7KB   |
| <b>PDF</b> | LVPG Certification - Demographics 12 10 2023.pdf<br>59.9KB                   |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Linda Vista Planning Group

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

0 American Indian  
1 Asian  
0 Black  
3 Hispanic  
7 White  
1 Two or more races  
0 Pacific Islander  
1 Other: **American**

### HOUSEHOLD INCOME

1 Less than \$15,000  
0 \$15,000 to \$29,999  
0 \$30,000 to \$44,999  
0 \$45,000 to \$59,999  
2 \$60,000 to \$74,999  
3 \$75,000 to \$99,999  
1 \$100,000 to 124,999  
1 \$125,000 to 149,999  
2 \$150,000 to 199,999  
3 \$200,000 or more

### COMMUNITY AFFILIATION

10 Homeowner  
1 Property Owner  
1 Renter  
2 Local Business Owner or Operator  
0 Youth Representative (Age Under 25)  
0 Other: \_\_\_\_\_

### AGE

0 Under 25  
0 25 to 29  
1 30 to 39  
2 40 to 49  
1 50 to 59  
6 60 to 69  
3 70 to 79  
0 80 +

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OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**LINDA VISTA PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the **LINDA VISTA PLANNING GROUP (LVPG)** adopts Council Policy 600-24's Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the LVPG will adhere to and designated services the LVPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24. Planning Groups are independent organizations voluntarily created and operated by community members who are not City employees. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The LVPG, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the community. The LVPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continues to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The LVPG acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met. The City shall exercise its discretion reasonably and avoid acting in an arbitrary and capricious manner. (See Section 8.4.)

The LVPG will separately and independently maintain any legally corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group's founding, operation, or organization.

The planning group will also include these Operating Procedures and Ethical Standards (which are incorporated in this document), and a Community Participation and Representation Plan (attached as Exhibit A), and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Council Policy 600-24 and its attached Terms and Conditions, the LVPG hereby agrees to abide by the following as part of their Operating Procedures:

In consideration of Policy 600-24 and the Operating Procedures established herein, the LVPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized community planning group shall be the LINDA VISTA PLANNING GROUP.

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The community planning boundaries of the LVPG are the boundaries of the LINDA VISTA COMMUNITY PLANNING AREA, as shown in Exhibit B.

**2. Responsibilities**

2.1 Collaboration with City Staff

It is the duty of the LVPG 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, Community or Public Facilities Financing Plan.

2.2 Advisory LVPG Review

The LVPG has been formed and recognized by the City Council to make advisory recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation, adoption, implementation of, or amendment to, the General Plan or a land use plan (ex. Linda Vista Community Plan) when a plan relates to the *greater Linda Vista* community boundaries. The planning group also advises on other land use matters as requested by the City or other agencies as detailed in Council Policy 600-24, Article II: Purpose of the Community Planning Groups and Other Provisions.

In reviewing individual development projects, the LVPG shall focus such review on conformance with the Land Development Code, and 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 shall 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.

2.3 Timely Submittal of LVPG Recommendations to the City

In order to be considered as part of the City's development review process, LVPG project review recommendations, if any, must be submitted to the City within seven calendar days of the LVPG taking action.

In addition, the LVPG shall submit its recommendation and any conditions to the project proposed by the LVPG, using Bulletin 620 Distribution Form, or reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of the meeting which the project was heard by the LVPG, vote results, the LVPG's conditions/recommendation, name and signature of chair or designated representative.

The LVPG shall follow a uniform mandatory process for recording LVPG project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the LVPG's official records.

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2.4 Adherence to Ralph M. Brown Act

The LVPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act) by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours of the meeting, and in compliance with each of the Brown Act provisions. Failure of the LVPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the LVPG to lose its Council recognition and may subject the LVPG and planning group voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The LVPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City, and to any member of the public upon request with redaction of sensitive personal information as needed, e.g. residential addresses.

Written applications submitted to the LVPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the LVPG in accordance with Policy 600-24. The LVPG will submit to the City the rosters of LVPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of LVPG elections.

2.6 Independent Entity

The LVPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to the LVPG at the discretion of the Chief Operating Officer and subject to the availability of City resources. In addition, the LVPG may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

3.1 Membership

The LVPG will ensure that voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The LVPG and its voting members should routinely seek robust community participation in the LVPG planning and implementation process to serve the best long-term interest of the community at large.

3.2 Community Outreach

The LVPG and its voting members shall routinely seek community participation in the LVPG planning and implementation process to serve the best long-term interest of the community at large.

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3.3 Collection of Membership Data

To measure community representation, the LVPG shall gather demographic data of existing and new LVPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the LVPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. LVPG Composition**

4.1 Number of Voting Members

The LVPG will have no fewer than 10 and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a community planning group with more than 20 voting members if a larger membership is necessary to give better representation to a community. The LVPG shall consist of twenty (20) elected members to represent the community.

The LVPG Chair participates in discussions but does not vote except to break ties.

4.2 Voting Member Eligibility

The LVPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age, except for an appointed youth representative. Youth members shall be a minimum age of 16 years old and either a resident of the community planning area or a secondary or postsecondary student attending a school, college, or university within the community planning area.

4.2.2 Minimum Attendance Requirements

The LVPG shall take attendance to ensure that each voting member attends at least two-thirds of the LVPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

4.3 Community Representation

The LVPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

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Council Policy 600-24 requests that elected members of the LVPG shall, to the extent possible, be representative of the various geographic sections of the community and of the diversified community interests. On the LVPG, elected seats are filled by a geographic distribution of seats among census tracts.

4.3.1 Appointed Seats

In addition to elected members, the LVPG may create appointed seats to better represent specific interests or unique stakeholder interests of the community. For example, an appointed seat may represent the University of San Diego and is by vote of the LVPG. Appointed seats are not counted in the twenty (20) planning group voting members or meeting quorum and are advisory only.

4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the Elections Subcommittee. They may participate in LVPG discussions and in voting on matters being heard by the LVPG. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the LVPG.

4.4 Voting Member Term Limits

The LVPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

Members of the LVPG shall be elected to serve fixed terms of two (2) years with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years. LVPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The LVPG will actively seek new members to the extent feasible. If the LVPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so, the LVPG may choose to exercise this waiver, using the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless it is necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in serve as required by this section.

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**5. Open and Public Elections**

**5.1. Equal Participation**

The LVPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized community planning group can serve.

The LVPG shall make a good faith effort to utilize appropriate means to publicize the planning group's eligibility requirements for candidacy, and to publicize the upcoming election.

In the election process, the planning group and the Elections Subcommittee shall seek a number of new candidates more than the number of seats open for election to allow those who have served for eight (8) consecutive years to leave the group for at least one year.

All members of the public affiliated with the community within the geographical boundary of the LVPG will be allowed to vote in LVPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

x Only one elected LVPG voting member per business tax certificate

x Only one elected LVPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

All eligible community members may vote for any of the candidates from the various census tracts in the Linda Vista community planning area.

**5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by the LVPG, and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E)

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document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original, copy of a Business Tax Certificate, or equivalent document showing a business address within the LVPG boundaries. These requirements should be construed liberally by the LVPG, and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the LVPG boundaries. These requirements should be construed liberally by the LVPG, and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by the LVPG, and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The LVPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the LVPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in LVPG operations.

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The LVPG operating procedures in this Section will address the following election procedures:

- (1) Cut-off date for candidates to submit nominations. The deadline to qualify for candidacy in the March general election shall be at the end of the February regular meeting of the LVPG.
- (2) Verification of candidate. Upon receipt of candidate forms and prior to printing of the ballot, the LVPG Elections Subcommittee will verify eligibility per Section 4.2.
- (3) Creation of a ballot. The Elections Subcommittee will prepare the voting ballot, which will clearly identify the candidate, the candidate's community affiliation, which seat a candidate is running for, what term they are filling, how many candidates can be selected, and which candidates, if any, must receive a two-thirds majority of the vote due to service beyond eight (8) consecutive years.
- (4) Handling of write-in candidates, if applicable. Write-in candidates are not allowed.
- (5) Handling of a candidate's absence from a scheduled candidate's forum. In the event that a confirmed candidate must cancel a scheduled candidate's forum, a proxy representing the candidate will be allowed to read a statement from the candidate.
- (6) Location of poll. The polls will be sited at the location of the March meeting of the LVPG and will be open for 30 minutes concurrent but separate to the LVPG March meeting. The polls will remain open for a period of two (2) hours and close prior to the convening of the meeting.
- (7) Management of the polls. The LVPG shall establish an Elections Subcommittee no later than January of each year and shall begin soliciting eligible community members to become candidates. In February of each year, the Elections Subcommittee shall present to the LVPG a complete list of interested candidates collected up to that point in time. Candidates may be added at the February meeting.

Duties of Elections Subcommittee include the following:

- Verify eligibility of candidates and voting community members
- Create ballots
- Conduct the election
- Count ballots
- Announce results
- Filing/storing ballots with meeting minutes
- Presiding over election challenges

- (8) Verification of voter eligibility as referenced in Sections 5.1.1 through 5.1.4 in these Operating Procedures. The LVPG Elections Subcommittee shall require proof of the identity of those eligible community members who are seeking to vote in the election.

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- (9) Ballot construction and content. Ballots shall be prepared by the Elections Subcommittee and list each verified Candidate and the Census Tract that the candidate represents.
- (10) Setting the election date. The election date is the noticed, regular meeting date in March of each year.
- (11) Setting voting times. The polls will be open for 30 minutes prior to the LVPG March meeting. The polls will remain open for a period of two (2) hours and close prior to the convening of the March meeting.
- (12) Mail-in ballot procedures. Mail-in ballots are not allowed.
- (13) Closing the polls. The polls will be open for a period of no less than two (2) hours, and include a designated period of time prior to the start of the March meeting. The Chairperson will announce at 30 minutes remaining when the polls will close. The polls will close prior to the convening of the meeting.
- (14) Counting the ballots. The Elections Subcommittee will assign two people (e.g., community member, or LVPG member not running for office) to tally the votes. A candidate continuing beyond eight years of consecutive service must be accounted by two-thirds vote.
- (15) Plurality voting system. Candidates are elected by the plurality method of counting votes.
- (16) Ballot record keeping in case of challenge. All ballots from the election shall be retained and kept securely by the Secretary for a minimum of 24 hours, which is the allotted period for challenges to election results.
- (17) Tie-breaking procedures. In the case of a two or three-way tie, the winner will be determined by one or more tosses of a coin by the Chairperson or a member of the Elections Subcommittee.
- (18) Announcing election results and when the election becomes final. The election results are announced at the conclusion of the noticed, regular March meeting and are finalized one week after if no election challenges are filed. The Chair of the Election Subcommittee will announce the results of the election prior to the conclusion of the March meeting.
- (19) Election challenge procedures. Any challenge to the election results must be filed, in writing, with the Chair of the Elections Subcommittee within 24 hours of the counting of the ballots to allow reasonable time to resolve the issue. Any challenge and resolution will be reported to the LVPG at the next regular meeting.
- (20) Timing of installation of newly elected voting members. At the beginning of the April LVPG meeting, newly elected members shall be seated in order to fully participate in the business of the LVPG, including the election of officers. The previous Chairperson (if still on the Board) or most senior member shall conduct the meeting until all officers are elected by the new Board, and then the newly elected Chairperson shall conduct the remainder of the meeting.

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(21) Maintaining confidentiality of secret written ballots. Completed ballots will be deposited into a sealed container at the poll site. The two Elections Subcommittee-appointed persons to count the ballots will open the container just before counting.

(22) Determining that a vacancy exists consistent with Section 4.2.2 Minimum Attendance Requirements within a 12-month period from April to March of each year and Section 8.3 Violations of Membership Eligibility. The LVPG should declare that an elected member 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 or fourth absence in the 12-month period of April through March each year of a member from the planning group's 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 Administrative Guidelines (September 2015) related to ineligibility or following conclusion of a member removal process conducted under Article IX of the Policy's Administrative Guidelines or due to adopted Operating Procedures violations.

(23) Timeframe for filling vacancies and inability to fill vacancies within the designated timeframe. Vacancies should be filled no later than 120 days after a vacancy is declared by the planning group. The seat may be held vacant until the next election if the planning group has more than 10 voting members in good standing, when the planning group is unable to fill a vacancy within 120 days. A single vacancy or concurrent vacancies shall be filled with (a) nominee(s) whose name(s) shall be presented by the Chair and/or Elections Subcommittee and voted upon by the members present at a regular noticed meeting. Vacancies shall be filled by a majority vote of the seated planning group Board members. The LVPG vote to fill a vacancy or concurrent vacancies, if done by written ballot, must be publicly reported according to the Brown Act (Section 54953(c)(2)), including who voted for, against, or abstained. If a vote is conducted verbally, it should be recorded in the minutes.

5.3 Election Timing

The LVPG will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

**6. Conduct of Meetings**

6.1 Professional Conduct

It is the duty of a planning group, 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 to disrupt the public process as set forth on the LVPG's agenda.

In the event that a LVPG meeting is willfully disrupted by a person or group of persons, the planning group may first cause removal of the individual or individuals. If this is not successful then the LVPG may order the room cleared and continue the meeting of scheduled agenda items

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without an audience, except that representatives of the media shall be allowed to remain. The individual or individuals who were not responsible for the disruption may be readmitted.

6.2 Rules of Procedure

The LVPG shall adopt the Robert's Rules of Order (Revised) to provide a uniform means for the LVPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The LVPG will maintain transparency in its operating procedures as outlined herein and in Council Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in LVPG meetings.

**Planning group operating procedures in this section will address the following duties, operations, and procedures:**

- Agenda and Meeting- Regular agenda content and posting consistent with the Brown Act, relative to time allocated for non-agenda public comment and individual/group testimony on agenda items, adjournments and continuances, consent agenda, quorum, action items especially as it related to development project review, collective concurrence, special meetings, and emergency meetings, right to record and meeting minutes.

AGENDA CONTENT AND POSTING – The Chairperson will collaborate with the Secretary on the development, posting and dissemination of the agenda.

- a. The Chairperson will contact LVPG members for suggested agenda items prior to the finalization of the agenda.
- b. The agenda will be sent to the City's Planning Department for posting on the City's website and will be posted by LVPG members at the site of the meeting.
- c. The posting of the agenda will be in accordance with the Brown Act.
- d. Agenda by mail/email – Requests to email copies of a regular agenda, and an accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to the members of the LVPG. A request to receive agendas and materials may be made for each calendar year and such a request is valid for the entire year but must be renewed by January 1 of the following year.
- e. Agenda at meeting – Any written documentation, prepared or provided by City staff, applicants, or LVPG 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 LVPG 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 LVPG 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-

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recovery fee may be charged for the cost of reproducing any of the materials requested by an individual or individuals.

**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.

**ADJOURNMENTS AND CONTINUANCES** – If the LVPG 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 adjournment 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 it were a special meeting.

**CONSENT AGENDA** – For items to be considered for a “Consent Agenda” all the following are required:

- a. A subcommittee of the planning group has discussed the item at a noticed committee meeting,
- b. All interested members of the public were given an opportunity to address the committee, and
- c. 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 shall 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.

**QUORUM AND PUBLIC ATTENDANCE** - A quorum, defined as a majority of non-vacant seats of a planning group, must be present 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 to 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.

**ACTION ON AGENDA ITEMS** – An item not noticed on the agenda may be added if either two-thirds of the voting members of a community planning group, or every member if less than two thirds of the voting members of the community planning group are present, determine by a vote that there is a need to take 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 vote of the

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voting members of the community planning group is required to remove an elected community planning group member.

A vote to approve a community plan update or community plan amendment requires a majority vote of the voting members of the Linda Vista Planning Group.

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

DEVELOPMENT PROJECT REVIEW – The LVPG 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 such a review takes place and provide the applicant with an opportunity to present the project.

COLLECTIVE CONCURRENCE – Other than at a properly noticed public meeting, any attempt to develop a collective agreement among LVPG members as to the action to be taken on an agenda item, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited.

SPECIAL MEETINGS – The Chair of the LVPG or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, 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 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.

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 LVPG and are prohibited under these operating procedures.

RIGHT TO RECORD – Any person attending a meeting of the LVPG 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.

MEETING MINUTES – The Secretary shall be responsible for preparing and disseminating the LVPG’s meeting minutes. For each LVPG meeting, a report of LVPG attendance and a copy of approved meeting minutes shall be retained by the LVPG 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

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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 LVPG action) appeared before the planning group. If an applicant did not appear before the LVPG, then the meeting minutes must indicate the date when and type of notification (e.g., electronic, or telephonic) provided to the applicant requesting his or her appearance at the LVPG meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the LVPG.

The LVPG 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 and recordings.

- Subcommittees –The LVPG may establish standing, ad hoc, and representative committees when their operation contributes to more effective discussion at regular planning group meetings. Subcommittees shall contain a majority of members who are 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-19883 NS, and any future amendments thereto, provided they satisfy all requirements of Council Policy 600-24 Administrative Guidelines (September 2015).

Subcommittee 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.

**STANDING SUBCOMMITTEES**

The LVPG Standing Subcommittees include the following:

Maintenance Assessment District (MAD) – The purpose of the Linda Vista Community MAD Subcommittee is to advise the LVPG and City staff about the community’s desires regarding the landscape beautification, enhancements, improvements, and maintenance of areas within the MAD geographic boundaries. The committee also provides input to City staff when the annual budget is prepared and reports to the LVPG with a recommendation to support the proposed budget. The MAD Subcommittee monitors all contractual agreements for the District assuring that the community has the level of service it desires and that these services are provided in the most fiscally responsible fashion possible. This subcommittee meets bi-monthly.

Operating Procedures& Elections Subcommittee – This subcommittee serves a dual role. The Operating Procedures & Elections Subcommittee provides a paper or word document copy of the operating procedures to new/old members of the planning group as needed. This subcommittee informs the LVPG when the operating procedures are not being followed and recommends when changes would be beneficial. The duties of the Operating Procedures & Elections Subcommittee are to seek eligible candidates, to

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prepare the ballots, to qualify votes, and to conduct the LVPG's elections at the March meeting or when a vacancy occurs. The subcommittee shall maintain a list of candidates for future elections, a roster of members for the City and the LVPG secretary, and a record of past elections as well as the number of years a member has served on the Board. This subcommittee meets as needed.

Traffic & Transportation Subcommittee – The LVPG Traffic & Transportation Subcommittee duties focus on the mass transit, vehicular, bicycle, and pedestrian components outlined in the Linda Vista Community Plan. The subcommittee's goal is to ensure that mass transit services and routes and other forms of transportation meet the needs of the community. The subcommittee monitors areas of traffic congestion and offers suggestions on appropriate land uses, traffic flow, etc. to alleviate the problem. Input is received and gathered in neighborhoods where traffic safety issues are a concern. Meetings are then held to discuss solutions like bus routes, bike lanes, crosswalks, stop signs, streetlights, speed bumps, and traffic signals. Recommendations are offered to the LVPG Board for approval, which could include letters of support to City staff and the City Council. This subcommittee meets as needed.

Zoning & Land Use Subcommittee (Development Project Review) – The City's Development Services Department submits project plans and land use proposals to the LVPG Chairperson, who immediately forwards the materials to the Zoning/Land Use Subcommittee Chair. The subcommittee may visit the project site and meet to look over the documentation provided by the City which might include maps, drawings, reports, diagrams, etc. including the sign-off sheet. Subcommittee members assess whether the project documentation meets City requirements and conforms to the goals of the Community Plan. A recommendation is made to the LVPG Board at a regular meeting, and after, the vote along with the signoff sheet is sent to the City as required. The project developer is kept informed by email and telephone and is given every opportunity to make a presentation of the project at an LVPG meeting. This subcommittee meets as needed.

## **AD HOC COMMITTEES**

Ad hoc committees shall be established for a finite period of time to address a particular planning or operational matter and to review more focused issue areas and shall be disbanded following their review.

## **REPRESENTATIVE SUBCOMMITTEES**

Representative Subcommittees keep the LVPG informed about items of interest in the neighboring communities.

- Abstentions and recusals consistent with 7.3 Ethical Standards. The LVPG will operate in accordance with Section 7.3 regarding abstentions and recusals. The LVPG Secretary will note any abstentions and/or recusals in the meeting minutes and include the planning group member's reason for abstaining.

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- Representative to the Community Planners Committee (CPC).

The Chairperson shall be the recognized LVPG representative to the CPC. The Vice Chairperson shall be the alternate representative of the CPC meeting. 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.

6.4 Planning Group Officers

The officers of the LVPG shall be elected from and by the voting members of the LVPG Board. Said officers shall consist of a Chairperson, a Vice Chairperson, Secretary, and, and may include such other officers as the group may deem necessary, such as Treasurer. The length of an officer's term shall be one year at a time, not to exceed more than eight consecutive years. After a period of one year in which that person did not serve as an officer, the said person shall again be eligible to serve as an officer.

6.4.1 Chairperson

The Chairperson shall be the principal officer of the recognized community planning group and shall preside over all planning group and community-wide meetings organized by the planning group.

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.

6.4.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

6.4.3 Secretary

The Secretary shall be responsible for LVPG correspondence, attendance records, 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 along with 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, or the LVPG Board may elect more than one secretary to provide a current roster of the planning group's members on file in the office of the Planning Department of the City of San Diego.

6.4.4 Treasurer

The Treasurer shall be responsible for receiving monies on behalf of the LVPG, making deposits, writing of two-signature checks to carry out the business of the LVPG, and presenting reports at the LVPG's regular noticed meetings regarding the status of the treasury.

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6.5 Additional Planning Group Officer Responsibilities

The LVPG officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

**7. Additional LVPG Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The LVPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The LVPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The LVPG adopts ethical standards for all LVPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how LVPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The standards are included herein. The LVPG may also defer to the City's Ethics Ordinance as a guide in implementing its ethical standards.

7.3.1 Direct Economic Interest

LVPG voting members with a potential or perceived conflict of interest shall recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by the LVPG board to other LVPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

LVPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or where that voting member lacks sufficient information upon which to cast a vote. The LVPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still

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counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

The LVPG shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Voting members shall not identify affiliation with a planning group when endorsing candidates for public office. The LVPG may, however, take a position on pending legislation that is within the planning group's purview.

7.3.5 Donations

Neither the LVPG nor its voting members should accept donations on behalf of any individual running for office.

The LVPG may develop a policy for financial contributions from the citizens of the community for the purpose 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 made voluntarily, and no official planning group correspondence may be withheld based on any individual's desire to not make a voluntary contribution.

Voluntary financial contributions are allowed to be received, as necessary, to cover printing expenses, community participation items, etc. This is in addition to any annual budget provided by the City for these same purposes.

7.3.6 Equal Time for Candidates or Ballot Measures

The LVPG will endeavor to grant equal time for candidates or ballot measures if docketed on the LVPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.3.7 Professional Conduct

The LVPG voting members shall treat each other, applicants, City staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

The LVPG voting members shall complete the formal education program in person or on-line offered by the City.

The LVPG will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the LVPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the LVPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

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7.5 Collaboration with City Staff

LVPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the LVPG.

**8. LVPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the LVPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the LVPG, or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the LVPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the LVPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void LVPG actions. Individual voting members of the recognized LVPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the LVPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the LVPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises and includes tentative decisions. The LVPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the LVPG to appropriate law enforcement agencies, including the California Attorney General, San Diego

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County District Attorney, or San Diego City Attorney's Criminal Division. The LVPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or San Diego Ordinance O-19883.

8.3 Violations of Membership Eligibility

Any LVPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining LVPG voting members as outlined in Section 5.2

8.3.1 Removal of Ineligible Voting Members.

The removal process of ineligible voting members shall be conducted pursuant to Article IX, Section 3(a) of the Council Policy 600-24 Administrative Guidelines (September 2015).

8.4 Violations and Remedies

If the LVPG violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. An LVPG voting member and the LVPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a LVPG voting member, the LVPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The LVPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The LVPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the LVPG, or may recommend to the City Council that the LVPG's recognition be revoked.

The LVPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a LVPG has violated their Operating Procedures or Policy 600-24 and the LVPG has failed to take corrective action deemed adequate in the sole reasonable discretion of the City Council, the City Council may revoke the LVPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The LVPG acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the LVPG at a scheduled LVPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation to ensure a fair and public process.

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

**CURRENT**

8.6 Potential Conflicts of Interest

LVPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the LVPG, which may include expulsion from the board. The LVPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the LVPG is unable to meet quorum and attendance requirements for three consecutive months, the City may place the LVPG in a temporary inactive status to allow the LVPG to work through its membership issues to return to active status. If the LVPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the LVPG's recognition be revoked.

8.8 Violations of City Requests for Input

The LVPG acknowledges that a consistent 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 may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the LVPG**

The official positions and opinions of the LVPG 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 the one authorized to do so by the planning group.

**10. Term of the Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the LVPG unless recognition of the LVPG is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with Policy 600-24 as it may be amended.

The LVPG may propose amendments to these Operating Procedures by a two-thirds 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 the 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.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

**CITY OF SAN DIEGO, CALIFORNIA**  
**COUNCIL POLICY**

**CURRENT**

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. The LINDA VISTA  
PLANNING GROUP will represent the community of LINDA VISTA.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Linda Vista Planning Group (“LVPG”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing LVPG members who are representative of the community and community interests, including but not limited to, renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our planning group to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate LVPG goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see regional demographics for the San Diego area, that includes community plan areas on SANDAG’s website.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities, and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly LVPG meetings and decision-making.
- Communicate about the LVPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g., General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods.
- When possible, make meeting materials available in the languages spoken within the community.

- Be respectful of people's opinions and time.
- Ensure a safe, accessible meeting space.

### **Suggested Strategies for Community Involvement**

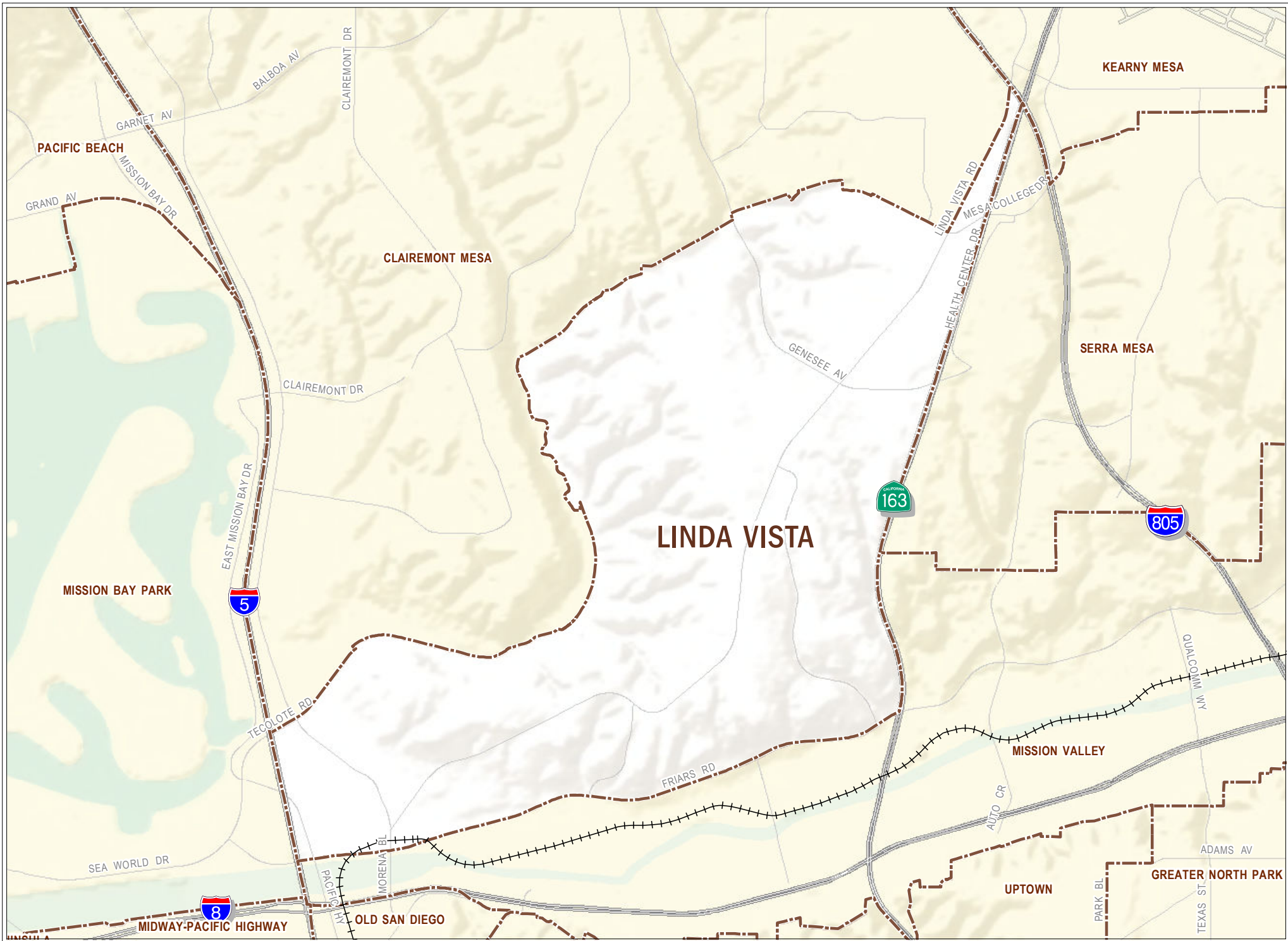
- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the LVPG, how to get involved, and the benefits of serving on a Planning Group.
  - Flyers will be created annually to provide a refreshed message and current content.
- Share meeting information in digital formats including social media pages and a dedicated LVPG website.
  - Develop a Linda Vista Community Planning Group webpage or website that allows the LVPG or a Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items and subcommittee opportunities to be engaged. This site would allow residents to post issues and concerns, provide schedules of upcoming meetings, provide meeting summaries, collect comments and input on specific issues such as MAD area maintenance, development projects in Linda Vista and adjacent communities, transportation, area parks, etc. Create a Linda Vista Planning Group Facebook page.
  - Websites can also share links to other relevant sites or available resources (coordinate with San Diego City Council representatives).
  - Post LVPG meeting information and news on the Next Door digital application and other applications as they become available.
- Other formats.
  - Utilize, if allowed, electronic marquees such as those at Kearny High School and Montgomery Middle School.
  - Utilize the City Channel (Channel 24) and other media resources.
- In an effort to meet outreach goals, the LVPG will explore posting meeting information at local places such as:
  - Linda Vista, Mission Valley, and Clairemont Community Libraries
  - American Legion Post 731
  - Bayside Community Center
  - Linda Vista Recreation Center, Kearny Mesa Recreation Center, and North Clairemont Recreation Center
  - Grocery stores within the Linda Vista Community, and adjacent communities such as Mission Valley and Clairemont
  - Local coffee and donut shops such as Starbucks and Rose Donuts
  - Community bulletin boards
  - Trolley and major bus stops within planning area
  - Houses of worship
  - Public and private schools, colleges, and universities, including but not limited to:
    - Empower Language Academy
    - Chesterton Elementary School
    - Kit Carson Elementary School
    - Linda Vista Elementary School

- Montgomery Middle School
  - Francis Parker School
  - Mark Twain High School
  - San Diego Cooperative Charter School
  - The University of San Diego
  - San Diego Mesa College
- Build relationships with other City advisory boards to cross-pollinate messaging. Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
  - Linda Vista Recreation Group
  - Elementary schools for parent outreach
  - Community parent organizations
  - Booster Clubs
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media.
  - Friends of Tecolote Canyon
  - Linda Vista Update
  - Mission Valley News
  - OB Rag
  - Tierra Times
  - Times of San Diego
- Host informal events outside of Planning Group meetings to invite the public to learn about the LVPG and how to participate in monthly meetings.
  - Host or share a table at the Love, Linda Vista Farmers Market
  - Host an annual LVPG Open House to invite community participation and input.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the LVPG to attend.
- Work with the appropriate City Council Office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives.

### **Measuring Success**

- Sign-in sheets for monthly LVPG meetings and LVPG related outreach events will include requests for how attendees learned about the meeting.
- LVPG will record an informal tally on number of meeting attendees.
- Annually analyze attendance data.

- To the extent that LVPG utilizes digital websites or social media, LVPG would track web traffic.
- Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

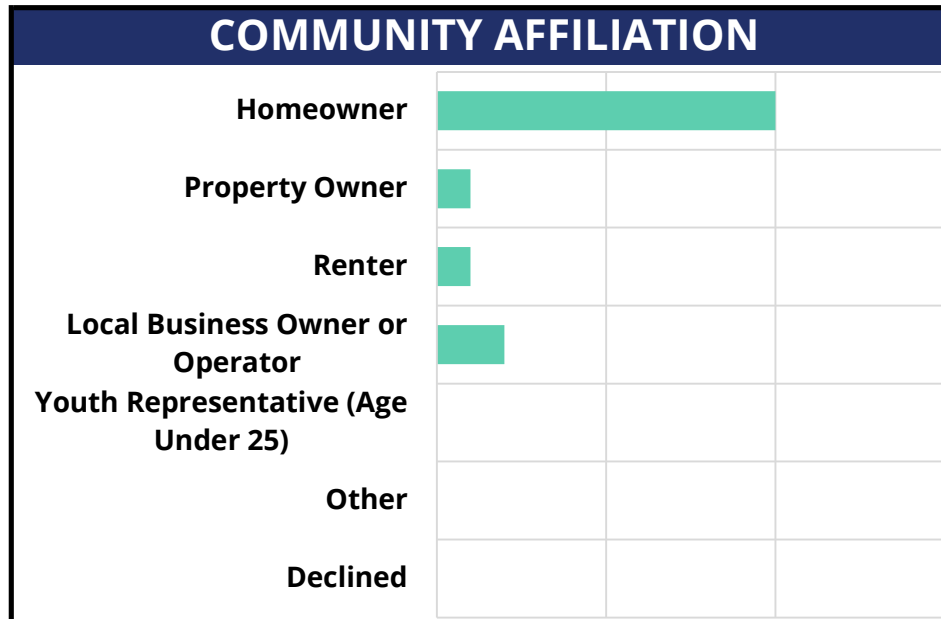


# Linda Vista

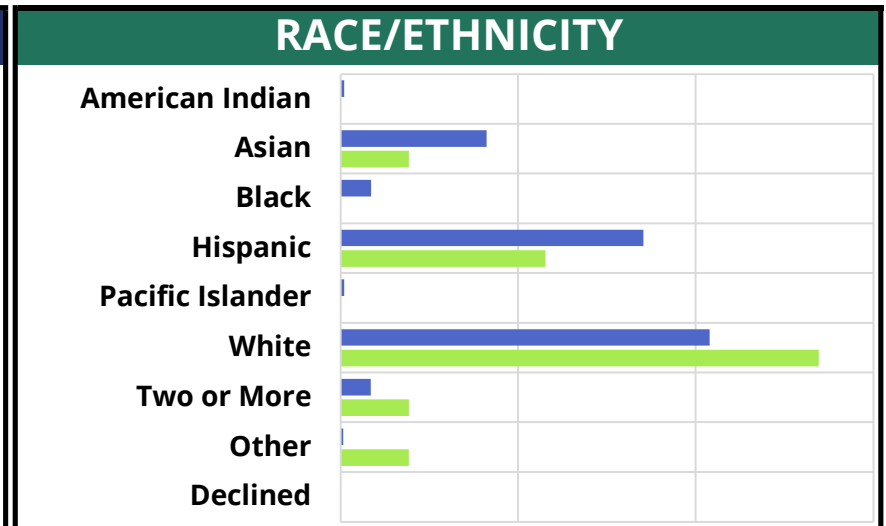
■ Member Count

■ Percent Group

■ Percent Community



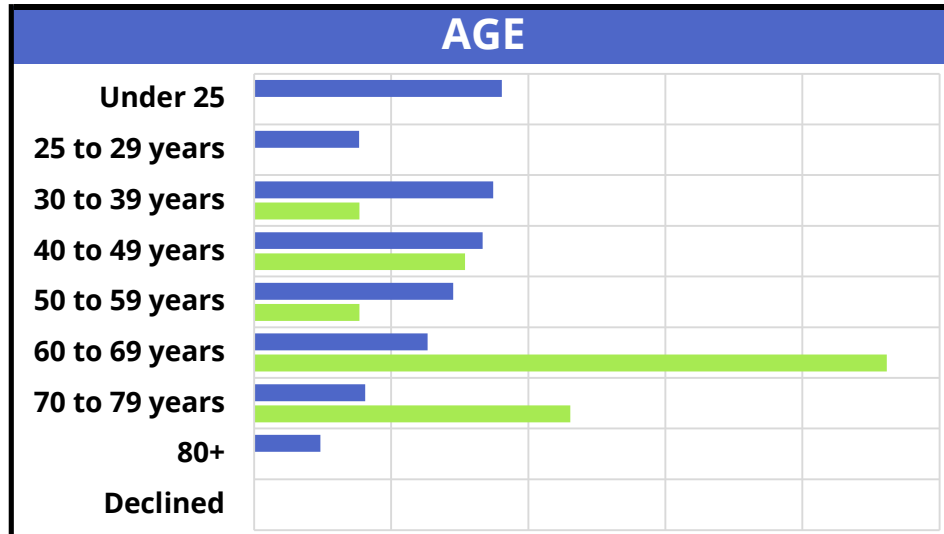
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 10           |
| Property Owner                      | 1            |
| Renter                              | 1            |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>14</b>    |



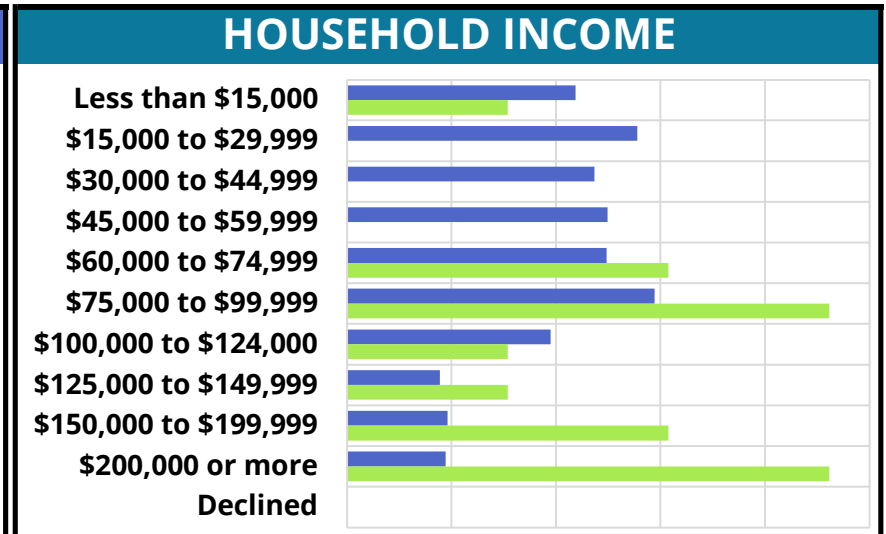
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | 1            | 7.7%          | 16.4%             |
| Black            | ---          | ---           | 3.4%              |
| Hispanic         | 3            | 23.1%         | 34.1%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 7            | 53.8%         | 41.6%             |
| Two or More      | 1            | 7.7%          | 3.4%              |
| Other            | 1            | 7.7%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Linda Vista

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 18%               |
| 25 to 29 years | ---          | ---           | 8%                |
| 30 to 39 years | 1            | 8%            | 17%               |
| 40 to 49 years | 2            | 15%           | 17%               |
| 50 to 59 years | 1            | 8%            | 15%               |
| 60 to 69 years | 6            | 46%           | 13%               |
| 70 to 79 years | 3            | 23%           | 8%                |
| 80+            | ---          | ---           | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 8%            | 11%               |
| \$15,000 to \$29,999   | ---          | ---           | 14%               |
| \$30,000 to \$44,999   | ---          | ---           | 12%               |
| \$45,000 to \$59,999   | ---          | ---           | 12%               |
| \$60,000 to \$74,999   | 2            | 15%           | 12%               |
| \$75,000 to \$99,999   | 3            | 23%           | 15%               |
| \$100,000 to \$124,000 | 1            | 8%            | 10%               |
| \$125,000 to \$149,999 | 1            | 8%            | 4%                |
| \$150,000 to \$199,999 | 2            | 15%           | 5%                |
| \$200,000 or more      | 3            | 23%           | 5%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 30, 2024, 4:09:43 PM

What is the official name of your Planning Group?

**Midway-Pacific Highway Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Midway-Pacific Highway**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**1. Create a flyer for posting in community hubs. 2. Post meeting and other information on mphcpag.com. 3. Post meeting notifications on Nextdoor. 4. Post meeting notifications on Facebook. 5. Work with the council office to amplify outreach.**

How will your Planning Group fairly represent all members of your community?

**The Midway-Pacific Highway community is a unique planning area, including Port of San Diego property, MCRD, and the Navy's Old Town Campus. We currently have very few residents but we have always encouraged representation from our residents, both owners and renters. Residents, property owners, and business owners all have a vested interest in the community and its eventual redevelopment. The Planning Group's present makeup (see the Member Composition Form) fairly represents not only the stakeholders' present makeup but also its demographics, including a wide variety of race/ethnicity, household income ranges, and age ranges. As the community evolves, MPHCPG is committed to continually evaluating our demographics and incorporating new and less-represented groups.**

Applicant Representative

**Cathy Kenton**

Email

**cathy@kentonproperties.com**

Phone Number

**858.354.9200**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | MPHCPG T_C including Exhibits A and B - 01262024.pdf<br>385.3KB     |
| <b>PDF</b> | 5_worksheet - MPHCPG Member Composition Form_01-2024.pdf<br>685.8KB |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Midway-Pacific Highway Community

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

     American Indian

     Asian

  1   Black

  2   Hispanic

     Pacific Islander

 10   White

  2   Two or more races

     Other:                                 

### HOUSEHOLD INCOME

     Less than \$15,000

     \$15,000 to \$29,999

     \$30,000 to \$44,999

     \$45,000 to \$59,999

  2   \$60,000 to \$74,999

     \$75,000 to \$99,999

  1   \$100,000 to \$124,999

  3   \$125,000 to \$149,999

  1   \$150,000 to \$199,999

  8   \$200,000 or more

### COMMUNITY AFFILIATION

  2   Homeowner

  5   Property Owner

  1   Renter

  5   Local Business Owner or Operator

     Youth Representative (Age Under 25)

  2   Other : Non-Profit

### AGE

     Under 25

  1   25 to 29

  2   30 to 39

  7   40 to 49

  2   50 to 59

  2   60 to 69

  1   70 to 79

     80 +

# **Midway-Pacific Highway Community Planning Group**

## **TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING GROUP AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER CITY COUNCIL POLICY 600-24**

### **Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING GROUP (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized and continue to be recognized by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

#### **1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING GROUP.

The community planning boundaries of this CPG are the boundaries of the Midway-Pacific Highway Community, as shown in Exhibit B.

# Midway-Pacific Highway Community Planning Group

## 2. Responsibilities

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with the implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

Upon City request, the CPG may make recommendations or participate in additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that the City does not require City staff and development project applicants to present their project or application before the CPG, although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through an annual report that includes all project recommendations, which shall be part of the CPG's official records.

### 2.4 Adherence to the Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth in California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

# Midway-Pacific Highway Community Planning Group

and meeting minutes for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members and records of election results are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

Annual should be submitted to the City within 14 days of the approval of March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March.

## 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may assist CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when the City Council approves such funding.

Meetings of the **Midway-Pacific Highway Community Planning Group** shall be held within these boundaries, except that when the **Midway-Pacific Highway Community Planning Group** does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.

The official positions and opinions of the **Midway-Pacific Highway Community Planning Group** 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.

The **Midway-Pacific Highway Community Planning Group** may propose amendments to these bylaws by a two-thirds 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.

## **3. Community Participation and Representation**

### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school-age children, diverse age groups, and representatives of

# Midway-Pacific Highway Community Planning Group

property owners and business owners.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

## 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

## 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity in the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and conducted to ensure the privacy of responses and respondents.

## **4. CPG Composition**

### 4.1 Number of Voting Members

The CPG will have 15 voting members representing the various community interests set forth in these Terms and Conditions.

### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

#### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

### 4.3 Community Representation

The CPG will ensure that voting members are affiliated with the community as either a:

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

# Midway-Pacific Highway Community Planning Group

- (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

## 4.3.1 Distribution of Representation

To ensure continued representation of all unique stakeholders, the CPG voting membership shall reserve one-third (1/3) of the voting member seats for each of the three representation groups identified in Section 4.3 above. Therefore:

- 5 of the voting member seats are reserved for residents,
- 5 of the voting member seats are reserved for business owners, including non-profits,
- and 5 of the voting member seats are reserved for property owners.

In the event a reserved seat in a representation group becomes vacant, and after a diligent effort to fill such vacancy with a member of the representative group, the CPG may appoint a representative from another group to fill the vacancy until the term expires.

## 4.3.2 Appointed Seats

The CPG may create appointed non-voting seats to ensure representation of unique stakeholder interests in the community planning area.

## 4.4 Voting Member Term Limits

Midway-Pacific Highway Community Planning Group members shall be elected to serve for fixed terms of 3 years with expiration dates during alternate years to provide continuity.

Five seats shall be elected each year.

### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than nine consecutive years. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by a vote of its voting members if the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure at least 12 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 12 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served

# Midway-Pacific Highway Community Planning Group

beyond the required break in service as required by this section.

## 4.4.3. Maintenance of Eligibility

A Midway-Pacific Highway Community Planning Group member must retain eligibility during the entire term of service.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The following election procedures are designed to encourage equal participation by all members of the Midway-Pacific Highway Community, including the term limits that voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
  - Only one elected CPG voting member per property tax billing
- Further, only one elected CPG voting member per property and business per location is eligible.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members Consistent with state and federal law, proof of residency or identity should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs, and any doubt should be resolved in favor of allowing a community member to vote in the election.

1. Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents:

- A. driver's license or identification card of any state;
- B. passport;
- C. employee identification card;
- D. identification card provided by a commercial establishment;
- E. credit or debit card;
- F. military identification card;
- G. student identification card;
- H. health club identification card;
- I. insurance plan identification card or
- J. public housing identification card.

2. Any of the following documents, provided that the document includes the name and address of the individual presenting it and is dated since the date of the last election, unless the document is intended to be of a permanent nature, such as a pardon or discharge, including:

# Midway-Pacific Highway Community Planning Group

- A. utility bill;
- B. bank statement;
- C. government check;
- D. government paycheck;
- E. document issued by a governmental agency;
- F. sample ballot or other official election document issued by a governmental agency dated for the election in which the individual is providing it as proof of residency or identity;
- G. voter notification card issued by a governmental agency;
- H. public housing identification card issued by a governmental agency;
- I. lease or rental statement or agreement issued by a governmental agency;
- J. student identification card issued by a governmental agency;
- K. tuition statement or bill issued by a governmental agency;
- L. insurance plan card or drug discount card issued by a governmental agency;
- M. discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter;
- N. public transportation authority senior citizen and disabled discount cards issued by a governmental agency;
- O. identification documents issued by governmental disability agencies;
- P. identification documents issued by government homeless shelters and other government temporary or transitional facilities;
- Q. drug prescription issued by a government doctor or other governmental health care provider;
- R. property tax statement issued by a governmental agency;
- S. vehicle registration issued by a governmental agency or
- T. vehicle certificate of ownership issued by a governmental agency.

## 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs, and any doubt should be resolved in favor of allowing a community business owner to vote in the election.

## 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or a copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

## 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the

# Midway-Pacific Highway Community Planning Group

address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

## 5.2 Transparency and Inclusion in Operations

The CPG has adopted the provisions below within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

## 5.3 Election Procedures

The Midway-Pacific Highway Community Planning Group shall hold elections every year.

The deadline to qualify for candidacy in the March general election shall be before the February noticed regular or special meeting of the full planning group membership preceding the election. The planning group's Election subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

## 5.4 Election Timing

The CPG will endeavor to host its elections during March each year to be consistent with other CPGs.

The **Midway-Pacific Highway Community Planning Group's** policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

## 5.5 Ballots

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 2/3 majority of the vote due to service beyond eight or nine consecutive years of service.

## 5.6 Write-In Candidates

The Midway-Pacific Highway Community Planning Group's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Any challenge to the election results must be filed with the chair of the Elections subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough

# Midway-Pacific Highway Community Planning Group

time to resolve the issue.

## 5.7 Voting Procedures:

The **Midway-Pacific Highway Community Planning Group'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

**Election Subcommittee** – An Election Committee will be formed each year by a majority vote of the planning group to facilitate all facets of the election process. This subcommittee will comprise two to three planning group members who are not running for seats in the election. The detailed procedures for the elections, including time and location of polls and candidate package, shall be established by the Election Subcommittee and subsequently approved by the Board no less than 30 days before the election, and copies of said procedures shall be available upon request to the public.

During the voting process, the Election Subcommittee will primarily be in charge of validating the qualifications of potential voters. Additionally, the Election Subcommittee will be charged with managing the polling area and for the safekeeping of the ballot box. The Subcommittee will assist the Chairperson in counting the ballots, validating the election results, and reporting the results to the Chair of the planning group.

Chairperson of the Election Subcommittee – The Chairperson of the Election Subcommittee will be the Secretary or whomever the Board selects to fill this position. The Chairperson of the Election Subcommittee will open and close the polling area and supervise the counting and reporting of the votes.

Write-in Candidate – If a Write-in Candidate is the apparent winner of the election but the eligibility of the Candidate cannot be verified, the next valid candidate with the following highest number of votes will be determined the winner. If there are no other candidates, the seat will remain vacant.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

### 6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or

# Midway-Pacific Highway Community Planning Group

Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

## 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

## **7. Meeting Procedures**

### 7.1.1 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 meeting's date, time, and location. 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 agenda item listing shall include the planning group's intended action regarding that item [e.g., information item, action item].

The agenda shall be offered to the City for posting on the City's website.

### 7.1.2 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 within the planning group's scope of authority. 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.

### 7.1.3 Quorum and Public Attendance

A quorum, defined as a majority of nonvacant seats of a planning group, must be present to conduct business, vote on projects, and take action 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.

### 7.1.4 ACTION ON AGENDA ITEMS

An item not noticed on the agenda may be added if either two-thirds of the voting members of the community planning group or every member if less than two-thirds of the voting members of the community planning group are present, determine by a vote that there is a need to take an

# Midway-Pacific Highway Community Planning Group

immediate action, but only if the need for action came to the attention of the planning group after the agenda being posted.

A two-thirds vote of the voting members of the community planning group is required to remove an elected community planning group member.

Removing a member due to ineligibility requires a majority vote of the voting members of the community planning group to ratify the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the community planning group.

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

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

The **Midway-Pacific Highway Community Planning Group** planning group's chair 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 e-mail, are also prohibited.

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

## 7.1.3 Special Meetings –

The Midway-Pacific Highway Community Planning Group chair 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 planning group member shall receive the written notice of the meeting at least 24 hours before the meeting as specified in the notice unless the member files a written waiver of notice with the planning group secretary at or before 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.

## 7.1.6 Emergency Meetings

Emergency meetings, requiring no public notice, are called for public health and safety matters.

# Midway-Pacific Highway Community Planning Group

These matters are outside of the purview of the Midway-Pacific Highway Community Planning Group and are prohibited under these bylaws.

## 7.1.7 Right To Record

Any person attending a meeting of the Midway-Pacific Highway Community Planning Group 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, persistent disruption of the meeting.

## 7.2 Subcommittees

The Midway-Pacific Highway Community Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

### 7.2.1 Standing Subcommittees –

The planning group has established no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter (such as the Elections subcommittee).

### 7.2.2 Ad Hoc Subcommittees

Ad hoc subcommittees may be established for a finite period of time to review more focused issue areas and shall be disbanded following their review.

### 7.2.3 Subcommittee Composition

Subcommittees shall contain a majority of members of the planning group.

Non-members who are duly appointed by a planning group to serve on a subcommittee 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.

### 7.2.4 Recommendations

Subcommittee 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 or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

## **8. Planning Group Officers**

The officers of the Midway-Pacific Highway Community Planning Group shall be elected from and by the planning group members. Said officers shall consist of a Chairperson, Vice Chairperson, and Secretary.

### 8.1. Chairperson

The Chairperson shall be the principal officer of a recognized community planning group and preside over all planning group and communitywide meetings organized by the planning group. Further duties of the chair would include setting the agenda, point of contact for new applicants,

# Midway-Pacific Highway Community Planning Group

and appointing members to subcommittees.

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.

## 8.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

## 8.3. 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.

## 8.4 CPC Representation

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

## 8.5 Information

The Midway-Pacific Highway Community Planning Group officers and representatives to the CPC shall promptly disseminate pertinent information that the planning group receives regarding its official business to all elected planning group members.

## **9. Additional CPG Responsibilities**

### 9.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 9.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and any member of the public upon request.

### 9.3 Ethical Standards

# Midway-Pacific Highway Community Planning Group

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

## 9.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

## 9.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not affect their economic interest.

## 9.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote, and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

## 9.3.4 Political Actions

Neither the CPG nor voting members, in their capacity as such, may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon a majority vote, take a position on pending legislation that is within the CPG's purview.

## 9.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

## 9.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

## 9.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or online offered by the City.

# Midway-Pacific Highway Community Planning Group

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

## 9.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and, as requested by the City, to increase its voting members' understanding of the role and responsibilities of the CPG.

## **10. CPG Rights and Liabilities**

### 10.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend the CPG or its individual voting members, acting in their capacity to the City under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups" (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24 or with these Terms and Conditions, they acknowledge they risk the loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 10.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act or to void past actions of the CPG and may, in some cases, include payment of court costs and attorney's fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act if the voting member intended to deprive the public of information to which the member knew or had reason

# Midway-Pacific Highway Community Planning Group

to know the public was entitled. Action taken includes collective decisions or promises and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

## 10.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

### 10.3.1 Removal of Ineligible Voting Members

A CPG shall include in its Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

## 10.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risk the loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of a CPG voting member's alleged violation of these Terms and Conditions, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek a resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council; the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

## 10.5 Disciplinary Actions of Individual Voting Members in Violation of Terms

# Midway-Pacific Highway Community Planning Group

## and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item, and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

### 10.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report instances of disciplinary action to the City in writing within 60 days of any allegation.

### 10.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then the City may place the CPG in a temporary inactive status to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

### 10.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

## **11. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG nor by any individual voting member or subcommittee of the CPG.

## **12. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

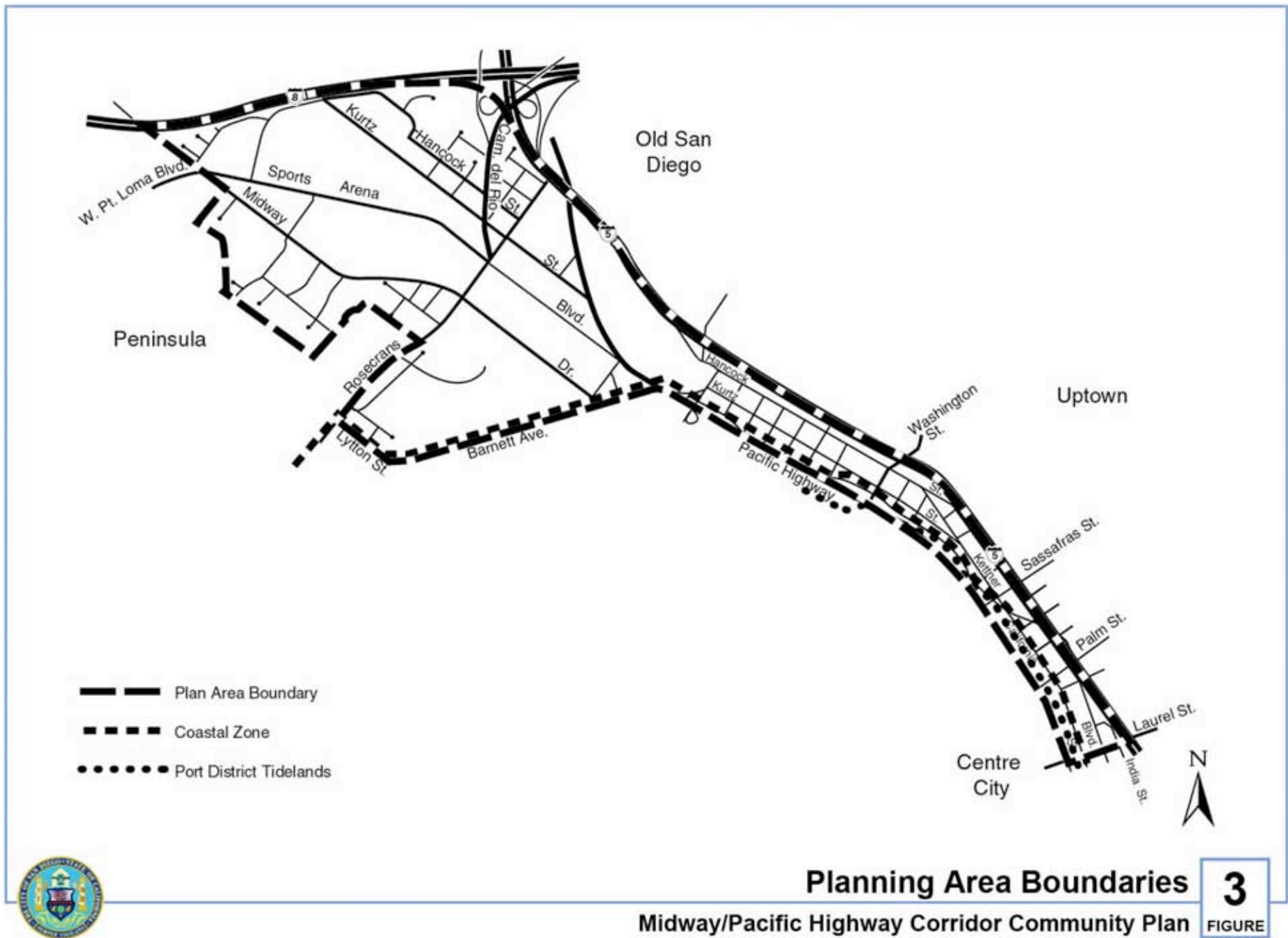
Proposed amendments shall be submitted to the offices of the Mayor and City Attorney for review and approval. Any proposed amendments that are inconsistent with Council Policy 600-24 shall not be approved by the Mayor and City Attorney and shall be forwarded to the City Council President who shall docket the matter for Council consideration. Amendments to the Operating Procedures are not valid until approved by the City.

# **Midway-Pacific Highway Community Planning Group**

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF THE MIDWAY-PACIFIC HIGHWAY COMMUNITY PLANNING  
GROUP BOUNDARIES



**The Midway-Pacific Highway Community Planning Group –  
Community Participation & Representation Plan  
As required for Planning Group Recognition by Terms and Conditions,  
Exhibit A of Council Policy 600-24**

The Midway-Pacific Highway Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Group to serve as a recognized advisory body to the City.

This participation and representation plan aims to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect our community's unique demographics and characteristics.

**Overarching Goal**

- Educate community members about our Planning Group's role and involvement opportunities.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities, and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible to anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g., General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods
- Make meeting materials available in the languages spoken within the community
- Ensure a safe, accessible meeting space.

**MPHCPG Code of Conduct (Adapted from American Bar Association)**

One of the hallmarks of a democracy is its citizens' willingness to express, defend, and

perhaps reexamine their own opinions while being respectful of the views of others. To ensure a civil conversation:

- Show respect for the views expressed by others, even if you strongly disagree.
- Be brief in your comments so that all who wish to speak can express their views.
- Direct your comments to the group as a whole rather than to any one individual.
- Don't let disagreements or conflicting views become personal. Name-calling and shouting are not acceptable ways of conversing with others.
- Let others express their views without interruption. Your Dialogue leader will try to allow everyone to speak or respond to someone else's comments.
- Remember that a frank exchange of views can be fruitful so long as you observe the rules of civil conversation.

### **Strategies for Community Involvement**

MPHCPG is a unique community with no public facilities such as libraries, community meeting rooms, or transit hubs. As such, there are currently no accessible community facilities to post public notices. As new facilities are developed, MPHCPG will post timely notifications.

- MPHCPG will create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group
- Share meeting information in digital formats, including social media pages and its dedicated CPG website, MPHCPG.com.
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Post notifications to Nextdoor and Facebook through its CPG accounts.
- Host informal periodic events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location, and format of the events and town halls that maximize the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts to bring in community members who have historically faced barriers to participation in Planning Groups. Document information in the annual report and submit it to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of approving the March minutes.

# Midway-Pacific Highway

■ Member Count

■ Percent Group

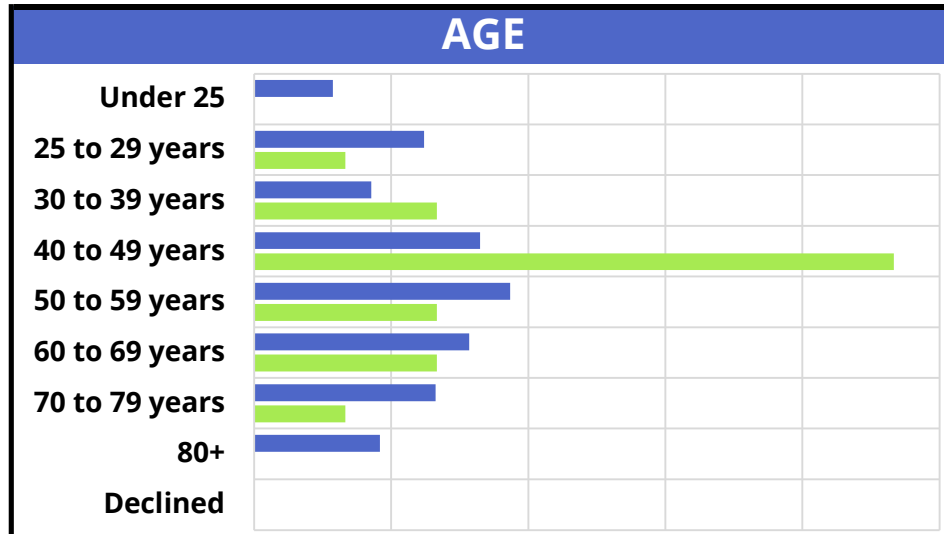
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 2            |
| Property Owner                      | 5            |
| Renter                              | 1            |
| Local Business Owner or Operator    | 5            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 2            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>15</b>    |

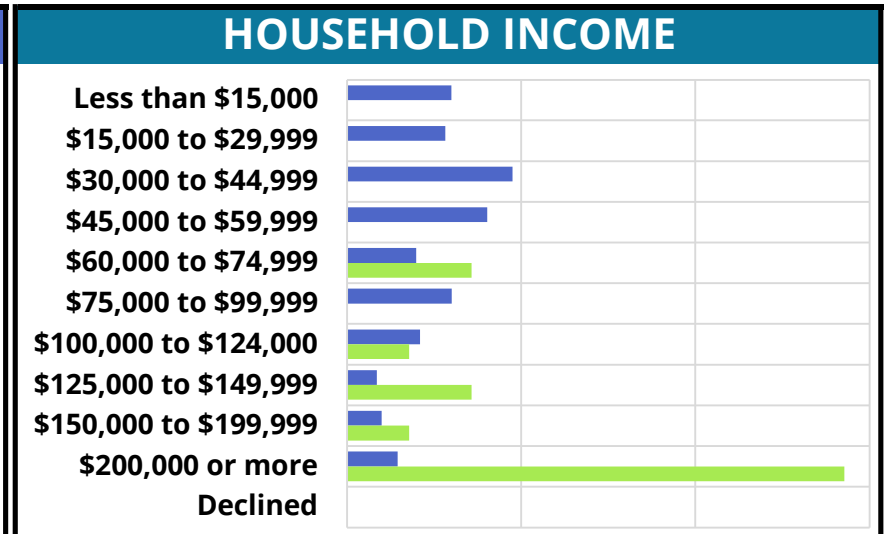
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 7.7%              |
| Black            | 1            | 6.7%          | 10.7%             |
| Hispanic         | 2            | 13.3%         | 23.3%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 10           | 66.7%         | 52.2%             |
| Two or More      | 2            | 13.3%         | 4.9%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>15</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Midway-Pacific Highway

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 6%                |
| 25 to 29 years | 1            | 7%            | 12%               |
| 30 to 39 years | 2            | 13%           | 9%                |
| 40 to 49 years | 7            | 47%           | 16%               |
| 50 to 59 years | 2            | 13%           | 19%               |
| 60 to 69 years | 2            | 13%           | 16%               |
| 70 to 79 years | 1            | 7%            | 13%               |
| 80+            | ---          | ---           | 9%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 12%               |
| \$15,000 to \$29,999   | ---          | ---           | 11%               |
| \$30,000 to \$44,999   | ---          | ---           | 19%               |
| \$45,000 to \$59,999   | ---          | ---           | 16%               |
| \$60,000 to \$74,999   | 2            | 14%           | 8%                |
| \$75,000 to \$99,999   | ---          | ---           | 12%               |
| \$100,000 to \$124,000 | 1            | 7%            | 8%                |
| \$125,000 to \$149,999 | 2            | 14%           | 3%                |
| \$150,000 to \$199,999 | 1            | 7%            | 4%                |
| \$200,000 or more      | 8            | 57%           | 6%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>14</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 21, 2023, 12:03:06 PM

What is the official name of your Planning Group?

**Mira Mesa Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Mira Mesa**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **6**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Educate community members about the role of our Planning Group and opportunities for involvement. • Increase and diversify participation in monthly Planning Group meetings and decision-making. • Communicate about our CPG's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning. • Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City). • Be proactive in listening to community needs and effectively communicating these to the City.**

How will your Planning Group fairly represent all members of your community?

**Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner. • Work to communicate in ways that are inclusive, transparent and respectful. • Consistently share information with community members using a variety of methods • Ensure a safe, accessible meeting space. • Share meeting information in digital formats including social media pages and the MMCPG website • Consistently post printed monthly meeting information at the Mira Mesa Public Library • Develop a social media policy approved by the MMCPG, with the aim of increasing outreach and involvement. • Design inclusive and educational language to be included with the MMCPG meeting agendas • Add educational information, aimed at decreasing barriers to involvement with the MMCPG, as part of the MMCPG website • Work with the council office and the Mayor's Office to amplify outreach.**

Applicant Representative

**Chris Cate**

Email

**mmcpvg.chair@gmail.com**

Phone Number

**858-900-6910**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | Mira Mesa Bylaws 2023 Draft 2023-10-11.pdf<br>1.7MB   |
| <b>PDF</b> | MMCPG Operating Procedures Draft 2023-10-11.pdf<br>1.7MB  |
| <b>PDF</b> | Participation and Representation Plan Draft 2023-10-11.pdf<br>19.5KB  |
| <b>PDF</b> | <a href="https://www.sandiego.gov/sites/default/files/5_worksheet.pdf">https://www.sandiego.gov/sites/default/files/5_worksheet.pdf</a><br>95.9KB |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Mira Mesa Community Planning Group

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

\_\_\_ American Indian  
\_\_\_ Asian  
\_\_\_ Black  
\_\_\_ Hispanic  
\_\_\_ Pacific Islander  
11 \_\_\_ White  
3 \_\_\_ Two or more races  
1 \_\_\_ Other: \_\_\_\_\_

### HOUSEHOLD INCOME

\_\_\_ Less than \$15,000  
\_\_\_ \$15,000 to \$29,999  
\_\_\_ \$30,000 to \$44,999  
1 \_\_\_ \$45,000 to \$59,999  
\_\_\_ \$60,000 to \$74,999  
2 \_\_\_ \$75,000 to \$99,999  
1 \_\_\_ \$100,000 to \$124,999  
1 \_\_\_ \$125,000 to \$149,999  
3 \_\_\_ \$150,000 to \$199,999  
7 \_\_\_ \$200,000 or more

### COMMUNITY AFFILIATION

8 \_\_\_ Homeowner  
2 \_\_\_ Property Owner  
\_\_\_ Renter  
4 \_\_\_ Local Business Owner or Operator  
\_\_\_ Youth Representative (Age Under 25)  
\_\_\_ Large Industrial Landowner  
\_\_\_ Other : \_\_\_\_\_

### AGE

\_\_\_ Under 25  
1 \_\_\_ 25 to 29  
1 \_\_\_ 30 to 39  
2 \_\_\_ 40 to 49  
5 \_\_\_ 50 to 59  
4 \_\_\_ 60 to 69  
2 \_\_\_ 70 to 79  
\_\_\_ 80 +

OPERATING PROCEDURES FOR THE  
**Mira Mesa Community Planning Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

These Operating Procedures define standards the Mira Mesa Community Planning Group (MMCPG) will adhere to and designated services MMCPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). Community Planning Groups (CPGs) are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

MMCPG, in adopting these Operating Procedures, commits to meeting these standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. MMCPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. MMCPG acknowledges that the City can revoke recognition if the City, in its sole discretion, determines these standards are not being met.

MMCPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to MMCPG's founding, operation, or organization.

MMCPG Operating Procedures are defined in more detail in the MMCPG bylaws, provided together with this document.

MMCPG will submit the documents listed in Exhibit A with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the MMCPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be the Mira Mesa Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the Mira Mesa Community, as shown in Exhibit B.

**2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the MMCPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The MMCPG may make advisory recommendations to the City and other governmental agencies on land use matters within the MMCPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The MMCPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The MMCPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the MMCPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, MMCPG project review recommendations, if any, must be submitted to the City within seven calendar days of the MMCPG taking action.

In addition, the MMCPG shall submit its recommendation and any conditions to the project proposed by the MMCPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The MMCPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the MMCPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The MMCPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the MMCPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the MMCPG to lose its Council recognition and may subject the MMCPG and MMCPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The MMCPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in

hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request, with the exception that any personal information will not be made public without the authorization of the individual.

Written applications submitted to the MMCPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the MMCPG in accordance with Policy 600-24. The MMCPG will submit to the City the rosters of MMCPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of MMCPG elections.

### 2.6 Independent Entity

The MMCPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

## **3. Community Participation and Representation**

### 3.1 Membership

The MMCPG will ensure that voting members of recognized MMCPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The MMCPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The MMCPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

### 3.2 Community Outreach

The MMCPG and its voting members shall routinely seek community participation in the MMCPG planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the MMCPG shall gather demographic data of existing and new MMCPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the MMCPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. MMCPG Composition**

### 4.1 Number of Voting Members

The MMCPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The

Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

The MMCPG Bylaws state the following: The Mira Mesa Community Planning Group shall consist of 19 elected members to represent the community. Elected seats are filled by distribution of seats among the following interests that represent the community: 3 seats for property owners; 11 seats for residents; and 5 seats for business representatives. If the executive committee is reduced or expanded in size by revision of these bylaws, there shall always be three (3) more resident members than members from the other two (2) categories of voting members, combined. Property owners who are also residents of the community should fill residential seats instead of property owner seats.

#### 4.2 Voting Member Eligibility

The MMCPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the MMCPG has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The MMCPG shall take attendance to ensure that each voting member attends at least two-thirds of the MMCPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The MMCPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the MMCPG may create appointed non-voting seats. These appointed non-voting seats must be described in the MMCPG bylaws.

#### 4.4 Voting Member Term Limits

The MMCPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

MMCPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. MMCPG voting members who accumulate this maximum service time can be eligible to serve again after a two-year break in service.

#### 4.4.2 Waivers of Maximum Time of Service

The MMCPG may develop procedures for waiving the maximum time of service by vote of its voting members if the MMCPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a MMCPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

### **5. Open and Public Elections**

#### 5.1 Equal Participation

The MMCPG shall develop election procedures to encourage equal participation by all members of the public, including term limits which voting members of a recognized MMCPG can serve.

All members of the public affiliated with the community within the geographical boundary of the MMCPG will be allowed to vote in MMCPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected MMCPG voting member per business tax certificate (for business members)
- Only one elected MMCPG voting member per property tax billing (for property owner members)

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of

presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.
- (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the MMCPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the MMCPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The MMCPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the MMCPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in MMCPG operations.

MMCPG operating procedures should address the following. Election procedures are defined in Article V of the MMCPG bylaws and define all of the following procedures consistent with the requirements of 600-24.

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members

- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The MMCPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

The MMCPG Bylaws state that: Planning group elections will be held in March of odd-numbered years at the same location, time and date as the March planning group meeting.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The MMCPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the MMCPG's agenda.

### 6.2 Rules of Procedure

The MMCPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the MMCPG to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The MMCPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in MMCPG meetings.

## **7. Additional MMCPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The MMCPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The MMCPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request, with the exception that any personal information will not be made public without the authorization of the individual.

### 7.3 Ethical Standards

The MMCPG will outline and adopt ethical standards for all MMCPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how MMCPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The MMCPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The MMCPG will use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are MMCPG ethical standards:

#### 7.3.1 Standards of Conflicts of Interest

MMCPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a MMCPG board to other MMCPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

MMCPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The MMCPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the MMCPG nor voting members in their capacity as such may use their title from or position on a MMCPG for political endorsements of individuals. The MMCPG may, however, upon majority vote, take a position on pending legislation that is within the MMCPG's purview.

#### 7.3.5 Donations

Neither the MMCPG nor its voting members may accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The MMCPG will endeavor to grant equal time for candidates or ballot measures if docketed on the MMCPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 7.4 Voting Member Training

The MMCPG will require all MMCPG voting members to complete the formal education program in- person or on-line offered by the City.

The MMCPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the MMCPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the MMCPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

MMCPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the MMCPG.

### **8. MMCPG Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the MMCPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the MMCPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the MMCPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the MMCPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void MMCPG actions. Individual voting members of the recognized MMCPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the MMCPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the MMCPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The MMCPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the MMCPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The MMCPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any MMCPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining MMCPG voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

A MMCPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the MMCPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A MMCPG voting member and the MMCPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a MMCPG voting member, the MMCPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The MMCPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The MMCPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the MMCPG, or may recommend to the City Council that the MMCPG's recognition be revoked.

The MMCPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a MMCPG has violated their Terms and Conditions or Policy 600-24 and the MMCPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the MMCPG's recognition under

this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The MMCPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the MMCPG at a scheduled MMCPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

MMCPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the MMCPG, which may include expulsion from the board. The MMCPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the MMCPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the MMCPG in a temporary inactive status, to allow the MMCPG to work through its membership issues to return to active status. If the MMCPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the MMCPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The MMCPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the MMCPG**

The official positions and opinions of the MMCPG will not be established or determined by any organization other than the recognized MMCPG, nor by any individual voting member or subcommittee of the MMCPG.

### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the MMCPG unless recognition of the MMCPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

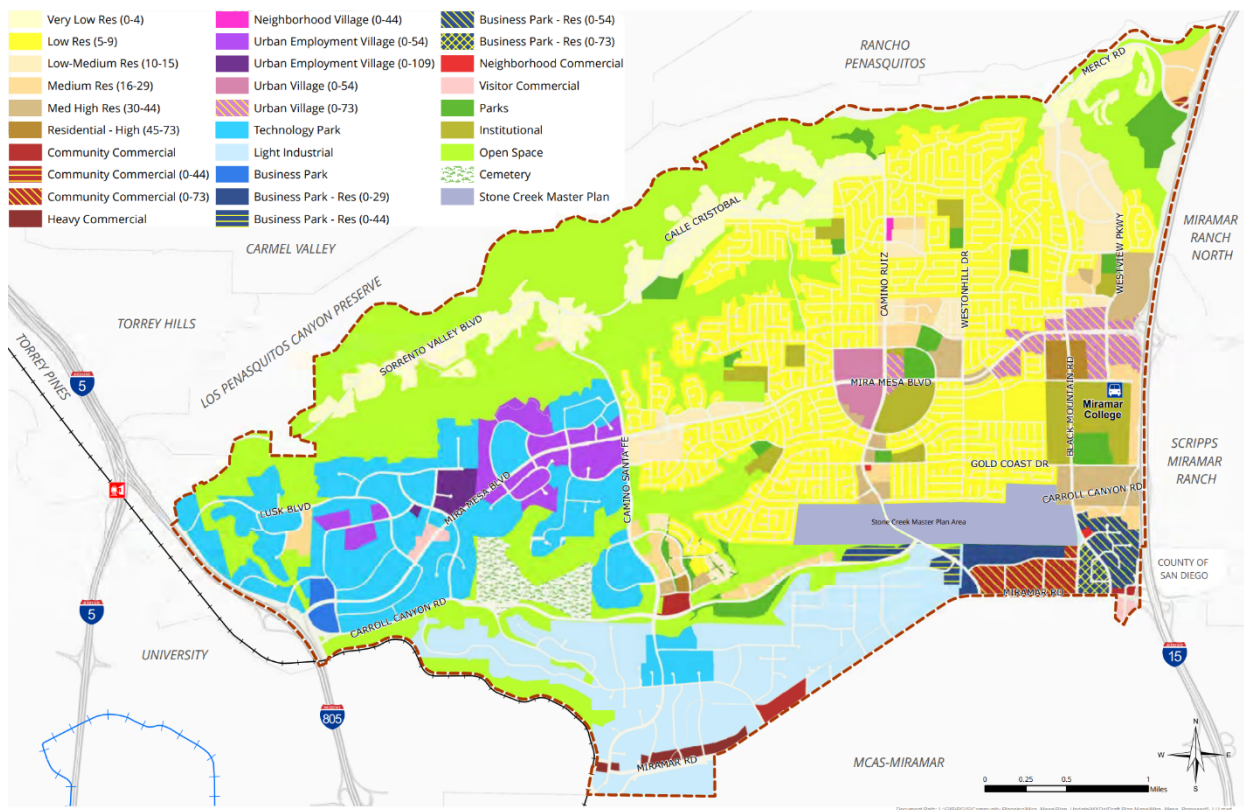
## EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

The Mira Mesa Community Planning Group submits the following documents for City Council Recognition:

1. Mira Mesa Community Planning Group Operating procedures - These operating procedures follow the guidelines established by the City and include our Ethical Standards.
2. Updated bylaws of the Mira Mesa Community Planning Group - The bylaws add definition to the operating procedures and are consistent with all new City policies.
3. Community Representation and Participation Plan - This document defines the MMCPG goals and guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

EXHIBIT B: Boundaries of the Mira Mesa Community, from the Mira Mesa Community Plan

Figure 2-2. Planned Land Uses



## *Mira Mesa Community Planning Group Bylaws*

### **Draft for approval by the Mira Mesa Community Planning Group 10/11/2023**

#### **ARTICLE I**    **Name**

- Section 1.        The official name of this organization is the *Mira Mesa Community Planning Group* (MMCPG).
- Section 2.        All activities of this organization shall be conducted in its official name.
- Section 3.        The community planning area boundaries for the MMCPG are the boundaries of the *Mira Mesa* community, as shown on Exhibit "A".
- Section 4.        Meetings of the MMCPG shall be held within these boundaries, except that when the MMCPG does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.
- Section 5.        The official positions and opinions of the MMCPG 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.        As a recognized independent body, the MMCPG will work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan. The MMCPG will, upon City request, make recommendations, or participate in, additional efforts such as identifying Capital Improvement Project (CIP) infrastructure needs or additional City matters.
- Section 2.        In reviewing individual development projects, the MMCPG should focus such review on conformance with the Land Development Code and the adopted community plan and/or the General Plan. The MMCPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the MMCPG. CPG project review recommendations will be submitted to the City within seven calendar days of the CPG taking action. The MMCPG shall submit its recommendation and any conditions to the project proposed by the MMCPG, using the Bulletin 620 Distribution Form.
- Section 3.        All activities of the MMCPG 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 MMCPG 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 MMCPG will follow a uniform mandatory process for recording MMCPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the MMCPG's official records.
- Section 6. The MMCPG 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, properly noticed, and in compliance with each of the Brown Act provisions.
- Section 7. The MMCPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.
- Written applications submitted to the MMCPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the MMCPG in accordance with Policy 600-24. The MMCPG will submit to the City the rosters of MMCPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of MMCPG elections.
- Section 8. The MMCPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to the MMCPG at the discretion of the City Manager and subject to the availability of City resources. In addition, the MMCPG may be allocated funds by the City when such funding is approved by the City Council

### **ARTICLE III Community Planning Group Organizations**

Section 1. The MMCPG shall consist of 19 elected 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 members of the MMCPG shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

The MMCPG elected seats are filled by distribution of seats among the following interests that represent the community: 3 seats for property owners (who do not also qualify as residents); 11 seats for residents; and 5 seats for business representatives. If the executive committee is reduced or expanded in size by revision of these bylaws, there shall always be three (3) more resident members than members from the other two (2) categories of voting members, combined.

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, and who does not also qualify as a resident, 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 attending a meeting of the MMCPG and submitting an application to the planning group Secretary demonstrating qualifications to be an eligible member of the community. The individual will then immediately become an eligible member of the community.

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 MMCPG shall require proof of eligibility during elections.

Section 3. Members of MMCPG shall be elected to serve for fixed terms of 4 years. To provide continuity, expiration dates shall alternate so that half expire at each biennial election. See Article V, Section 2 which describes which seats expire during which election.

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

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

After a two-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 8 consecutive years to continue on the planning group without a break in service, subject to the following conditions:

- (1)Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members.
- (2)Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3)The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

Section 4. A member of the MMCPG must retain eligibility during the entire term of service.

Section 5. A member of the MMCPG 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-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 MMCPG 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 MMCPG 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 group's 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 MMCPG shall be filled by selection by planning group members not later than 120 days following the date of the determination of the vacancy. The replacement member must be an eligible member of the community as defined in Article 3, Section 2. The term of office of any member filling a vacancy shall be for the balance of the vacated term. Any vote taken in a MMCPG meeting to fill a vacancy must be recorded in the minutes and state who voted for or against any candidate.

Two or more concurrent MMCPG vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

Section 3. When the MMCPG is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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 10 members.

If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 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 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

## **ARTICLE V Elections**

Section I. General elections of MMCPG members shall be held during the month of March in accordance with the adopted elections procedures found in this Article of these bylaws.

The MMCPG's general elections shall be held every two years.

The deadline to qualify for candidacy in the March general election shall be the February noticed regular meeting of the full planning group membership preceding the election. The planning group's Election subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. Members of the Election subcommittee may not be running for election. In February, the Election subcommittee 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. If a forum is held and a candidate is unable to attend, they may submit a written statement to be presented at the forum.

Section 2. The MMCPG 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 MMCPG holds its election on the date of the March regular meeting, but separate from that meeting.

The MMCPG 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 the individual candidates by name, which seats individual candidates are running for, how many candidates can be elected, whether there are limitations on which candidates various categories of eligible community members can vote for and which candidates, if any, must receive a 2/3 majority of the vote due to service beyond eight consecutive years of service. Terms of office will be scheduled so that 3 business seats expire at the same time, and the other 2 business seats and the elected property owner seats expire at the alternate election two years later. Residential seats are scheduled so that 5 seats expire at one election and the other 6 at the alternate election two years later.

The MMCPG policy related to write-in candidates is that write-in candidates are allowed if they are an eligible member of the community. If a write-in candidate receives enough votes to be elected, they must provide proof of eligibility before the election results are finalized.

Section 3. Voting to elect new 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 MMCPG'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Section 5. This Section includes additional election procedures of the MMCPG.

(A) All eligible members of the community may vote by secret ballot. The election subcommittee will distribute a ballot of all eligible members who are qualified to run (see Article 3, section 2) and have stated that they want to run for the planning group. The ballot will have space for write-in candidates for each seat.

(B) Planning group elections will be held in March of odd-numbered years at the same location, time and date as the March planning group meeting. The election will precede the regular meeting, and the regular meeting will begin after voting is concluded. The regular meeting may proceed while votes are being counted.

(C) Eligibility to vote shall be verified by the secretary or a member of the election subcommittee before a member receives a ballot.

(D) The ballot shall be a standard letter-sized page with each seat up for election clearly identified with all eligible persons seeking election to that seat. Voters shall place a check mark next to a name or circle the name. Only one vote may be cast for each candidate (cumulative voting is not allowed).

(E) Ballots shall be made available to eligible voters for 60 minutes from the noticed time of the election. The Secretary shall announce the closing of ballots at 60 minutes past the noticed election time and that ballots are no longer available except to those present and waiting to receive a ballot. Voting is closed when all ballots have been returned. The Secretary shall keep time by use of an ordinary device such as a watch or cell phone for the purposes of this paragraph and his or her determination of time shall be final.

(F) Eligibility may be established by driver's license/state identification card, or property tax, utility bill or other proof of residency in conjunction with a photo ID, as consistent with Section 5.1.1 of the Operating Procedures for the **Mira Mesa Community Planning Group**.

(G) Ballots shall be collected by the Election Subcommittee upon conclusion of balloting. Ballots shall be counted by the Election Subcommittee. The regular Planning Group meeting may start at this time or after counting of ballots has concluded.

(H) Upon completion of the counting of the ballots, the Secretary shall inform the Chair of the results. The Chair will announce the results. Newly elected members will assume their seat at the next (April) meeting.

(I) For any member having served eight consecutive years, if no other candidate is available for the seat, and the vacancy leaves fewer than 10 voting members, that member shall be considered re-elected if receiving 2/3 of the votes cast for that seat. If that candidate does not receive 2/3 of the votes cast, the seat shall be declared vacant. No more than 25% of the Planning Group may be over the 8-year limit. In the event that more than 25% of the newly elected Planning Group are over the 8-year limit, those with the least seniority will be elected and the members who have served the longest will not.

(J) For any seat with more than one candidate, the candidate receiving a plurality of votes cast for that seat shall be elected.

(K) In the event of a tie, a second ballot shall be taken for the seat(s) subject to the tie vote. Only the two candidates receiving the most votes on the first ballot shall appear on the second, and only those who voted in the first ballot shall vote in the second. In the event of a tie on the second ballot, a coin toss by the Secretary shall decide the election. The elder of the two candidates shall be offered the option of calling “heads” or “tails.”

(L) In the event the count is questioned, the Secretary shall request two other members to count the ballots. In the event the second count conflicts with the first, there shall be additional counts until two successive counts agree. Any additional challenge to the count or the election should follow the procedure of Section 4 above.

(M) The Secretary shall keep all ballots in a single envelope and hold them until the election is settled.

(N) Any challenge to the election shall be made in accordance with these Bylaws and must be presented to the Chair within 24 hours of the noticed date and time of the meeting.

(O) Candidates must provide proof of eligibility prior to printing of the ballot.

(P) “Electioneering” on the day of the meeting, within 100 yards of the meeting location, is prohibited. Such electioneering is understood to be, but not limited to, posting flyers or engaging in personal contact with others members so as to persuade the member(s) to vote for a candidate or candidates.

## **ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1. It is the duty of the MMCPG 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 MMCPG to attend all planning group meetings.

(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.

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.

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 MMCPG 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 of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the MMCPG 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 MMCPG for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the MMCPG.

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

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

The MMCPG's chair 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in Article III, Section I of Council Policy 600-24.

(ix) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the MMCPG 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 MMCPG, 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 MMCPG and are prohibited under these bylaws.

(xii) RIGHT TO RECORD - Any person attending a meeting of the MMCPG 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) Subcommittees**

The MMCPG may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the MMCPG as identified in Article II, Section I, the planning group has established no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter [such as the Elections subcommittee].

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

(iii) **SUBCOMMITTEE COMPOSITION** - Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. 0-19883 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

(iv) **RECOMMENDATIONS** - Subcommittee 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 subcommittee 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 MMCPG with a direct economic interest in any project that comes before the planning group or its subcommittees 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 charge for the cost of reproducing any the materials requested by an individual or individuals.

(iii) MINUTES - For each planning group meeting, a report of MMCPG 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 MMCPG 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 - MMCPG 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 planning group operations and compliance. The planning group 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.

(v) The MMCPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request, except that any personal information contained in these documents will not be provided without the consent of the people identified.

- Section 3. It shall be the duty of the MMCPG and its members to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, Section I. 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 MMCPG 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 I above. Rosters and annual reports constitute disclosable records under the Brown Act.
- Section 5. The MMCPG 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 MMCPG member is required to attend an orientation training session annually 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.

## **ARTICLE VII Planning Group Officers**

- Section 1. The officers of the MMCPG 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 two years 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.

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.

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 MMCPG officers and representatives to the CPC shall promptly disseminate to all elected 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 MMCPG bylaws incorporate policies and procedures directed by Council Policy 600-24.

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

### **(a) Community Participation**

The following are the MMCPG procedures regarding community participation:

All residents within the MMCPG Boundary Map, property owners and business representatives are encouraged to attend and participate in planning group meetings, and are further encouraged to register with the planning group as eligible members of the community.

Agendas and other information relevant to upcoming meeting topics are sent by email to all persons who have stated an interest in receiving this information. Information about the MMCPG is posted on a local website, which is currently <https://www.MiraMesaCommunityPlanningGroup.org>.

### **(b) Planning Group Composition**

The following are the MMCPG procedures pursuant to Article III, Section 2 regarding planning group composition:

A business or property owner seat on the planning group belongs to the business or property owner, rather than to the representative of the business or property owner. In the event that a representative resigns from the planning group, the business or property owner can appoint a replacement for the representative to serve the remainder of the term, provided that the name of the representative is given to the planning group chair and an application submitted within 45 days after the resignation. The 8 year rule applies to the business, not to a particular representative, although the 8 year rule also applies to an individual who serves for 8 consecutive years even if the individual changes membership category from a business representative to another. Only one representative at the time can be an eligible member of the community.

### **(c) Conduct of Meetings**

The following are the MMCPG procedures regarding conduct of planning group meetings:

Public comment shall be limited to three minutes per speaker regarding a matter not on the agenda for the meeting. The public comment period in any one meeting shall not exceed 15 minutes from the time the meeting is called to order. The time may be extended by a vote of the planning group.

Courteous response by others in attendance to comments made by members of the public, including clapping, are allowed, but must remain courteous and not interfere with the speaker's access to his or her allocated three minutes.

Any effort by others in attendance to interfere with a speaker's access to his or her allocated time by heckling or otherwise discourteous retort is expressly prohibited. The Chair reserves the right to require any person(s) conducting themselves in this manner to leave the meeting.

In the event the Chair's admonitions go unheeded, the Chair reserves the right,

pursuant to the Brown Act, to clear the meeting of all attendees except voting members and media as stated in Article VI, Section 2(a)(xiii).

**(d) Member and Planning Group Responsibilities**

The following are the MMCPG procedures regarding member and planning group responsibilities:

The MMCPG may review and vote on matters raised by City Staff or elected representatives seeking community input.

No solicitations of funds or sponsorships shall occur during a meeting of the MMCPG.

**ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Indemnification and Representation. The MMCPG 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 MMCPG 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 MMCPG**

In cases of alleged violations of the MMCPG 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 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 vote of the voting members 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-19883 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the MMCPG 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 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and MMCPG 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 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 chair or from the offending planning group member will be made available to the elected planning group members 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 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 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 an 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 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 MMCPG as a Whole**

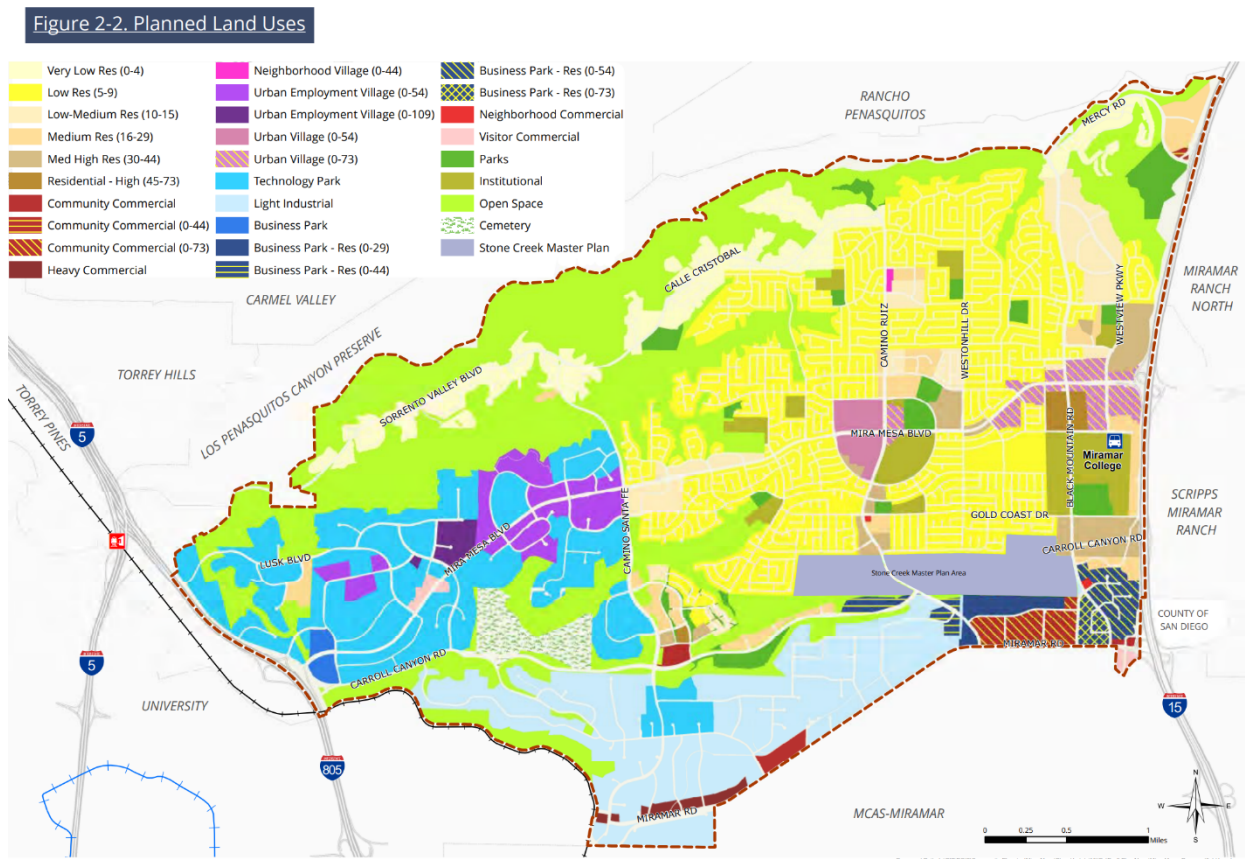
In the case of an alleged violation of the planning group's bylaws or of Council

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

Exhibit A: Boundaries of the Mira Mesa Community, from the Mira Mesa Community Plan



## **Mira Mesa Community Planning Group Community Participation & Representation Plan**

The Mira Mesa Community Planning Group (MMCPG) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our MMCPG goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation and Strategies for Community Involvement**

In the aim of achieving our community participation and representation goals, we plan to do the following.

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.

- Work to communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods
- Ensure a safe, accessible meeting space.
- Share meeting information in digital formats including social media pages and the MMCPG website
- Consistently post printed monthly meeting information at the Mira Mesa Public Library
- Develop a social media policy approved by the MMCPG, with the aim of increasing outreach and involvement.
- Design inclusive and educational language to be included with the MMCPG meeting agendas
- Add educational information, aimed at decreasing barriers to involvement with the MMCPG, as part of the MMCPG website
- Work with the council office and the Mayor's Office to amplify outreach.

### **Measuring Success**

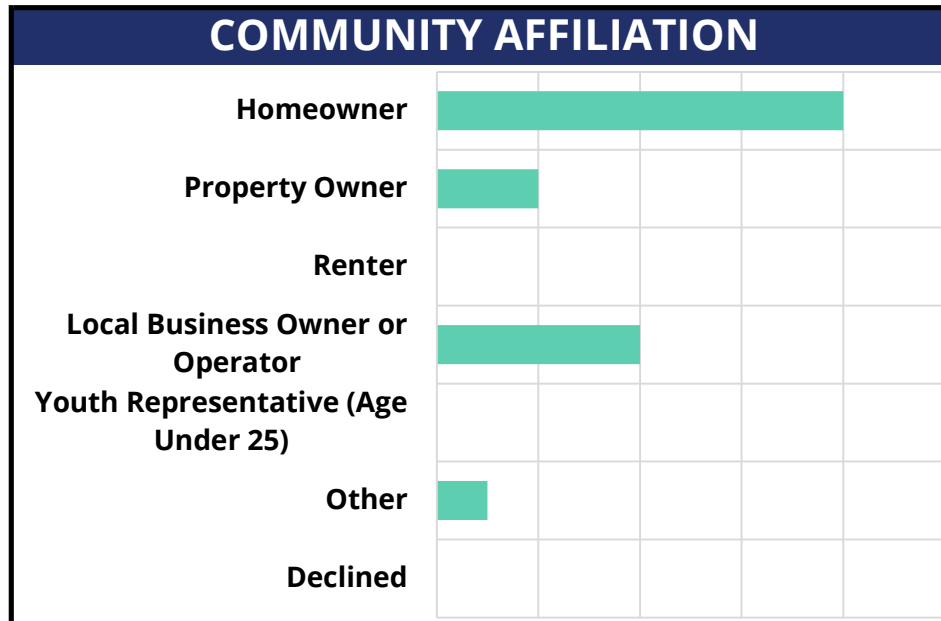
- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics when available, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

# Mira Mesa

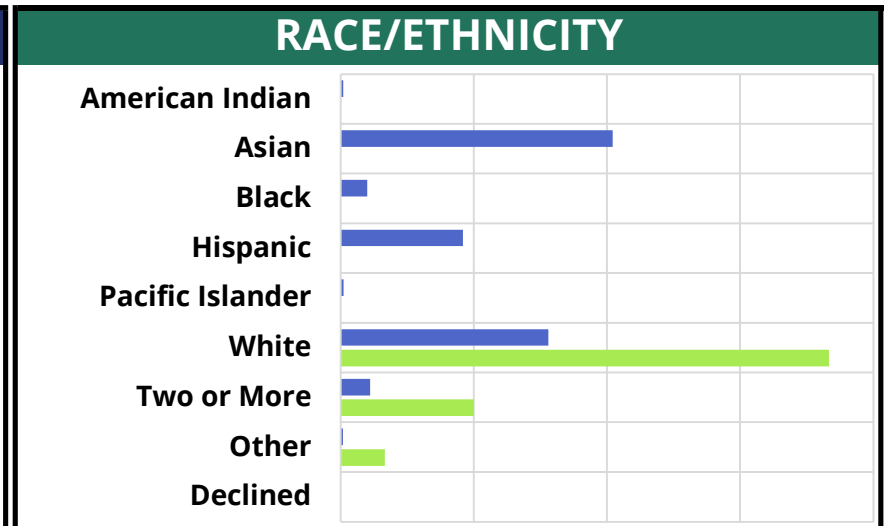
■ Member Count

■ Percent Group

■ Percent Community



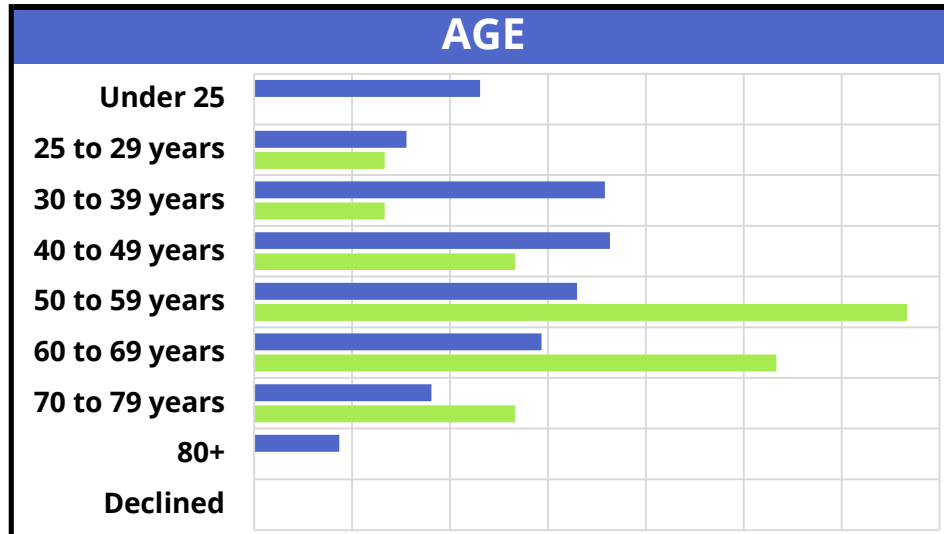
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 8            |
| Property Owner                      | 2            |
| Renter                              | ---          |
| Local Business Owner or Operator    | 4            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>15</b>    |



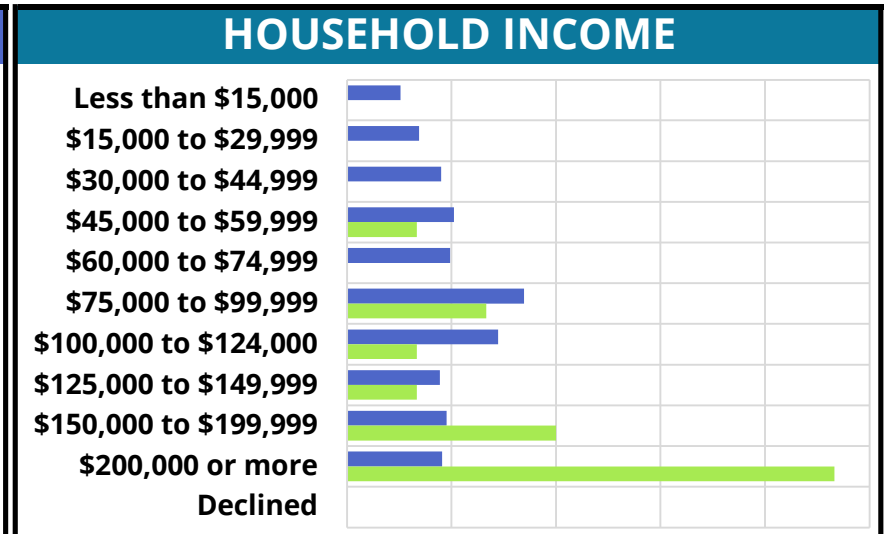
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 40.9%             |
| Black            | ---          | ---           | 4.0%              |
| Hispanic         | ---          | ---           | 18.3%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 11           | 73.3%         | 31.2%             |
| Two or More      | 3            | 20.0%         | 4.4%              |
| Other            | 1            | 6.7%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>15</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Mira Mesa

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 12%               |
| 25 to 29 years | 1            | 7%            | 8%                |
| 30 to 39 years | 1            | 7%            | 18%               |
| 40 to 49 years | 2            | 13%           | 18%               |
| 50 to 59 years | 5            | 33%           | 16%               |
| 60 to 69 years | 4            | 27%           | 15%               |
| 70 to 79 years | 2            | 13%           | 9%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 5%                |
| \$15,000 to \$29,999   | ---          | ---           | 7%                |
| \$30,000 to \$44,999   | ---          | ---           | 9%                |
| \$45,000 to \$59,999   | 1            | 7%            | 10%               |
| \$60,000 to \$74,999   | ---          | ---           | 10%               |
| \$75,000 to \$99,999   | 2            | 13%           | 17%               |
| \$100,000 to \$124,000 | 1            | 7%            | 14%               |
| \$125,000 to \$149,999 | 1            | 7%            | 9%                |
| \$150,000 to \$199,999 | 3            | 20%           | 10%               |
| \$200,000 or more      | 7            | 47%           | 9%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 13, 2023, 5:06:50 PM

What is the official name of your Planning Group?

**Mission Beach Precise Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Mission Beach**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Maintaining a Facebook page; community bulletin board; use mission beach town council for sending blasts to community members; posting at coffee shops and rec center.**

How will your Planning Group fairly represent all members of your community?

**There are diverse ages, incomes, renters and homeowners and property owners from the Mission Beach community planning area.**

Applicant Representative

**Deborah Watkins, Chair, Mission Beach Precise Planning Board**

Email

**dkwatks@aol.com**

Phone Number

**858-344-1684**

Please include the following documents.

- PDF** mbppb.operating.procedures.final.12.23.pdf  
9.4MB
- PDF** mbppb.Community Representation and Participation Plan.pdf  
225KB
- PDF** mbppb.operating.ethical.standards.pdf  
115KB
- PDF** mbppb.member.composition.form.pdf  
235KB

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Mission Beach Precise Planning

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

     American Indian

     Asian

     Black

     Hispanic

     Pacific Islander

8 White

1 Two or more races

2 Other: \_\_\_\_\_

### HOUSEHOLD INCOME

     Less than \$15,000

     \$15,000 to \$29,000

3 \$30,000 to \$44,999

1 \$45,000 to \$59,999

     \$60,000 to \$74,999

2 \$75,000 to \$99,999

     \$100,000 to \$124,999

1 \$125,000 to \$149,999

2 \$150,000 to \$199,999

3 \$200,000 or more

### COMMUNITY AFFILIATION

8 Homeowner

2 Property Owner

1 Renter

     Local Business Owner or Operator

     Youth Representative (Age Under 25)

     Other : \_\_\_\_\_

### AGE

     Under 25

     25 to 29

     30 to 39

1 40 to 49

3 50 to 59

1 60 to 69

5 70 to 79

1 80 +

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
THE **MISSION BEACH PRECISE PLANNING BOARD**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

### **Introduction and Background**

Through this document, the **Mission Beach Precise Planning Board** (“MBPPB”) adopts Council Policy 600-24’s Terms and Conditions. In the Terms and Conditions, the City established minimum standard procedures that the MBPPB will adhere to and designated services the MBPPB will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24. Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The MBPPB is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The MBPPB, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The MBPPB acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (“Council”) as a planning group in the City of San Diego. The MBPPB acknowledges that the City can revoke recognition of any planning group through binding arbitration, if the City Attorney, in its sole discretion, determines these standards are not being met.

The MBPPB will separately and independently maintain any legally required documents related to the MBPPB’s founding, operation, or organization.

The MBPPB will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards and maintain these documents in accordance with sections 2.5 and 7.3 herein.

In consideration of Council Policy 600-24 and its attached Terms and Conditions, the MBPPB hereby agrees to abide by the following as part of their Operating Procedures:

#### **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the Mission Beach Precise Planning Board (“MBPPB”).

The community planning area boundaries for the MBPPB are the boundaries of the Mission Beach community, as shown on Exhibit “A” and described as follows:

The Mission Beach community planning area is located on a sand bar/peninsula two miles long and up to ¼ of a mile wide along the western edge of the mid-coastal region of the City of San Diego. It is bounded on the north by Pacific Beach, on the east by Mission Bay, on the south by the San Diego River (with Ocean Beach on the opposite bank) and on the west by the Pacific Ocean.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, MBPPB will work cooperatively with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan. The MBPPB is responsible for approving the annual Mission Boulevard Maintenance Assessment District budget, and overseeing the maintenance, repair and replacement of the street trees and tree wells along Mission Boulevard.

### 2.2 Advisory Planning Group Review

MBPPB may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan and the Mission Beach Planned District Ordinance ("PDO"), including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan is within its boundaries.

MBPPB may, on its own accord or upon City request, make recommendations, or participate in, additional efforts such as identifying Capital Improvement Projects ("CIP's"), infrastructure needs or additional City matters.

MBPPB recognizes that City staff and development project applicants are not required by the City to present their project or application before the MBPPB, although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, MBPPB project review recommendations, if any, shall be submitted to the City within seven (7) calendar days of MBPPB taking action.

In addition, the MBPPB shall submit its recommendations and any conditions to the project proposed by the MBPPB, using a Bulletin 620 Distribution Form, or a reasonable facsimile of that document (e.g., letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the MBPPB's conditions/recommendation, name and signature of chair or designated representative.

MBPPB shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes the project recommendations that shall be part of MBPPB's official records.

#### 2.4 Adherence to Ralph M. Brown Act

MBPPB must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 ("Brown Act"), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of MBPPB to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for MBPPB to lose its Council recognition and may subject MBPPB and MBPPB voting members to a loss of indemnification by the City.

It is the duty of all MBPPB members to conduct official business of the MBPPB in a public setting. It is recognized that the officers of the MBPPB may oversee administrative business of the MBPPB, such as 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 MBPPB meeting.

#### 2.5 Maintenance of Open Records

MBPPB shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to MBPPB by individuals wishing to serve as voting members a/k/a Area Representatives, and records of election results, are considered official records and will be maintained by MBPPB in accordance with Council Policy 600-24. MBPPB will submit to the City the Annual Roster of MBPPB voting members by May 1st of each year and will also submit to the City any changes to rosters as a result of MBPPB elections.

#### 2.6 Independent Entity

MBPPB is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the Mayor and/or City Attorney and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

MBPPB will ensure that its voting members, to the greatest extent possible, represent the entire community, community interests, and the entire demographic diversity of the entire community.

#### 3.2 Community Outreach

MBPPB and its voting members should routinely seek diverse community participation in MBPPB planning and implementation process to serve the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, MBPPB shall gather demographic data of existing and new MBPPB voting members at the time of elections or other regular periods to measure inclusion and diversity on MBPPB. This data should be submitted to the City along with the

annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### **4. Planning Group Composition**

##### 4.1 Number of Voting Members a/k/a Area Representatives

The MBPPB shall consist of 15 elected members to represent the community. These members of the MBPPB shall constitute the officially recognized community planning group for the purposes of Council Policy 600-24. The MBPPB will have no fewer than 10 and no more than 15 voting members, representing the various community interests set forth in these Operating Procedures.

On the MBPPB, elected seats are filled by a geographic distribution of seats among five (5) areas of representation with three (3) members elected to serve from each area. The five (5) areas of representation are:

**Area I**, between San Diego Place and the south side of Capistrano Place; **Area II**, between the north side of Capistrano Place and the south side of West Mission Bay Drive and Ventura Place; **Area III**, between the north side of West Mission Bay Drive and Ventura Place and the south side of El Carmel Place; **Area IV**, between the north side of El Carmel Place and the south side of San Jose Place; **Area V**, between the north side of San Jose Place and the south side of Pacific Beach Drive.

##### 4.2 Voting Member Eligibility

MBPPB will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age.

###### 4.2.2 Minimum Attendance Requirements

MBPPB shall take attendance to ensure that each voting member attends at least two-thirds of MBPPB's regularly scheduled meetings in any 12-month period (April – March) throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

##### 4.3 Community Representation

MBPPB will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.4 Voting Member a/k/a Area Representative Term Limits

The MBPPB shall establish term limits for its voting members to ensure that the membership is

not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

Members of MBPPB shall be elected to serve fixed terms of: three (3) years. Voting members will not serve their service time for more than eight (8) consecutive years. MBPPB voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

MBPPB may develop procedures for waiving the maximum time of service by vote of its voting members if MBPPB cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should MBPPB choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See: Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election for their respective Area; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

**5. Open and Public Elections**

5.1. Equal Participation

MBPPB shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of MBPPB will be allowed to vote in MBPPB elections for the candidate in the Area where they reside, so long as they meet minimum conditions for eligibility and comply with the following:

- Only one elected MBPPB voting member per business tax certificate
- Only one elected MBPPB voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These

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requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental healthcare provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.3 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove

ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The MBPPB will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members a/k/a Area Representatives of the MBPPB, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in the MBPPB operations.

##### 5.2.1 Election Timing

Regular Elections of the MBPPB Area Representatives shall be held concurrent with but separate from a regular scheduled meeting in March from commencement of said meeting for a period of 90 minutes.

##### 5.2.2 Deadline to Qualify for Candidacy in Elections

The deadline to qualify for candidacy in the March general election for Area Representatives will be the regularly noticed February meeting or any special meeting of the full planning Group membership preceding the March election.

The MBPPB's Election Secretary will be established no later than January and will begin soliciting eligible community members to become candidates for Area Representatives. In February, the Election Secretary will 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. [See: Exhibit "B" for MBPPB *Election Procedures*.]

##### 5.2.3 Candidate Eligibility

The MBPPB shall make a good faith effort to utilize means appropriate to publicize the MBPPB's eligibility requirements for candidacy as an Area Representative in the upcoming elections.

In the election process, the MBPPB shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for eight (8) consecutive years to leave the group for at least one year.

The MBPPB will require proof of identity of those eligible community members who are seeking to vote in the election. The planning group will ensure that voting is only by eligible members of the community.

##### 5.2.4 Ballot Preparation

The Election Secretary will prepare the ballot, which will clearly identify which seats individual candidates are running for, how many candidates can be selected, whether there are limitations on which candidates that 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.

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Voting to elect new MBPPB 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.

5.2.5 Write-in candidates

Write-in candidates will not be allowed during the election.

5.2.6 Election date(s)

The MBPPB holds its election of Area Representatives concurrent with, but separate from, the regular meeting in March of each year. The election will be by secret written ballot.

5.2.7 Voting time(s)

Voting shall take place between 6:30 PM and 8:00 PM.

5.2.8 Ballot Counting

The votes will be tallied by the Election Secretary, however, in no event will a single person count the votes. If there is a single person acting as the Election Secretary, the Chairperson will appoint a member of the MBPPB that is not a candidate to assist with the counting of the votes. The tallying of the ballots by the Election Secretary shall take place concurrent with but separate from the MBPPB’s March meeting.

5.2.9 Voting System

The candidate in each category who receives the highest number of votes will be the elected representative.

5.2.10 Ballot Record Keeping

Election materials such as candidate applications, proof of candidate eligibility and voting ballots will be retained by the Election Secretary until the seating of the election winners at the April MBPPB meeting. A summary of the election including the names of the candidates, the seats on the ballot and the vote counts for each seat will be retained by the Chairperson.

5.2.11 Tie-breaking Procedures

In the event of a tie, a separate ballot will be provided for eligible MBPPB members to vote on the candidate of their choice.

In the event a tie is the result of a tie vote, the tie will be decided by the toss of a coin. Should the candidates be unable to decide between them who will select the front or back of the coin, the then-presiding Chairperson will assign the choices to the candidates. The candidate who selects or is assigned the side of the tossed coin that lands face up will be the winner of the tie.

5.2.12 Election Results

The results of the votes will be provided by the Election Secretary to the Chairperson to announce the successful candidates to the public by the end of the March meeting.

5.2.13 Election Challenge Procedures

Any challenge to the election results must be filed with the Election Secretary in writing within

48 hours of the counting of the ballots in order to allow enough time to resolve the issue.

5.2.14 Installation of Newly Elected Voting Members

MBPPB's annual election becomes final after announcing the election results at the conclusion of the noticed, regular March monthly planning group meeting. The Chairperson is responsible for preparing, certifying, and forwarding the election report to the City. New members will 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.

5.2.15 Confidentiality of Ballots

The Election Secretary shall manage the polls and count the ballots. This includes preparing the ballots for distribution and verifying each eligible member's identification before giving one a ballot, as well as collecting and counting the ballots. Completed ballots are deposited into a sealed container and opened after the polls close at 8 pm. After confirming the count, the Election Secretary reports the results to the Chairperson.

5.2.16 Vacancies

The MBPPB 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 MBPPB's secretary's report showing a third consecutive absence or fourth absence in the 12-month period of April through March each year, of a member(s) from the MBPPB's regular meetings. A vacancy may also exist following a vote of the MBPPB related to ineligibility, or following conclusion of a member-removal process, or due to adopted bylaws violations.

5.2.17 Timeframe for Filling Vacancies

Vacancies that may occur on the MBPPB 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. Mid-term vacancies shall be filled by a special election scheduled at the time the vacancies are declared. Once the board confirms that a vacancy exists, nominations will be declared open. Nominees must register in person with the Secretary and show proof of eligibility prior to their nomination. Nominations will be announced on the Agenda and will be finalized at the next regularly scheduled meeting. If a seat in a given area cannot be filled by an eligible member from that area, an eligible member from another area may fill that seat until the next regular election. The seat is filled by a majority vote of voting members of the Planning Board.

When the Mission Beach Precise Planning Board is unable to fill a vacancy within 120 days, as specified above, and the MBPPB has more than 10 members, a search for a new member should continue, however the seat may remain vacant until the next planning group election. If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 elected planning group members in good standing, the MBPPB 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 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

It is the duty of the MBPPB as a whole, and of each individual member, to refrain from conduct that is detrimental to the MBPPB or its purpose under Council Policy 600-24. MBPPB and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on MBPPB's agenda.

### 6.2 Rules of Procedure

MBPPB shall adopt rules of procedure for its meetings, such as Robert's Rules of Order, Rosenberg's Rules of Order, Democratic Rules of Order, or Simplified Rules of Order to provide a uniform means for MBPPB to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

MBPPB will maintain transparency in its operating procedures as outlined herein and in Council Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in MBPPB meetings.

#### 6.3.1 Meeting Procedures

It shall be the duty of each member of the MBPPB to attend all planning group meetings.

- 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 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 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., Information Item, Action Item].

The agenda shall be offered to the City for posting on the City's website.

- 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 meeting for items not on the agenda but are within the scope of authority of the MBPPB. MBPPB members may make brief announcements or reports to the planning group on their own activities under the public comment section of the agenda. The MBPPB may adopt time limits for public comment to ensure operational efficiencies.

- Adjournments and Continuances

If the MBPPB 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

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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.

- 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.

- Consent Agenda

For items to be considered for a "Consent Agenda" all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

- 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.

- Development Project Review

The MBPPB 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 MBPPB 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.

- Action on Agenda Items

An item not noticed on the agenda may be added if either two-thirds of the voting members of a

community planning group, or every member if less than two-thirds of the voting members of the 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.

- Miscellaneous Actions on Agenda Items

A two-thirds vote of the voting members of the Mission Beach Precise Planning Board is required to remove an elected community planning group member.

Removing a member due to ineligibility requires a majority vote of the voting members of the MBPPB for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the MBPPB.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the Mission Beach Precise Planning Board.

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

The MBPPB's planning group's Chair participates in discussion but does not vote except to make or break a tie.

The MBPPB 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.

- Miscellaneous Actions on Agenda Items

Any attempt to develop a collective concurrence of the members of the MBPPB as to action to be taken on an item by members of the MBPPB, 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.

- Special Meetings

The Chair of the MBPPB, 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. 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.

- 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 MBPPB and are prohibited under these Bylaws.

- Right to Record

Any person attending a meeting of the MBPPB 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.

- 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.

- Subcommittees

The MBPPB may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

(i) Standing Subcommittees – The MBPPB has established no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter (such as an Elections Subcommittee).

(ii) Ad Hoc Subcommittees – Ad hoc subcommittees may be established for a finite period of time to review more focused issue areas and shall be disbanded following their review.

(iii) Subcommittee Composition - Subcommittees shall contain a majority of members who are members of the planning group. Non-members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O19883 NS.

(iv) Recommendations – Subcommittee 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

subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

- Abstentions and Recusals

(i) Recusals – Any member of the MBPPB with a direct economic interest in any project that comes before the planning group or its subcommittees 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. [See: *Ethical Standards* document.]

(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. [See: *Ethical Standards* document.]

6.3.2 Meeting Documents and Records

(i) Agenda by Mail - E-mail distribution of agenda and minutes is the Standard method utilized by the planning group and a request can be made to receive these directly by contacting the planning group Chair. The requestor shall indicate whether the items are to be sent by mail or e-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, which is distributed at the planning group meeting, shall be made available upon request for public 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 of the materials requested by an individual or individuals.

(iii) Minutes – For each planning group meeting, a report of MBPPB member attendance, and a copy of approved minutes shall be retained by the MBPPB, 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 MBPPB 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 project applicant (whose project was subject to planning group action) appeared before the MBPPB. If an applicant did not appear before the MBPPB 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 MBPPB meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning group. The MBPPB 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 – MBPPB records must be retained for public review for a minimum of five (5) years. 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.

6.3.3 Representative to the Community Planners Committee

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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.

#### 6.4 Planning Group Officers

The officers of MBPPB shall be elected from and by the members of the MBPPB at the April Meeting of the MBPPB. Said officers shall consist of a Chairperson, Vice Chairperson, and Secretary. The length of an officer's term shall be 1 year.

##### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by MBPPB. The Chairperson will be MBPPB's representative to the Community Planners Committee ("CPC"), and the Airport Noise Advisory Committee ("ANAC") unless otherwise designated by Chair.

The Chairperson shall be additionally be responsible to set the agenda, provide adequate notice of the MBPPB meetings, be the point of contact for development applicants and community representatives, shall attend meetings on behalf of the planning group or may make arrangements for an alternate representative to attend.

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.

##### 6.4.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

##### 6.4.3 Secretary

The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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.

##### 6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

#### 6.5 Additional MBPPB Officer Responsibilities

MBPPB officers and representatives to the MBPPB shall promptly disseminate to all elected MBPPB members pertinent information that is received by MBPPB regarding its official business.

**7. Additional MBPPB Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

MBPPB, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

MBPPB will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

MBPPB will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how MBPPB voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. [See: *Ethical Standards* document.]

7.3.1 Direct Economic Interest

MBPPB voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. [See: *Ethical Standards* document.]

7.3.2 Political Actions

MBPPB voting members in their capacity as such may not use their title or position on MBPPB for political endorsements of individuals. MBPPB may, however, upon majority vote, take a position on pending legislation that is within MBPPB's purview.

7.3.3 Donations

MBPPB members shall not accept donations on behalf of any individual running for office.

7.3.4 Equal Time for Candidates or Ballot Measures

MBPPB will endeavor to grant equal time for candidates or ballot measures if docketed on the MBPPB agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.3.5 Professional Conduct

MBPPB members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each MBPPB member shall complete the formal education training program in-person or on-line offered by the City.

MBPPB will require its members to complete the training each year within 60 days of being initially elected or appointed to the MBPPB, and by no later than June 1st of each succeeding year for as long as the MBPPB member is serving or re-elected.

Evidence of completion of annual training shall be part of MBPPB's official records. Failure of MBPPB members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

MBPPB members will collaborate with the City on an ongoing basis and as requested by the City to increase its members' understanding of the role and responsibilities of MBPPB.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, MBPPB members or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-883NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," ("Ordinance"), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the MBPPB or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Council Policy 600-24 and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the MBPPB or one of its individual voting members is found to be out of compliance with the provisions of Council Policy 600-24, or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code

section 54959) for violation of the provisions, MBPPB will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void MBPPB actions. Individual voting members of the recognized MBPPB, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of MBPPB and may in some cases include payment of court costs and attorney's fees.

Individual members of the MBPPB may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the MBPPB member intended to deprive the public of information to which the member knew or had reason to know

the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. MBPPB, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing: [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by MBPPB to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. MBPPB, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or San Diego Ordinance O-19883.

#### 8.3 Violations of Membership Eligibility

MBPPB members who violate membership eligibility may be removed by a majority of the remaining MBPPB members.

##### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If MBPPB violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A MBPPB member and the MBPPB itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a MBPPB member, MBPPB will conduct an investigation consistent with Council Policy 600-24.

In the case of an alleged violation of Council Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. MBPPB will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

MBPPB acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of MBPPB, or may recommend to the City Council that MBPPB's recognition be revoked.

MBPPB acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that an MBPPB member violated their Operating Procedures or Council Policy 600-24 and MBPPB has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke MBPPB's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual MBPPB Members in Violation of Operating Procedures

MBPPB acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by MBPPB at a scheduled MBPPB meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process. A majority vote of the voting members is required to discipline or remove a MBPPB member.

#### 8.6 Potential Conflicts of Interest

MBPPB members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of MBPPB, which may include expulsion from the board. MBPPB will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If MBPPB is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place MBPPB in a temporary inactive status, to allow MBPPB to work through its membership issues to return to active status. If MBPPB remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that MBPPB's recognition be revoked.

#### 8.8 Violations of City Requests for Input

MBPPB acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Council Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the MBPPB**

The official positions and opinions of MBPPB will not be established or determined by any organization other than the recognized planning group, nor by any individual member or subcommittee of MBPPB.

### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of MBPPB unless recognition of MBPPB is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with Council Policy 600-24 as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

**CITY OF SAN DIEGO, CALIFORNIA**  
**COUNCIL POLICY**

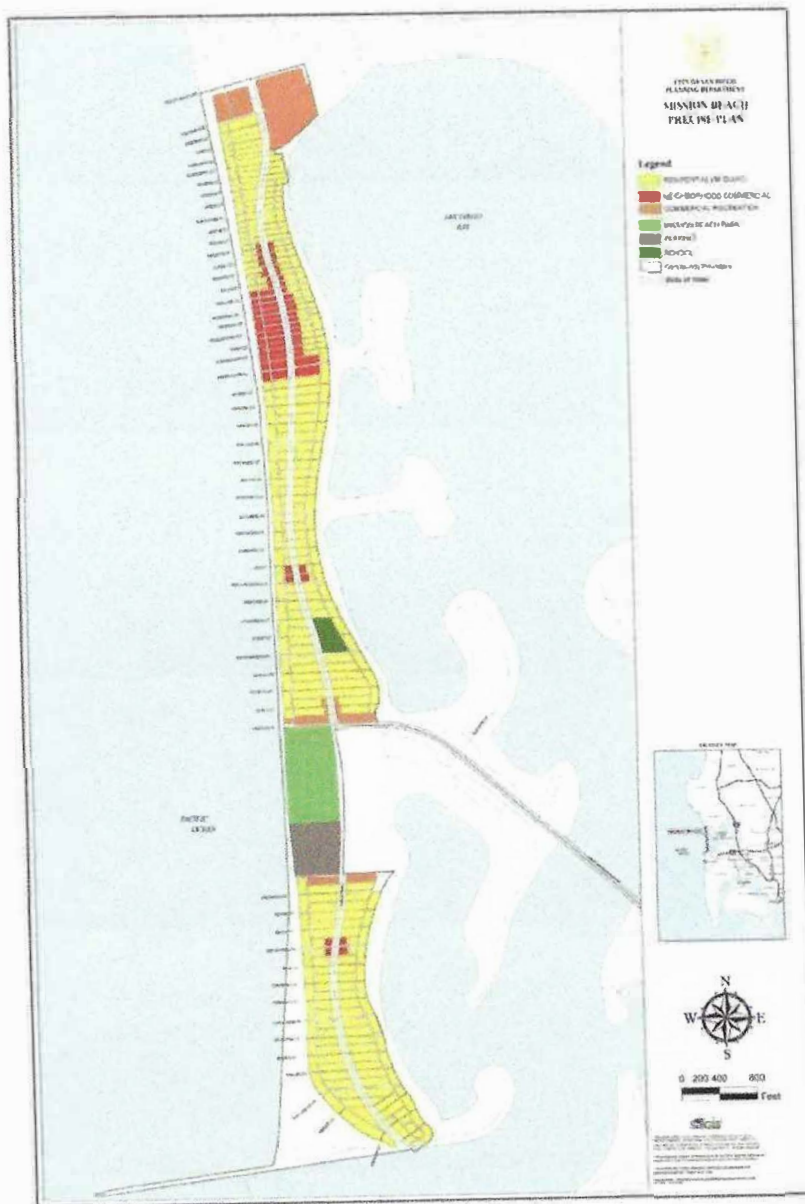
**CURRENT**

Attachments:

EXHIBIT “A”: MAP OF MBPPB BOUNDARIES

EXHIBIT “B”: MBPPB Election Procedures

EXHIBIT A: Mission Beach Precise Planning Board Boundary Map



## **EXHIBIT B: Mission Beach Precise Planning Board Election Procedures**

Elections for vacant positions are held in March each year and nominations for vacant positions will be made in February each year. You may nominate yourself, but in order to be nominated, you must show proof you are a resident, property owner or business representative in Mission Beach.

If a nominee is eligible to represent multiple areas, they must state which area they wish to represent for the entirety of their term.

Nominees must also be present at the regularly scheduled March meeting while the polls are open. Nominees may petition the Chair in writing for an exception, noting the reason for being unable to attend and stating their desire to be elected. Exceptions may only be approved by a majority vote of the Board.

Elections are held each year concurrent with but separate from the regularly scheduled March meeting. Polls open at 6:30 PM and close at 8:00 PM. To vote in an election, community members must meet the eligibility requirements as described herein. There are no exceptions. If a community member is eligible to vote in multiple areas, they must state which area they intend to vote for when arriving at the polling location. Community members are not allowed to vote in multiple areas. Community members can only vote for one (1) candidate on the ballot in the area where they reside.

During the January meeting, the Board will select the Election Secretary whose role is to ensure a fair election by secret ballot is conducted. The Election Secretary's main duties are, but not limited to, promoting community member turnout, opening and closing the polls, designing the ballot and verifying community member eligibility. Only after the polls have closed will the Election Secretary count ballots. During the final ballot counting, if there is a single person acting as the Election Secretary, the Chairperson will appoint a member of the MBPPB that is not a candidate to assist with the counting of the votes to ensure fairness and transparency. The tallying of the ballots by the Election Secretary shall take place concurrent with but separate from the MBPPB's March meeting. Election results will be provided in writing to the Chair by the close of the regularly scheduled March Meeting. The Chair will certify the election results.

In the event that no Board seat is contested, the Chair may propose to elect the proposed candidates by acclamation followed by majority vote of the Board.

## **Ethical Standards**

This document addresses ethical standards the **Mission Beach Precise Planning Board** (“MBPPB”) will follow to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City’s Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City’s Municipal Code.

### **1) Conflicts of Interest**

MBPPB voting members with a potential or perceived conflict of interest should recuse themselves from a MBPPB hearing on matter(s) for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances. Exceptions to conflicts of interest may be granted by the MBPPB to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

### **2) Abstentions for Potential Conflicts of Interest**

MBPPB voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member’s ability to make a fair decision, or where that member lacks sufficient information upon which to cast a vote. The MBPPB’s record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a MBPPB quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

### **3) Political Actions**

Neither the MBPPB nor voting members in their capacity as such should use their title from or position on the MBPPB for political endorsements of individuals. The MBPPB may, however, upon majority vote, take a position on pending legislation that is within the MBPPB’s purview.

### **4) Donations**

Neither the MBPPB nor its voting members should accept donations on behalf of any individual running for public office.

### **5) Equal Time for Candidates or Ballot Measures**

The MBPPB will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### **6) Professional Conduct**

The MBPPB shall establish standards for voting member professional conduct. MBPPB voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

# **Community Representation and Participation Plan**

The Mission Beach Precise Planning Board (“MBPPB”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing MBPPB members who are representative of the community and community interests, including, but not limited to renters, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of the MBPPB to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate the MBPPB’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s Data Surfer website.

## **Overarching Goal**

- Educate community members about the role of the MBPPB and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly MBPPB meetings and decision-making.
- Communicate about MBPPB’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

## **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Make meeting materials available in the languages spoken within the community.
- Be respectful of people’s opinions and time.
- Ensure a safe, accessible meeting space.

## **Strategies for Community Involvement**

- Create a simple flyer to advertise in community hubs with meeting information included to help educate the community on the role of the MBPPB, how to get involved, and the benefits of serving on a community planning group.
- Share meeting information in digital formats including social media pages and/or a dedicated website.

- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the MBPPB's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media
- Host informal events outside of MBPPB meetings to invite the public to learn about the MBPPB and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the MBPPB to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives.

## **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events, attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in community planning groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

# Mission Beach

■ Member Count

■ Percent Group

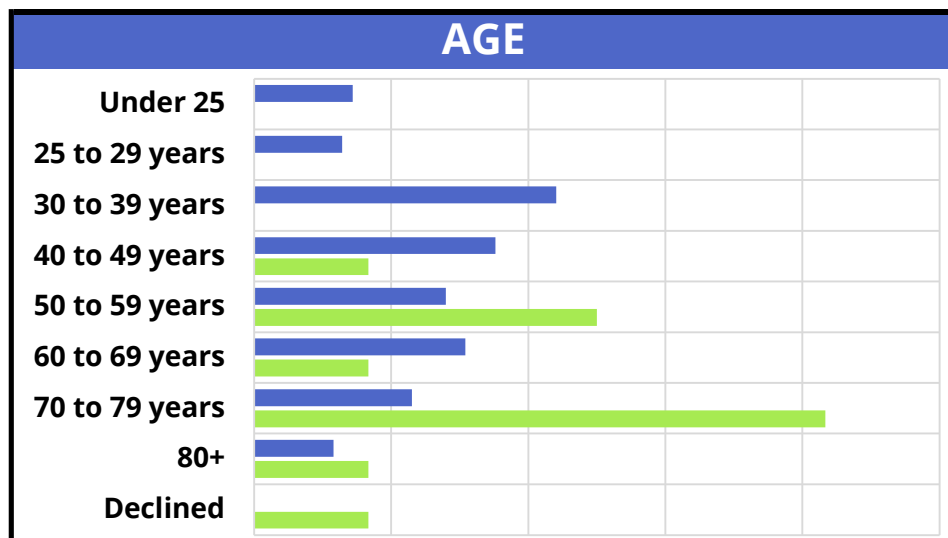
■ Percent Community

| COMMUNITY AFFILIATION               |                     |
|-------------------------------------|---------------------|
| Homeowner                           | 8                   |
| Property Owner                      | 2                   |
| Renter                              | 1                   |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other                               | ---                 |
| Declined                            | 1                   |
| <b>Community Affiliation</b>        | <b>Member Count</b> |
| Homeowner                           | 8                   |
| Property Owner                      | 2                   |
| Renter                              | 1                   |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other                               | ---                 |
| Declined                            | 1                   |
| <b>Total</b>                        | <b>12</b>           |

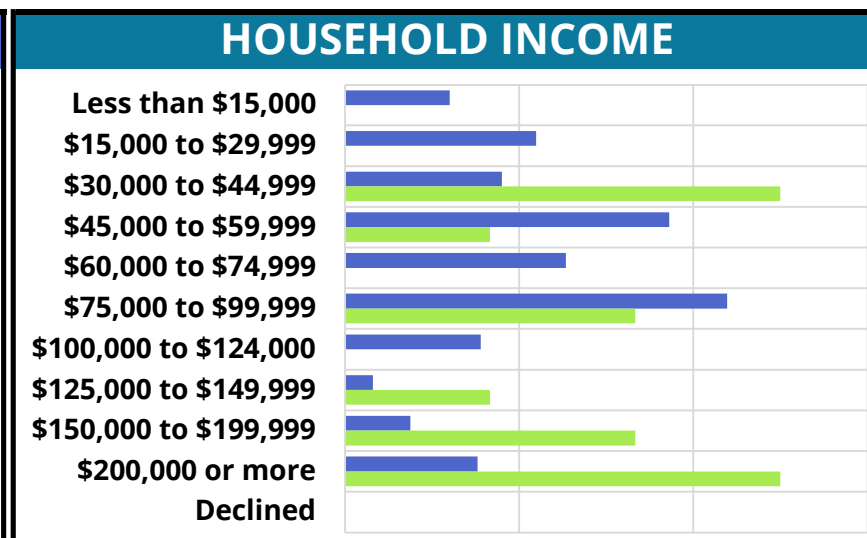
| RACE/ETHNICITY        |                     |                      |                          |
|-----------------------|---------------------|----------------------|--------------------------|
| American Indian       | 0.5%                | ---                  | ---                      |
| Asian                 | 2.8%                | ---                  | ---                      |
| Black                 | 4.7%                | ---                  | ---                      |
| Hispanic              | 12.6%               | ---                  | ---                      |
| Pacific Islander      | 0.7%                | ---                  | ---                      |
| White                 | 76.2%               | 66.7%                | 8                        |
| Two or More           | 2.4%                | 8.3%                 | 1                        |
| Other                 | 0.2%                | 16.7%                | 2                        |
| Declined              | ---                 | 8.3%                 | 1                        |
| <b>Race/Ethnicity</b> | <b>Member Count</b> | <b>Percent Group</b> | <b>Percent Community</b> |
| American Indian       | ---                 | ---                  | 0.5%                     |
| Asian                 | ---                 | ---                  | 2.8%                     |
| Black                 | ---                 | ---                  | 4.7%                     |
| Hispanic              | ---                 | ---                  | 12.6%                    |
| Pacific Islander      | ---                 | ---                  | 0.7%                     |
| White                 | 8                   | 66.7%                | 76.2%                    |
| Two or More           | 1                   | 8.3%                 | 2.4%                     |
| Other                 | 2                   | 16.7%                | 0.2%                     |
| Declined              | 1                   | 8.3%                 | ---                      |
| <b>Total</b>          | <b>12</b>           | <b>100.0%</b>        | <b>100.0%</b>            |

# Mission Beach

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 7%                |
| 25 to 29 years | ---          | ---           | 6%                |
| 30 to 39 years | ---          | ---           | 22%               |
| 40 to 49 years | 1            | 8%            | 18%               |
| 50 to 59 years | 3            | 25%           | 14%               |
| 60 to 69 years | 1            | 8%            | 15%               |
| 70 to 79 years | 5            | 42%           | 12%               |
| 80+            | 1            | 8%            | 6%                |
| Declined       | 1            | 8%            | ---               |
| <b>Total</b>   | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 6%                |
| \$15,000 to \$29,999   | ---          | ---           | 11%               |
| \$30,000 to \$44,999   | 3            | 25%           | 9%                |
| \$45,000 to \$59,999   | 1            | 8%            | 19%               |
| \$60,000 to \$74,999   | ---          | ---           | 13%               |
| \$75,000 to \$99,999   | 2            | 17%           | 22%               |
| \$100,000 to \$124,000 | ---          | ---           | 8%                |
| \$125,000 to \$149,999 | 1            | 8%            | 2%                |
| \$150,000 to \$199,999 | 2            | 17%           | 4%                |
| \$200,000 or more      | 3            | 25%           | 8%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 23, 2023, 1:01:20 PM

What is the official name of your Planning Group?

**Mission Valley Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Mission Valley**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **3**
- **7**
- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

Applicant Representative

**Michele Addington**

Email

**mvpvgchair1@gmail.com**

Phone Number

**8583348019**

Please include the following documents.

- PDF** MVPH BYLAWS Proposed 12 31 2023 MCA 12 19 2023.pdf  
732.8KB
- PDF** MVPG Terms \_ Conditions MCA 12 19 2023.pdf  
701KB
- PDF** MVPG Participation \_ Representation Plan MCA 12 19 2023.pdf  
673.1KB
- PDF** MVPG Member Composition Form MCA 12 20 2023.pdf  
95.7KB

**Community Planning Group Recognition  
Member Composition Form - Worksheet**

**Note: Survey taken on 12/6/2023**

**Mission Valley Planning Group Chair summarized data**

Planning Group Name: **MISSION VALLEY PLANNING GROUP**

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

**Please Select the Best Option**

**RACE/ETHNICITY**

☐ American Indian  
☐ Asian  
☐ Black  
☐ Hispanic  
☐ Pacific Islander  
☒ 13 White  
☐ Two or more races  
☐ Other: \_\_\_\_\_

**HOUSEHOLD INCOME**

☐ Less than \$15,000  
☐ \$15,000 to \$29,000  
☒ 1 \$30,000 to \$44,999  
☐ \$45,000 to \$59,999  
☒ 2 \$60,000 to \$74,999  
☒ 1 \$75,000 to \$99,999  
☒ 1 \$100,000 to \$124,999  
☒ 1 \$125,000 to \$149,999  
☐ \$150,000 to \$199,999  
☒ 7 \$200,000 or more

**COMMUNITY AFFILIATION**

☒ 4 Homeowner  
☒ 6 Property Owner  
☒ 1 Renter  
☒ 2 Local Business Owner or Operator  
☐ Youth Representative (Age Under 25)  
☐ Other: \_\_\_\_\_  
☐ Under 25

**AGE**

☒ 2 25 to 29  
☐ 30 to 39  
☒ 5 40 to 49  
☒ 2 50 to 59  
☒ 3 60 to 69  
☒ 1 70 to 79  
☐ 80 +

After filling out the form, please provide to your group's designated Point-of Contact.  
Thank you.

**Attachment to CP 600-24 –Terms and Conditions**

**TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
THE MISSION VALLEY PLANNING GROUP  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Mission Valley Planning Group, the Mission Valley Planning Group will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting board members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit B of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be the **MISSION VALLEY PLANNING GROUP**.

The community planning boundaries of this CPG are the boundaries of the MISSION VALLEY Community, as shown in Exhibit A.

## **2. Responsibilities**

### **2.1 Collaboration with City Staff**

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### **2.2 Advisory CPG Review**

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit A, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### **2.3 Timely Submittal of CPG Recommendations to the City**

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven (7) calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### **2.4 Adherence to Ralph M. Brown Act**

The CPG and its individual voting Board members must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting board members to a loss of indemnification by the City.

### **2.5 Maintenance of Open Records**

The CPG shall maintain its official records, including its 1. rosters, 2. annual reports, 3. meeting agendas, 4. applications to serve as voting board members, 5. evidence of completion of annual trainings, and 6. meeting minutes, for a minimum of five years (either on its website, in electronic files) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting board members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting board members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

#### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Board Membership

The CPG will ensure that voting board members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting board members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit B submitted with By-Laws).

#### 3.2 Community Outreach

The CPG and its voting board members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Board Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting board members at the conclusion of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual roster required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CPG Composition**

#### 4.1 Number of Voting Board Members

The CPG will have no fewer than 12 and no more than 20 voting Board members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Board Member Eligibility

The CPG will ensure that voting board members meet the following minimum qualifications throughout their entire term of service:

#### 4.2.1 Minimum Age

Voting board members will be a minimum of 18 years of age.

#### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting board member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting board member. Failure to meet minimum attendance shall be grounds for disqualification of the voting board member. No attendance requirements for voting board member attendance prior to their election or appointment as a voting board member are allowed.

#### 4.3 Community Representation

The CPG will ensure that voting board members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats are described in the CPG bylaws. re: Article III, Section 7.

#### 4.4 Voting Board Member Term Limits

The CPG shall establish term limits for its voting board members to ensure that the membership is not dominated over time by individual voting board members or groups within the community. These term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

CPG voting board members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms. CPG voting board members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

#### 4.4.2 Waivers of Maximum Time of Service

The CPG procedures for waiving the maximum time of service by vote of its voting board members if the CPG cannot find sufficient new voting board members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 12 voting board members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 12 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting board member elected by a majority vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

4.4.3 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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.

4.4.4 The Mission Valley Planning Group officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

## **5. Open and Public Elections**

### **5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting board members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting board member per business tax certificate
- Only one elected CPG voting board member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

**5.1.1 Voter Identification for Resident Community Members** Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a

governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

Provisions that will govern the election or appointment of voting board members of the CPG, their removal if necessary, and the process to fill vacancies which will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations include at least the following:

CPG operating procedures address the following:

- Cut-off date for candidates to submit nominations, will be at the regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name

- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting board members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

#### 5.3.1 Equal Participation

The Mission Valley Planning Group encourages equal participation by all members of the public within the boundaries of the community, including term limits for voting members.

All members of the public affiliated with the community within the geographical boundary of the Mission Valley Planning Group will be allowed to vote in its elections, so long as they meet minimum conditions for eligibility per Section 4.2 of the "Terms and Conditions" and comply with the following:

- Only one elected CPG voting board member per business tax certificate
- Only one elected CPG voting board member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code.

General elections of Mission Valley Planning Group Board members shall be held during the month of March in accordance with these Bylaws-Article V: Elections.

All general and special elections in which the public may vote shall be open and public.

The Mission Valley Planning Group's general elections shall be held every two years and shall occur immediately preceding the regular March business meeting.

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 Membership Election subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

5.3.3 The Mission Valley Planning Group shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections. Notices of the biennial March election meeting should be published in a local community area newspaper of general circulation, posted on its website and mailed or electronically noticed to each eligible member, when a current method of contact is on file.

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 Mission Valley Planning Group holds its election before the March regular meeting, every two years.

The Mission Valley Planning Group 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. Any number of eligible community members in attendance constitutes a quorum for the purposes of conducting the election.

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 majority of the vote due to service beyond eight or nine consecutive years of service.

At every election of planning group's member any eligible member qualified in accordance with Article III Section 1 of these By-laws shall have the right to be nominated as a write-in candidate. The nomination shall be by another qualified eligible member to be considered along with the committee's nominees for election to the planning group. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

5.3.4 Voting to elect new community planning group voting board 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.

The Ballot Box will be available from 10AM until 12NOON at time and place of the Mission Valley Planning Group regularly scheduled meeting. The Ballot Box will be manned by 2 voting Board Members and at closing of Polls at 12Noon, handed out to the Election Committee Chair.

During the biennial election meeting, each eligible community member present, meeting the qualifications of Article III, shall cast one vote for each of two (2) or three (3) or fewer separate candidates from each of the classifications of membership defined in Article III, Section 2 of these bylaws, for planning group membership. Said voting shall be by written ballots. There shall be no absentee voting by eligible community members. Upon tabulation of all of the ballots, the two (2) or three (3) candidates receiving the highest number of votes in each of the classifications of membership defined in Article III, Section 2 of these Bylaws shall be the planning group members in that category and for the appropriate term.

In case two (2) or more candidates receive the same number of votes for the third (3rd) seat to be filled in any of the classifications of membership defined in Article III, Section 2 of these bylaws, the Chair or designee shall supervise the breaking of the tie(s). Tie(s) shall be resolved by the Toss of the Coin.

#### 5.3.5 Election Procedures

The “Terms and Conditions” provide general guidance for Planning Group elections. The following are procedures pertaining to all Mission Valley Planning Group elections:

- a. The Chair of the Mission Valley Planning Group will appoint an Election Committee consisting of 4 to 7 voting board members. Said Election Committee shall not include any voting board members who will stand for re-election. The primary purpose of this committee is to supervise the election preparation as well as the election itself. The Election Committee shall also review the eligibility of candidates between the time a candidate applies to run and the preparation of the ballot.
- b. Voting is done by secret ballot placed in a box, with the Election Committee monitoring to ensure that voters have cast their ballot in secrecy. A plurality of votes cast will determine the election of candidates. Six (12) or (8) of the twenty (20) elected Members shall be elected by written secret ballot at each annual meeting and shall hold office for four (4) years thereafter. Each community member may cast votes equal to the number of vacant Member positions. They may cast fewer votes than the number of vacant positions, but not more. They may not cast more than one vote for any candidate. If any ballot is received which indicates votes exceeding the number of positions available or more than one vote per candidate, then that ballot will be void and will not be counted. The individuals who receive the most votes will be elected. The Election Committee is responsible for determining the validity of the ballots.
- c. The Election Committee shall create a clear and simple ballot. The ballot must clearly state the number of open seats available and how many candidates for which to vote. The ballots must stipulate that only pens may be used to mark the ballots. Write-in candidates are allowed and space must be provided on the ballot for write-ins.
- d. The polling location shall be the Mission Valley Library located - at 2123 Fenton Pkwy, San Diego, CA 92108. The polls shall be open and monitored by 2 Voting Board Members from 10

a.m. to 12 p.m. on the date of the election. Proxy and absentee ballots are not allowed.

e. The Chair of the Mission Valley Planning Group will announce the close of the elections and shall state that ballots will not be accepted after the polls close. All the ballots will be collected and counted by the Election Committee. In the event of a tie vote, a coin toss will determine the winner, with the candidates having an opportunity to be present. Upon final verification of the count, the Election Committee shall report the results to the Chair who shall certify and immediately announce the results. The Chair shall cause the results to be posted on the Mission Valley Planning Group website and offer the results for publication in the local newspapers.

5.3.6 The Mission Valley Planning Group's election becomes final after announcing the election results at the conclusion of the noticed, general membership meeting in March. The Chair is responsible for preparing, certifying and forwarding the election report to the City. New voting board 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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

In case the eligible membership during a biennial membership meeting fails for any reason to fill all the required seats on the planning group required by Article III to be filled, such unfilled seats shall be treated in the same manner as a vacancy pursuant to Article IV of these bylaws.

## **6. Conduct of Meetings**

### **6.1 Professional Conduct**

The CPG and its voting board members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

### **6.2 Rules of Procedure**

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

### **6.3 Transparency in Operations**

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

## **7. Additional CPG Responsibilities**

### **7.1 Commitment to Non-Discriminatory Practices**

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### **7.2 Records Retention**

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting board members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting board members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

#### 7.3.1 Example Standards of Conflicts of Interest

CPG voting board members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting board members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting board member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting board member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the CPG nor voting board members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 7.3.5 Donations

Neither the CPG nor its voting board members should accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 7.4 Voting Board Member Training

All CPG voting board members are required to complete the formal education program in-person or on-line offered by the City, each year, within 60 days of being initially elected or appointed to the

CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting board member is serving or re-elected. Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting board members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

CPG voting board members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting board members' understanding of the role and responsibilities of the CPG.

### **8. CPG Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting board members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting board members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting board members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting board members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting board members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting board member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting board members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting board members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting board member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting board members as outlined in Section 5.2 and these operating procedures.

#### 8.3.1 Removal of Ineligible Voting Board Members

A CPG shall include in its Operating Procedures a procedure for removal of voting board members for failure to retain eligibility, which should provide affected voting board members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting board member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting board member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

### 8.5 Disciplinary Actions of Individual Voting Board Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting board members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting board members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the CPG**

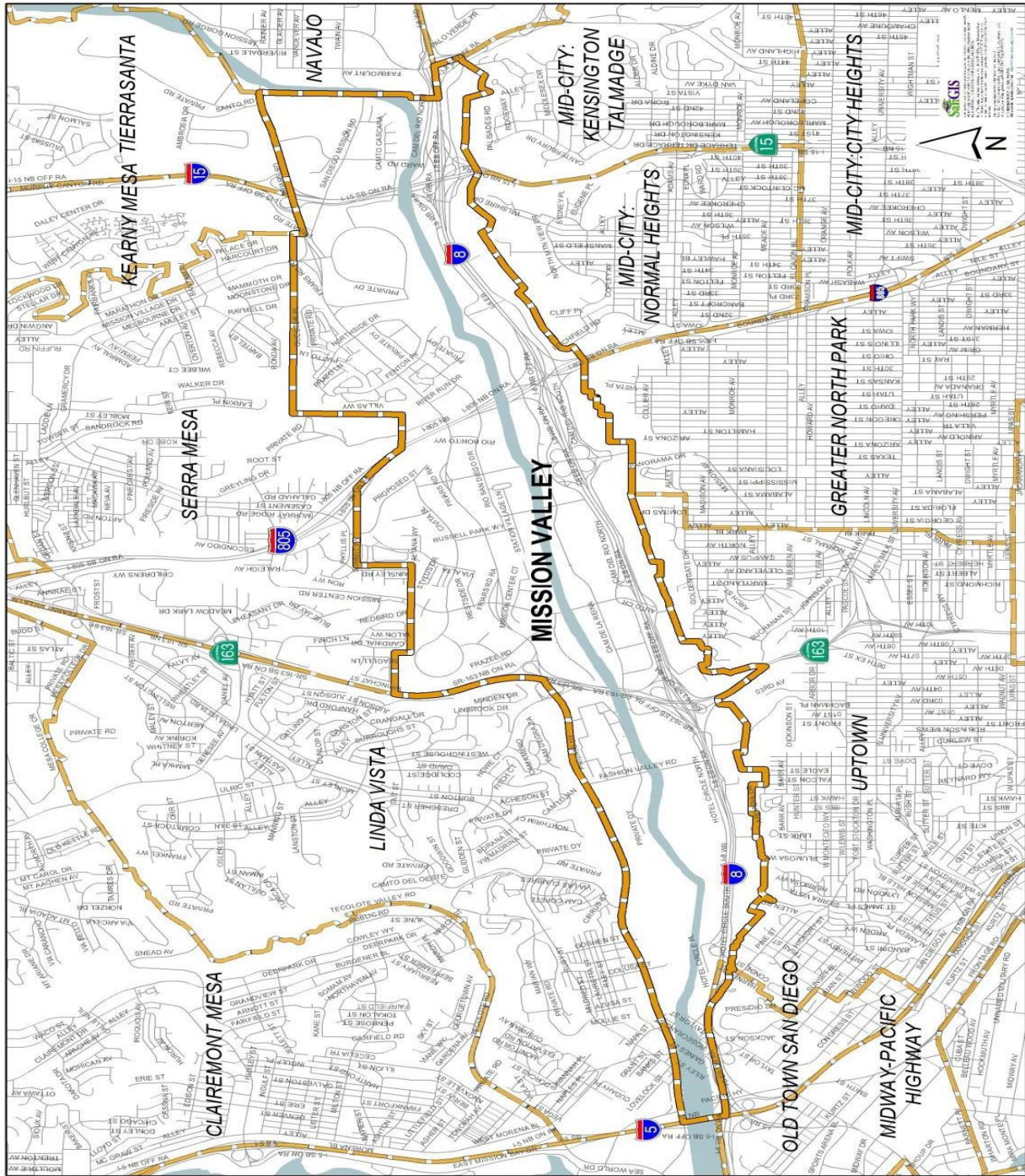
The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting board member or subcommittee of the CPG.

### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless the CPG adopts an amendment by at least a 2/3rds vote of non-vacant seats and is approved by a representative of the city planning department or unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

#### **EXHIBIT A: Mission Valley Planning Group Boundary Map for APPLICATION FOR CITY COUNCIL RECOGNITION**



Source: City of San Diego, GIS Department. Data as of 10/1/2019. All rights reserved.



**Exhibit A: Boundary Map - Mission Valley**

**Mission Valley Planning Group**  
**Bylaws**  
**Submitted 12/31/2023**

**ARTICLE I   Name**

Section 1.    The official name of this organization is the Mission Valley Planning Group.

Section 2.    All activities of this organization shall be conducted in its official name.

Section 3.    The community planning area boundaries for the Mission Valley Planning Group are the boundaries of the Mission Valley community, as shown on Exhibit "A."

Section 4.    Regular and General meetings of the Mission Valley Planning Group shall be held within these boundaries, except that when the Mission Valley Planning Group does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.

Section 5.    The official positions and opinions of the Mission Valley Planning Group 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 Mission Valley Planning Group is the City Council-recognized, independent advisory planning group that makes 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 to, the General Plan or a land use plan when a plan relates to the Mission Valley community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency as detailed in Council Policy 600-24, "Responsibilities" 2.1-2.2., "Purpose of Community Planning Groups and Terms and Conditions".

Section 2.    In reviewing individual development projects, the Mission Valley Planning Group should focus such review on conformance with the Land Development Code and the adopted community plan, the Planned District Ordinance and/or the General Plan. Preliminary comments made by the planning group on projects may be submitted to the City during the project review process. Formal planning group review recommendation(s) will be submitted to the City within seven calendar days from taking action or Bulletin 620 transmitted to City within 48 hours from taking action. 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 Mission Valley Planning Group shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.

Section 4.    Neither the Mission Valley Planning Group nor its voting board members in their capacity as such shall use their title from or position for political endorsement of individuals. shall 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, however, upon majority vote, take a position on pending legislation that is within the Mission Valley Planning Group's purview.

Section 5. The Mission Valley Planning Group'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 may result in the forfeiture of rights to represent the Mission Valley community for these purposes. Such a determination resulting in the forfeiture of rights to represent the community for these purposes shall be made only by a resolution of the City Council upon the recommendation of the Mayor's Office, setting forth findings justifying its revocation.

Section 6. The Mission Valley Planning Group operates under the authority of the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act) which requires that meetings of the planning group are open and accessible to the public. In addition, Council Policy 600-24 "Terms and Conditions & 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 Mission Valley Planning Group, 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 Council Policy 600-24 "Term and Conditions" provides 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, "Terms and Conditions" and these bylaws do not address an area of concern or interest.

Section 7. The Mission Valley Planning Group may propose amendments to these bylaws by two-thirds majority (2/3) vote of the voting board 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. To be an eligible member of the community 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; 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 qualifications to the planning group Membership Chair by completing an application for membership prior to the March election or at the time of voting.

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 Mission Valley Planning Group shall require proof of eligibility during elections.

Planning group Board members shall be elected by and from eligible members of the community.

The Mission Valley Planning Group shall consist of a maximum of 20 elected voting Board 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 voting board members of the Mission Valley Planning Group shall, to the extent possible, representative of the various geographic sections of the community and diversified community interests.

On the Mission Valley Planning Group, elected voting Board seats are filled by distribution of seats among the following interests:

Class I: Five - renter

Class II: Five - home owner

Class III: Five - business owner

Class IV: Five - commercial property taxpayer

Section 3. Members of the Mission Valley Planning Group Board shall be elected to serve for fixed terms of four (4) years with expiration dates during alternate years to provide continuity.

No voting Board member may serve on the planning group for more than eight (8) consecutive years. 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 Board member, an individual who had served for eight consecutive years shall again be eligible for election to the planning group Board.

The planning group Board will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats the planning group Board may retain some members who have already served for eight consecutive years to continue on the planning group Board without a break in service. Refer to Council Policy 600-24 Article "Terms & Conditions 4.4.1 to 4.4.2 (3) inclusive".

Section 4. A Board member of the Mission Valley Planning Group must retain eligibility during the entire term of service.

Section 5. A voting Board member of the Mission Valley Planning Group found to be out of compliance with the provisions of Council Policy 600-24 or the planning group's 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 voting member of the Mission Valley Planning Group 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.

Section 7. Appointment of non-voting seats shall be limited to 7 who shall serve on Subcommittees to ensure representation of unique stakeholder interests in the community planning area.

Section 8. 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 9. The Mission Valley Planning Group officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

#### **ARTICLE IV Vacancies**

Section 1. The Mission Valley Planning Group shall find that a vacancy exists upon receipt of a resignation in writing from one of its voting Board 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 group's regular meetings.

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

Section 2. Board vacancies that may occur on the Mission Valley Planning Group should be filled not later than 120 days following the date of the determination of the vacancy. The term of office of any voting Board member filling a vacancy shall be for the balance of the vacated term.

The Mission Valley Planning Group shall fill vacancies at the time the vacancies are declared. Vacancies shall be filled by a majority vote of the planning group Board voting board members at the time the vacancies are declared.

Two or more concurrent vacancies shall be filled by a vote of all eligible community members of the community by secret written ballot.

Section 3. When the Mission Valley Planning Group Board is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve voting Board members, the 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. If, after 60 additional days, the planning group membership has not reached 12 Board members, the planning group will be deemed inactive until it has attained at least 12-members in good standing.

Waiver of Maximum Time of Service to ensure there are at least 12 voting board members shall be ratified by the majority of the votes cast by eligible community members participating in the regular election; and the term of a voting board member elected by a majority vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service. See Policy 4.4.3 & 3. Terms and Conditions.

## **ARTICLE V Elections**

Section 1. General elections of Mission Valley Planning Group Board members shall be held during the month of March in accordance with the adopted elections procedures found in **Exhibit C** of these bylaws.

All general and special elections in which the public may vote shall be open and public.

The Mission Valley Planning Group's general elections shall be held every two years.

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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

Section 2. The Mission Valley Planning Group 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 Mission Valley Planning Group holds its election before the March regular meeting, every two years.

The Mission Valley Planning Group 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 a majority of the vote due to service beyond eight or nine consecutive years of service.

The Mission Valley Planning Group's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new 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 Mission Valley Planning Group's election becomes final after announcing the election results at the conclusion of the noticed, general membership meeting in March. 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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

## **ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1. It is the duty of the Mission Valley Planning Group to cooperatively work with the City throughout the planning process, when requested by the City, 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 voting board 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 voting board member of the Mission Valley Planning Group to attend all planning group meetings.

(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.

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 posted at the Mission Valley Library as well as the Mission Valley Planning Group website [www.missionvalleyplanninggroup.com](http://www.missionvalleyplanninggroup.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 Mission Valley Planning Group 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting.
  - 2. All interested members of the public were given an opportunity to address the subcommittee.
  - 3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 voting board member 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 Mission Valley Planning Group 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 the applicant, 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 of the voting board members of a community planning group, or every member if less than two-thirds of the voting board 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 majority vote of the voting board members of the Mission Valley Planning Group is required to remove an elected 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 board members of the Mission Valley Planning Group for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting board members of the Mission Valley Planning Group.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting board members of the Mission Valley Planning Group.

All other Mission Valley Planning Group actions, including subcommittee votes, only require a simple majority of the voting board members of the group in attendance when a quorum is present.

The Mission Valley Planning Group planning group's chair 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 agenda items shall reflect the positions taken by the elected Board members of the planning group identified in Article III of these bylaws.

- (ix) **COLLECTIVE CONCURRENCE** - Any attempt to develop a collective concurrence of the members of the Mission Valley Planning Group 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 Mission Valley Planning Group, or a majority of planning group Board 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. 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 Mission Valley Planning Group and are prohibited under these bylaws.
- (xii) **RIGHT TO RECORD** - Any person attending a meeting of the Mission Valley Planning Group 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) **Subcommittees**

The Mission Valley Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

- (i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the Mission Valley Planning Group as identified in Article II, Section 1, the planning group has established the following standing subcommittees: The Mission Valley Design Advisory Board, the Mission Valley Community Plan Update Committee, and the Membership Committee. (See Exhibit B)
- (ii) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees may be established for a finite period of time to review more focused issue areas and shall be disbanded

following their review.

- (iii) SUBCOMMITTEE COMPOSITION – Subcommittees shall contain a majority of members who are members of the planning group and non-voting members who are duly appointed by a planning group to serve on as subcommittee.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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 Terms and Conditions.

- (iv) RECOMMENDATIONS – Subcommittee 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 subcommittee 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 Mission Valley Planning Group with a direct economic interest in any project that comes before the planning group or its subcommittees 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.

CPG voting board members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

(d) Meeting Documents and Records

- (i) AGENDA BY EMAIL or 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 of the materials requested by an individual or individuals.
- (iii) **MINUTES** – For each planning group meeting, a report of Mission Valley Planning Group 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  
Email address: [SDplanningGroups@sandiego.gov](mailto:SDplanningGroups@sandiego.gov) and be posted on the Planning Group website: [www.missionvalleyplanninggroup.com](http://www.missionvalleyplanninggroup.com)  
The Mission Valley Planning Group 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** – Mission Valley Planning Group records must be retained for public review for a minimum of five (5) years, either in its website, in electronic files or in hard copies, from the date each record is created. Community planning group official records are meeting agendas and any other writings that are distributed to at least a majority of the group voting board 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 Mission Valley Planning Group operations and compliance. The Mission Valley Planning Group also receives materials that do not qualify as records. The “Terms and Conditions” discuss categories of material that are City records, community planning group official records, and non-records.

Section 3. It shall be the duty of the Mission Valley Planning Group 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 Mission Valley Planning Group 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 Mission Valley Planning Group 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. Elected Voting Board Members of the Mission Valley Planning Group must complete the City's formal education program, which is offered online, each year and each time they are elected, re-elected, appointed, or re-appointed. The training will include the Brown Act, project development review, and an advanced curriculum for returning voting board members. This training may also include sessions for voting board members and the public to increase understanding of the project review process and voting board members roles and responsibilities. Chairs and Vice-Chairs and any subcommittee or ad hoc committee should also attend advanced trainings in the development review process specific to CPG responsibilities and limits; California Environmental Quality Act (CEQA) review training; conduct of meetings and group operations; and an interactive component where new voting board members can learn from experienced other voting board members. These trainings will be provided by the City either online or in person. The training must meet the requirements of San Diego Ordinance O-19883. Newly seated CPG voting board members must complete the City's formal education program training within 60 days of being elected or appointed to a CPG, or the individual will become ineligible to serve as a voting board member

## **ARTICLE VII Planning Group Officers**

Section 1. The officers of the Mission Valley Planning Group (Executive Committee) shall be elected from and by the voting board members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary and Treasurer. The length of an officer's term shall be 4 years, except that no person may serve in the same planning group office for more than eight consecutive years. After a period of one (1) 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, general membership and communitywide meetings organized by the planning group and shall be empowered to appoint subcommittees and subcommittee chairpersons to assist in carrying on the business of the committee.

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.

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. Treasurer. The Treasurer shall deposit all moneys in the name and to the credit of the planning group with such depositories as may be designated by the Executive Committee. The Treasurer shall disburse the funds of the planning group as may be ordered by the planning group, shall render to the planning group, when it requests an account of all of the community planning group's transactions and of the financial condition of the planning group.

Section 6. 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 7. The Mission Valley Planning Group officers and representatives to the CPC shall promptly disseminate to all elected 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 Mission Valley Planning Group bylaws incorporate policies and procedures directed by Policy I through VIII of Council Policy 600-24. These bylaws also contain some policies and procedures recommended in Article VII of Council Policy 600-24. This bylaws Article lists additional procedures which are found in Exhibit C 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.

#### **ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Indemnification and Representation. The Mission Valley Planning Group and its duly elected or appointed voting board members, have a right to representation by the City Attorney and a right to indemnification by the City under Ordinance O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance) 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 this Policy and these bylaws; and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies. The Mission Valley Planning Group 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 voting board members of the planning group, as well as the planning group itself, may be subject to civil remedies. Under certain circumstances, individual planning group voting board 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 Mission Valley Planning Group. In cases of alleged violations of the Mission Valley Planning Group bylaws or Council Policy 600-24 by a planning group voting board member, the planning group may conduct an investigation consistent with the “Terms and Conditions” and “Policies and Procedures” 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 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 planning group may remove a member by a majority vote of the voting board 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 “Terms and Conditions” and these bylaws.

A recognized community planning group voting board member or planning group found to be out of compliance with the provisions of Council Policy 600-24 or the planning group’s adopted bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. 0-19883 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:  
Any action by the Mission Valley Planning Group 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 board 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 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and Mission Valley Planning Group 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 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 chair or from the offending planning group member will be made available to the elected planning group members 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 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 the discussion, the planning group may, by a majority vote of those voting board members present, choose to remove the member.

Recourse for expelled member:

- There is no appeal available to an elected planning group member removed by a majority vote of the voting board members of the 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 majority vote of the voting board members of the 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 Mission Valley Planning Group 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 voting board members of the planning group, the violation shall be forwarded, within 30 days, in writing to the Mayor or its designee. The City will work with the planning group to determine the validity of the complaint and to seek resolution. The Mission Valley Planning Group 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 Council Policy 600-24, the Brown Act, or its adopted bylaws, then the planning group risks the loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

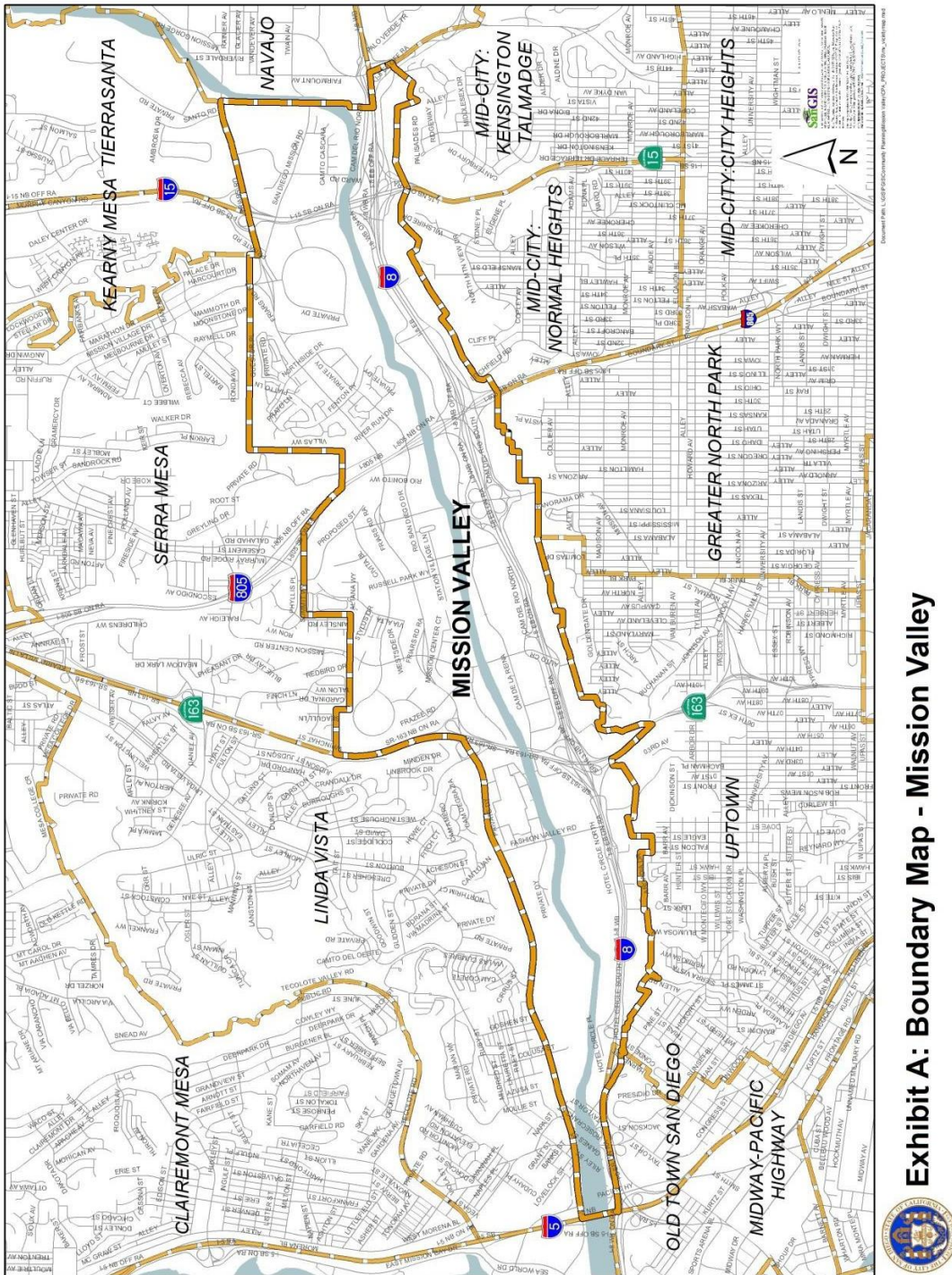
(c)

If the planning group is unable to meet quorum and attendance requirements for three consecutive months, then the City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor may recommend to the Council that the planning group's recognition be revoked.

Exhibit A: Mission Valley Planning Group Boundary

Map Exhibit B: Mission Valley Planning Group Standing Committees

Exhibit A - Mission Valley Planning Group Boundary Map



**Exhibit B**  
**Mission Valley Planning Group**  
**Standing Committees**

**1. Design Advisory Board (DAB)**

(A) The Design Advisory Board (DAB) shall be composed of up to seven (7) members. The committee members, and chair, shall be appointed by the Chair of the Mission Valley Planning Group and shall serve until he/she resigns or a successor is duly appointed and qualified.

(B) Committee members should be persons who are specifically qualified by reason of training or experience in history, art, architecture, land development, landscape architecture, tourism, planning, or other relevant business or profession able to judge the aesthetic and/or design effects of a proposed development. The majority of the members shall be Board Members of the Mission Valley Planning Group. At least two (2) committee members should be registered architects. Mission Valley Planning Group membership is not required to serve on the standing committee. Non-Board members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-19883 NS, and any future amendments thereto.

(C) Committee members may be replaced after three consecutive absences from the Design Advisory Board meetings.

(D) A majority of the members shall constitute a quorum for the transaction of business and a majority vote of those present shall be sufficient to vote on any agenda item. The Design Advisory Board may adopt rules of procedure to be used during its meetings.

(E) Minutes of the meetings shall be kept and either incorporated into the minutes of the Mission Valley Planning Group minutes or posted separately on the City website.

**2. Mission Valley Community Plan Update Committee**

(A) The composition of Mission Valley Community Plan Update Committee shall be determined from time to time based on the business of the Mission Valley Planning Group. The committee members, and chair, shall be appointed by the Chair of the Mission Valley Planning Group and shall serve until he/she resigns or a successor is duly appointed and qualified.

(B) The majority of the committee members shall be Board Members of the Mission Valley Planning Group. Mission Valley Planning Group membership is not required to serve on the standing committee. Non-Board members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-19883 NS, and any future amendments thereto.

(C) Committee members may be replaced after three consecutive absences from the committee meetings.

(D) A majority of the members shall constitute a quorum for the transaction of business and a majority vote of those present shall be sufficient to vote on any agenda item. The committee may adopt rules of procedure to be used during its meetings.

(E) Minutes of the meetings shall be kept and either incorporated into the minutes of the Mission Valley Planning Group minutes or posted separately on the City website.

### **3. Membership Committee**

(A) The composition of Membership Community shall be determined from time to time based on the business of the Mission Valley Planning Group. The committee members, and Chair, shall be appointed by the Chair of the Mission Valley Planning Group and shall serve until he/she resigns or a successor is duly appointed and qualified.

(B) The majority of the committee members shall be Voting Board Members of the Mission Valley Planning Group. Mission Valley Planning Group membership is not required to serve on the standing committee. Non-voting Board members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-19883 NS, and any future amendments thereto.

(C) Committee members may be replaced after three consecutive absences from the committee meetings.

(D) A majority of the members shall constitute a quorum for the transaction of business and a majority vote of those present shall be sufficient to vote on any agenda item. The committee may adopt rules of procedure to be used during its meetings.

(E) Minutes of the meetings shall be kept and either incorporated into the minutes of the Mission Valley Planning Group minutes or posted separately on the City website.

## **Exhibit C: Elections**

### **Section 1. Equal Participation**

The Mission Valley Planning Group encourages equal participation by all members of the public within the boundaries of the community, including term limits for voting board members.

All members of the public affiliated with the community within the geographical boundary of the Mission Valley Planning Group will be allowed to vote in its elections, so long as they meet minimum conditions for eligibility per Section 4.2 of the “Terms and Conditions” and comply with the following:

- Only one elected CPG voting board member per business tax certificate
- Only one elected CPG voting board member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code.

General elections of Mission Valley Planning Group Board members shall be held during the month of March in accordance with these Bylaws-Article V: Elections.

All general and special elections in which the public may vote shall be open and public.

The Mission Valley Planning Group’s general elections shall be held every two years and shall occur immediately preceding the regular March business meeting.

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 Membership Election subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

Section 2. The Mission Valley Planning Group shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections. Notices of the biennial March election meeting should be published in a local community area newspaper of general circulation, posted on its website and mailed or electronically noticed to each eligible member, when a current method of contact is on file.

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 Mission Valley Planning Group holds its election before the March regular meeting, every two years.

The Mission Valley Planning Group 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. Any number of eligible community members in attendance constitutes a quorum for the purposes of conducting the election.

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 majority of the vote due to service beyond eight consecutive years of service.

At every election of planning group's member, any eligible member qualified in accordance with Article III Section 1 of these By-laws shall have the right to be nominated from the floor as a write-in candidate. The nomination shall be by another qualified eligible member to be considered along with the committee's nominees for election to the planning group. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new community planning group voting board 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.

The Ballot Box will be available from 10AM until 12PM at time and place of the Mission Valley Planning Group regularly scheduled meeting. The Ballot box will be manned by 2 voting Board Members.

In case two (2) or more candidates receive the same number of votes for the third (3rd) seat to be filled in any of the classifications of membership defined in Article III, Section 2 of these bylaws, the Chair or designee shall supervise the breaking of the tie(s). Tie(s) shall be resolved by the Toss of the Coin.

#### **Section 4. Election Procedures**

The "Terms and Conditions" provide general guidance for Planning Group elections. The following are procedures pertaining to all Mission Valley Planning Group elections:

A. The Chair of the Mission Valley Planning Group will appoint an Election Committee consisting of 4 to 7 voting board members. Said Election Committee shall not include any voting board members who will stand for re-election. The primary purpose of this committee is to supervise the election preparation as well as the election itself. The Election Committee shall also review the eligibility of candidates between the time a candidate applies to run and the preparation of the ballot.

B. Voting is done by secret ballot placed in a ballot box, with the Election Committee monitoring to ensure that voters have cast their ballot in secrecy. A plurality of votes cast will determine the election of candidates. Six (12) or (8) of the twenty (20) elected Members shall be elected by written secret ballot at each annual meeting and shall hold office for four (4) years thereafter.

Each community member may cast votes equal to the number of vacant Member positions. They may cast fewer votes than the number of vacant positions, but not more. They may not cast more than one vote for any candidate. If any ballot is received which indicates votes exceeding the number of positions available or more than one vote per candidate, then that ballot will be void and will not be counted. The individuals who receive the most votes will be elected. The Election Committee is responsible for determining the validity of the ballots.

C. The Election Committee shall create a clear and simple ballot. The ballot must clearly state the number of open seats available and how many candidates for which to vote. The ballots must stipulate that only pens may be used to mark the ballots. Write-in candidates are allowed and space must be provided on the ballot for write-ins.

D. The polling location shall be the Mission Valley Library located - at 2123 Fenton Pkwy, San Diego, CA 92108. The polls shall be open and monitored by 2 Voting Board Members from 10 a.m. to 12 p.m. on the date of the election. Proxy and absentee ballots are not allowed.

E. The Chair of the Mission Valley Planning Group will announce the close of the elections and shall state that ballots will not be accepted after the polls close. All the ballots will be collected and counted by the Election Committee. In the event of a tie vote, a coin toss will determine the winner, with the candidates having an opportunity to be present. Upon final verification of the count, the Election Committee shall report the results to the Chair who shall certify and immediately announce the results. The Chair shall cause the results to be posted on the Mission Valley Planning Group website and offer the results for publication in the local newspapers.

Section 5. The Mission Valley Planning Group's election becomes final after announcing the election results at the conclusion of the noticed, general membership meeting in March. The Chair is responsible for preparing, certifying and forwarding the election report to the City. New voting board 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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

In case the eligible membership during a biennial membership meeting fails for any reason to fill all the required seats on the planning group required by Article III to be filled, such unfilled seats shall be treated in the same manner as a vacancy pursuant to Article IV of these bylaws.

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**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The **Mission Valley Planning Group** (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer website](#).

|                         |               |                                 |                |                   |        |          |
|-------------------------|---------------|---------------------------------|----------------|-------------------|--------|----------|
| <b>Population</b>       |               | <b>Total Population</b>         | <b>28,760</b>  |                   |        |          |
| <b>ZIP Code 92108</b>   |               | <b>Household Population</b>     | <b>28,533</b>  |                   |        |          |
| <b>Sandag 2021</b>      |               | <b>Group Quarters Populatio</b> | <b>227</b>     |                   |        |          |
|                         |               |                                 |                | Population by Sex |        |          |
|                         |               |                                 |                | Female            | Male   | % Female |
| <b>Total Population</b> | <b>28,760</b> | <b>% Age/Pop</b>                | <b>Ranking</b> | 14,273            | 14,487 | 50%      |
| Under 5                 | 1,933         | 6.72%                           | <b>4</b>       | 860               | 884    | 49%      |
| 5 to 9                  | 1,744         | 6.06%                           | 7              | 940               | 993    | 49%      |
| 10 to 14                | 1,582         | 5.50%                           | 11             | 781               | 801    | 49%      |
| <b>15 to 17</b>         | <b>805</b>    | <b>2.80%</b>                    | <b>15</b>      | 384               | 421    | 48%      |
| <b>18 and 19</b>        | <b>453</b>    | <b>1.58%</b>                    | <b>20</b>      | 217               | 236    | 48%      |
| 20 to 24                | 1,793         | 6.23%                           | 6              | 863               | 930    | 48%      |
| 25 to 29                | 1,737         | 6.04%                           | 8              | 827               | 910    | 48%      |
| <b>30 to 34</b>         | <b>2,223</b>  | <b>7.73%</b>                    | <b>3</b>       | 1,012             | 1,211  | 46%      |
| <b>35 to 39</b>         | <b>2,836</b>  | <b>9.86%</b>                    | <b>1</b>       | 1,447             | 1,389  | 51%      |
| <b>40 to 44</b>         | <b>2,481</b>  | <b>8.63%</b>                    | <b>2</b>       | 1,231             | 1,250  | 50%      |
| <b>45 to 49</b>         | <b>1,921</b>  | <b>6.68%</b>                    | <b>5</b>       | 899               | 1,022  | 47%      |
| 50 to 54                | 1,647         | 5.73%                           | 9              | 807               | 840    | 49%      |
| 55 to 59                | 1,608         | 5.59%                           | 10             | 808               | 800    | 50%      |
| 60 and 61               | 654           | 2.27%                           | 17             | 328               | 326    | 50%      |
| 62 to 64                | 973           | 3.38%                           | 14             | 492               | 481    | 51%      |
| 65 to 69                | 1,346         | 4.68%                           | 12             | 672               | 674    | 50%      |
| 70 to 74                | 1,150         | 4.00%                           | 13             | 634               | 516    | 55%      |
| 75 to 79                | 736           | 2.56%                           | 16             | 391               | 345    | 53%      |
| 80 to 84                | 520           | 1.81%                           | 19             | 313               | 207    | 60%      |
| 85 and older            | 618           | 2.15%                           | 18             | 367               | 251    | 59%      |

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**Exhibit A of Council Policy 600-24**

| <b>Sandag 2021</b>          | <b>Population by Race, Ethnicity and Age</b> |               |              |                        |                              |                  |
|-----------------------------|--|---------------|--------------|------------------------|------------------------------|------------------|
| <b>92108 Mission Valley</b> | <b>Non Hispanic</b>                          |               |              |                        |                              |                  |
|                             | <b>Hispanic</b>                              |               |              | <b>American Indian</b> | <b>Asian&amp;Pacifc Isl.</b> | <b>All other</b> |
|                             |  | <b>White</b>  | <b>Black</b> |                        |                              |                  |
| <b>Total Population</b>     | <b>7,903</b>                                 | <b>14,799</b> | <b>2,004</b> | <b>126</b>             | <b>2,720</b>                 | <b>1,208</b>     |
| Under 5                     | 725  | 830           | 106          | 9                      | 151                          | 91               |
| 5 to 9                      | 575  | 855           | 105          | 6                      | 124                          | 100              |
| 10 to 14                    | 608  | 616           | 100          | 6                      | 129                          | 123              |
| 15 to 17                    | 323  | 288           | 65           | 3                      | 73                           | 53               |
| 18 and 19                   | 153  | 179           | 47           | 3                      | 31                           | 40               |
| 20 to 24                    | 691  | 708           | 129          | 10                     | 134                          | 121              |
| 25 to 29                    | 649  | 727           | 166          | 8                      | 115                          | 72               |
| 30 to 34                    | 645  | 1,121         | 148          | 11                     | 184                          | 114              |
| 35 to 39                    | 692  | 1,532         | 202          | 10                     | 291                          | 109              |
| 40 to 44                    | 644  | 1,322         | 142          | 11                     | 275                          | 87               |
| 45 to 49                    | 490  | 986           | 133          | 5                      | 232                          | 75               |
| 50 to 54                    | 421  | 848           | 126          | 6                      | 192                          | 54               |
| 55 to 59                    | 369  | 897           | 139          | 6                      | 150                          | 47               |
| 60 and 61                   | 116  | 386           | 52           | 5                      | 78                           | 17               |
| 62 to 64                    | 163  | 597           | 74           | 6                      | 106                          | 27               |
| 65 to 69                    | 244  | 863           | 85           | 7                      | 124                          | 23               |
| 70 to 74                    | 165  | 753           | 76           | 7                      | 131                          | 18               |
| 75 to 79                    | 102  | 487           | 50           | 4                      | 77                           | 16               |
| 80 to 84                    | 68   | 343           | 36           | 3                      | 62                           | 8                |
| 85 and older                | 60   | 461           | 23           | 0                      | 61                           | 13               |
| <b>Under 18</b>             | <b>2,231</b>                                 | <b>2,589</b>  | <b>376</b>   | <b>24</b>              | <b>477</b>                   | <b>367</b>       |
| <b>65 and older</b>         | <b>639</b>                                   | <b>2,907</b>  | <b>270</b>   | <b>21</b>              | <b>455</b>                   | <b>78</b>        |
| <b>Median Age</b>           | <b>31.8</b>                                  | <b>42.1</b>   | <b>38.4</b>  | <b>38.5</b>            | <b>42.3</b>                  | <b>30.2</b>      |

### Overarching Goal

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making. Communicate about our CPG's work and goals in simple, easy-to-understand

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language that is accessible for anyone regardless of their background in or knowledge of community planning.

- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A-Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's [Data Surfer](#) website.
- Be respectful of people's opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

**Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group.
  - Share meeting information in digital formats including social media pages and a dedicated CPG website: <https://www.missionvalleyplanninggroup.com/>
  - Consistently post printed monthly meeting information at local places including, but not limited to:
    - Local library
    - Grocery stores
    - Park and Rec Building(s)
    - Coffee shops
  - Build relationships with other city advisory boards to cross-pollinate messaging.
  - Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships. Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media <https://www.facebook.com/MissionValleyNews>
- Drew Sitton, Editor - email: [drew@sdnews.com](mailto:drew@sdnews.com)

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- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives.

**Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

**Executive Summary:**

- Provide a brief overview of the Mission Valley Planning Group and its mission via its website.
- Summarize the key marketing objectives and strategies outlined in the plan.

**1. Situation Analysis:**

- Conduct a SWOT analysis to identify strengths, weaknesses, opportunities, and threats.
- Analyze current market trends and the competitive landscape in Mission Valley.

**2. Target Audience:**

- Define your primary and secondary target audiences, including residents, businesses, local government officials, and potential volunteers.
- Develop detailed buyer personas to better understand their needs and preferences.

**3. Branding and Identity:**

- Review and refine the Mission Valley Planning Group's branding, **including logo**, tagline, and visual identity.
- Ensure a consistent and professional image across all marketing materials.

**Mission Valley Planning Group**  
**Strategies – Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**



**4. Online Presence: [www.missionvalleyplanninggroup.com](http://www.missionvalleyplanninggroup.com)**

- Create a user-friendly, informative website with the following features:
  - Mission and goals of the group
  - Project updates and highlights
  - Calendar of events and meetings
  - Contact information and online forms for inquiries
- Regularly update and maintain the website to keep content fresh.

**5. Social Media Strategy:**

- Establish and maintain active social media profiles on platforms such as Facebook, Twitter, Instagram, Nextdoor and Tiktok.
- Develop a content calendar for consistent posting of relevant content.
- Engage with followers, respond to comments, and foster online discussions.

**6. Content Marketing:**

- Develop a content strategy that includes blog posts, articles, videos, and infographics related to planning and development topics in Mission Valley.
- Share this content on your website and social media channels to provide value to your audience.  
<https://www.facebook.com/groups/910576295655504> [Mission Valley, San Diego, California Community](#)  
<https://www.facebook.com/profile.php?id=100071270567116>  
<https://nextdoor.com/g/0cllao8sq/>
- **Mission Valley Farmers Market** every other Saturday 9:30am - 1:30 pm, Civita Park, 7960 Civita Blvd, San Diego, CA. 92108

**7. Email Marketing:**

- Build an email list through website and events.
- Send regular newsletters with updates, project progress, and invitations to community meetings.

**Mission Valley Planning Group**  
**Strategies – Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

- Personalize emails to increase engagement.

**8. Community Engagement: on-going**

- Host regular community meetings, workshops, and events to gather input, share information, and build relationships.
- Collaborate with local schools, businesses, and community organizations to strengthen ties.

**9. Public Relations:**

- Develop a media outreach strategy to share press releases and stories about your group's activities. <https://www.facebook.com/MissionValleyNews>  
Drew Sitton, Editor - email: [drew@sdnews.com](mailto:drew@sdnews.com)
- Cultivate relationships with local journalists and respond to media inquiries promptly.

**10. Advertising:**

- Allocate a budget for online advertising campaigns, targeting specific demographics in Mission Valley using platforms like Google Ads and Facebook Ads.
- Consider print advertising in local newspapers and community magazines.

**11. Partnerships and Sponsorships:**

- Seek strategic partnerships with businesses, non-profits, and government agencies that align with your mission.
- Explore sponsorship opportunities for community events or initiatives.

**12. Analytics and Evaluation:**

- Use website analytics, social media insights, and email marketing metrics to measure the effectiveness of your marketing efforts.
- Regularly review performance data to make data-driven decisions.

**13. Budgeting:**

- Create a detailed budget that includes expenses for website maintenance, advertising, event hosting, and materials.
- Monitor spending to ensure efficient use of resources.

**Mission Valley Planning Group**  
**Strategies – Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

**14. Training and Development:**

- Provide training to group members on effective communication and outreach strategies.
- Foster a culture of continuous improvement in marketing efforts.

**15. Long-Term Sustainability:**

- Develop a plan for the sustained growth of your marketing efforts over time.
- Set long-term goals for community engagement and awareness.

**16. Timeline:**

- Create a timeline outlining when specific marketing activities and campaigns will be executed.

**17. Risk Management:**

- Identify potential risks, such as negative public perception or community backlash, and develop mitigation strategies.

**18. Reporting and Review:**

- Regularly assess the marketing plan's effectiveness and adjust strategies as needed based on performance data and changing circumstances.

**19. Responsible Parties:**

- Assign responsibilities to team members or volunteers for each marketing activity.

**20. Conclusion:**

- Summarize the key points of the marketing plan and reiterate its importance in achieving the Mission Valley Planning Group's goals.

**Survey Best Practices**

- Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues.

**COMMUNITY PLANNING GROUP ROSTER TEMPLATE**

|                           |                               |
|---------------------------|-------------------------------|
| Community Planning Group- | Mission Valley Planning Group |
| Election Year-            | 2022                          |
| Election Date-            | March                         |
| Meeting Location-         | Mission Valley Branch Library |
| Meeting Time and Date-    | 12PM, 1st Wednesday Monthly   |
| CPC Representative-       | Michele Addington             |
| CPC Alternate -           | Ken Callaway                  |

**Planning Group Contact Information**

|                 |   |
|-----------------|---|
| Mailing Address | 6371 Rancho Mission Road, San Diego CA 92108 #7 |
| Telephone       | 8583348019                                      |
| Email Address   | MVPGChair1@gmail.com                            |

**CPG Members Information**

|                           |                      |
|---------------------------|----------------------|
| Role-                     | Chair                |
| Name-                     | Michele Addington    |
| Email Address-            | MVPGChair1@gmail.com |
| Term Start Date-          | April 2018           |
| Term End Date-            | March 2026           |
| Continuous Service Years- | 5 years              |
| Eligibility Category-     | Property Owner       |
| If "other" fill in here-  |                      |

|                           |                       |
|---------------------------|-----------------------|
| Role-                     | Vice Chair            |
| Name-                     | Kaye Durant           |
| Email Address-            | kaye.durant@gmail.com |
| Term Start Date-          | April 2017            |
| Term End Date-            | March 2024            |
| Continuous Service Years- | 6 years               |
| Eligibility Category-     | Resident              |
| If "other" fill in here-  |                       |

|                           |                    |
|---------------------------|--------------------|
| Role-                     | Secretary          |
| Name-                     | Philip Ouellette   |
| Email Address-            | philosfo@gmail.com |
| Term Start Date-          | 11/3/2021          |
| Term End Date-            | March 2026         |
| Continuous Service Years- | 1 year 4 months    |
| Eligibility Category-     | Resident           |
| If "other" fill in here-  |                    |

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Treasurer

Ryley Webb  
rwebb@hgfenton.com  
11/3/2021  
March 2024  
9 years 5 months  
Property Owner

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Steve Abbo  
stevegabbo@hotmail.com  
October 2014  
March 2024  
8 years 5 months

## Local Business Person

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

David Doyle  
ddoyle@centennialrec.com  
3/2/2022  
March 2026  
1 Year

Other  
Property Owner

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Rachel Erwin  
erwin.rachel@yahoo.com  
October 2019  
March 2024  
3 years 5 months

Property Owner

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Rob Hutsel  
rob@sandiegoriver.com  
11/1/2023  
03/2026  
0

Property Owner

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Ken Callaway  
skyripkic@yahoo.com  
April 2020  
March 2024  
3 years  
Resident

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Cory Hazelwood  
chazlewood@cscos.com  
3/2/2022  
3/2026  
1 Year

Local Business Person

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Derek Hulse  
derek.hulse@cushwake.com  
March 2015  
March 2026  
8 years

Other

Property Taxpayer

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Joseph Tinglof  
jbtinglof@gmail.com  
4/5/2023  
3/1/24

0

Other

Property Taxpayer

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Kathy McSherry  
kathymcsherry@outlook.com  
September 2016  
March 2024  
6 years 6 months

Other

Property Taxpayer

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Andrew Michajlenko  
andrew\_michajlenko@gensler.com  
October 2014  
March 2026

6 years 3 months  
Resident

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Elizabeth Leventhal  
elizabeth.leventhal@gmail.com  
7/1/2012  
3/2024  
8 years 8 months

Resident

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Colton Speas  
colton@pacificcoastcommercial.com  
April 2020  
March 2024  
3 years

Property Owner

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Member

Keith Pittsford  
kpittsford@sgpa.com  
July 2015  
March 2024  
6 years 6 months

Local Business Person

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Select

Mark Radelow  
mark@sudprop.com  
3/2/2022  
3/2026  
1 year

Local Business Person

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Select

Select

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Select

Select

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

## Select

Josh Weiselberg  
jaweilberg@gmail.com  
May 2013  
March 2024  
7 years 10 months

Local Business Person

|                           |        |
|---------------------------|--------|
| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

|                           |        |
|---------------------------|--------|
| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

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|---------------------------|--------|
| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

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| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

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|---------------------------|--------|
| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

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|---------------------------|--------|
| Role-                     | Select |
| Name-                     | <hr/>  |
| Email Address-            | <hr/>  |
| Term Start Date-          | <hr/>  |
| Term End Date-            | <hr/>  |
| Continuous Service Years- | <hr/>  |
| Eligibility Category-     | Select |
| If "other" fill in here-  | <hr/>  |

Role- Select  
Name- \_\_\_\_\_  
Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role- Select  
Name- \_\_\_\_\_  
Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role- Select  
Name- \_\_\_\_\_  
Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role- Select  
Name- \_\_\_\_\_  
Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role- Select  
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Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role- Select  
Name- \_\_\_\_\_  
Email Address- \_\_\_\_\_  
Term Start Date- \_\_\_\_\_  
Term End Date- \_\_\_\_\_  
Continuous Service Years- \_\_\_\_\_  
Eligibility Category- Select  
If "other" fill in here- \_\_\_\_\_

Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
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Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

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Role-  
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Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
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Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
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Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

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Select

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Role-  
Name-  
Email Address-  
Term Start Date-  
Term End Date-  
Continuous Service Years-  
Eligibility Category-  
If "other" fill in here-

Select

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Select

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# Mission Valley

■ Member Count

■ Percent Group

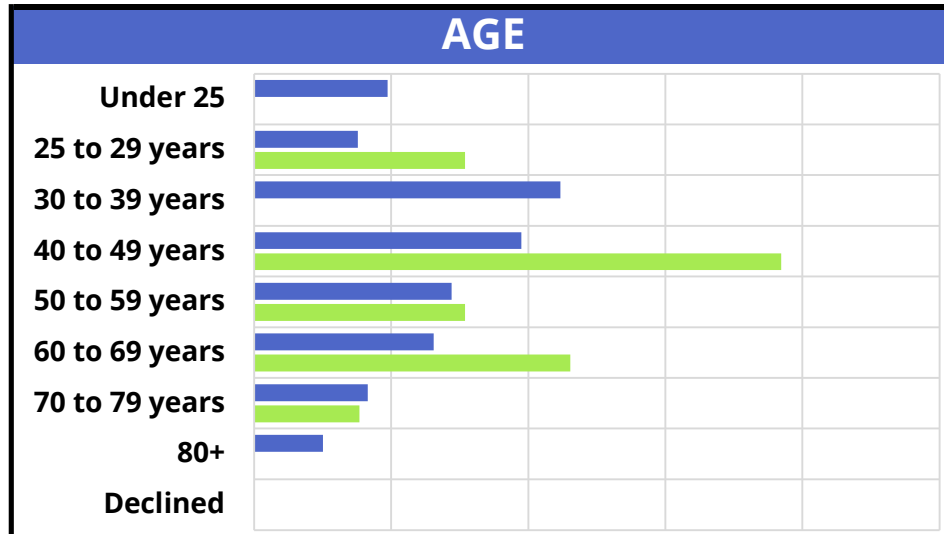
■ Percent Community

| COMMUNITY AFFILIATION               |                        |
|-------------------------------------|------------------------|
| Homeowner                           | <div><div></div></div> |
| Property Owner                      | <div><div></div></div> |
| Renter                              | <div><div></div></div> |
| Local Business Owner or Operator    | <div><div></div></div> |
| Youth Representative (Age Under 25) |                        |
| Other                               |                        |
| Declined                            |                        |
| Community Affiliation               | Member Count           |
| Homeowner                           | 4                      |
| Property Owner                      | 6                      |
| Renter                              | 1                      |
| Local Business Owner or Operator    | 2                      |
| Youth Representative (Age Under 25) | ---                    |
| Other                               | ---                    |
| Declined                            | ---                    |
| <b>Total</b>                        | <b>13</b>              |

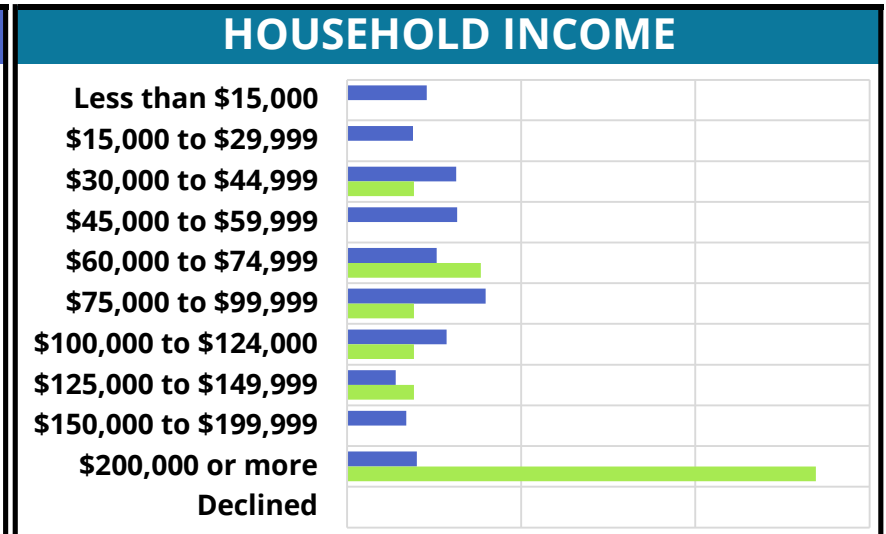
| RACE/ETHNICITY   |                        |                        |                   |
|------------------|------------------------|------------------------|-------------------|
| American Indian  | <div><div></div></div> |                        |                   |
| Asian            | <div><div></div></div> |                        |                   |
| Black            | <div><div></div></div> |                        |                   |
| Hispanic         | <div><div></div></div> |                        |                   |
| Pacific Islander | <div><div></div></div> |                        |                   |
| White            | <div><div></div></div> | <div><div></div></div> |                   |
| Two or More      | <div><div></div></div> |                        |                   |
| Other            |                        |                        |                   |
| Declined         |                        |                        |                   |
| Race/Ethnicity   | Member Count           | Percent Group          | Percent Community |
| American Indian  | ---                    | ---                    | 0.4%              |
| Asian            | ---                    | ---                    | 8.9%              |
| Black            | ---                    | ---                    | 6.9%              |
| Hispanic         | ---                    | ---                    | 27.7%             |
| Pacific Islander | ---                    | ---                    | 0.4%              |
| White            | 13                     | 100.0%                 | 51.5%             |
| Two or More      | ---                    | ---                    | 3.8%              |
| Other            | ---                    | ---                    | 0.2%              |
| Declined         | ---                    | ---                    | ---               |
| <b>Total</b>     | <b>13</b>              | <b>100.0%</b>          | <b>100.0%</b>     |

# Mission Valley

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 10%               |
| 25 to 29 years | 2            | 15%           | 8%                |
| 30 to 39 years | ---          | ---           | 22%               |
| 40 to 49 years | 5            | 38%           | 19%               |
| 50 to 59 years | 2            | 15%           | 14%               |
| 60 to 69 years | 3            | 23%           | 13%               |
| 70 to 79 years | 1            | 8%            | 8%                |
| 80+            | ---          | ---           | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 9%                |
| \$15,000 to \$29,999   | ---          | ---           | 8%                |
| \$30,000 to \$44,999   | 1            | 8%            | 13%               |
| \$45,000 to \$59,999   | ---          | ---           | 13%               |
| \$60,000 to \$74,999   | 2            | 15%           | 10%               |
| \$75,000 to \$99,999   | 1            | 8%            | 16%               |
| \$100,000 to \$124,000 | 1            | 8%            | 11%               |
| \$125,000 to \$149,999 | 1            | 8%            | 6%                |
| \$150,000 to \$199,999 | ---          | ---           | 7%                |
| \$200,000 or more      | 7            | 54%           | 8%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 28, 2023, 10:41:20 AM

What is the official name of your Planning Group?

**Navajo Community Planners, Inc.**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Navajo**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **7**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|                             |
|-----------------------------|
| Group                       |
| Member Affiliation(s)       |
| • <b>Homeowner</b>          |
| Household Income            |
| <b>\$60,000 to \$74,999</b> |
| Race / Ethnicity            |
| <b>White</b>                |
| Age                         |
| <b>40 to 49</b>             |

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**40 to 49**

How will your Planning Group be accessible to all members of your community?

**Regular meetings, dedicated planning group phone number, social media, dedicated website, newspaper articles.**

How will your Planning Group fairly represent all members of your community?

**Group made up of local homeowners with various interests.**

Applicant Representative

**David Smith**

Email

**david.smith@eldpinc.com**

Phone Number

**619-990-6783**

Please include the following documents.

**PDF** Navajo Community Planners Inc. Operating Procedures 12.20.2023.pdf  
418.9KB

**PDF** Navajo CPG Participation and Representation Plan 12.28.2023.pdf  
1.3MB

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**NAVAJO COMMUNITY PLANNERS INC.**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

Dated: 12.20.2023

## **Introduction and Background**

Through this document, the **NAVAJO COMMUNITY PLANNERS INC.** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

### **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is **Navajo Community Planners Inc.** The community planning boundaries of this planning group are the boundaries of the **Navajo Community**, as shown in **Exhibit A**.

### **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in **Exhibit A**, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of

indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### 4. Planning Group Composition

##### 4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than sixteen (16) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **NAVAJO COMMUNITY PLANNERS INC.** shall consist of: **16** elected members, consisting of **4** members per each area (Allied Gardens, San Carlos, Del Cerro, Grantville) to represent the community.

##### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

###### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

##### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

###### 4.3.1 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the **NAVAJO COMMUNITY PLANNERS INC.** shall be elected to serve fixed terms of: 2 years with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years if elected to two-year terms. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code

or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their

founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

Planning group operating procedures in this section will address the following election procedures:

General elections of NCPI members shall be held during the month of March in accordance with the elections procedures in this Article and as discussed in the Administrative Guidelines.

NCPI 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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

NCPI 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 (8) consecutive years** to leave the group for at least one year.

NCPI holds its election at the March regular meeting at **one (1) location and prior to the commencement of the regular March meeting**.

NCPI 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. Proof of identity may include, but not be limited to: a property tax bill, utility bill, valid photo identification or valid and current business license. Disputed identification shall be reviewed and certified by the Elections Committee Chairperson. Further, businesses will be allowed one (1) vote per business for purposes of elections to NCPI. If an individual meets more than one of the eligibility requirements, then he/she is only eligible to cast one (1) vote. Non-resident property owners or their designees are allowed only one (1) vote per property.

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 2/3 majority of the vote due to service beyond eight consecutive years of service.

The NCPI policy related to write-in candidates is that write-in candidates are allowed, if eligible, per Article III, Section 2. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Voting to elect new NCPI Board Members shall be by secret written ballot.  
Proxy voting for elections is not allowed under any circumstances.

The NCPI election becomes final after the election results are announced at the conclusion of the noticed regular March monthly planning group meeting. The 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 made orally at the annual elections meeting, prior to the adjournment, and filed with the Chairperson and the Chairperson of the Elections subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

The Administrative Guidelines provide general guidance for planning group elections. The following are procedures pertaining to the elections provisions of these bylaws:

- Conduct the voting and convene (or reconvene) the group meeting
- Election Subcommittee members, or other identified group members, count the ballots; confirm the eligibility of any write-in candidates who attract enough votes to put them into a position to potentially win the seat
- The Election Subcommittee (or group) Chairperson announces the results of the election. Also announced is the 24-hour period allocated for the Elections Subcommittee to receive a challenge to the election
- If no challenge is received then the results become final and will be

certified by the community planning group Chairperson and forwarded to the City. New members are seated for the group's April regular meeting

- If a challenge is received, the Elections Subcommittee immediately discusses the challenge to determine if there is any substance provided by the individual filing the challenge related to violation of adopted election procedures, the NCPI bylaws or Council Policy 600-24, and whether: either there is no substance to the challenge and the election results can be certified, new members can be seated in April and a ratification vote of the Subcommittee's findings can be placed on the April agenda for a majority vote of the voting members of the community planning group; OR whether there is substance to the challenge and the group officers should discuss with the Subcommittee the appropriate resolution, including declaring a seat vacant and determining how to fill it, or declaring a new election is needed.

### 5.3 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt [Robert's Rules of Order](#), to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and procedures:

- Regular agenda content and posting consistent with the Brown Act, relative to time allotted for non agenda public comment and individual/group testimony on agenda items, adjournments and continuances, consent agenda, quorum, action items especially as it relates to development project review, collective concurrence, special meetings and emergency meetings, right to record and meeting minutes.

- General meeting procedures and planning group responsibilities such as: Recording attendance and absences of voting members, reports from government officials and neighborhood organizations, how a group represents non-project recommendations, internal operating procedures amendment process or development of procedures and participation with other committees or organizations.
- Subcommittees – relative to the purpose of standing subcommittees and ad-hoc subcommittees, subcommittee composition, recommendations and protocol for triggering a joint meeting of the planning group and the subcommittee if there is potential for a quorum of the planning group to be present at a subcommittee meeting.
- Abstentions and recusals consistent with Section 7.3 Ethical Standards. Operating procedures should indicate that recusals are noted in the meeting minutes and also include a planning group member's reason for abstaining.
- Representative (other than the Chairperson) to the Community Planners Committee (CPC). Operating procedures should address if this duty falls automatically within the Vice-Chair's responsibility or if a member of the planning group is appointed.

#### 6.4 Planning Group Officers

The officers of the **NAVAJO COMMUNITY PLANNERS INC.** 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: **1** year term, except that no person may serve in the same planning group office for more than eight consecutive years per the term limits established in Section 4.4. 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.

##### 6.4.1 Chairperson

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 shall be the official spokesperson for NCPI, unless the authority is officially delegated, and shall be the person who sets the agenda and the point of contact for applicants who wish to have a project heard by the planning group.

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 NCPI.

**THE CHAIRPERSON SHALL FULLY PARTICIPATE AND HAVE A VOTING RIGHT FOR ALL ACTION ITEMS.**

##### 6.4.2 Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

##### 6.4.3 Secretary

Secretary. The Secretary shall be responsible for the planning group's correspondence (website

and social media outlets) attendance records, and minutes and actions [including identification of those planning group's 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.

#### 6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

#### 6.5 Additional planning group Officer Responsibilities

The **NAVAJO COMMUNITY PLANNERS INC.** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists:

##### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

##### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their

economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as

requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

## **8. Planning Group Rights and Liabilities**

### **8.1 Indemnification**

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### **8.2 Violations and Remedies Related to Provisions Citing the Brown Act**

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

**CITY OF SAN DIEGO, CALIFORNIA**  
**COUNCIL POLICY**

**CURRENT**

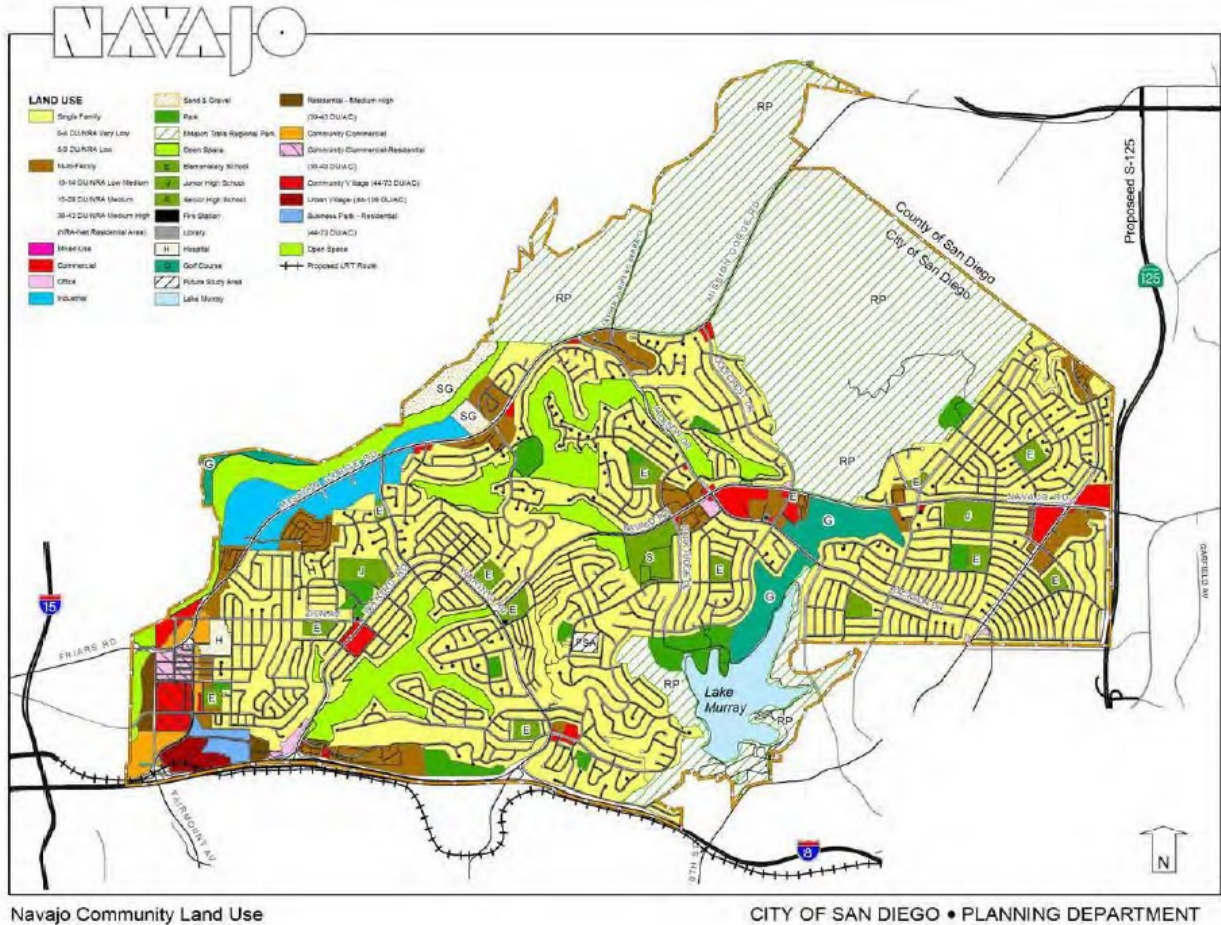
Attachments:

EXHIBIT A: MAP OF PLANNING GROUP BOUNDARIES. The Navajo Community Planners Inc. will represent the community of Navajo.

CITY OF SAN DIEGO, CALIFORNIA  
COUNCIL POLICY

CURRENT

EXHIBIT A  
Map of Navajo Community Planners Inc. Boundaries



## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Navajo Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information:** [www.reallygreatsite.com](#)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center

1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.



# Navajo

■ Member Count

■ Percent Group

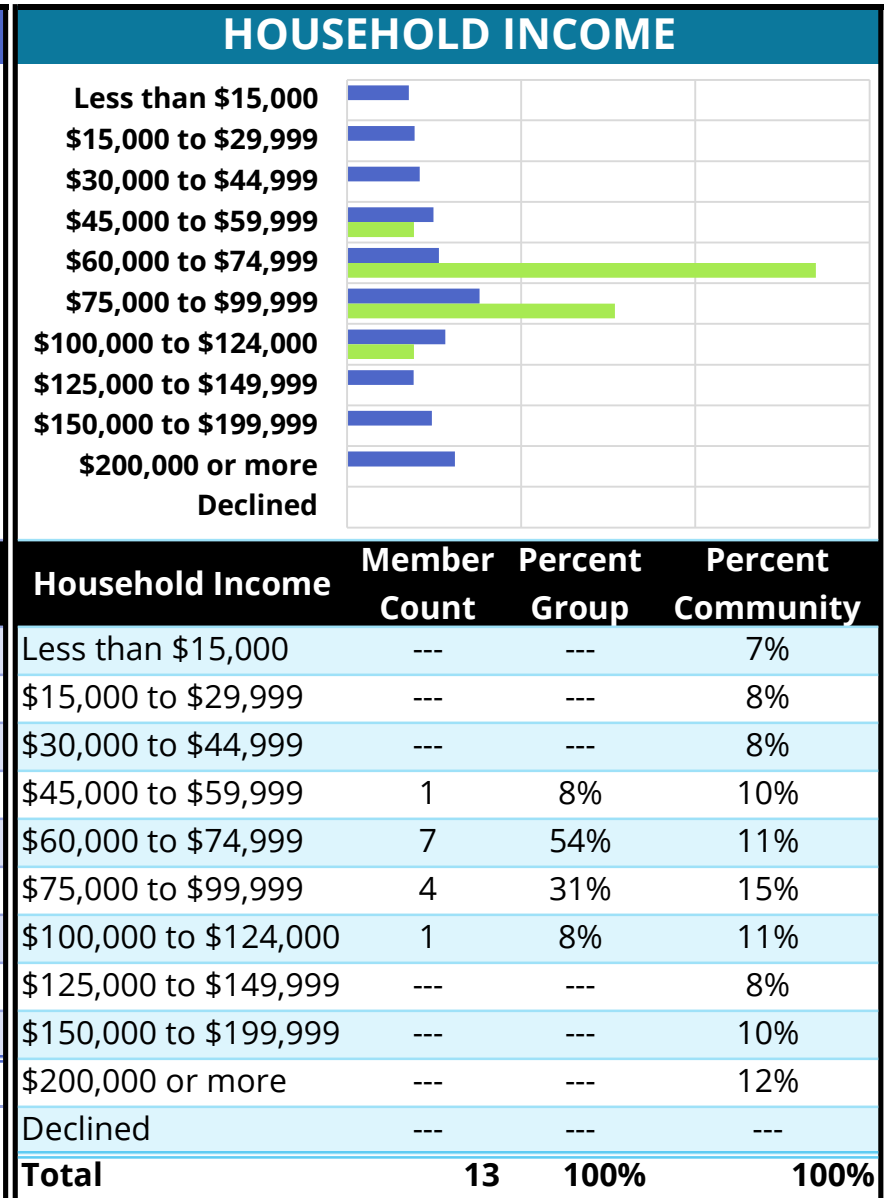
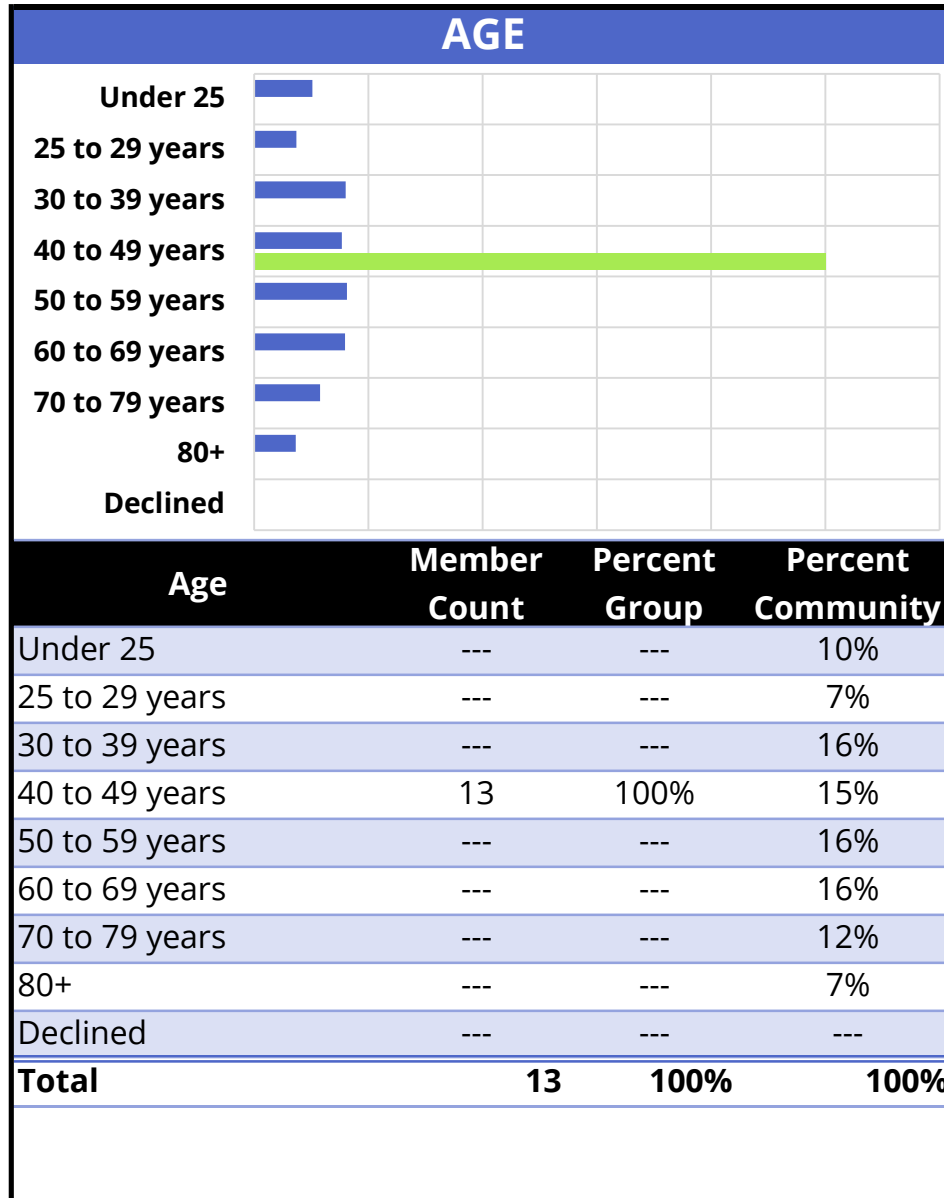
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 13           |
| Property Owner                      | ---          |
| Renter                              | ---          |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>13</b>    |

| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.5%              |
| Asian            | ---          | ---           | 6.8%              |
| Black            | ---          | ---           | 4.2%              |
| Hispanic         | ---          | ---           | 20.0%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 13           | 100.0%        | 64.3%             |
| Two or More      | ---          | ---           | 3.4%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Navajo

■ Percent Group ■ Percent Community



# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Nov 9, 2023, 3:08:32 PM

What is the official name of your Planning Group?

**Normal Heights Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Normal Heights**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|   |
|---|
| Group   |
| Member Affiliation(s)   |
| <ul style="list-style-type: none"><li>• <b>Renter</b></li></ul> |
| Household Income  |
| <b>\$125,000 to \$149,999</b>                                   |
| Race / Ethnicity  |
| <b>White</b>  |
| Age   |
| <b>50 to 59</b>   |

## Group

Member Affiliation(s)

- **Renter**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Two or More**

Age

**30 to 39**

## Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**White**

Age

**60 to 69**

## Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$30,000 to \$44,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Renter**
- **Local Business Owner or Operator**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Other**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Other**

Age

**30 to 39**

Group

Member Affiliation(s)

- Homeowner

Household Income

\$75,000 to \$99,999

Race / Ethnicity

White

Age

70 to 79

How will your Planning Group be accessible to all members of your community?

1. Planning group flier is a printed tri fold hand out used at community events and is available in electronic form on the NHCPG website. 2. Social media pages including NHCPG Facebook page, Normal Heights Community Facebook Group 3. Dedicated CPG website hosts all meeting agendas, recorded meetings, meeting minutes, and related information. 4. Google Drive is used to host public documents and is used as a document repository accessed via the NHCPG website. 5. Printed monthly meeting agendas are posted on the door at the Community Center. 6. Emailing list announcements of meetings and other important information (446 subscribers, 58% read rate) 7. Cross announcement coordination for inclusion on the Normal Heights for Smart Growth 501(c)3 emailing list (135 of NH households w/60% read rate) 8. Local non-profit organizations have standing agenda place holders for them to communicate with the board and general public. 9. Normal Heights Community Mixers organized by the Normal Heights Community Association are attended by board members to organically distribute information and recruit new members. 10. Invitation to political representatives for public townhall and/or Q&A are actively sought year round. 11. NHCPG coordinates with Normal Heights for Smart Growth to produce surveys as well as collect and analyze data. 12. Adams Ave. Business Assn. also recruits board applicants through their large mailing list. 13. All meetings are hybrid (Zoom + Phone + In Person)

How will your Planning Group fairly represent all members of your community?

Excerpt from

[https://docs.google.com/document/d/1ic7AkpTwDNm\\_JVmDmnfC24TWEwHvEWFphUrQ7un5Z2l/edit#heading=h.ivr3hub32bn6](https://docs.google.com/document/d/1ic7AkpTwDNm_JVmDmnfC24TWEwHvEWFphUrQ7un5Z2l/edit#heading=h.ivr3hub32bn6) :: NHCPG DEI Program Intent The NHCPG is dedicated to improving the environments in which our community lives, works, and plays. We recognize diversity, equity, and inclusion (DEI) are pillars of a sustainable, thriving community. Furthermore, NHCPG recognizes that land use policy has historically been a central barrier to the success of marginalized groups (e.g. gender, race, sexual orientation, ability). Finally, we denounce all forms of hate or bias. Goals The NHCPG DEI Program seeks to increase DEI in four key dimensions. Representation - board membership shall reflect the diversity of the community. Recognition & Engagement - NHCPG shall officially recognize marginalized groups and engage those groups via outreach. Transparency & Accessibility - NHCPG shall ensure equitable access to documents and meetings. Direct Action - NHCPG shall consider DEI as an essential component of all recommendations to the City Council, Planning, Commission, City Staff, and other governmental agencies on land use matters. Targets The targets for the NHCPG DEI Program are based on the four key goals. When targets are missed the board shall draft and execute a plan to improve.

Applicant Representative

Paul Coogan

Email

**ideabuzz@gmail.com**

Phone Number

**626 390-4190**

Please include the following documents.

**PDF** participation\_and\_representation\_plan\_appendices.pdf  
1.4MB

**PDF** 5\_guidelines\_for\_ethical\_standards.pdf  
288KB

**PDF** 4\_terms\_and\_conditions-NHCPG.pdf  
171.6KB

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

CURRENT

*Attachment to CP 600-24 –Terms and Conditions*

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
**Normal Heights Community Planning Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Normal Heights Community Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City Council can revoke recognition of any CPG, if the City Council, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Normal Heights Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the Normal Heights Community, as shown in Exhibit B.

**2. Responsibilities**

**2.1 Collaboration with City Staff**

As a recognized independent body, the CPG may work with City staff throughout the City's

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planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, on their own accord or upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual

trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

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Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

**2.6 Independent Entity**

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

**3.1 Membership**

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, and diverse race, ethnicity and age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

**3.2 Community Outreach**

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

**3.3 Collection of Membership Data**

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. CPG Composition**

**4.1 Number of Voting Members**

The CPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

**4.2 Voting Member Eligibility**

The CPG will ensure that voting members meet the following minimum

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qualifications throughout their entire term of service:

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting

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- members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

**5. Open and Public Elections**

**5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

**5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a

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governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

**5.1.2 Voter Identification for Community Business Owners**

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

**5.1.3 Voter Identification for Community Non-Profits**

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

**5.1.4 Voter Identification for Community Non-Resident Property Owners**

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

**5.2 Transparency and Inclusion in Operations**

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum

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- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

**5.3 Election Timing**

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

**6. Conduct of Meetings**

**6.1 Professional Conduct**

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

**6.2 Rules of Procedure**

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

**6.3 Transparency in Operations**

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

**7. Additional CPG Responsibilities**

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7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

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Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

**7.3.6 Equal Time for Candidates or Ballot Measures**

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

**7.4 Voting Member Training**

The CPG will require all CPG voting members to complete the formal education program in person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

**7.5 Collaboration with City Staff**

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

**8.1 Indemnification**

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

**8.2 Violations and Remedies Related to Provisions Citing the Brown Act**

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Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

**8.3 Violations of Membership Eligibility**

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

**8.3.1 Removal of Ineligible Voting Members**

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

**8.4 Violations and Remedies**

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

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The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

**8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions**

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

**8.6 Potential Conflicts of Interest**

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

**8.7 Violations and Remedies for Quorum and Attendance Requirements**

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

**8.8 Violations of City Requests for Input**

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

**10. Term of the Terms and Conditions**

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These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the \_\_\_\_\_ Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The \_\_\_\_\_ Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information:** [www.reallygreatsite.com](#)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

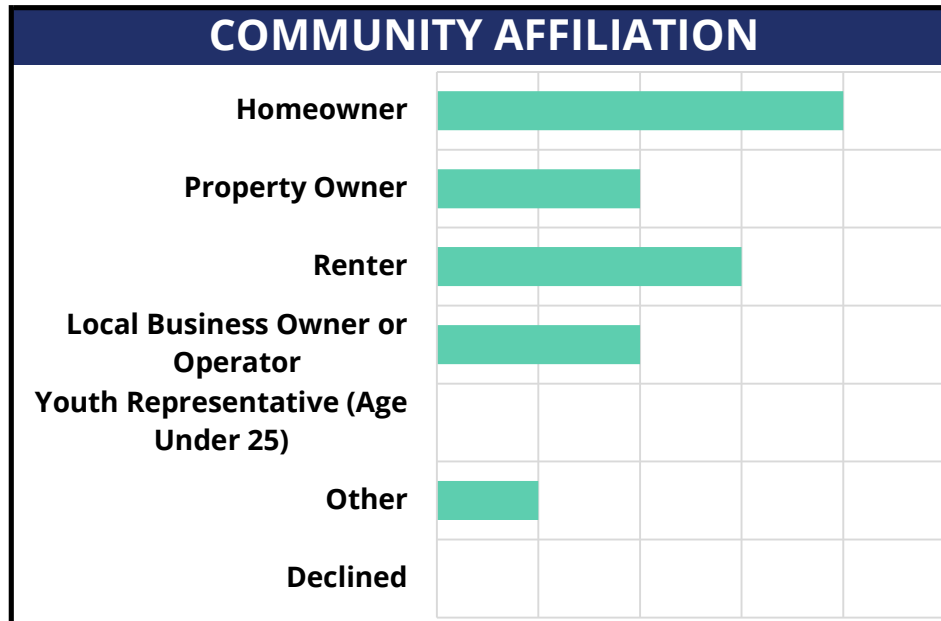
Occur every 3rd Wednesday of the month.  
Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199  
Time: 6:00 p.m. to 8:00 p.m.  
See Menu Bar above for meeting agenda.

# Normal Heights

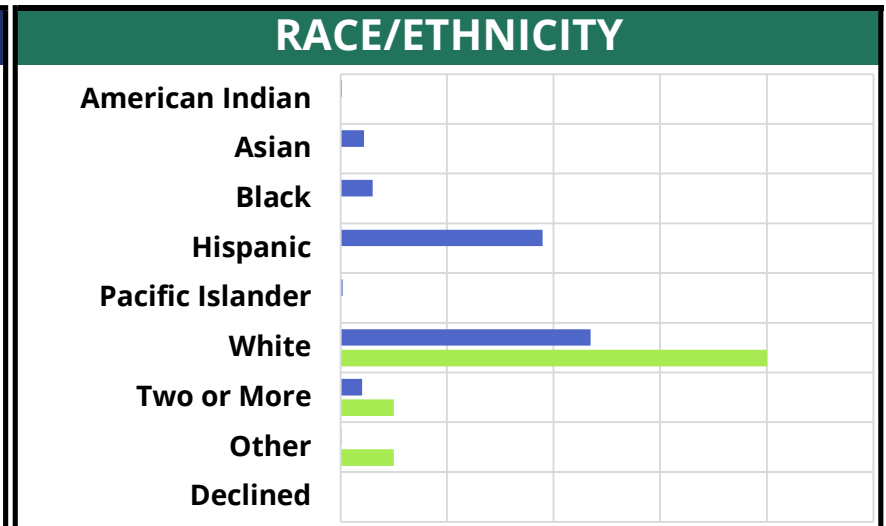
■ Member Count

■ Percent Group

■ Percent Community



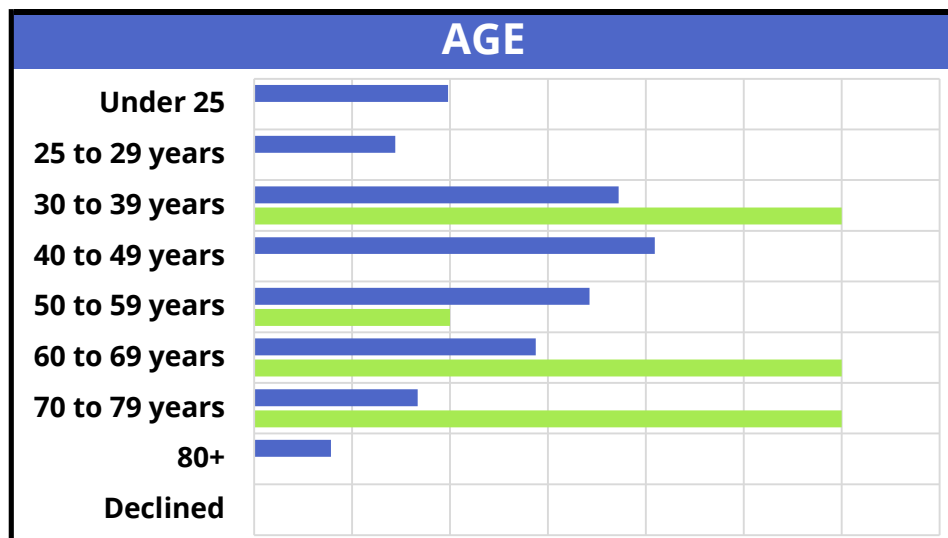
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 4            |
| Property Owner                      | 2            |
| Renter                              | 3            |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>12</b>    |



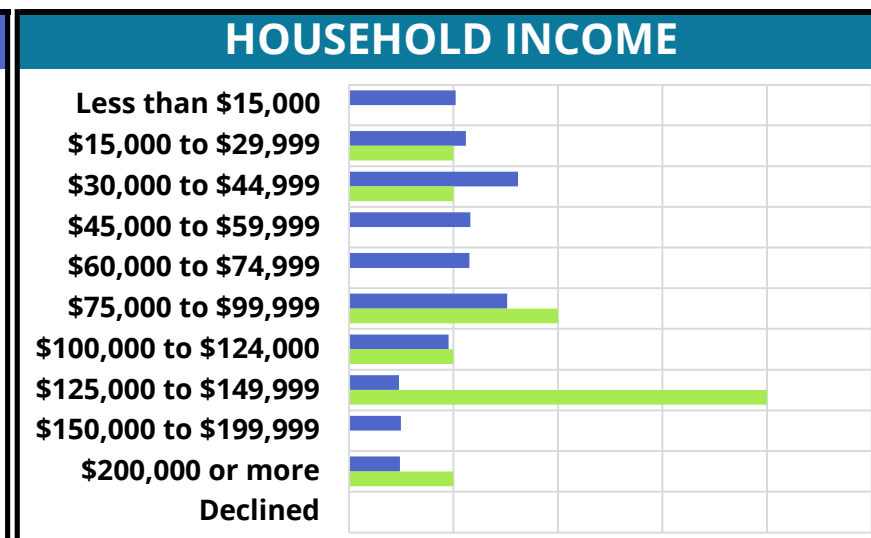
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 4.4%              |
| Black            | ---          | ---           | 6.0%              |
| Hispanic         | ---          | ---           | 37.9%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 8            | 80.0%         | 46.9%             |
| Two or More      | 1            | 10.0%         | 4.0%              |
| Other            | 1            | 10.0%         | 0.1%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Normal Heights

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 10%               |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | 3            | 30%           | 19%               |
| 40 to 49 years | ---          | ---           | 20%               |
| 50 to 59 years | 1            | 10%           | 17%               |
| 60 to 69 years | 3            | 30%           | 14%               |
| 70 to 79 years | 3            | 30%           | 8%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 10%               |
| \$15,000 to \$29,999   | 1            | 10%           | 11%               |
| \$30,000 to \$44,999   | 1            | 10%           | 16%               |
| \$45,000 to \$59,999   | ---          | ---           | 12%               |
| \$60,000 to \$74,999   | ---          | ---           | 12%               |
| \$75,000 to \$99,999   | 2            | 20%           | 15%               |
| \$100,000 to \$124,000 | 1            | 10%           | 10%               |
| \$125,000 to \$149,999 | 4            | 40%           | 5%                |
| \$150,000 to \$199,999 | ---          | ---           | 5%                |
| \$200,000 or more      | 1            | 10%           | 5%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>10</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 22, 2023, 1:18:06 PM

What is the official name of your Planning Group?

**North Park Planning Committee**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **North Park**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **3**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**1. We have and will maintain a website to post meeting information, information and documents related to the community plan and land use issues. 2. We use Mail Chimp, Facebook, X, formerly Twitter and will be using Instagram to provide regular communications to community members about land use issues. We also will use these platforms for community land use surveys. 3. We will post meeting and important information in various public places in the neighborhood. 4. Our Board Members will attend the various community meetings to become and continue awareness of land use issues in the community. 5. We will meet with community members via community events, etc to increase awareness of the NPPC and encourage involvement and participation in the various aspects of our community's land use planning.**

How will your Planning Group fairly represent all members of your community?

**While our Board at this time, is slightly skewed in representation (related to race, age), we have had Board Members that would have increased our diversity that have had to quit the Board due to illness, work schedule etc within the past 2 years. All Board Members are encouraged to promote the mission of the Planning Committee with friends, neighbors, and colleagues. We have done promotional events at various North Park Events—Thursday Farmers Markets and other community events. We listen to concerns of the community and encourage community members to participate in attempts to resolve land use issues. Board Members are encouraged to attend other Community Group meetings and encourage participation with the NPPC and to participate in subcommittees and consider being a part of the Board. We keep in mind the need for diversity related to race, age, socio-economic status and encourage involvement with all community members. We meet and encourage new community members that attend Subcommittee and/or the full Board Meetings to become more involved and to return. We also are planning to go to the schools and send out invitations for youth to become interested in the NPPC.**

Applicant Representative

**Lynn Elliott**

Email

**lhelliott@aol.com**

Phone Number

**619-284-0156**

Please include the following documents.

- |             |  |
|-------------|--|
| <b>DOCX</b> | WorksheetAggregComplete.docx<br>20.8KB   |
| <b>DOCX</b> | Approved5Dec2023_Community Participation and Representation Plan.docx<br>2.4MB |
| <b>PDF</b>  | Ethical Standardsnov2023.pdf<br>135KB  |
| <b>DOCX</b> | NPPC Operational Procedures_aproved 5 Dec2023.docx<br>313.3KB                  |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: North Park Planning Committee

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

The survey docs were emailed twice and passed out during a meeting. This is the information returned.

### RACE/ETHNICITY

\_\_\_1\_\_\_ American Indian

\_\_\_ Asian

\_\_\_ Black

\_\_\_ Hispanic

\_\_\_ Pacific Islander

\_\_\_7\_\_\_ White

\_\_\_2\_\_\_ Two or more races

\_\_\_ Other: \_\_\_\_\_

### HOUSEHOLD INCOME \_\_\_\_\_

Less than \$15,000 \_\_\_\_\_

\$15,000 to \$29,999 \_\_\_\_\_

\$30,000 to \$44,999 \_\_\_1\_\_\_

\$45,000 to \$59,999 \_\_\_2\_\_\_

\$60,000 to \$74,999 \_\_\_\_\_

\$75,000 to \$99,999 \_\_\_2\_\_\_

\$100,000 to \$124,999 \_\_\_\_\_

\$125,000 to \$149,999 \_\_\_\_\_

\$150,000 to \$199,999 \_\_\_\_\_

\$200,000 or more \_\_\_3\_\_\_

### COMMUNITY AFFILIATION

\_\_\_7\_\_\_ Homeowner

\_\_\_3\_\_\_ Property Owner

\_\_\_2\_\_\_ Renter

\_\_\_4\_\_\_ Local Business Owner or Operator

\_\_\_ Youth Representative (Age Under 25)

\_\_\_ Other :

### AGE

\_\_\_ Under 25

\_\_\_ 25 to 29

\_\_\_ 30 to 39

\_\_\_3\_\_\_ 40 to 49

\_\_\_2\_\_\_ 50 to 59

\_\_\_1\_\_\_ 60 to 69

\_\_\_3\_\_\_ 70 to 79

\_\_\_ 80 +

# **DRAFT OPERATING PROCEDURES OF THE NORTH PARK PLANNING COMMITTEE 11/25/23**

## **Introduction and Background**

Through this document, the North Park Community Planning Committee (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with Article IV(d)(iv) and Article IV, Section 3 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

### **ARTICLE I            Name**

- |            |  |
|------------|--|
| Section 1. | The official name of this organization is the North Park Planning Committee (NPPC), for the Community Planning Group for North Park.   |
| Section 2. | All activities of this organization shall be conducted in its official name.   |
| Section 3. | The community planning area boundaries for the North Park Planning Committee are the boundaries of the North Park community, as shown on Exhibit "A."  |
| Section 4. | Meetings of the North Park Planning Committee shall be held within these boundaries, except that when the North Park Planning Committee does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at |

the closest meeting facility.

- Section 5. The official positions and opinions of the North Park Planning Committee 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.

The North Park Planning Committee may authorize a current or former elected or appointed Board member to serve as a designated representative on an external committee or task force. Authorization for appointment as a designated North Park Planning Committee representative requires a vote by the North Park Planning Committee, which must include specific information regarding the designated representative's authority to represent the group's positions, and how the individual is to report back to the Board on the committee or task force's work or actions.

## **ARTICLE II Purpose of Community Planning Group and General Provisions**

- Section 1. The North Park Planning Committee has been formed and recognized by the City Council to work with and 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 to, the General Plan or a land use plan when a plan relates to the North Park community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency as detailed in Council Policy 600-24. The NPPC may work with the City, other governmental agencies, or other organizations or individuals on issues not specifically stated in these operating procedures.

- Section 2. In reviewing individual development projects, the NPPC should focus such review on conformance with the Land Development Code, and the adopted Community Plan and/or the General Plan. In order to be considered as part of the City's development review process, NPPC project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action. Preliminary comments on projects may be submitted to the City during the project review process. Whenever possible, the formal ~~planning group~~ NPPC 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~~ NPPC may choose to rehear the project and may choose to provide a subsequent formal recommendation to the City.

In addition, the NPPC shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the NPPC's conditions/recommendation, name and signature of chair or designated representative.

The NPPC shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all

project recommendations which shall be part of the planning group's official records.

- Section 2a      The NPPC recognizes that City staff and development project applicants in some cases are not required by the City to present their project or application before the NPPC although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.
- Section 3      The NPPC will comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings, when required, that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the NPPC to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the NPPC to lose its Council recognition and may subject the NPPC and NPPC voting members to a loss of indemnification by the City.
- Section 4.      The North Park Planning Committee may propose amendments to these operating procedures by a two- thirds 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 Organization**

- Section 1.      The North Park Planning Committee shall consist of 15 elected Voting Board Members to represent the community. These members of the planning group shall constitute the officially recognized Board of the community planning group for the purpose of these operating procedures.
- The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups. The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.
- To ensure representation of unique stakeholder interests in the community planning area, the NPPC may create appointed non-voting seats. (These appointed non-voting seats may include, but are not limited to, bicycle advocates, automobile and public transit advocates, churches, recreation and sports advocates, rental residents and managers, people with disabilities, artist groups, youth members, etc.) (Appointed seats need the approval of a majority of voting board members.)
- The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.
- To measure community representation, the planning group shall gather demographic

data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

Section 2. On the North Park Planning Committee elected seats are filled by any eligible Community Member as identified below. There is no further restriction on the distribution of seats among interests in the community.

Elected planning group Board 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, with the exception of the Youth Member, and shall be affiliated with the community as:

- (1) A North Park **resident**, who is an individual whose primary address of residence is an address in the North Park community planning area,
- (2) A North Park **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 North Park community planning area; however, only one property owner or designee per North Park property may vote and/or run for election to the North Park Planning Committee Board,
- (3) A non-resident North Park **business owner**, who must be either the sole or partial owner or designee of a **business or not-for-profit organization** located within the North Park Community planning area. Only one individual as defined above may vote in an election or hold a seat on the board.

An individual may become an eligible Community Member by demonstrating qualifications contained in (1), (2), or (3) above to be an eligible member of the community to the NPPC Secretary or Election Subcommittee prior to the March election or at the time of voting. Member eligibility must be established after the formation of the Election Subcommittee.

To become an eligible member for candidacy purposes, an individual must submit an application demonstrating eligibility. In order to run in the March general election this must be completed prior to the March election. Applications are available on the NPPC website. A copy is shown in Exhibit B.

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 North Park Planning Committee shall require proof of eligibility during elections.

Appointed members of the Board must also meet the requirement of being a Community Member.

Section 3. Voting Members of the North Park Planning Committee 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.

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 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.

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members.
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

Section 4. A member of the North Park Planning Committee must retain eligibility during the entire term of service.

Section 5. A member of the North Park Planning Committee found to be out of compliance with the provisions of Council Policy 600-24 or the planning groups adopted operating procedures risks loss of defense and indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS (Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages), and any future amendments thereto.

Section 6. Some provisions of these operating procedures constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A member of the North Park Planning Committee 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 North Park Planning Committee 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 related to ineligibility, or following conclusion of a member-removal process conducted under

Article IX of the Policy, or due to adopted operating procedures violations.

Section 2. Vacancies that may occur on the North Park Planning Committee should be filled no later than 120 days following the date of the determination of the vacancy. However, when the end of the 120 day period occurs within 90 days of the annual March election, the vacancy may be included in the March election. The term of office of any member filling a vacancy shall be for the balance of the vacated term. The North Park Planning Committee may fill vacancies at the time the vacancies are declared, or as soon as feasible. A single vacancy that occurs on the North Park Planning Committee shall be filled by a majority vote of the North Park Planning Committee. In the case of a midterm vacancy, once the vacancy is officially declared, the vacancy will be placed on the agenda, and a list of eligible candidates shall be submitted at the next regularly scheduled meeting by the Secretary. Interested individuals may contact the Chair or a Board member to indicate their interest.

Section 3. When the North Park Planning Committee is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than ten members, a search for a new member should continue; however, either the seat may remain vacant until the next planning group election, or these operating procedures may be amended to permit decreased membership to a minimum of 10 members.

If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 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 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

## **ARTICLE V                      Elections**

Section 1. General elections of North Park Planning Committee members shall be held during the month of March in accordance with the North Park Planning Committee's adopted elections procedures.

No later than the January meeting, the NPPC Chairperson shall appoint an Election ad hoc subcommittee of five, composed of three elected members who are not running for re-election and, if possible, two eligible members of the community. This subcommittee shall prepare a list of candidates from the qualified eligible list and current Board members whose terms have expired. In February, the Election Subcommittee 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. The February meeting shall include candidates' statements.

The deadline to qualify for candidacy in the March general election shall be prior to the adjournment of the February noticed regular or special meeting of the full planning group membership preceding the election.

Section 2. The North Park Planning Committee 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 North Park Planning Committee holds its election utilizing a combination of in-person voting and an online voting option. In-person voting will occur on the Saturday preceding the March meeting and at the regular March meeting, as specified in the procedures below. The North Park Planning Committee shall submit procedures to vote on more than one day to the Mayor and the City Attorney 45 days in advance of the first day of voting for review and approval.

Absent urgent matters, the Chair shall not include any agenda items on the March meeting agenda other than accepting the election results to allow adequate time for in-person voting and vote tabulation.

The North Park Planning Committee 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 in various categories of the eligible community members can vote for, and which candidates, if any, must receive a two-thirds majority of the vote due to service beyond eight consecutive years of service.

The North Park Planning Committee's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new planning group members shall be by secret ballot. Proxy voting for elections is not allowed under any circumstances. Development and promotion of slates of candidates is allowed.

Section 4. The North Park Planning Committee'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 Election Subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

If a challenge to the March election results is filed, it will be referred to the Election Subcommittee for resolution prior to the seating of the newly elected Board at the April regularly scheduled meeting by the process described in Article V, Section C. v. 14, 15. below.

Section 5. The North Park Planning Committee's voting procedures are:

The ballot presented to eligible members to vote will clearly identify which categories candidates have established eligibility in, how many candidates can be selected, and which candidates, if any, must receive a two-thirds majority of the vote due to service beyond eight consecutive years of service. The ballot will also accommodate write-in candidates.

A North Park business may be represented by only one person, who may vote in the North Park Planning Committee election or become qualified as a candidate. The North Park business owner who enlists a designee to represent them must provide documentation to the North Park Planning Committee of that designated representative's identity and authorization to serve as an eligible designee for candidacy or voting as discussed below.

For descriptions of the categories, refer to Article III, Section 2

The following are procedures pertaining to the elections provisions of these operating procedures:

**A. Pre-Election Procedures**

1. Candidates will have the opportunity to make statements during the February meeting. Each candidate will be given two minutes to speak to the audience during the meeting. All candidates will be invited to submit a statement, not exceeding 200 words, to be posted on the NPPC's website. A candidate who is unable to attend the February meeting will have their statement, if available, read during the February meeting.
2. Voting time: Voting will occur at three times: (1) online voting will be open for one week preceding the March meeting; (2) an in-person voting window will be held for at least three hours on the Saturday preceding the March meeting; and (3) an in-person voting window will be held for at least two hours on the evening of the March Meeting. The Election Subcommittee will prepare a voting guide, including the start time and end time of all voting times, to be presented at the February meeting and posted on the NPPC's website.
3. In-person voting locations: To be publicly noticed as part of the voting guide prepared by the Election Subcommittee.
4. Electioneering is prohibited within the building where and when the election is taking place at either in-person voting option.
5. Eligibility to vote.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Article III, Section 2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

The North Park Planning Committee will require (1) proof of identity and (2) proof of eligibility of those community members who are seeking to vote in the election. The Election Subcommittee shall allow voters to establish eligibility to vote after the formation of the Election Subcommittee and through any voting period, as specified by the subcommittee. Requirements found throughout Article V-Elections should be construed liberally by the NPPC and the NPPC Election Subcommittee and any doubt resolved in favor of allowing a community member to vote.

- a. The planning group shall ensure that voting is only by eligible members of the community. A potential voter must be an eligible community member, as described in Article III, Section 2. In addition to the eligibility documentation discussed in the next subsection, a voter unable to present such documentation may also seek to establish eligibility by an alternative, reasonable means to the Election Subcommittee. Any disputes regarding voter eligibility will be resolved by a 4/5ths vote of the Election Subcommittee. Voter eligibility disputes will be resolved before that member of the community is allowed to cast a ballot.
- b. All voters must produce a government-issued picture ID to establish their identity (e.g., a driver's license) and provide the following documentation based on the appropriate category unless establishing eligibility by alternative reasonable means, as discussed in the previous subsection:
- c. **A resident**, who is an individual whose primary address of residence is an address in the North Park community planning area, shall provide:  
**A picture ID to establish their identity and residency in North Park.**  
In lieu of a driver's license or other picture ID including but not limited to the following examples: Passport,  
Employee identification card,  
Identification card provided by a commercial establishment,  
Credit or debit card,  
Military identification card,  
Student identification card,  
Health club identification card,  
Insurance plan identification card  
Public housing identification card,  
And any of the following documents, provided that the document includes the **name and address of the individual presenting** it, and is dated after the date of the last election unless document is intended to be of a permanent nature such as a pardon or discharge, may be presented Examples include:  
Utility bill,  
Bank statement,  
Government check,  
Government paycheck,  
Document issued by a governmental agency dated for the election in which the individual is providing it as proof of residency or identity,  
Voter notification card or public housing identification card issued by a

governmental agency,  
Lease or rental statement or roommate agreement,  
Student identification card, tuition statement or bill issued by a governmental agency,  
Insurance plan card  
Drug discount card,  
Discharge certificates (pardons or other official documents) issued to the individual by a governmental agency in connection to with the resolution of a criminal case, indictment, sentence or other matter, public transportation authority (senior citizen and disabled discount cards) issued by a governmental agency,  
Identification documents issued by governmental disability agencies, identification documents issued by governmental homeless shelters and other governmental temporary or transitional facilities,  
Drug prescription issued by a governmental doctor or other governmental health care provider,  
Property tax statement issued by a governmental agency,  
Vehicle registration (or vehicle certificate or ownership) issued by a governmental agency.

1. **An owner of residential or commercial real property (either developed or undeveloped)**, who may or may not reside in North Park and is the individual identified as the sole or partial owner of record, or their designee within the community planning area, shall provide: either of the following identifications: A current property tax bill with the voter's name on it, or a copy of the page of the property owner's mortgage with the individual's name and North Park property address clearly stated.
  - a. If the voter is a designee of the owner, they must provide documentation in #1, plus provide a formal letter from the property owner designating the individual as that property's representative.
2. **A local business person**, who is a local business owner, operator, or designee at a non-residential real property address in the North Park community planning area (only one business owner representative of a particular establishment may hold a seat on the community planning group at one time), shall provide:
  - a. Business tax certificates to identify ownership or a partnership of owners on the certificate.
  - b. If the voter is a designee, they must provide documentation in #1, plus provide a formal letter from the business owner designating that individual as the business's registrant representative.
3. **A non-profit entity or umbrella organization representative**, who is a

designee of a local non-profit or umbrella organization with a non-residential real property address in North Park (only one non-resident representative of a particular establishment may hold a seat on the North Park Planning Committee at one time), shall provide:

- a. A formal letter from the organization designating the individual as the business's representative, signed by a member of that organization's board or administration.

4. **Multiple category registrant.** While only one designated representative of a particular business or property owner may hold a seat on the North Park Planning Committee, if an eligible voter is both a North Park resident and a non-resident North Park business or property owner representative, the voter will be identified as a resident.

6. Paper Ballots must:

- a. Clearly state the number of open seats available and the maximum number of candidates to vote for.
- b. Accommodate write-in candidates.
- c. State which candidates on the ballot are beyond their eight-year term limit and are running in accordance with Council Policy 600-24 Article III, Section 4.

7. Online Ballots must:

- a. Clearly state the number of open seats available; and the maximum number of candidates to vote for either on the ballot itself if possible or via electronic means including email and the Committee's website.
- b. Accommodate write-in candidates.
- c. State which candidates on the ballot are beyond their eight-year term limit and are running in accordance with Council Policy 600-24 on the ballot itself or via electronic means including email and the Committee's website.

8. For in-person voting, Election Subcommittee representatives and volunteer designees will staff each table, have an eligibility roster showing all voters who have established eligibility, sign-in sheet(s), and ballots.

9. A secure ballot box shall be made available for depositing completed ballots for the in-person voting options

10. An election worker having difficulties registering a voter shall ask the Election Subcommittee Chair for assistance.

11. If an individual is not on the Eligibility Roster, the individual seeking to vote should record their name and address on the sign-in sheet and shall submit proof of eligibility as discussed in paragraph A.5 above. The individual may be turned away if proof is not produced.

**B. Election Procedures**

1. In-person voting shall begin at the times designated by the Election Subcommittee for the two designated voting windows. Completed ballots will be placed in the official ballot box and no votes will be counted until the conclusion of all designated voting windows. Votes shall be cast in pen and if a voter makes a mistake, the voter must request a replacement ballot before placing the ballot in the ballot box; mistaken ballots may not be counted, as discussed below. Once deposited, ballots may not be retrieved by the Election Subcommittee or the voter.
2. Voting, whether in-person or online, shall be by secret ballot.
3. The Election Subcommittee shall select a vendor for online voting and specify the vendor in the voting guide presented at the February meeting. If no viable online vendor is available, the Election Subcommittee may, but is not required to, approve a “mail in” voting option. Online voting will be conducted as specified in the voting guide and will be open for one week preceding the March meeting. Once a voter submits an online ballot, that ballot will not be cancelled to allow for in-person voting. However, if no online ballot is submitted, a voter may elect to vote in person.
4. Proxy voting for elections is not allowed under any circumstances.
5. Paper ballots may be numbered to assist in tabulation of results and do not identify the individual voter.

**C. Post-Voting Procedures**

1. The Election Subcommittee Chair shall serve as the organizer and implementer of the voting process. If the Election Chair becomes unavailable, another member of the Election Subcommittee will be appointed to serve in this role.
2. Use “plurality” for counting votes.
3. Counting paper ballots will be done in tandem by members of the Election Subcommittee and volunteers who are eligible members of the NPPC.
4. The Election Chair will read the candidates’ names from the paper ballots. Another eligible and impartial person will observe the reading of ballots to ensure they are read accurately.
5. Two (2) teams of two will be used to simultaneously count ballots read by the Election Chair and will serve as both a count and an automatic recount of ballots to ensure accuracy. These two (2) teams of two (2) will process the ballots as follows:
  - a. Team member one (1) of each team will enter the votes onto a tabulation/spreadsheet.
  - b. Team member two (2) of each team will observe this tabulation to ensure the vote is entered correctly
  - c. Votes will be systematically counted and compared at 25 ballot intervals.

- d. If there is a discrepancy in the total of any subset; the ballots for the candidate(s) where the discrepancy occurred will be reviewed until consistency can be reached.
6. Counting will proceed in this manner until all ballots are counted.
7. Each team will tabulate all the subsets to arrive at a final count.
8. Following the tabulation of paper ballots, the Election Chair, observed by all members of the Election Subcommittee, shall add the total paper votes to the votes received via online voting. The sum shall constitute the final vote count.
9. If a write-in candidate appears to have enough votes to qualify for a seat, an immediate review of their basic qualifications (resident, owner, business person, etc.), as well as NPPC Eligibility Form and Monthly Meeting Sign-In Sheets will be performed to determine if the candidate is eligible. See Section 1 above.
10. Any vote cast for an ineligible write-in candidate will be counted toward the total maximum votes on the ballot, even though the candidate is not eligible.
11. All efforts will be made to accommodate and account for ballots with misspellings that clearly indicate a specific write-in candidate. Any disputes shall be resolved by a majority vote of the Election Subcommittee.
12. Completed Ballots voting for more than the maximum number of eligible open seats allowed will not be included in the vote count. Ballots with attempted cancelled votes (i.e., crossed-off names or marks, added notes to count certain marks but not others, or other ambiguous markings) shall be reviewed by the Election Subcommittee and counted only if a majority of the subcommittee is able to ascertain the voter's intended votes.
13. Candidates will be placed into vacant seats in order based on the number of votes they receive. In the event of a tie, the Election Subcommittee shall determine the winner by a random method, such as a coin-flip, drawing of straws, or drawing a name (or names) from a hat. All candidates subject to the tie break and present at the March meeting shall have the opportunity to observe the tie break.
14. A designate of the Election Subcommittee will submit the tabulated election results to the Chair of the North Park Planning Committee for announcement of election results at the earliest opportunity possible
15. Election challenges must be made within 24 hours following the March meeting adjournment. (Refer to Article V, Section 4 to review challenge procedures)
16. If a challenge is received, the Election Subcommittee shall promptly meet to discuss the challenge to determine if any facts to support the challenge were provided by the individual filing the challenge. Facts should be related to actions taken during the election process that are not in accordance with CP 600-24 or a community planning group's adopted operating procedures, or with announced or published election procedures or lack thereof. If there is no substance to the challenge and the election

results can be certified, newly elected community planning group members shall be seated at the beginning of the April regular meeting. A ratification vote of the Election Subcommittee's findings should be placed on the April agenda for a majority vote of the voting members of the planning group. If there is substance to the challenge, the Election Subcommittee should identify, with input from the planning group's officers, the appropriate resolution. The resolution should be placed on the April agenda for a majority vote of the voting members of the planning group. City staff may be consulted if there is any question or assistance needed. Further criteria and procedures for challenges will follow Council Policy 600-24 and the Administrative Guidelines.

17. A challenged-induced vacancy will be filled by a vote of the North Park Planning Committee pursuant to Article IV, Section 2.
18. The Secretary will maintain ballots for 90 days following the March election or until the resolution of any challenge, whichever occurs later.

## **ARTICLE VI                      Community Planning Group and Planning Group Member Duties**

Section 1.            It is the duty of the North Park Planning Committee 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 Voting Board 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.

Each Voting Board Member will sit on at least one Subcommittee or Working Group or fulfill a necessary task of the NPPC. The Chairman of the Board may excuse this requirement in extenuating circumstances.

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 North Park Planning Committee to attend all planning group Board meetings.

- (i)    REGULAR AGENDA POSTING - At least 72 hours before a regular Board 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

The listing of the agenda item shall include the intended action of the planning group regarding a specific item (e.g., information item, action item).

The agenda shall be offered to the City for posting on the City's website and shall be posted on the North Park Planning Committee website at least 72 hours in advance of the meeting.

- (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. It is recognized that members of the public may be frustrated or angry when they come to speak. The Board will listen during the speakers allotted time without comment or censure.
- (iii) **ADJOURNMENTS AND CONTINUANCES –** If the North Park Planning Committee 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting, and all interested members of the public were given an opportunity to address the subcommittee, and
  - 2. The item has not substantially changed since the subcommittee's consideration.

3. Assuming Items 1-2 above are met, items will be added to the Consent Agenda at the discretion of the North Park Planning Committee Chair.
4. An item pulled from consent will generally be added to the agenda following the last Action/Discussion Item and may be tabled to a future meeting due to time constraints.
5. Actions Items can be moved to the Consent Agenda if:
  - i. a North Park Planning Committee Member in attendance makes the request via a Motion, and there are no objections from the public, and there is a unanimous vote of the voting members of the North Park Planning Committee in attendance.
  - ii. The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 North Park Planning Committee 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 of the Board voting members or every Board

member if less than two-thirds 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 vote of the voting Board members of the community planning group-is required to remove an elected 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 Board voting members of the community planning group for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted operating procedures require a two-thirds vote of the voting Board members of the North Park Planning Committee.

A vote to approve a Community Plan update or a Community Plan amendment requires a majority vote of the voting Board members of the North Park Planning Committee.

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

The North Park Planning Committee's Chair 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning group.

- (ix) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the North Park Planning Committee 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 North Park Planning Committee, 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.
- (xi) 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.

- (xii) 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 North Park Planning Committee and are prohibited under these operating procedures.
- (xiii) RIGHT TO RECORD - Any person attending a meeting of the North Park Planning Committee 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.

The section related to Disorderly Conduct is moved to Article IX Section 3, Ethical Standards

**(b) Subcommittees**

The North Park Planning Committee may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

- (i) STANDING SUBCOMMITTEES - Pursuant to the purpose of the North Park Planning Committee the planning group has established the following standing subcommittees 1. Public Facilities/Transportation, 2. Urban Design/Project Review, and 3. Communication.
  - 1. Standing Subcommittees are intended to be permanent.
  - 2. The number of members will not exceed 13 voting members; although a number of subcommittee members for each standing subcommittee will be established;
  - 3. Subcommittees must have less than a quorum of Board member; however, Board members must be the majority of members in attendance at a subcommittee meeting.
  - 4. To become a member of any North Park Planning Committee subcommittee, a subcommittee member must have a current application on file. Subcommittee members must either be NPPC community members or eligible non-NPPC members.
  - 5. To become an eligible non-Board member, the individual must have

attended no less than three subcommittee meetings in the previous twelve months as indicated on official voluntary attendance lists. An eligible non-Board member may vote after signing in at the beginning of their third subcommittee meeting. No further requirements are necessary.

6. Board Members are eligible to be voting subcommittee members by right, with no further requirements.
7. The NPPC Chair shall establish the minimum size of the subcommittee and shall appoint ~~the~~ additional members. Names of additional eligible subcommittee members may be kept on a list and in the case of foreseen absences of previously-appointed subcommittee members, an eligible subcommittee member may be called upon to become part of the quorum of the subcommittee.
8. All subcommittee members must complete the Community Orientation Workshop within 60 days of becoming an eligible voting member of the subcommittee.
9. Any eligible non-Board subcommittee member shall be removed after the third consecutive or fourth absence in any twelve-month period in which subcommittee meetings are held. Exceptions may be made by a vote of the Subcommittee.
10. Standing Subcommittee Chairs are appointed by the NPPC Chair. They will keep a roster of eligible members who are subcommittee members. Duties will include, but not be limited to, visiting sites, evaluating issues, proposals, and documents and making recommendations to the North Park Planning Committee.

- (ii) **AD HOC OR WORKING GROUP SUBCOMMITTEES** - The North Park Planning Committee or the Chair also will create as needed Ad Hoc Committees to address a particular planning or operational matter (such as the Elections Subcommittee). Ad hoc subcommittees which are temporary and advisory with no decision making capacity, may meet without public notice. The agenda and minutes for public meetings will be posted in a public place and on the website.

- (iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group Board.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-19883 NS (Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages), and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

- (iv) **RECOMMENDATIONS** – Subcommittee 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 subcommittee 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**

The Recusals Section below is moved to Article IX Section 3, Ethical Standards

- (i) **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, Full Board and Standing Subcommittee meeting, a report of North Park Planning Committee 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. Draft minutes shall be also be posted to the North Park Planning Committee website. 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. Approved minutes will be posted to the North Park Planning Committee website within 14 days of approval.

The North Park Planning Committee 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.

Whether stated or unstated, every motion approved by the North Park Planning Committee or a subcommittee thereof, will be understood to include a clause authorizing the author or the chair to make non-substantive corrections of formatting, punctuation, grammar, spelling, or typographical error to the approved motion or the document authorized thereby.

- (iv) RECORDS RETENTION – North Park Planning Committee records must be retained for public review for five years. 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 North Park Planning Committee operation and compliance. The North Park Planning Committee 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 North Park Planning Committee 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 North Park Planning Committee 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 by May 1 of each year. The North Park Planning Committees-must also submit to the City an annual report. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March. Rosters and annual reports constitute disclosable records under the Brown Act.

Section 5. The North Park Planning Committee will use 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 North Park Planning Committee 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 (Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages), 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.

## **ARTICLE VII      Planning Group Officers**

Section 1. The officers of the North Park Planning Committee shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Treasurer, Secretary, and one or more Document Specialists.  
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 is designated to solely represent the official actions taken by the North Park Planning Committee as appropriate.

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.

Section 3. Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. If the Chair has a direct economic interest or absence, the Vice Chair duties also include filing an appeal of a City discretionary decision.

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. Treasurer: The Treasurer shall receive all monies to be deposited in a bank in the name of this organization, disburse all funds upon authorization of the Board, keep an accurate record of all receipts and disbursements, and report at each regular meeting.
- Section 6 Document Specialist(s). A Document Specialist(s) will be familiar with and have available at Board meetings the following documents; Council Policy 600-24, The North Park Community Plan, The Brown Act, The Rules of Order, The Operating procedures, Demographic information for North Park, and additional documents as specified by the Chairman. The purpose of this position is to provide direction and elaboration to Council Policy 600-24 topics to make sure there is no conflict with the current Council Policy (2022) and the Brown Act.
- Section 7. The Chairperson shall be the 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the Chair 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 8. The North Park Planning Committee officers and representatives to the CPC shall promptly disseminate to all elected 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 North Park Planning Committee operating procedures incorporate policies and procedures directed by Article I through VII of Council Policy 600-24. These operating procedures also contain some policies and procedures recommended in Article VIII of Council Policy 600-24. This operating procedures Article lists additional procedures which are found in Exhibits attached to the operating procedures.

Any procedures found in exhibits have the same effect as if they were incorporated directly into Articles I through VII of the operating procedures. 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; and Member and Planning Group Responsibilities.

### **(a) Community Participation**

The North Park Planning Committee participates on other committees and with other organizations including but not limited to: the Maintenance Assessment District, Law Enforcement Committees, various Subcommittees, Business Improvement District/Associations, North Park Recreation Council, Balboa Park Committee, Boards, Task Forces, Working Groups and Advisory Committees appointed by City Council or the Mayor, and Neighborhood/Community Organizations. The NPPC Chair

will appoint representatives to these organizations as needed.

Meeting agendas are emailed directly to anyone requesting an agenda, are posted on the City of San Diego website, various social media sites, and a hardcopy is posted in a publicly accessible location. The North Park Planning Committee's application form (on the website) has a notification box, that when checked, gives the organization permission to send e-mail updates including monthly agendas and minutes to the requesting member. All email addresses are kept in strict confidence, are never shared, and all messages are sent by "blind-copies". The Board Chair or designated Board Members provide public relations to the media and attend other CPG's to look for shared opportunities on issues of mutual interest.

**(b) Planning Group Composition**

The North Park Planning Committee's group composition is found in Article III, Section 2.

The North Park Planning Committee strives to have the maximum number of Community Members involved in decision making at all times. Therefore, if there are available candidates, the North Park Planning Committee fills vacancies during the 120 days prior to the Annual March Election.

**(c) Conduct of Meetings**

The following are the North Park Planning Committee procedures regarding conduct of planning group meetings:

The agenda shall include but not be limited to: Roll Call of Committee members, Adoption of the Agenda, Parliamentary Items, Consent Agenda, Approval of Minutes, Treasure's Report, Chair's Report, Non-Agenda Public Comment, Announcements, Elected Officials, Subcommittee Reports, Liaisons and Planners Reports, Information and Action Items, and New Business. Procedures for maintaining a civil meeting environment are from the latest version of *Robert's Rules of Order*.

Meeting operations include, but are not limited to, parliamentary items and non-agenda public comment and announcements. Public comment on an agenda item follows the presentation of the item/project. The Chair can adjust time allotments for comments depending on factors such as number of speakers and time available for discussion.

For a full explanation of Consent Agenda procedures refer to Article VI, Section 2 a (v).

Items noticed as action items require a full hearing before a vote of the committee can occur, however, items may be placed on a Consent Agenda, if they have been approved by at least two-thirds of the attending subcommittee members present at the subcommittee meeting where the item was heard. Any consent item may also be pulled by the public or North Park Planning Committee member and placed on the Action portion of the agenda for additional discussion.

Agenda Action Items may be moved to the Consent Agenda by any NPPC Member, when no one from the public has requested an opportunity to speak, and there has been

a unanimous vote by all Board Members present.

It shall also be the duty of the North Park Planning Committee, when reviewing development projects, to allow participation of affected property owners, residents, and business establishments within proximity to the proposed development. The Committee shall inform the project applicant or representative each time that such review will take place and provide the applicant with an opportunity to present the project. Any interested member of the public shall be given an opportunity to offer input on projects during Planning Committee meetings.

**(d) Member and Planning Group Responsibilities**

The following are the North Park Planning Committee procedures regarding member and planning group responsibilities:

Planning committee's positions may be represented to the City on planning issues that are not project review recommendations in a variety of formats including letters, memos, position statements, testimony, and verbal communications.

Changes to these Operating procedures shall be proposed by an Ad Hoc Operating procedures Subcommittee and approved by a two-thirds vote of the voting members of the Board members. Proposed changes must be submitted in writing, noticed in the monthly agenda, and announced at the previous monthly meeting. Changes shall not become effective until approved by the Mayor's Office and City Attorney.

Financial contributions from the citizens of the community may be sought for the purposes of furthering the efforts of the North Park Planning Committee to promote understanding and participation in the planning process. No membership dues shall be required. Donations may be received to cover expenses of carrying on the business of the Committee.

In any situation where the NPPC is investigating a member pursuant to Article IX Rights and Liabilities of Recognized Community Planning Groups, the investigation will be conducted with a minimum of two NPPC officers joining the Chair in the process.

See Article VIII, Section 1(a) for an explanation of how the North Park Planning Committee regularly participates on other committees or with other organizations.

**ARTICLE IX                      Rights and Liabilities of Recognized Community Planning Groups**

Section 1.        Indemnification and Representation. The North Park Planning Committee 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; their conduct was in conformance with the Policy and these operating procedures; and all findings specified in the ordinance can be made.

Section 2.        Brown Act Remedies. The North Park Planning Committee 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. Ethical Standards

#### Commitment to Non-Discriminatory Practices

The NPPC, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### Records Retention

The NPPC will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### Collaboration with City Staff

NPPC voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the NPPC.

#### Violations of City Requests for Input

The NPPC acknowledges that a consistent 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 plans may result in revocation of recognition. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### Voting Member Training

The NPPC will require all NPPC voting members to complete the formal education program in- person or on-line offered by the City.

The NPPC will require voting members to complete the training each year within 60 days of being initially elected or appointed to the NPPC, and by no later than June 1st of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the NPPC's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### Participation during 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. NPPC Board Members should use sound judgment to make the best possible business decisions for the association, taking into consideration all available information, circumstances, and resources.

No member, either NPPC Board Member or meeting attendees, shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda. All NPPC Board Members will Refrain from personal attacks, harassment, or threats with colleagues, staff, or residents.

If during NPPC meetings, there is a disruption, the NPPC Chair is allowed to warn the disrupter about their behavior and the need for the meeting to continue. A second warning of inappropriate behavior and the NPPC Chair can call for a brief recess. After the meeting starts again, if the disruptive behavior continues then the NPPC Chair can table the issue and move to the next issue. If the disruptive behavior continues the Chair can choose to reschedule meeting for a later time.

#### Conflicts of Interest

NPPC voting members with a potential conflict of interest should recuse from participation in a meeting or to make recommendation if they have a direct economic interest related to an issue. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

If the NPPC Member has a Conflict of Interest, they must disclose the interest and abstain from discussion of the issue. The NPPC Member must take a short break from the meeting and not be present during the discussion. The NPPC Member absence must be documented and will count as part of the quorum for that item.

#### Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

#### Abstentions for Potential Conflicts of Interest

NPPC voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The NPPC's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### Conflicts of Interest Disciplinary Actions

NPPC voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the NPPC, which may include expulsion from the board. The NPPC will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### Political Actions

Neither the NPPC nor voting members in their capacity as such may use their title from or position on a NPPC for political endorsements of individuals. The NPPC may, however, upon majority vote, take a position on pending legislation that is within the NPPC's purview.

#### Donations

Neither the NPPC nor its voting members should accept donations on behalf of any individual running for office.

#### Equal Time for Candidates or Ballot Measures

The NPPC will endeavor to grant equal time for candidates or ballot measures if docketed on the NPPC agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### Gifts

The NPPC Members shall decline gifts directly or indirectly from owners, residents, contractors, or suppliers.

### Section 4. Council Policy 600-24 Violations and Remedies.

#### (a) Alleged Violations by a Member of the North Park Planning Committee.

In cases of alleged violations of the North Park Planning Committee operating procedures or Council Policy 600-24 by a planning group member, the planning group may conduct an investigation consistent with the Administrative Guidelines and these operating procedures.

A complaint that an individual member of a planning group violated one or more provisions of the planning group's operating procedures or Council Policy 600-24 may be submitted to the planning group chair 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 operating procedures 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 vote of the voting members 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 operating procedures.

If the planning group member is found to be out of compliance with the provisions of

these operating procedures or Council Policy 600-24, the planning group risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS (Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages), and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the North Park Planning Committee 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:

B. Documenting a violation:

- 1) A complaint that a violation of operating procedures 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.
- 2) 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.
- 3) The complaint should provide a citation of the operating procedures 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.
- 4) The chair will confer with 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
- 5) The chair shall create a written record of the complaint and alleged violation to share with the alleged violator.

C 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.

1. 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 opportunity for rebuttal.
2. If the chair, with assistance from the planning group officers, determines that no violation has occurred, the chair may record this in the written record of the complaint.
3. 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 the remedy.

4. If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and North Park Planning Committee 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 will be given the opportunity to resign prior to docketing the matter for a planning group discussion.

**D. Presenting a violation to the planning group:**

1. 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 Chair or from the offending planning group member will be made available to the elected planning group members prior to the meeting.
2. 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 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.
3. At the end of the discussion, the planning group may, by a 2/3 vote, choose to remove the member.

**E. Recourse for expelled member:**

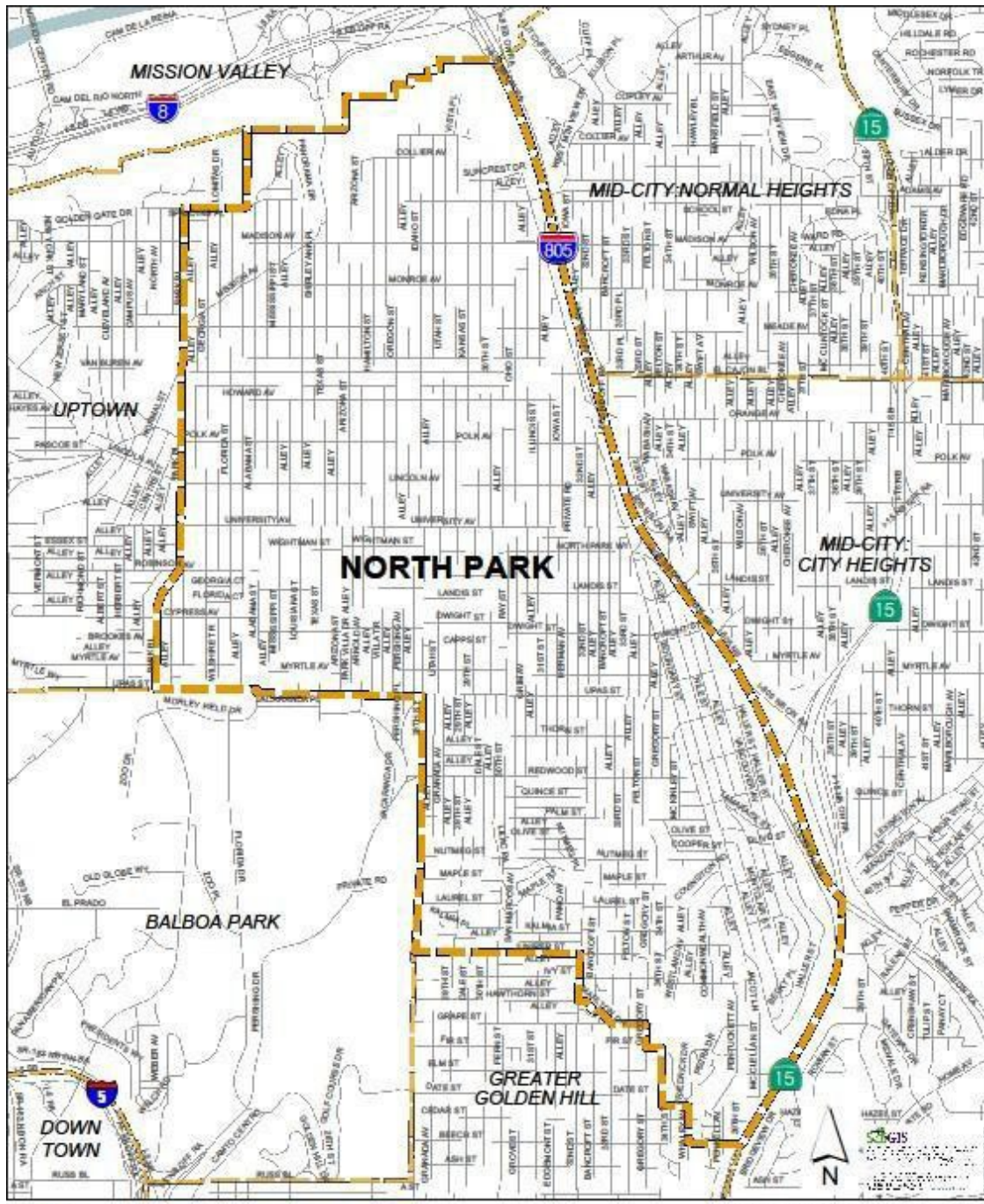
- 1) There is no appeal available to an elected planning group member removed by a two-thirds vote of the voting members of their recognized community planning group.
- 2) The planning group member's seat shall be immediately declared vacant and subject to provisions of Article IV.
- 3) The removal of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

**F. Alleged Violations Against the North Park Planning Committee as a Whole**

In the case of an alleged violation of the planning group's operating procedures 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 North Park Planning Committee 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 operating procedures risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS (Ordinance Providing for Legal Representation to and Indemnification of Community Planning Committees Against Claims for Damages), and any future amendments thereto.



**Exhibit A: Boundary Map - NorthPark**

## Eligible Member Registration Form

## Exhibit B

### NORTH PARK PLANNING COMMITTEE (NPPC)

<http://www.northparkplanning.org>

To receive NPPC Agendas & Announcements sign up at:

[https://www.facebook.com/NorthParkPlanning/app\\_100265896690345](https://www.facebook.com/NorthParkPlanning/app_100265896690345)

Re-Registration will be required if your Qualifying Address has changed

### NPPC ELIGIBLE MEMBER REGISTRATION FORM

**The North Park Planning Committee holds regular meetings at 6:30 p.m. on the third Tuesday of each month (except December) in the North Park Christian Fellowship, 2901 North Park Way, in the main Sanctuary upstairs, San Diego, CA 92104. The NPPC consists of fifteen (15) Board Members. There is no charge to attend meetings or become a qualified registrant of the NPPC.**

Registration is open to any person, age 18 or older, who is a resident, property owner, or a person who owns or operates a business(s) within the North Park planning area, the general boundaries of which are Park Boulevard on the west, Interstate 805 on the east, the south rim of Mission Valley on the north, and South Park (along the middle of Juniper Street from the east side of Balboa Park to 32<sup>nd</sup> Street, then south and east to Interstate 15) on the south.

If you meet the requirements, stated above, and are interested in becoming a registrant of the NPPC you must submit a completed *Registration* form to the NPPC's Chair or Secretary at the General Meeting; or email the signed, completed *Registration* Form back as an attachment to the NPPC at [info@northparkplanning.org](mailto:info@northparkplanning.org).

Registrants are encouraged to volunteer to serve on the Planning Committee's subcommittees (Public Facilities/Public Art and Urban Design/Project Review), to participate at the NPPC's meetings, to vote when Board elections are held Annually in March, and to consider becoming candidates for the Board as specified in the By-laws. In order to serve on the Board, a candidate must have attended at least one regular NPPC meeting in the previous twelve (12) months (March-February) and have been a General Member of the NPPC for at least twenty-eight (28) days prior to the March Board election.

**If you are a North Park Resident, this will be your qualifying address. Please check one (1) category below.**  
HOMEOWNER ( ☐ )      or      RENTER ( ☐ )

**Please check only one (1) category of membership, business owner, property owner or nonprofit director located within the NPPC boundaries that apply below. If you are a nonresident business or property owner this will be your qualifying address:**

( ☐ )

( ☐ )      NON NORTH PARK RESIDENT BUSINESS

NON-RESIDENT PROPERTY OWNER: NORTH PARK RESIDENT BUSINESS OWNER OWNER ( ☐ )

NORTH PARK RESIDENT Nonprofit Director ( ☐ )      NON NORTH PARK RESIDENT Nonprofit Director ( ☐ )

Qualifying Individual's Name as it will appear on identification \_\_\_\_\_

Qualifying Business/Nonprofit Name: as it will appear on documentation: \_\_\_\_\_

**Qualifying North Park Address:** This is the address that will be on your identification &/or documentation

to establish your eligibility to vote in or run for the NPPC Board Elections. If you own a NP Business/Nonprofit & are also a North Park resident, use your residential address to establish eligibility below:

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Zip Code

E-MAIL ADDRESS (please print): \_\_\_\_\_  
\_\_\_\_\_

CONTACT PHONE Number: \_\_\_\_\_

\_\_\_\_\_  
**SIGNAT**

|                                   |                             |             |
|-----------------------------------|-----------------------------|-------------|
| <u>For Planning Committee Use</u> | Reviewed by                 | Date:       |
| _____                             | Meets Eligibility Criteria: | YES      NO |



## Ethical Standards

These have been placed within the Operating Procedures

### Section 3     Ethical Standards

#### 3.1 Commitment to Non-Discriminatory Practices

The NPPC, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 3.2 Records Retention

The NPPC will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 3.3 Collaboration with City Staff

NPPC voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the NPPC.

#### 3.4 Violations of City Requests for Input

The NPPC acknowledges that a consistent 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 plans may result in revocation of recognition. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### 3.5 Voting Member Training

The NPPC will require all NPPC voting members to complete the formal education program in- person or on-line offered by the City.

The NPPC will require voting members to complete the training each year within 60 days of being initially elected or appointed to the NPPC, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the NPPC's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

### 3.6 Participation during 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. NPPC Board Members should use sound judgment to make the best possible business decisions for the association, taking into consideration all available information, circumstances, and resources.

No member, either NPPC Board Member or meeting attendees, shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group's agenda. All NPPC Board Members will Refrain from personal attacks, harassment, or threats with colleagues, staff, or residents.

If during NPPC meetings, there is a disruption, the NPPC Chair is allowed to warn the disrupter about their behavior and the need for the meeting to continue. A second warning of inappropriate behavior and the NPPC Chair can call for a brief recess. After the meeting starts again, if the disruptive behavior continues then the NPPC Chair can table the issue and move to the next issue. If the disruptive behavior continues the Chair can choose to reschedule meeting for a later time.

### 3.7 Conflicts of Interest

NPPC voting members with a potential conflict of interest should recuse from participation in a meeting or to make recommendation if they have a direct economic interest related to an issue. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

If the NPPC Member has a Conflict of Interest, they must disclose the interest and abstain from discussion of the issue. The NPPC Member must take a short break from the meeting and not be present during the discussion. The NPPC Member absence must be documented and will count as part of the quorum for that item.

### 3.8 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

### 3.9 Abstentions for Potential Conflicts of Interest

NPPC voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The NPPC's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

### 3.10 Conflicts of Interest Disciplinary Actions

NPPC voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the NPPC, which may include expulsion from the board. The NPPC will report in writing instances of disciplinary action to the City within 60 days of any allegation.

### 3.11 Political Actions

Neither the NPPC nor voting members in their capacity as such may use their title from or position on a NPPC for political endorsements of individuals. The NPPC may, however, upon majority vote, take a position on pending legislation that is within the NPPC's purview.

### 3.10 Donations

Neither the NPPC nor its voting members should accept donations on behalf of any individual running for office.

### 3.11 Equal Time for Candidates or Ballot Measures

The NPPC will endeavor to grant equal time for candidates or ballot measures if docketed on the NPPC agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 3.14 Gifts

The NPPC Members shall decline gifts directly or indirectly from owners, residents, contractors, or suppliers.

## **North Park Planning Committee (NPPC) Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The North Park Planning Committee (NPPC) Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate the North Park Planning Committee’s (NPPC) goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Greater North Park Community Planning Area (CPA) demographics provided below by SANDAG’s [Data Surfer](#) website.

## Overarching Goal

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

## Guiding Principles for Public Participation

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods which include but not limited to the following Public Participation Tools:

| Technique and Description  | Typical Application   |
|--|---|
| <p><b>Briefings:</b> NPPC Meetings are held in-person and online the third Tuesday of every month. Subcommittee meetings are also held once a month to provide an opportunity to inform and educate the community.</p> <p>Register at: <a href="http://bit.ly/NPPCmeeting">http://bit.ly/NPPCmeeting</a></p>   | <p><b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.</p>   |
| <p><b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access the planning group.<br/>Phone: 619-980-8809</p>  | <p><b>Share Information:</b> A dedicated Planning Group phone number allows the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.</p> |
| <p><b>Electronic forums, social media groups, and email:</b> <a href="http://www.facebook.com/NorthParkPlanning">www.facebook.com/NorthParkPlanning</a> exist today to share electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc.</p> | <p><b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.</p>  |

|  |  |
|--|--|
| <p><b>Website:</b> <a href="http://www.northparkplanning.org">www.northparkplanning.org</a> is deployed to provide accessible information to the public.</p>   | <p><b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and allows people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.</p>                             |
| <p><b>Newsletter:</b> Monthly newsletter are distributed from <a href="mailto:email@northparkplanning.org">email@northparkplanning.org</a>. Newsletters contain notices, summarized details on past/future engagement opportunities to include neighborhood clean up events and Councilmember meet and greets.</p> <p>To subscribe to newsletter submit a form at: <a href="http://www.northparkplanning.org/email-registration/">http://www.northparkplanning.org/email-registration/</a></p> | <p><b>Share Information:</b> Digital Newsletters include notices and summaries to allow wide distribution of information and gather public feedback.</p>   |
| <p><b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields. NPPC has organized expert panel discussions with the help of local non-profit organizations. An example of this is the annual candidate forum where candidates field questions from the public on their motivations to join the NPPC.</p>   | <p><b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.</p>   |
| <p><b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public. NPPC has performed several survey's soliciting feedback and input from the public. NPPC leverage technology solutions such as Survey Monkey, MailChimp, and Person to Person data collection.</p>   | <p><b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.</p>   |
| <p><b>Partnering with Community-Based Organizations:</b> NPPC has established strong partnerships with local community-based organizations such as North Park Main Street, Mid-City Parking District, Uptown Planners, North Park United, Balboa Park Committee, El Cajon Boulevard Business Improvement Association, University Heights Community Association, Adams Avenue Business Association, Maintenance Assessment District, and Community Planners Committee (CPC).</p>                | <p><b>Collect and Compile Input:</b> Helps promote community- based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.</p>  |
| <p><b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group. Working closely with North Park Main Street, NPPC has established a booth at the North Park Farmers Market held every Thursday in the heart of North Park.</p>  | <p><b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.</p>   |
| <p><b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area. Every year the NPPC collects input from the community on Capital Improvement Projects (CIP). Working with the community, NPPC board members setup up field trips to view and assess CIP areas in person.</p>   | <p><b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act Issues</p> |

An example of Tours and Field Trips is when the NPPC recommended the prioritization of the North Park Recreation center. Less than a quorum of board members attended the site and provided feedback with the community during a publicly noticed discussion on CIP prioritization.

- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's [Data Surfer](#) website.
- Be respectful of people's opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

### Strategies for Community Involvement

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

## Appendix A - Meeting announcement example

[View this email in your browser](#)

# North Park Planning Committee

## July 18, 2023 Meeting at 6:30pm

**MEETING TO BE HELD IN-PERSON and ONLINE**

IN-PERSON Location:

Horizon North Park 2901 N Park Way San Diego CA 92104

ONLINE via ZOOM

(see additional "zooming" details at the bottom of this email)

**[Click here to register for the meeting!](#)**

Click links below to download the documents:

**[July 18th NPPC Agenda](#)**

**[June 20th NPPC Minutes](#)**

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## Appendix B - Newsletter example



# North Park Planning Committee

## Update to HAP 2.0

AUGUST 3, 2023, at 9:00 A.M. PLANNING COMMISSION AGENDA HYBRID  
MEETING City Administration Building, 12th Floor, 202 C Street, San Diego,  
California 92101

Quote from Agenda:

*"ITEM 2: Continued from June 1, 2023 HOUSING ACTION PACKAGE 2.0*

*Staff: Jeff Ryan*

*Homes for All of Us is a Citywide initiative aimed at producing more homes across the city that San Diegans of all income levels can afford. The Housing Action Package 2.0 includes regulations to implement the requirements of Senate Bill 10, which would allow for up to ten homes per lot in Sustainable Development Areas. The Housing Action Package 2.0 also includes amendments to the Land Development Code to implement state law to allow the construction of more new homes near transit, provide protections to existing residents and increase the supply of land available for new home development. This initiative will also incentivize and promote new home opportunities in all communities that San Diegans of all income levels can afford. The item includes amendments to the San Diego Municipal Code and the Local Coastal Program. This item is continued from the June 1, 2023 Planning Commission meeting. The City Planning Department has prepared a memo in response to requests from the Planning Commissioners.*

**PROPOSED ACTION** *Process 5. Recommend City Council approve or deny.*

**DEPARTMENT RECOMMENDATION** *Recommend City Council to approve."*

Zoom Link:

<https://sandiego.zoomgov.com/j/1612210047>

**Planning Commission Agenda**

**Planning Department Memo HAP 2.0**

### Appendix C - Soliciting community input via survey example



#### **Community input on 2023 Capital Improvement Project (CIP) Prioritization**

---

The North Park Planning Committee (NPPC) is soliciting input from the Community on future Capital Improvement Projects (CIP).

Your input will get added to the NPPC list and prioritized during NPPC meetings with the public. Help us focus on the most important issues in North Park.

**Do you have a specific infrastructure project idea or suggestion for North Park Community?**

- ☐ Yes
- ☐ No

*Where is your project or suggestion located? (please provide street address or cross streets or lat/long coordinates)*

## Appendix D - Election Flyer example



# North Park Planning Committee

**LAST DAY TO VOTE!!!**

**Vote in person tomorrow Tuesday March 21st, 4pm to 6pm  
@ North Park Mini Park (Rain or Shine)**

**Need to bring proof you are a North Park resident or business owner. Driver's  
License with NP address or Utility bill.**

Results of the election will be announced the same day at the NPPC Meeting which  
starts at 6:30pm

To register for the meeting follow the link below:

[https://zoom.us/join/zoom/register/tJwqd-mhrz4vGNG\\_ejPymVw\\_ZPE4lhmVqMdm](https://zoom.us/join/zoom/register/tJwqd-mhrz4vGNG_ejPymVw_ZPE4lhmVqMdm)

**Voter Guide**

**Candidate List**

**DON'T WAIT – VOTE!**

To learn more about NPPC, visit our website:  
<http://www.northparkplanning.org/>

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## Appendix E - Pop Up event with San Diego City Councilmember

[View this email in your browser](#)



## North Park Planning Committee

**Councilmember Whitburn will be at North Park Community Park this Saturday!**

Participate in his District 3 Neighborhood Clean Up event this Saturday at 8:30am at NP Community Park.

Click links below for more information:  
<https://www.sandiego.gov/districtcouncil/3/district-3-council>



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Appendix E - Flyer example

*Neighborhood Clean-up* North Park Planning Committee (NPPC) 

---

**THE  
NEIGHBORHOOD  
NEEDS YOUR **HELP****

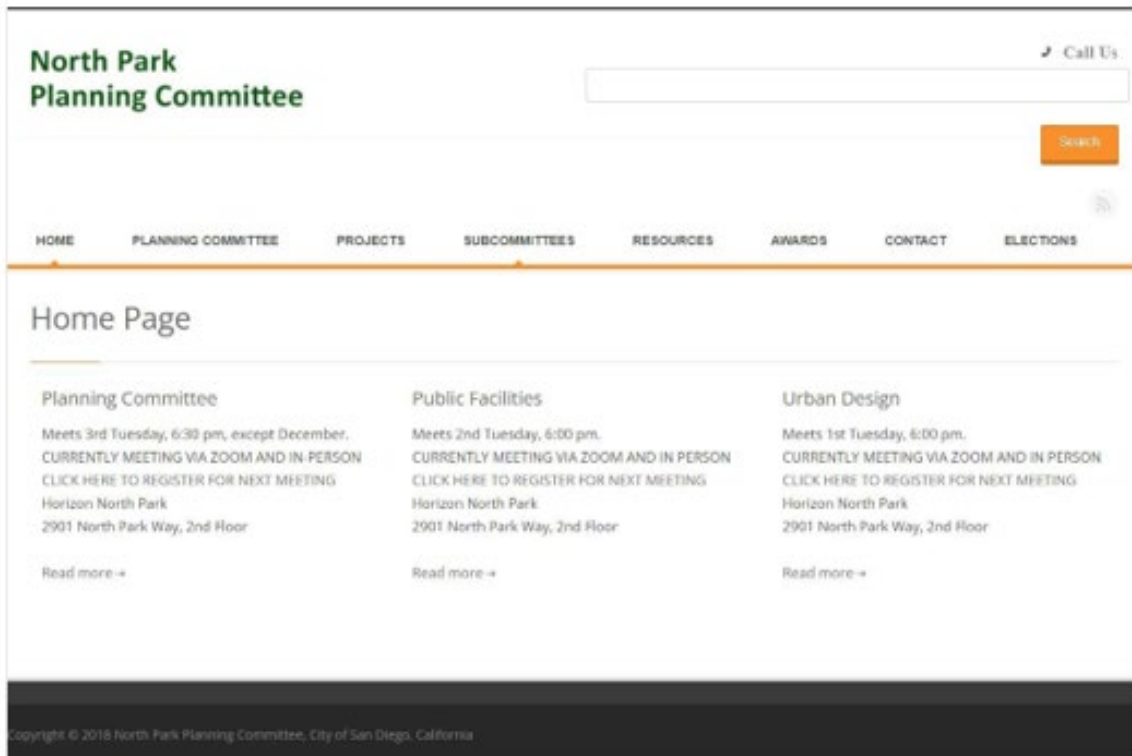
**Date: October 15, 11:00 AM - 2:00 PM**

**Location: Start at 28th and Wightman (backside of Jefferson Elementary) work west**

**Trash bags and motivation provided by Committee - bring your own gloves**



## Appendix F – Website Example



### **Measuring Success**

- North Park Planning Committee (NPPC) monitors month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics, type and frequency of outreach efforts, and events attendance lists.
- Starting in fiscal year 2024, NPPC will monitor the change in composition of voting members as evidenced in annual surveys.
- NPPC provides an annual report to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov). Starting in fiscal year 2024, the annual report will include qualitative metrics to report the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.



## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |



## Appendix A

### Community Planning Groups

#### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a "community vision". This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |



## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |
|  |   |

## Community Planning Groups



## Appendix B

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (Panda) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |   |
|---|---|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>“Are community parks clean?” and “Are community parks safe?” = correct.</p>                                   |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>                                  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>  |

## Writing your questions.

|  |  |
|--|--|
| <b>Keep it simple and to the point.</b>                                    | The respondent shouldn’t have to re-read the question for clarity.   |
| <b>Use words with clear meanings.</b>                                      | Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.   |
| <b>Limit the number of ranking options.</b>                                | Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions. |
| <b>Multiple choice questions should cover all options but not overlap.</b> | For example, when asking respondents about their favorite community destinations don’t have an option for both “library and recreation center.”                  |

|  |  |
|--|--|
| <b>Avoid offering too few or too many options.</b> | Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered. |
|--|--|




## Appendix C

### Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.


The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group


**WHY SHOULD YOU JOIN?**

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

 **Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**

 **Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**



## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

**Welcome!**

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



**Monthly Meetings:**

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

# North Park

■ Member Count

■ Percent Group

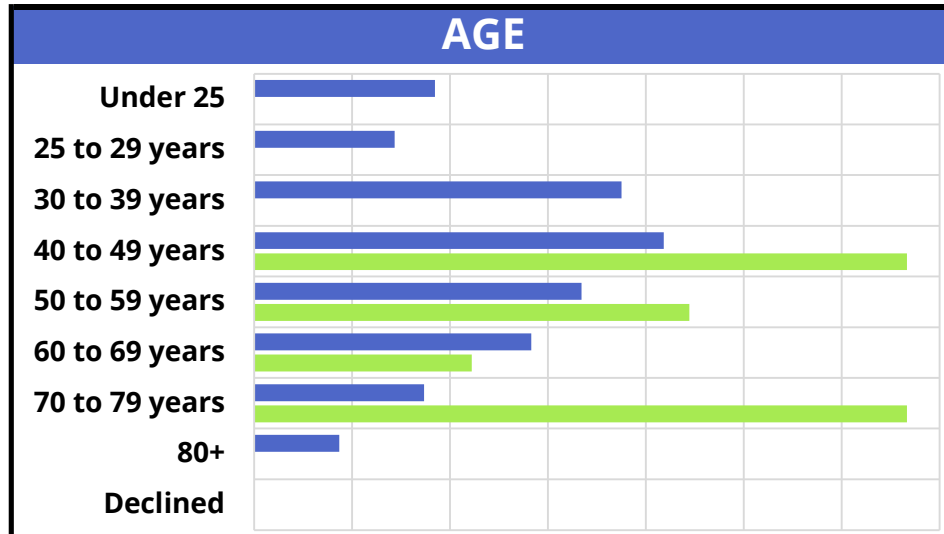
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           | 7            |
| Property Owner                      | 3            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 4            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| Community Affiliation               | Member Count |
| Homeowner                           | 7            |
| Property Owner                      | 3            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 4            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>16</b>    |

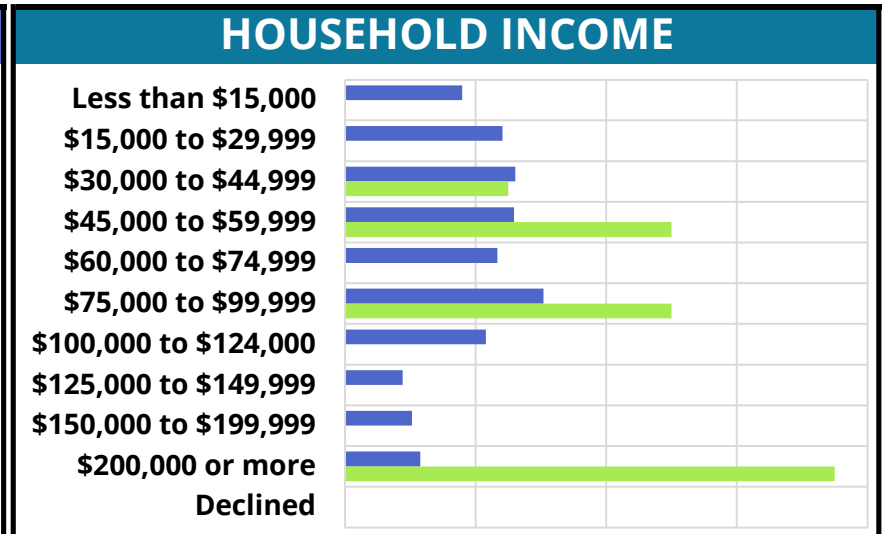
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  | 1            | 10.0%         | 0.3%              |
| Asian            | ---          | ---           | 5.7%              |
| Black            | ---          | ---           | 4.5%              |
| Hispanic         | ---          | ---           | 30.0%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 7            | 70.0%         | 55.2%             |
| Two or More      | 2            | 20.0%         | 3.5%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | 1            | 10.0%         | 0.3%              |
| Asian            | ---          | ---           | 5.7%              |
| Black            | ---          | ---           | 4.5%              |
| Hispanic         | ---          | ---           | 30.0%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 7            | 70.0%         | 55.2%             |
| Two or More      | 2            | 20.0%         | 3.5%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# North Park

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 9%                |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | ---          | ---           | 19%               |
| 40 to 49 years | 3            | 33%           | 21%               |
| 50 to 59 years | 2            | 22%           | 17%               |
| 60 to 69 years | 1            | 11%           | 14%               |
| 70 to 79 years | 3            | 33%           | 9%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>9</b>     | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 9%                |
| \$15,000 to \$29,999   | ---          | ---           | 12%               |
| \$30,000 to \$44,999   | 1            | 13%           | 13%               |
| \$45,000 to \$59,999   | 2            | 25%           | 13%               |
| \$60,000 to \$74,999   | ---          | ---           | 12%               |
| \$75,000 to \$99,999   | 2            | 25%           | 15%               |
| \$100,000 to \$124,000 | ---          | ---           | 11%               |
| \$125,000 to \$149,999 | ---          | ---           | 4%                |
| \$150,000 to \$199,999 | ---          | ---           | 5%                |
| \$200,000 or more      | 3            | 38%           | 6%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>8</b>     | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 27, 2023, 12:09:58 PM

What is the official name of your Planning Group?

**Ocean Beach Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Ocean Beach**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**See Exhibit A attachment**

How will your Planning Group fairly represent all members of your community?

**See Exhibit A attachment**

Applicant Representative

**Andrea Schlageter**

Email

**aeschlag@gmail.com**

Phone Number

**619-818-2555**

Please include the following documents.

- |             |  |
|-------------|--|
| <b>DOCX</b> | OBPB 2023 bylaws APPROVED 11-1-23.docx<br>58.4KB                         |
| <b>DOCX</b> | OBPB 2023 bylaws EXHIBIT B map.docx<br>547KB                             |
| <b>PDF</b>  | OBPB 2023 EXHIBIT A - participation and representation plan.pdf<br>460KB |
| <b>PDF</b>  | OBPB 2023 demographic worksheet.pdf<br>692.8KB                           |

## Community Planning Group Recognition

### Member Composition Form - Worksheet

Planning Group Name: Ocean Beach Planning Board

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

#### RACE/ETHNICITY

\_\_\_ American Indian

\_\_\_ Asian

\_\_\_ Black

1 Hispanic

\_\_\_ Pacific Islander

6 White

1 Two or more races

\_\_\_ Other: \_\_\_\_\_

#### HOUSEHOLD INCOME

\_\_\_ Less than \$15,000

\_\_\_ \$15,000 to \$29,999

\_\_\_ \$30,000 to \$44,999

1 \$45,000 to \$59,999

\_\_\_ \$60,000 to \$74,999

1 \$75,000 to \$99,999

1 \$100,000 to \$124,999

2 \$125,000 to \$149,999

3 \$150,000 to \$199,999

\_\_\_ \$200,000 or more

#### COMMUNITY AFFILIATION

2 Homeowner

\_\_\_ Property Owner \_\_\_\_\_ 25 to 29

4 Renter

2 Local Business Owner or Operator

\_\_\_ Youth Representative (Age Under 25)

\_\_\_ Other : \_\_\_\_\_

#### AGE

\_\_\_ Under 25

\_\_\_ 25 to 29

2 30 to 39

5 40 to 49

1 50 to 59

\_\_\_ 60 to 69

\_\_\_ 70 to 79

\_\_\_ 80 +

Note: 2 members did not participate in the survey.

## **Ocean Beach Planning Board - Bylaws and Operating Procedures**

Approved by Ocean Beach Planning Board on November 1, 2023

Approved by City of San Diego on [DATE]

### **ARTICLE I**

#### **Introduction and Background**

Through this document, the **Ocean Beach Planning Board** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with [SECTION ON RECORDS MANAGEMENT SECTION] herein.

- Section 1. The official name of this City recognized Community Planning Group shall be Ocean Beach Planning Board (hereafter the “Board”).
- Section 2. All activities of the Board shall be conducted in its official name.

- Section 3. The community planning area boundaries for the Board are the boundaries of the Ocean Beach community, as shown on Exhibit "B".
- Section 4. Meetings of the Board shall be held within these boundaries, except that when the 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 available and accessible meeting facility.
- Section 5. The official positions and opinions of the Board shall not be established or determined by any organization other than the Board, nor by any individual member of the Board.

## ARTICLE II

### Purpose of Board and General Provisions

- Section 1. The Board is formally 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 amendment to, the General Plan or a land use plan when a plan relates to the Ocean Beach community boundaries. The Board provides advice on Capital Improvement Project infrastructure needs and other land use matters as requested by the City or other governmental agencies as detailed in Council Policy 600-24, Article IV: Scope of Advisory Recommendations. Additionally, the Board will advise the City on other matters of concern to the Ocean Beach Community whenever relevant.
- Section 2. In reviewing individual development projects, the Board should focus its review on assuring conformance with the Land Development Code and the adopted community plan and/or the General Plan. The formal Board recommendation shall be submitted no later than seven (7) calendar days after taking action, and no later than the end of the public review period offered by the environmental review process. The Board shall submit its recommendation and any conditions using Bulletin 620 Distribution Form, or reasonable facsimile. The Board shall record all project recommendations as part of its annual report. For projects with substantial revisions after a Board recommendation, the Board may request submission of revised plans for purpose of rehearing project. The Board recognizes that City staff and development project applicants are not required by the City to present their project or application before the Board.
- Section 3. The Board shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, physical or mental disability, or any other protected characteristic. In addition, meeting facilities must be accessible to disabled persons.
- Section 4. Neither the Board nor voting members in their capacity as such may use their title from or position on the Board for political endorsements of individuals. The Board may, however,

upon majority vote, take a position on pending legislation that is within the Board's purview. Neither the Board nor its voting members should accept donations on behalf of any individual running for office.

Section 5. The Board and voting members shall comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open and accessible to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the Board to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the Board to lose its Council recognition and may subject the Board and voting members to a loss of indemnification by the City.

In addition, the Board and voting members shall comply with all requirements of Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" and requirements of the related Terms and Conditions document.

The Board adopts Robert's Rules of Order for rules of procedure when Policy 600-24 and these bylaws do not address an area of concern or interest.

Section 6. The Board may propose amendments to these bylaws by a two-thirds vote of all voting members of the Board. Proposed amendments shall be submitted to the City for review and approval. Proposed amendments shall comply with Council Policy 600-24 and the related Terms and Conditions document. Bylaw amendments are not valid until approved by the City.

## ARTICLE III

### Board Composition

Section 1. The Board shall consist of twelve (12) voting members to represent the various community interests set forth in Council Policy 600-24 and Terms and Conditions. These members of the Board 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 voting members of the Board shall, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The Board shall be composed of a minimum of two (2) residential real property owners, two (2) renters (whose primary residence is the rental), and one (1) business owner or designee of the owner. The qualifying address must be within the Ocean Beach community planning area. A member may satisfy multiple criteria. If there are insufficient candidates in an election to fulfill these criteria, the Board may fill the open seat by appointing any other eligible member of the community.

Board 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:

- a) Property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area, or
- b) Resident, who is an individual whose primary address of residence is an address in the community planning area, or
- c) Local business person, who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

Non-residents qualifying based on a business or real property shall be limited to one seat per business or real property.

An individual may become an eligible member of the community by demonstrating these qualifications at the time of voting.

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 Board's criteria and formal action is taken by the Board. However, the Board shall require proof of eligibility during elections.

Section 3. Members of the Board shall be elected to serve for fixed terms of three (3) years with four (4) seats expiring each year to provide continuity.

No person may serve on the Board for more than nine (9) consecutive years. The nine (9) 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 Board member, an individual who had served for nine (9) consecutive years shall again be eligible for election to the Board.

The Board will make a good faith effort to fill all seats. If not enough new members are found to fill vacant seats, the Maximum Time of Service may be waived until at least ten (10) seats are filled. Waiver of Maximum Time of Service shall be ratified by at least a two-thirds majority of the eligible community members voting in the regular election. Under this waiver, no more than twenty five percent of the elected voting members may exceed the Maximum Time of Service. Also the term served in excess of the Maximum Time of Service shall count as time served after the required break.

Section 4. A member of the Board must retain eligibility as a member of the community during the entire term of service.

Section 5. Member eligibility and qualifying addresses will be determined in accordance with Article V, Section 2.

## ARTICLE IV

### Vacancies

Section 1. The Board shall find that a vacancy exists upon receipt of a resignation in writing from a member, or failure of a member to meet minimum attendance requirements. Minimum attendance shall be two-thirds of the Board's regularly scheduled meetings in any 12-month period throughout the member's term as a voting member.

A vacancy may also exist following the conclusion of a member-removal process compliant with Sections 8.3 through 8.6 of Council Policy 600-24 and Article IX of these bylaws.

Section 2. The Board shall make a good faith effort to fill vacancies at the time the promptly after vacancies are declared, except as described in this section. Vacancies shall not be filled by appointment during the 60-days preceding and following a general election unless necessary to maintain the minimum membership requirement of ten (10) members. Vacancies existing in the 60-days preceding a general election shall be included in the election. The term of office of any member filling a vacancy shall be for the balance of the vacated term. Candidates for vacancies shall meet the following criteria:

Candidates for appointment to vacancies shall meet the following criteria:

- a) demonstrate eligibility as a candidate in accordance with Article III, Section 2; and
- b) present to the Board a completed candidate application. which includes a nomination petition signed by at least 10 eligible members of the community.

Section 3. If after three (3) consecutive months, the Board is unable to meet quorum and attendance requirements, the City may place the Board in temporary inactive status, to allow the Board to work through its membership issues and return to active status. If the Board remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor may recommend to the Council that the Board's recognition be revoked.

## ARTICLE V

### Elections

Section 1. General elections of Board members shall be held during the month of March in accordance with the adopted elections procedures set forth herein.

The Board's general elections shall be held annually for four (4) expiring seats plus any vacant seats.

To be included in the official ballot that will be publicized to the community, the deadline to apply and qualify for candidacy in the March general election shall be no later than the conclusion of the February regular or special meeting. The Board's Election Committee shall be established no later than January and shall begin soliciting eligible community members to become candidates. The Election Committee shall verify eligibility of candidates, and present to the Board in February a complete list of qualified candidates collected up to that point in time. Candidates may be added at the February meeting. The Election Committee shall present election dates and procedures for approval at the February meeting. Approved procedures shall be publicized and made available to the public

Write-in candidates may establish eligibility similar to those candidates who will be included in the official ballot, including documenting eligibility and submitting an application for candidacy. The deadline for a write-in candidate to submit an application and documentation is the conclusion of the voting period. Write-in candidates will not be included on the official ballot that is publicized to the community.

In order to be a candidate in the March election, an eligible member of the community [see Article III, Section 2] must:

- a) demonstrate eligibility as a candidate in accordance with Article III, Section 2; and
- b) present to the Election Committee or Board a completed candidate application and a nomination petition signed by at least 20 eligible members of the community.

Nomination petition shall include name and address of residence or business of all signees.

Section 2. The Board shall make a good faith effort to utilize means appropriate to publicize the Board's eligibility requirements for candidacy and the upcoming elections.

In the election process, the Board shall seek enough new candidates to exceed the number of seats open for election in order to allow those who have served for nine (9) consecutive years to leave the Board for at least one year.

The Board shall hold its election by secret ballot on the same day as the regular March meeting but it shall be separate from the meeting. Voting shall be allowed at the regular March meeting location for at least two (2) hours immediately prior to or concurrent with the meeting.

During the election processes if there are seats of varying term lengths available, the candidates with the most votes shall receive the seats with the longer term of service remaining.

All members of the public shall be allowed to vote in Board elections, so long as they meet eligibility requirements of Article III, Section 2.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by California Elections Code or Section 5.1.1.

The Board will require proof of identity of those eligible community members who are seeking to vote in accordance with Section 5.1.1 through 5.1.4 of Council Policy 600-24 Terms and Conditions. Identifying information shall not be attached to ballots and shall be retained only as required to verify eligibility or resolve an election challenge.

The ballot presented to eligible community members to vote will clearly identify the names of all qualified candidates, excluding write-ins, which criteria they meet under Article III Section 2, how many candidates can be selected, and which candidates, if any, must receive votes on at least two-thirds of ballots due to service beyond nine (9) consecutive years of service.

The Board's policy is that write-in candidates are allowed. If it is determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new Board members shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances. The Board shall not develop or promote candidate slates

- Section 4. The election results will be announced within seven (7) days following the March meeting. The Chair is responsible for preparing, certifying and forwarding the election report to the City. Except in the event of an election challenge, 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 Board meeting.
- Section 5. Tie-breaker procedure: In the event of a tie vote for a seat, candidates shall draw numbers from a hat to determine the winner.
- Section 6. Election Challenge Procedure: Any challenge to the election results must be filed with the Board Chair or the chair of the Elections Committee in writing within 24 hours of the announcement of the results in order to allow enough time to resolve the issue. The Election Committee may convene a special meeting if necessary to make a determination and recommendation to the Board. Regardless of an Election Committee recommendation, the Board shall attempt to resolve the challenge as the first action item on agenda at the regular April meeting prior to seating the new Board. The Board shall otherwise follow procedures in Council Policy 600-24 and Article IX of these bylaws.
- Section 7. The Board's additional election procedures are as follows:
- a) Election Committee – An Election Committee will be formed each year to facilitate all facets of the election process in accordance with these bylaws and Council Policy 600-24. This Committee will be formed of members not running for election and will be validated by a majority vote of the board not serving on the Committee.
  - b) The Election Committee's duties are as follows:
    - 1. Report to the Board who, on the current Board, is up for reelection and if any open seats exist.
    - 2. Establish dates, deadlines of election process and update any details, including location of in-person voting location and ballot drop box location.
    - 3. Promote the election and solicit eligible community candidates through multiple communication tools (social media, email, website, local community groups, media, etc)
    - 4. Create/update paper ballot, paper voter registration process and forms. If offering a digital voting process in conjunction to the paper and in person process, committee will create digital ballot and voter registration. Ballot will be published and available online no later than 10 days prior to election.
    - 5. Set time/date for a candidate forum, either at an upcoming regular or special Board meeting, or held at another location or community group meeting. Candidates absent from the forum may elect to have someone give a statement on their behalf.
    - 6. Administer the election process, including the following: Establish and staff an in person voting location; manage the polling area and safekeeping of ballots, ballot drop boxes, and eligibility documents; Validate eligibility of voters; Count votes from in person, drop box, and digital ballots; Report voting results no later than 7 days after conclusion of election to Chair, candidates, and community through

multiple communication tools (social media, email, website, local community groups, media, etc)

## ARTICLE VI

### Board and Board Member Duties

Section 1. It is the duty of the 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 Board members to conduct official business of the Board in a public setting. It is recognized that the officers of the Board may oversee administrative business of the Board, such as the assembling of the agenda, in preparation for public discussions. However, no communication by a quorum of members shall occur outside of a properly noticed meeting.

It is the duty of a Board as a whole, and of each individual member, to refrain from conduct that is detrimental to the Board 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 Board's agenda.

The Board shall collaborate with City staff on an ongoing basis and as requested by the City to increase its members' understanding of the role and responsibilities of the Board.

### Section 2. Meeting Procedures

a) AGENDA POSTING - At least 72 hours before a regular Board or standing committee 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.

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

b) PUBLIC COMMENT- Any interested member of the public may comment on agenda items during regular or special Board meetings. In addition, each agenda for a regular Board meeting or regular standing committee 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 Board. Board members may make brief

announcements or reports to the Board on their own activities under the public comment section of the agenda. The Chair may establish time limits for public comment to ensure operational efficiencies.

- c) AGENDA ITEMS - Agenda items will be introduced/opened by the Chair and may include a presentation by a member of the public, and a report by the Chair of the appropriate committee responsible for making any recommendations to the Board. Agenda items shall include a public comment period; a discussion and question/answer portion for the elected board; and for action items, may include a motion and vote of the board.
- d) ADJOURNMENTS AND CONTINUANCES – If the Board does not convene a regularly scheduled meeting, there shall be a copy of the "Notice of Adjournment" of the meeting posted on the website and/or at the meeting location.
- e) 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.
- f) CONSENT AGENDA - For items to be considered for a “Consent Agenda” all of the following are required:
  - 1. A committee of the Board 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 Board/Public may comment on a consent agenda item. Any interested member of the Board/Public may take a consent agenda item off the consent agenda by request.

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

No member of the public shall be required, as a condition of attendance at any meeting of the Board, 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.

- (c) DEVELOPMENT PROJECT REVIEW - The 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 Board shall allow participation of affected property owners, residents and business establishments within proximity to the proposed development.

The Board 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.

- (d) EQUAL TIME FOR CANDIDATES OR BALLOT MEASURES – The Board will endeavor to grant equal time for candidates or ballot measures if docketed on agenda. Equal time does not apply to individuals speaking during non-agenda public comment.
- (e) VOTING PROCEDURES – An item not noticed on the agenda may be added if either two-thirds of all voting members of the Board, or every member if less than two-thirds of all voting members of the Board 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 Board subsequent to the agenda being posted.

A two-thirds vote of all voting members of the Board is required to remove a Board member in accordance with Article IX.

Removing a member requires a two-thirds vote of all voting members of the Board

Amendments to adopted bylaws require a two-thirds vote of all voting members of the Board.

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

All other Board actions, and committee votes, only require a simple majority of the voting members of the Board or committee in attendance when a quorum is present.

The Board Chair fully participates in Board discussions and votes on all action items.

The Board 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 agenda items shall reflect the positions taken by each member.

- (i) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the Board as to action to be taken on an item by members of the Board, 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.

- (j) **SPECIAL MEETINGS** - The Chair, or a majority of Board 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 Board 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 Board 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.
- (k) **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 Board and are prohibited under these bylaws.
- (l) **RIGHT TO RECORD** - Any person attending a meeting of the Board must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the Chair that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.
- (m) **DISORDERLY CONDUCT** - In the event that any Board meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the Chair may first cause removal of the individual or individuals. If that is unsuccessful then the Chair 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 Chair may also readmit an individual or individuals who were not responsible for the disruption.

### Section 3. Committees

- (a) **GENERAL** - The Board may establish standing and ad-hoc committees when their operation contributes to more effective discussions at regular Board meetings.
- (b) **COMMITTEE ELIGIBILITY** - To serve on a committee, an eligible community member must be appointed by majority vote of the Board. Youth community members (under age 18) may be appointed to a committee with written permission to serve from their legal guardian. Appointments to serve on committees should be validated and confirmed yearly during the April meeting of Board.
- (c) **STANDING COMMITTEES** – Pursuant to the purpose of the Board as identified in Article II, Section 1, the Board has established the following standing committees:
  - 1. Election Committee - as specified in Article V, Section 7.

2. Project Review Committee – reviews projects submitted to the Board by applicants or the City and makes recommendations to the Board
  3. Transportation Committee – reviews transportation and mobility issues affecting the community and makes recommendations to the Board
- (d) AD HOC COMMITTEES - Ad hoc committees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.
  - (e) COMMITTEE COMPOSITION – Committees shall contain a majority of members who are members of the Board. Non-members, who are duly appointed by the Board 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 Council Policy 600-24.
  - (f) RECOMMENDATIONS – Committee recommendations must be brought forth to the Board 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 Board without a formal vote of the Board.

#### Section 4. Abstentions and Recusals

- (a) RECUSALS - Any member of the Board with a direct economic interest in any project that comes before the Board or its committees must disclose to the Board that economic interest, and must recuse from voting and not participate in any manner as a member of the Board for that item on the agenda. A recusing member will not be reflected in the quorum or vote for that item.
- (b) ABSTENTIONS – Members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member’s ability to make a fair decision, or where that voting member lacks sufficient information upon which to cast a vote. The member must state, for the record, the reason for the abstention. The Board’s record of the vote on the item will reflect the abstaining member in the vote, and they will count towards the quorum and vote for that item.

#### Section 5. Meeting Documents and Records

- a) 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 Board, 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.

- b) AGENDA AT MEETING - Any written documentation, prepared or provided by City staff, applicants, or Board members that is distributed at the Board meeting shall be made available upon request for public inspection without delay. If such material is distributed at the Board 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 Board 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 the materials requested by an individual or individuals.
- c) MINUTES – For each Board meeting, a report of Board member attendance and a copy of approved minutes shall be retained by the Board, 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 Board’s next regularly scheduled meeting. The minutes of each Board 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 Board action) appeared before the Board. If an applicant did not appear before the Board 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 Board meeting. A copy of the approved minutes shall be submitted to the City upon request. A copy of the Board’s approved minutes shall be posted to the Board’s website within 14 days of approval.
- d) Maintenance of Open Records - The Board shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, ballots, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.
- e) Written applications submitted to the Board by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the Board in accordance with Policy 600-24. The Board will submit to the City the rosters of Board voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of Board elections.

Section 6. The Board and its members should routinely seek robust community participation in the Board planning and implementation process to serve the best long-term interest of the community at large.

Board members are expected to research and educate themselves on all items that come before the Board where one must take an action or position, and seek community wide understanding of the issues at hand. Each member 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 7. It shall be the duty of the Board to maintain a current, up-to-date roster of the names, terms, and category/qualifications of Board members in its possession, and to forward the current roster, as well as any updates, to the City by May 1 of each year. The Board ~~may~~ must also submit to the City an annual report of accomplishments and major actions on large projects and policy matters for the previous 12 months and anticipated objectives for the coming year related to Article II, Section 1 above. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes. Rosters and annual reports constitute records which can be disclosed under the Brown Act.
- Section 8. To measure community representation, the Board shall gather demographic data of existing and new Board voting members at the time of elections or other regular periods to measure inclusion and diversity on the Board. This data should be submitted to the City along with annual rosters required by Section 7 of this article. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.
- Section 9. The Board may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the Board 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 Board meeting. All contributions must be voluntarily made, and no official Board correspondence may be withheld based on any individual's desire to not make a voluntary contribution.
- Section 10. The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City. The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1st of each succeeding year for as long as the voting member is serving or re-elected. Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

## ARTICLE VII

### Board Officers

- Section 1. The officers of the Board shall be elected from and by the members of the Board. Said officers shall consist of a Chairperson "Chair", Vice Chairperson "Vice Chair", Treasurer and Secretary. The length of an officer's term shall be one year except that no person may serve in the same Board office for more than nine (9) 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. At the end of each officer's one-year term, the Board shall either re-elect that officer or nominate and vote to elect a replacement officer.

Section 2. Chair. The Chair shall be the principal officer of a recognized community Board and shall preside over all Board and communitywide meetings organized by the Board. The Chair shall be responsible for drafting and posting the Board agenda and shall serve as the point of contact for development applicants.

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

The Chair shall maintain a current, up-to-date roster of the names of Board members to be kept on file in the office of the Planning Department, and to submit the Board's Annual Report to the City.

Section 3. Vice Chair. In the absence of the Chair, the Vice Chair shall perform all the duties and responsibilities of the Chair.

Section 4. Treasurer. The Treasurer shall be responsible for the Board's finances.

Section 5. Secretary. The Secretary shall be responsible for the Board's correspondence, attendance records, and minutes and actions [including identification of those Board members that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons], and shall assure that Board 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 6. The Chair shall be the Board's representative to the Community Planners Committee (CPC). However, by vote of the Board, a Board member other than the Chair may be selected as the official representative to CPC with the same voting rights and privileges as the Chair. Designation of a member other than the Chair for either representative, as well as for the Board'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 7. The Board officers and representatives to the CPC shall promptly disseminate to all elected Board members pertinent information that is received by the Board regarding its official business.

## ARTICLE VIII

[Reserved]

## ARTICLE IX

### Rights and Liabilities of the Board

Section 1. Indemnification. Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the Board or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the Board or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with Council Policy 600-24 Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the Board or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

Section 2. Violations and Remedies Related to Provisions Citing the Brown Act. Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the Board will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void Board actions. Individual voting members of the Board, as well as the Board as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the Board, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the Board may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The Board, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the Board to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The Board, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under Council Policy 600-24 or San Diego Ordinance O-19883.

Section 3. Violations of Membership Eligibility. Any Board voting member who violates membership eligibility as defined in Article III, Section 2, may be removed by the remaining Board voting

members per these bylaws.

- Section 4.      Violations and Remedies. If the Board violates Council Policy 600-24, it may forfeit its status as a recognized Community Planning Group and lose its right to indemnification and defense by the City. A Board voting member and the Board itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of Council Policy 600-24 or these bylaws by a Board member, the Board will conduct an investigation consistent with Policy 600-24 and these bylaws.

In the case of an alleged violation of Policy 600-24, the violation shall be forwarded in writing to the City for review by the Mayor or their Designee. The Board will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

- Section 5.      Disciplinary Actions of Individual Members  
Board members found to be in violation of the bylaws or Council Policy 600-24 shall only be disciplined or removed by the Board at a scheduled Board meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

- Section 6.      Potential Conflicts of Interest  
Board members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the Board, which may include expulsion from the board. The Board will report in writing instances of disciplinary action to the City within 60 days of any allegation.

- Section 7.      Procedure for Investigation and Removal of Members

- a) Investigation procedures for Board member violations are outlined below. For purposes of this section, if an officer is the subject of the complaint, they shall be recused from administering this process. Officer duties in this section shall be assumed in the following order of succession: Chair, Vice-Chair, Treasurer, Secretary, most-tenured member.
- b) Documenting a violation:
  1. A complaint that a violation of bylaws or Council Policy 600-24 has occurred must be presented to the Chair.
  2. The complaint shall be detailed enough to provide a description of, and timeframe within which, the alleged violation was committed and who was responsible for the violation.
  3. The complaint shall 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 Board member, the Chair [or other officer] may assist in providing appropriate citations to assist the complainant.

4. The Chair will confer with the Board officers regarding the complaint. The Chair shall create a written record of the complaint and alleged violation and immediately provide it to the alleged violator.
- c) Procedures for administering and acting on investigating a violation: While the authority for this process rests with the Board, City staff may be contacted for assistance at any point in the process.
1. Once the information about an alleged violation is completed in writing, the Chair, with assistance from the Board officers, will meet and talk with the Board member against whom the violation is alleged. The allegations will be presented and the Board member shall be given opportunity for rebuttal.
  2. If the Chair, with assistance from the Board officers, determines that no violation has actually occurred, the Chair may record this in the written record of the complaint and notify the complainant.
  3. If the Chair, with assistance from the Board officers, determines that a violation has occurred but the situation can be remedied either by action of the Board or by the Board member, then the Chair will outline the necessary actions to achieve the remedy and notify the complainant.
  4. If the above procedure does not remedy the situation to the satisfaction of the Chair, officers, and complainant, then the Chair shall set the matter for discussion at the next Board meeting, including the possible removal of the member. The Board member accused of the violation shall be given immediate written notice about the meeting discussion, and will be given the opportunity to resign prior to docketing the matter for a Board discussion.
- d) Presenting a violation to the Board, and removal of a member:
1. The matter of removing a seated Board member will be placed on the Board's agenda as a potential action item. Supporting materials from the Chair and from the accused Board member will be made available to the Board members upon posting notice of the meeting, or immediately when available thereafter.
  2. The matter will be discussed at the Board's regular meeting with opportunity given to the Board member who allegedly committed the violation to present their case and/or rebut documentation gathered by the Chair with the assistance of the Board officers. The member may also request a continuance of the item to gather more information to present to the Board.

3. At the end of the discussion, the Board may, by a two-thirds vote of all voting members, choose to remove the member.

e) Recourse for expelled member:

1. There is no appeal available to a Board member removed by a two-thirds vote of all voting members of the Board.
2. The Board member's seat shall be immediately declared vacant and subject to provisions of Article IV.
3. The removal of a Board member by a two-thirds vote of all voting members of the Board will not prohibit the member from seeking re-appointment or running for a Board seat in future scheduled elections.

Section 8. Violations and Remedies for Quorum and Attendance Requirements

If the Board is unable to meet quorum and attendance requirements for three consecutive months, then City may place the Board in a temporary inactive status, to allow the Board to work through its membership issues to return to active status. If the Board remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the Board's recognition be revoked.

Section 9. Violations of City Requests for Input

The Board acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

Attachments:

EXHIBIT A: Community Participation and Representation Plan

EXHIBIT B: Ocean Beach Planning Board Boundaries. The Ocean Beach Planning Board will represent the community of Ocean Beach.



Exhibit B: Ocean Beach Planning Board Boundaries

Ocean Beach Planning Board

EXHIBIT A: Community Participation and Representation Plan

*[How will your Planning Group fairly represent all members of your community? Please explain how your Planning Group's member composition is representative of the diverse interests in your community.]*

[https://www.sandiego.gov/sites/default/files/cpd\\_600-24\\_diverse\\_interest\\_document\\_v3.pdf](https://www.sandiego.gov/sites/default/files/cpd_600-24_diverse_interest_document_v3.pdf)

- Planning Board members are elected directly by voting members of the diverse community served.
- All eligible candidates interested in serving as Planning Board members must gather required signatures of support from throughout the diverse community served in order to run for election.
- Planning Board members advertise elections at board meetings, other community groups, social media, and news media to attract a larger pool of candidates.
- Planning Board member seats will at a minimum include the following demographics, incorporating diverse representation from the community served:

Two Renters; Two Residential Property Owners; One Business Owner

- To ensure long-term diverse participation and fresh perspective, Planning Board members may only serve 3-year terms with a maximum of 3 consecutive terms allowed.
- Planning Board members encourage participation in committees by other community members interested in advocating for specific areas of interest. (ie. parks, transit, bicycle facilities, etc.).
- Planning Board meetings to be held at an accessible, safe, and centralized location within the community served.
- Planning Board meetings to be held at a locally available facility that allows and encourages community attendance and engaged participation from all community members served.
- Planning Board meetings to be held at accessible time and date that is most convenient for diverse members of community served, and with consistent schedule (ie. "every 1st Tuesday of the month").
- Planning Board meeting materials provided in accessible format (hard copy, digital - available for translation via Google, etc.) and with clear and correct grammar at basic readable level (ie. "5th grade").
- To ensure broad awareness throughout the diverse community served about Planning Board activities, action items and opportunities, information about Planning Board meetings will be distributed via internet, social media, and noticing at local facility(s) (ie. Community Recreation Center, Library, etc.).
- Planning Board members will be asked to voluntarily self-submit demographic data via survey, including the following, per City Council Policy 600-24:

Age range; Nature of relationship to community (homeowner, renter, or business owner);  
Duration of relationship to community; Ethnicity; Race; Gender; Professional background or  
expertise; Length of service or involvement with the CPG (Planning Board)

*Approved by an action of the Ocean Beach Planning Board on October 4, 2023*

# Ocean Beach Planning Board

Planning for the future of Ocean Beach, San Diego

## MEMBERS

The Ocean Beach Planning Board consists of 16 elected members: two (2) representatives from each district plus two (2) at-large representatives. Terms are two (2) years, with the two (2) seats in each district being staggered so one (1) seat becomes available every other year. (Letters next to each district number indicate whether that seat is elected in “E”ven or “O”dd years.) Each member may serve up to four (4), two (2) year terms for a total of eight (8) years.

View information about joining the Board.

## Board Officers

- Chair: Andrea Schlageter
- Vice Chair: Kevin Hastings
- Treasurer: Tracy Dezenzo
- Secretary: Chris Peregoy

## Board Roster

| District | Name                 | Member Since   | Current Term<br>Expiration<br><i>Members serve for a<br/>maximum of 8 years</i> |
|----------|----------------------|----------------|---|
| 1E       | Tracy Dezenzo        | September 2018 | March 2024  |
| 1O       | Denise Larson        | December 2023  | March 2025  |
| 2E       | Stephanie Villamizar | March 2022     | March 2024  |
| 2O       |                      |                |   |
| 3E       | Virgina Wilson       | October 2018   | March 2024  |
| 3O       |                      |                |   |
| 4E       |                      |                |   |

## SITE MAP

|   |
|---|
| Home  |
| Meetings                                    |
| News  |
| News, Letters,<br>Policies &<br>Resolutions |
| Resources                                   |
| About OB                                    |
| OB Community Plan                           |
| What to Expect at<br>the PRC                |
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| City Permit Lookup<br>(OpenDSD)             |
| About Us                                    |
| Members                                     |
| Bylaws                                      |
| Elections / Serving<br>on the OBPB          |
| Contact                                     |

| District   | Name                         | Member Since   | Current Term Expiration<br><i>Members serve for a maximum of 8 years</i> |
|------------|------------------------------|----------------|--|
| 4O         | <b>Chris Peregoy</b>         | March 2023     | March 2025   |
| 5E         | <b>Numan Stotz</b>           | May 2022       | March 2024   |
| 5O         |                              |                |  |
| 6E         | <b>Kevin Hastings</b>        | September 2018 | March 2024   |
| 6O         |                              |                |  |
| 7E         | <b>Nicole Ueno</b>           | April 2020     | March 2024   |
| 7O         |                              |                |  |
| At Large E | <b>Andrea Schlageter</b>     | April 2017     | March 2024   |
| At Large O | <b>Christopher Chalupsky</b> | September 2019 | March 2025   |

Letters next to each district number indicate whether that seat is elected in “E”ven or “O”dd years.

## Board Member Bios



### **Chris Chalupsky**

At Large

Chris Chalupsky oversees the Arts Program at San Diego International Airport with a focus on developing programming and partnerships with artists and arts organizations in the San Diego community. His 20+ years of experience in cultural arts and entertainment programming, including record label roles in the music industry of Los Angeles and staff for the City of Chicago’s Department of Cultural Affairs & Special Events, reinforces the two through-lines of his life and career: creativity + community.

Chris moved to Ocean Beach in 2016 after he and his wife Ashely strategically chose OB as their new, and final home (having previously lived in LA, OC, NYC and CHI). They plan to raise their family here. Chris hopes to bring his passion and expertise in civic government and arts administration to the OBPB for the betterment of all Obecians. His mission is to enrich lives through collaborative arts-based approaches & projects of the highest caliber. He also has a personal interest in architecture.

Chris sits on the San Diego Regional Arts & Culture Coalition Steering Committee (SDRACC) and is a registered member of the American Society of Composers, Authors, & Publishers (ASCAP) and Songwriters of North America (SONA). He is a Minnesota native and an art creator himself, being a published songwriter and musician.



**Tracy Dezenzo (Treasurer & Chair of Transportation Committee)**

District 1

Tracy Dezenzo has been an OB Planning Board Member since September 2018, has been an OB resident for over 25 years, and is proud to represent Ocean Beach's District 1 (*aka the war zone*).

Tracy holds a BA in Fine Art from UC San Diego and a BS in Graphic Design & Marketing from the Art Institute. She has been a graphic designer for over two decades, worked as a graphic design instructor for almost ten years, and is an award-winning graphic designer. She is currently pursuing a degree in American Sign Language and eventually hopes to work as an interpreter advocating for the Deaf.

In December 2019, Tracy was appointed by Councilmember Campbell and Mayor Faulconer, to represent San Diego's District 2 on the San Diego Commission for Arts and Culture. She sits on the Commission's Policy and Funding committee.

In September 2021 she was elected by the 92107 community to serve on the Ocean Beach Town Council Board of Directors where she is also Chair of the Advocacy Committee.

She is a grateful member of the Ocean Beach community and lives in this wonderful town with her husband Bill.



**Kevin Hastings, P.E. (Vice Chair & Chair of Project Review Committee)**

District 6

Kevin Hastings was born and raised in California, from the beach to inland Los Angeles, and in the small mountain town of Tehachapi. He graduated from Cal Poly, San Luis Obispo with a mechanical engineering degree and has worked in the

profession for 15 years, gaining experience with design and construction of high-rises, single family homes, and commercial projects. Kevin has lived in San Diego since 2004 and Ocean Beach since 2014. He has been active in the community, cleaning trash and graffiti from our beaches, volunteering his time at Town Council events, and fighting for OB's interests at city hall. In his free time you might find him hiking our cliffs or at the dog park. Kevin and his wife Micki are raising their new family here and are committed to Ocean Beach for the long haul.



**Chris Peregoy**

District 4

I have been in OB as a business owner for over 5 years now. As owner/operator of the Ocean Beach Business Center, I have the privilege of assisting our community with their day-to-day personal and business needs. As a member of the Planning Board, I look forward to working towards the long term

betterment of Ocean Beach.



**Andrea Schlageter (Chair)**

At Large

Andrea Schlageter was born and raised in the Ocean Beach Point Loma area. A graduate of Point Loma High School Class of 2009, she went on to study Political Science and International Relations at Boston University ('13). She is thrilled to be back in America's finest city and working on the Planning Board to help

ensure that Ocean Beach maintains it's unique neighborhood. She is also excited to be able to represent the needs of the younger and up and coming generations.



**Numan Stotz**

District 5

Numan Stotz is proud to be a member of the Ocean Beach Planning Board, serving District 5.

As a born and raised local, he has seen Ocean Beach grow and change over time.

Numan has been a local real estate broker for nearly 15 years, buying, selling and managing anything associated with real estate, which is another reason Numan was excited and willing to make recommendations regarding real estate in a town he loves so much!

Numan was lucky enough to marry his favorite sweetie Annie, they have a crazy, fun son Grayson (6), and a princess bear Gianna (3).

**Nicole Ueno (Chair of Parks Committee)**

District 7

A native OBcean, Nicole has a deep respect for the incredibly unique and tight-knit community of Ocean Beach. As a resident and business owner, she understands local issues and is passionate about listening to perspectives and ideas from the people who are most impacted by community planning & policies. From volunteering with and



donating to the OB Town Council, becoming a member of the OBCDC, and joining the OBMA's Economic Vitality Committee, her record is one of engagement, action, and service. She has a passion for helping Ocean Beach residents and businesses thrive, and is particularly interested in spaces and events that help build community.



### **Stephanie Villamizar**

District 2

Stephanie Villamizar was born and raised in Southern California. After graduating Architecture school and traveling the world, she and her husband purchased their first home, a historical beach bungalow, here in Ocean Beach.

Stephanie brings 10+ years of Architecture knowledge and experience in residential, commercial, and civic projects with an emphasis in historic preservation.

In her free time, you can find her grabbing a coffee and acai from one of our many local spots, working out at Performance 360 or taking a walk on the beach with her husband and their puppy.

Stephanie was seated on the Ocean Beach Planning Board in April 2022 and is excited to represent the community!



### **Virginia Wilson**

District 3

Virginia joined the OB Planning Board, October 2018.

She was appointed by Mayor Faulconer in June 2017 to represent San Diego's District 2 on the Community Forestry Advisory Board and has been instrumental in the protection of

some of the Ocean Beach Torrey Pines.

As a member of Save Peninsula Trees, she has also been a strong advocate for the City of San Diego's "Free Tree" program and encourages developers, property owners and residents to keep existing trees onsite, plant new ones or apply for a "Free Tree" to increase the urban canopy in San Diego.

## **Subcommittee Rosters** *as of March 2023*

### **PRC** (*standing*)

- Kevin Hastings (Chair/Secretary)

- Chris Chalupsky
- Chris Peregoy
- Stephanie Villamizar

#### **Transportation** (*standing*)

- Tracy Dezenzo (Chair)
- Andrea Schlageter

#### **Parks** (*ad hoc*)

- Nicole Ueno (Chair)
- Tracy Dezenzo (Secretary)
- Stephanie Villamizar

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RECENT OB PLANNING BOARD NEWS

VOTING IS NOW OPEN FOR YOUR 2023 OB PLANNING BOARD

OB Planning Board meeting – June 1 at 6pm

LAST CHANCE TO VOTE for your 2022 OB Planning Board candidates.

Interested in running for a seat on the Ocean Beach Planning Board?

# Ocean Beach

■ Member Count

■ Percent Group

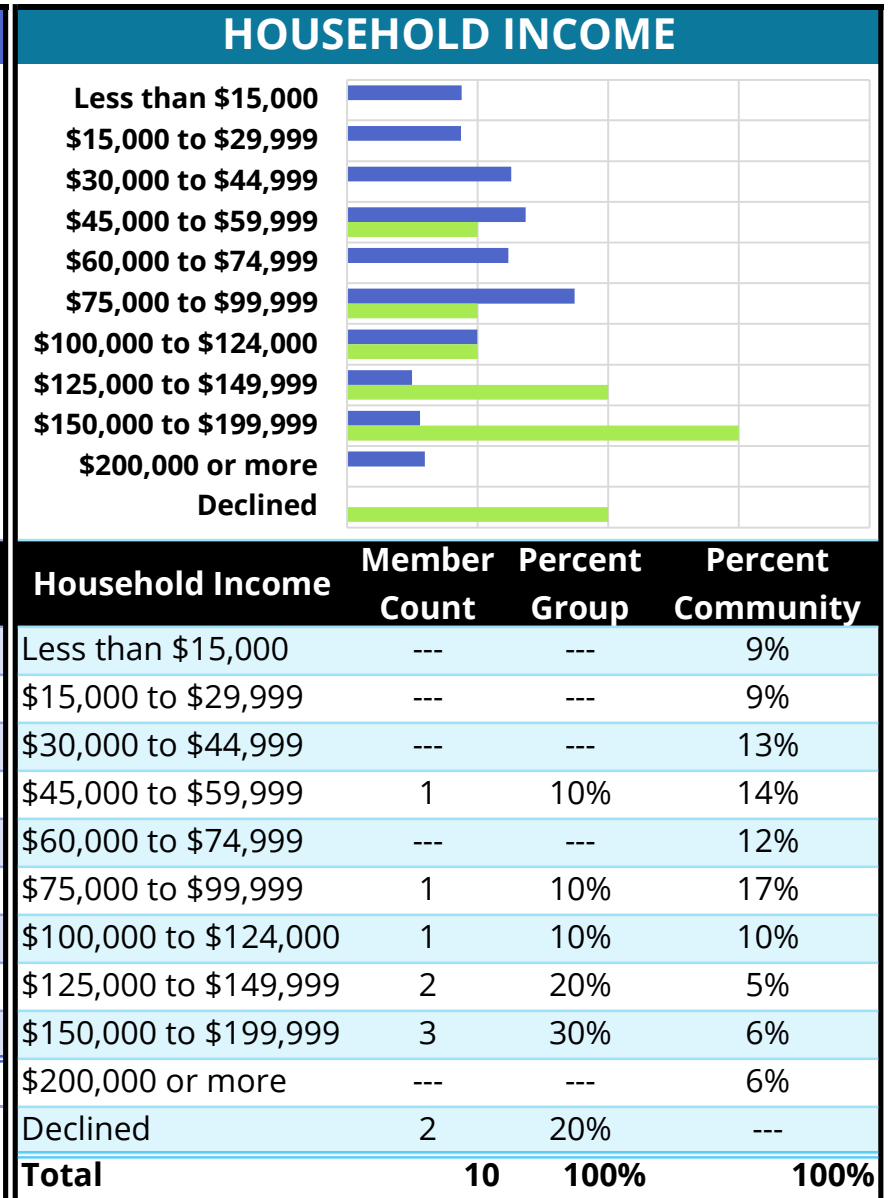
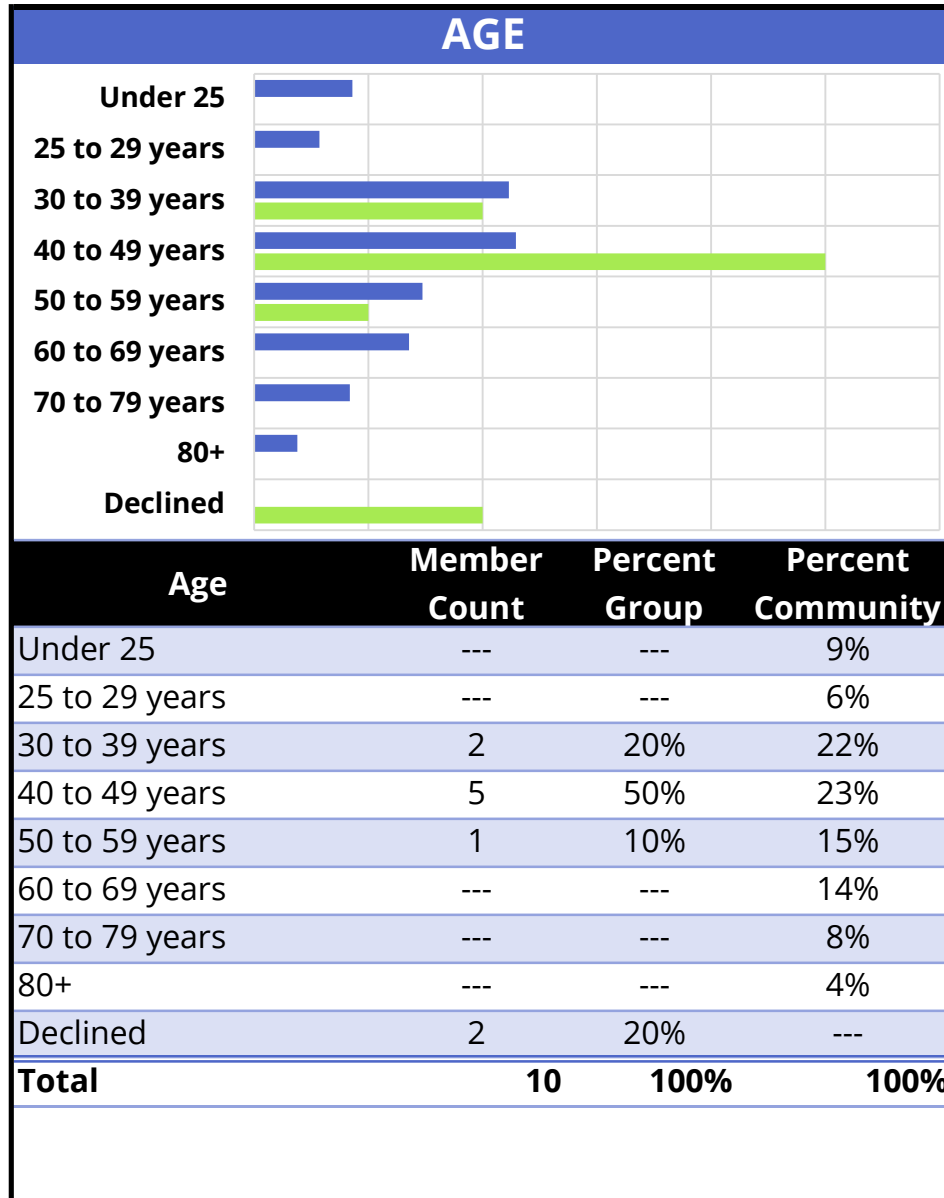
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 2            |
| Property Owner                      | ---          |
| Renter                              | 4            |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | 2            |
| <b>Total</b>                        | <b>10</b>    |

| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 3.8%              |
| Black            | ---          | ---           | 2.5%              |
| Hispanic         | 1            | 10.0%         | 19.3%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 6            | 60.0%         | 69.4%             |
| Two or More      | 1            | 10.0%         | 3.8%              |
| Other            | ---          | ---           | 0.4%              |
| Declined         | 2            | 20.0%         | ---               |
| <b>Total</b>     | <b>10</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Ocean Beach

■ Percent Group ■ Percent Community



## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 28, 2024, 1:03:51 PM

What is the official name of your Planning Group?

**Old Town San Diego Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Old Town San Diego**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

#### Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**
- **Renter**
- **Local Business Owner or Operator**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**Hispanic**

Age

**70 to 79**

How will your Planning Group be accessible to all members of your community?

**Posting meeting notices at meeting location, share meeting information in digital formats, post printed meeting notices in public places, reach out to cultural/historic organizations, work with the council office and Mayor's office to amplify outreach.**

How will your Planning Group fairly represent all members of your community?

**The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.**

Applicant Representative

**Linda Acuna**

Email

**bear250@icloud.com**

Phone Number

**6198908809**

Please include the following documents.

**PDF**      Operating Procedures Template\_ V.3 -2 copy.pdf  
579.6KB

## Community Planning Group Recognition Member Composition Form - Worksheet

**Planning Group Name:** Old Town San Diego Community Planning Group

### RACE/ETHNICITY

☐\_1\_ American Indian

☐ Asian

☐ Black

☐\_3\_ Hispanic

☐ Pacific Islander

☐\_3\_ White

☐\_1\_ Two or more races

☐ Other

### HOUSEHOLD INCOME

☐\_1\_ Less than \$15,000

☐ \$15,000 to \$29,999

☐ \$30,000 to \$44,999

☐\_2\_ \$45,000 to \$59,999

☐ \$60,000 to \$74,999

☐\_1\_ \$75,000 to \$99,999

☐\_1\_ \$100,000 to \$124,999

☐\_2\_ \$125,000 to \$149,999

☐ \$150,000 to \$199,999

☐ \$200,000 or more

### COMMUNITY AFFILIATION

☐\_2\_ Homeowner

☐\_2\_ Property Owner

☐\_2\_ Renter

☐\_5\_ Local Business Owner or Operation

☐ Youth Representative (Age under 25)

☐ Other

### AGE

☐ Under 25

☐ 25 to 29

☐ 30 to 39

☐\_1\_ 40 to 49

☐\_1\_ 50 to 59

☐\_1\_ 60 to 69

☐\_3\_ 70 to 79

☐\_1\_ 80+

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**Old Town San Diego Community Planning Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the **Old Town San Diego Community Planning Group** (the “OTSDCPG”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

## **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **Old Town San Diego Community Planning Group**. The community planning boundaries of this planning group are the boundaries of the Old Town San Diego Community, as shown in Exhibit A.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

#### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### **3.1 Membership**

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### **3.2 Community Outreach**

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### **3.3 Collection of Membership Data**

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. Planning Group Composition**

#### **4.1 Number of Voting Members**

The OTSDCPG shall consist of: fifteen (15) elected 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.

#### **4.2 Voting Member Eligibility**

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

(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 OTSDCPG at one time), or

(4) representative of a community organization which is active in and has a physical presence in the community planning area. (Each eligible organization shall be limited to a single designee.)

An individual who has filed an application for membership with the group secretary, will become an eligible community member of the community, if the person meets the criteria set out above.

#### 4.2.1 Minimum Age

To be an eligible community member an individual must be at least 18 years of age,.

#### 4.2.2 Minimum Attendance Requirements

An individual may become an eligible community member for the purpose of becoming a candidate for an OTSDCPG elected seat by demonstrating the above qualifications to be an eligible community member, as well as documented attendance at two (2) meetings of the OTSDCPG's last twelve (12) meetings, by the February regular meeting preceding the election, to the planning group's Secretary, or Nominations and Elections Committee.

#### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

N/A

##### 4.3.2 Youth Seats

N/A

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the OTSDCPG shall be elected to serve for fixed terms of three (3) years, with expiration dates during alternate years to provide continuity.

No person may serve on the planning group for more than nine (9) consecutive years. The nine (9) 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 nine (9) consecutive years shall again be eligible for election to the planning group. If an elected member resigns during his/her ninth (9th) consecutive year, said person cannot be elected until said person had at least one (1) full year break in service. 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 nine (9) 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.

##### 4.4.2 Waivers of Maximum Time of Service

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 nine (9) 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.

### **5. Open and Public Elections**

#### 5.1 Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.2 Voter Identification for Resident Community Members Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.
- (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

### 5.3 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

### 5.4 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

5.5 Voter Identification for Community Non-Resident Property Owners Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.6 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

Planning group operating procedures in this section will address the following election procedures:

General elections of OTSDCPG members shall be held during the month of March in accordance with the elections procedures found in Article VIII, Section 1(e) of these bylaws.

The OTSDCPG's general elections shall be held annually.

The deadline to qualify for candidacy in the March general election shall be prior to or at the February noticed regular or special meeting of the full planning group membership preceding the election. The planning group's Nominations and Elections Committee shall be established no later than November in the year prior to the March election and shall begin soliciting eligible community members to become candidates. In February, the Nominations and Elections 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 immediately before the March elections.

In order to be a candidate in the March election, an eligible community member must have documented attendance at two (2) meetings of the OTSDCPG's last twelve (12) meetings prior to the February regular meeting preceding the election.

The OTSDCPG 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 nine (9) consecutive years to leave the group for at least one year.

The OTSDCPG holds its election on the date of March OTSDCPG meeting, prior to the start of the OTSDCPG meeting.

The OTSDCPG 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 community members.

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 nine consecutive years of service.

The OTSDCPG planning group's policy related to write-in candidates is that write-in candidates are not allowed.

Voting to elect new OTSDCPG members at the March elections 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.

The OTSDCPG's election becomes final after announcing the election results at the start of the noticed, regular March monthly planning group meeting. The Chairperson is responsible for preparing, certifying and forwarding the election report to the City. New members shall be seated in March at the start of the regular meeting in order to allow their full participation as elected members at the March planning group meeting.

Any challenge to the election results must be filed with the chair of the Nominations and Elections Committee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Cut-off date for candidates to submit nominations, which generally should be a planning group's regular February meeting before an annual March election.

### 5.7 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### **6.1 Professional Conduct**

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### **6.2 Rules of Procedure**

The planning group shall adopt rules of procedure for its meetings, such as [Robert's Rules of Order](#) to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### **6.3 Transparency in Operations**

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

6.4 Planning group operating procedures in this section will address the following duties, operations and procedures:

It shall be the duty of each member of the OTSDCPG to attend all planning group meetings.

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.

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.

PUBLIC COMMENT - Any 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.

**ADJOURNMENTS AND CONTINUANCES** – If the OTSDCPG 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.

**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.

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

A subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,

All members of the public were given an opportunity to address the subcommittee, and

The item has not substantially changed since the subcommittee's consideration.

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

**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.

**DEVELOPMENT PROJECT REVIEW** - The OTSDCPG 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.

**ACTION ON AGENDA ITEMS** - An item not noticed on the agenda may be added if either two-thirds of the elected members of the OTSDCPG, or every member if less than two-thirds of the elected members of the OTSDCPG 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 vote of the elected members of the OTSDCPG is required to remove an elected 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 elected members of the OTSDCPG for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the elected members of the OTSDCPG.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the elected members of the OTSDCPG.

All other OTSDCPG actions, including subcommittee votes, only require a simple majority of the elected members of the group in attendance when a quorum is present.

The OTSDCPG's Chairperson fully participates in the 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in Article III, Section 1 of Council Policy 600-24.

**COLLECTIVE CONCURRENCE** - Any attempt to develop a collective concurrence of the members of the OTSDCPG 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.

**SPECIAL MEETINGS** - The chair of the OTSDCPG, 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.

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 OTSDCPG and are prohibited under these bylaws.

RIGHT TO RECORD - Any person attending a meeting of the OTSDCPG 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.

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.

#### 6.5 Planning Group Officers

The officers of the OTSDCPG shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Treasurer and Secretary.

The officers of the OTSDCPG shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Treasurer 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 or nine 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. The Officers shall be elected at the April meeting, as first item of business, after a quorum has been established.

*Chairperson:* The Chairperson shall be the principal officer of the recognized community planning group and shall preside over all planning group and communitywide meetings organized by the planning group; set the agenda of the monthly meetings; be the point of contact for development applicants and attend any further duties as requested by the planning group.

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 OTSDCPG.

*Vice Chairperson:* In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson and any further duties as requested by the planning group.

*Treasurer:* The Treasurer shall collect record and maintain any and all financial records on behalf of the planning group and report the status of such in the form of a Treasurer's report at each meeting and shall be recorded in the minutes. The Treasurer shall announce at each meeting that the donation is strictly a voluntary donation, that will be used for help defray the cost of meeting notice, election material and make periodic donations to the Whaley House for their allowing the planning group to use their facilities for their monthly meetings.

*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 is also responsible for maintaining the planning group's roster, including tracking the term start date and end date for each OTSDCPG seat. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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.

The OTSDCPG officers and representative to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

#### Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

#### Additional planning group Officer Responsibilities

The OTSDCPG officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

## 7. Additional Planning Group Responsibilities

### Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The planning group should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards. **[THE FOLLOWING ARE EXAMPLES OF ACCEPTABLE PLANNING GROUP ETHICAL STANDARDS:]**

#### Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting

member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

#### Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

#### Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

#### Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

## **8. Planning Group Rights and Liabilities**

### Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California

Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or

emailing [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

#### Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

#### Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take

corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

## **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES.

The OTSDCPG will represent the community of Old Town San Diego.

## **OLD TOWN SAN DIEGO COMMUNITY PLANNING GROUP**

### **Community Participation and Representation Plan**

The Old Town San Diego Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Be proactive in listening to community needs and effectively communicating these to the City.

## **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods
- Be respectful of people's opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the American Bar Association and the National Conflict Resolution Center.
- Ensure a safe, accessible meeting space.

## **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group.
- Share meeting information in digital formats.
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Public transit hubs
  - Local businesses
  - Meeting location
  - Community information centers
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media.
- Reach out to cultural/historic organizations that are active in the community, such as BOOT (Boosters of Old Town), and Descendants of Old Town.
- Work with the council office and the Mayor's Office to amplify outreach.

## **Measuring Success**

- The Planning Group will strive to monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- The Planning Group will make an intentional effort to bring in community members that have historically faced barriers to participation in Planning Groups and qualitatively report on these efforts as part the annual report.

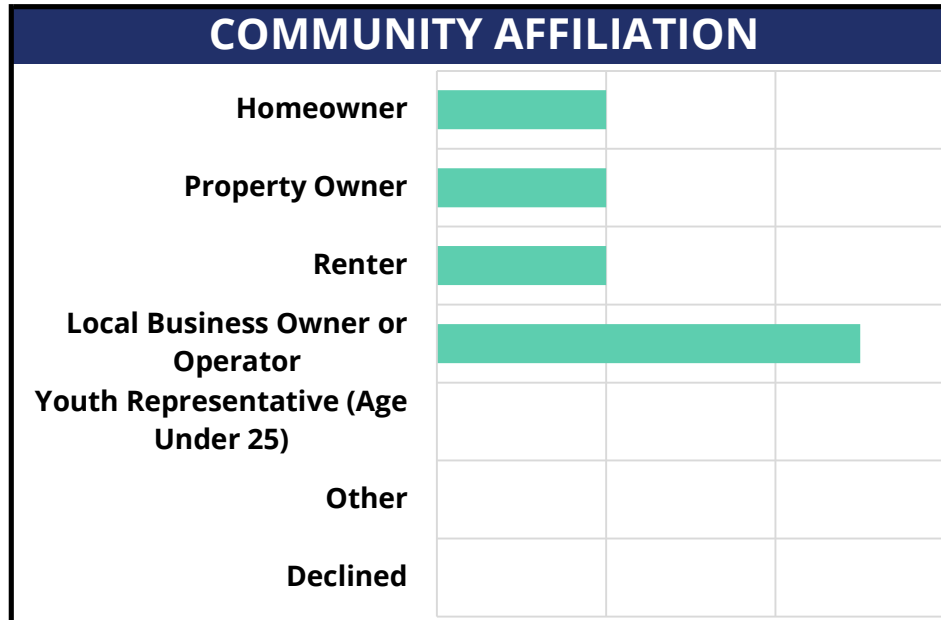


# Old Town San Diego

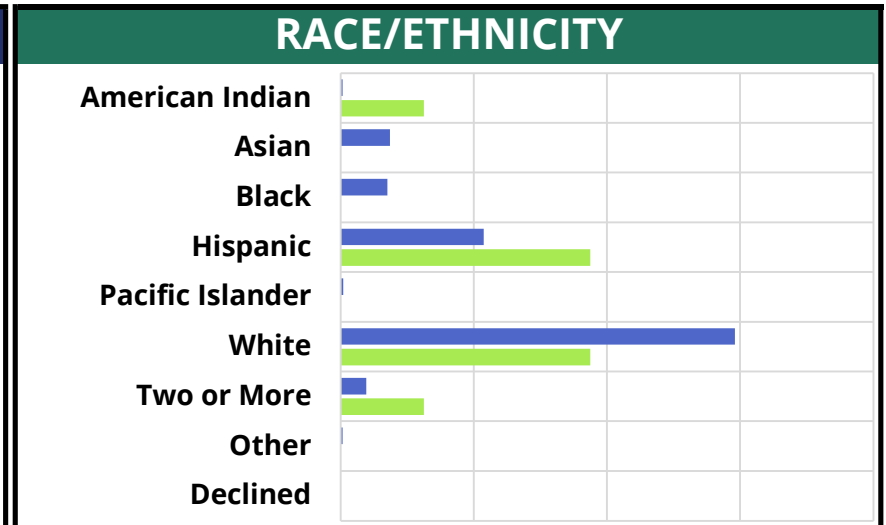
■ Member Count

■ Percent Group

■ Percent Community



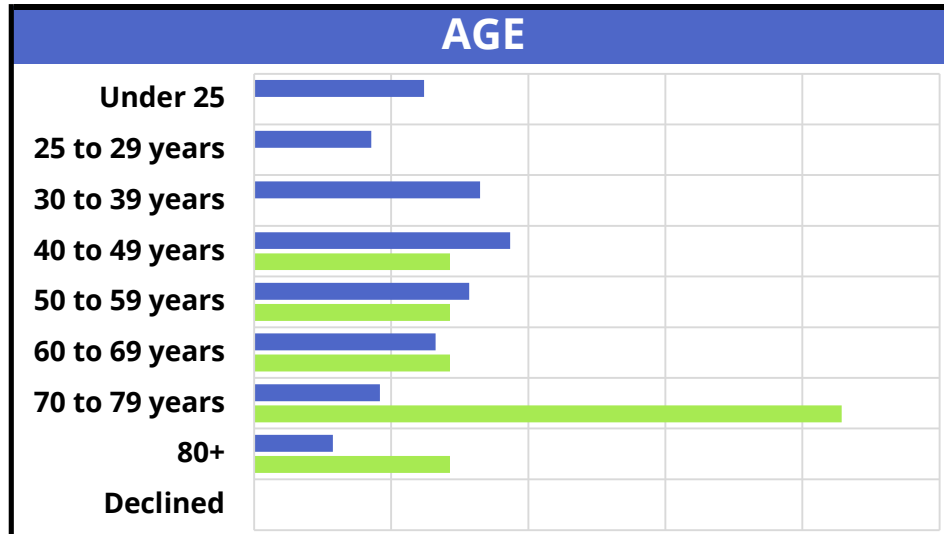
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 2            |
| Property Owner                      | 2            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 5            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



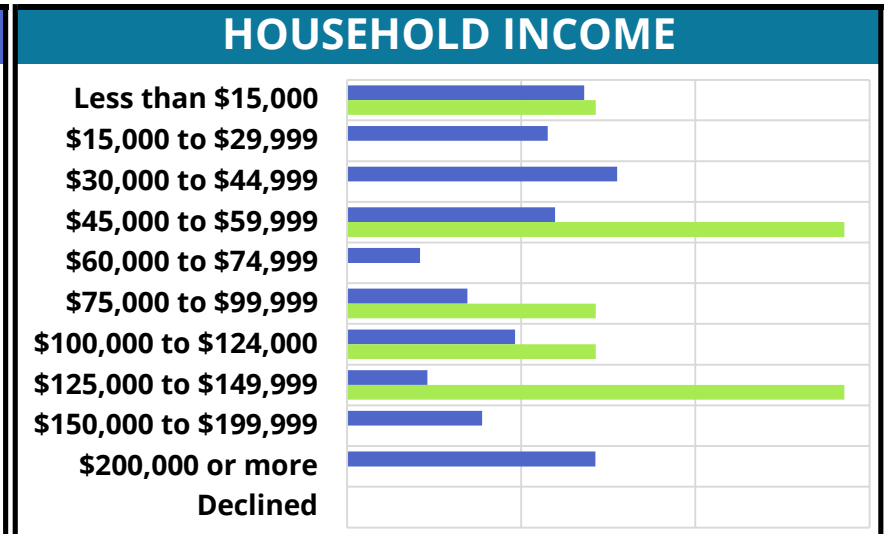
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | 1            | 12.5%         | 0.3%              |
| Asian            | ---          | ---           | 7.4%              |
| Black            | ---          | ---           | 7.0%              |
| Hispanic         | 3            | 37.5%         | 21.5%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 3            | 37.5%         | 59.2%             |
| Two or More      | 1            | 12.5%         | 3.9%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>8</b>     | <b>100.0%</b> | <b>100.0%</b>     |

# Old Town San Diego

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 12%               |
| 25 to 29 years | ---          | ---           | 9%                |
| 30 to 39 years | ---          | ---           | 16%               |
| 40 to 49 years | 1            | 14%           | 19%               |
| 50 to 59 years | 1            | 14%           | 16%               |
| 60 to 69 years | 1            | 14%           | 13%               |
| 70 to 79 years | 3            | 43%           | 9%                |
| 80+            | 1            | 14%           | 6%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>7</b>     | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 14%           | 14%               |
| \$15,000 to \$29,999   | ---          | ---           | 12%               |
| \$30,000 to \$44,999   | ---          | ---           | 16%               |
| \$45,000 to \$59,999   | 2            | 29%           | 12%               |
| \$60,000 to \$74,999   | ---          | ---           | 4%                |
| \$75,000 to \$99,999   | 1            | 14%           | 7%                |
| \$100,000 to \$124,000 | 1            | 14%           | 10%               |
| \$125,000 to \$149,999 | 2            | 29%           | 5%                |
| \$150,000 to \$199,999 | ---          | ---           | 8%                |
| \$200,000 or more      | ---          | ---           | 14%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>7</b>     | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 31, 2024, 1:26:25 PM

What is the official name of your Planning Group?

Otay Mesa Planning Group

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- Otay Mesa

Are you an existing Planning Group that was established prior to September 13, 2022?

Yes

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- 8

Indicate here if you propose to have more than 20 CPG Members.

No

## Member Details

Group

Member Affiliation(s)

- Homeowner

Group

Member Affiliation(s)

- Property Owner

Group

Member Affiliation(s)

- Local Business Owner or Operator

Group

Member Affiliation(s)

- **Property Owner**

Group

Member Affiliation(s)

- **Property Owner**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Group

Member Affiliation(s)

- **Property Owner**

How will your Planning Group be accessible to all members of your community?

**Our planning group prioritizes accessibility such as public meeting locations and to engage with community members we provide language accessibility when necessary. Additionally, we maintain an open-door policy, encouraging direct communication and feedback. We aim to ensure that all members of our community have the opportunity to participate and have their voices heard in the planning process.**

How will your Planning Group fairly represent all members of your community?

**Our planning group is dedicated to fair representation by actively seeking input from the community. We conduct outreach efforts to engage diverse demographics, ensuring that everyone has the opportunity to contribute their perspectives. We prioritize inclusivity in decision-making processes, striving to reflect the varied interests and concerns of our community members. By fostering an environment where every voice is heard and considered, we aim to achieve a balanced and equitable representation that truly represents the diversity within our community**

Applicant Representative

**Jennifer Armstrong**

Email

**jen.armstrong@cbre.com**

Phone Number

**619 696 8352**

Please include the following documents.

**PDF**

v1\_Annual Report April 2022- March 2023.pdf  
140.1KB

**TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
OTAY MESA PLANNING GROUP  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Otay Mesa Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Otay Mesa Planning Group.

The community planning boundaries of this CPG are the boundaries of the Otay Mesa Community, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

#### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

#### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CPG Composition**

#### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively,

representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

#### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### **5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### **5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community

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**CURRENT**

members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

**6. Conduct of Meetings**

6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

**7. Additional CPG Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the

specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

#### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

##### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through

its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

#### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

**Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The Otay Mesa Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

**Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
cpgchair@sandiego.gov

**For More Information:** [www.reallygreatsite.com](#)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME   MEETING AGENDAS   MEETING MINUTES   OPERATING PROCEDURES   GET INVOLVED   More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

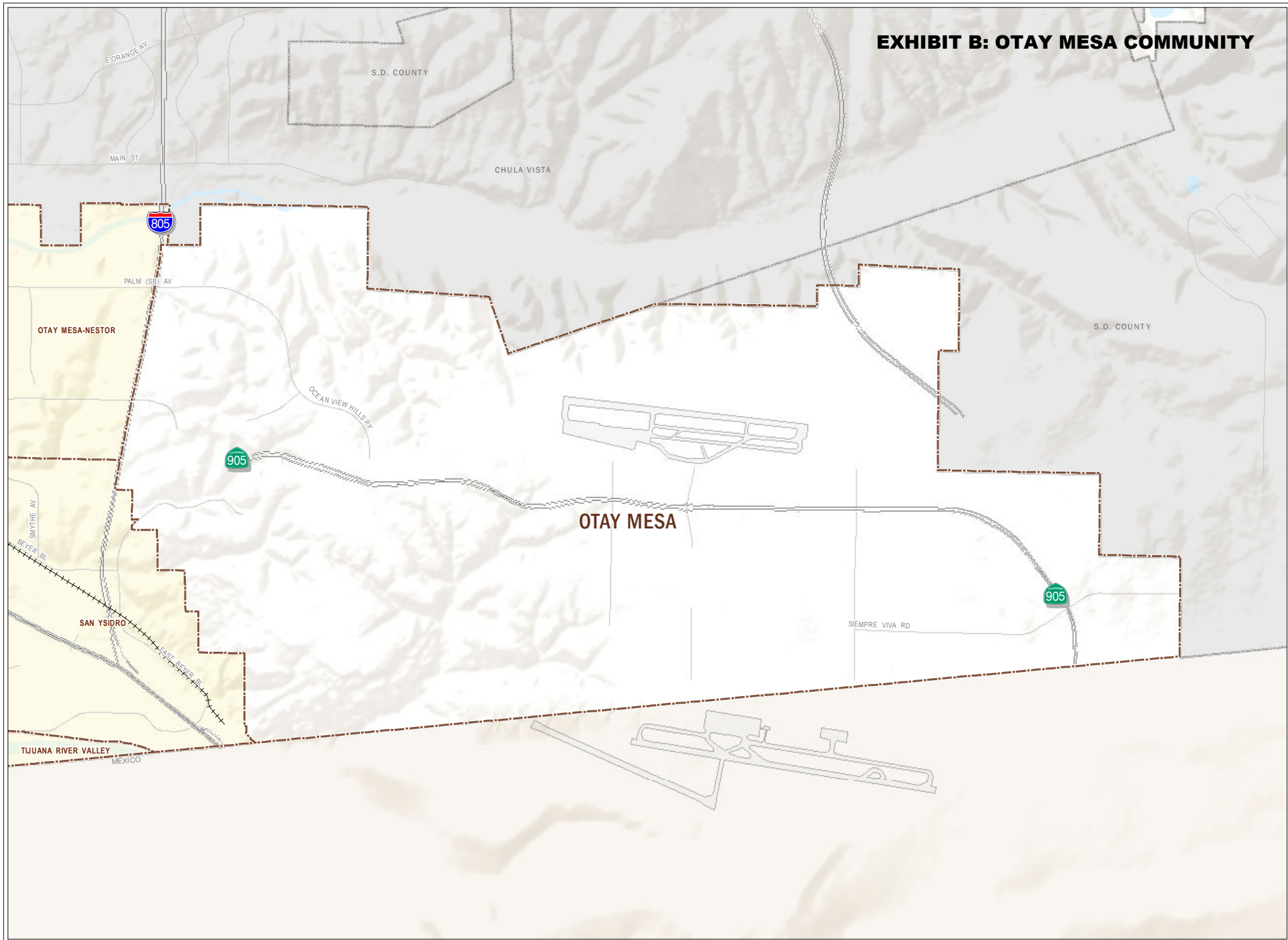
Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

## EXHIBIT B: OTAY MESA COMMUNITY

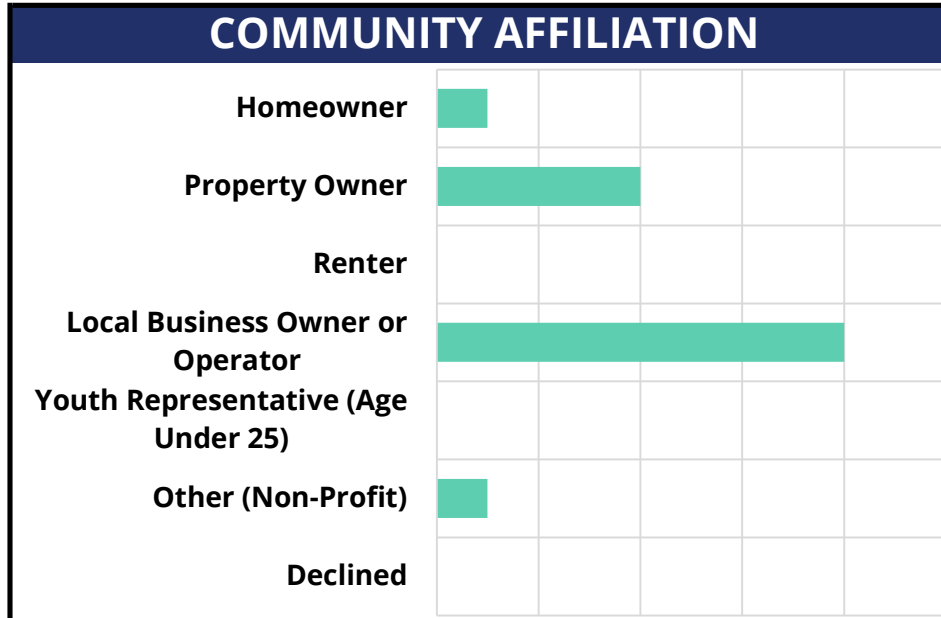


# Otay Mesa

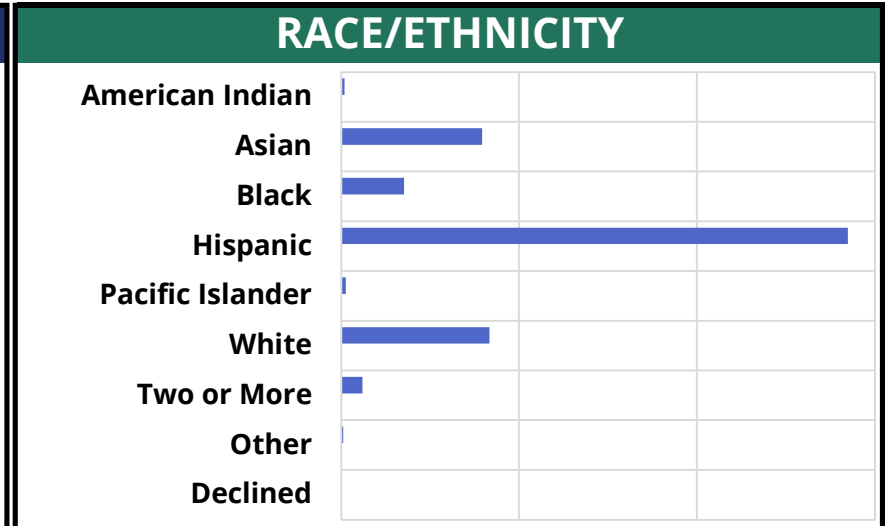
■ Member Count

■ Percent Group

■ Percent Community



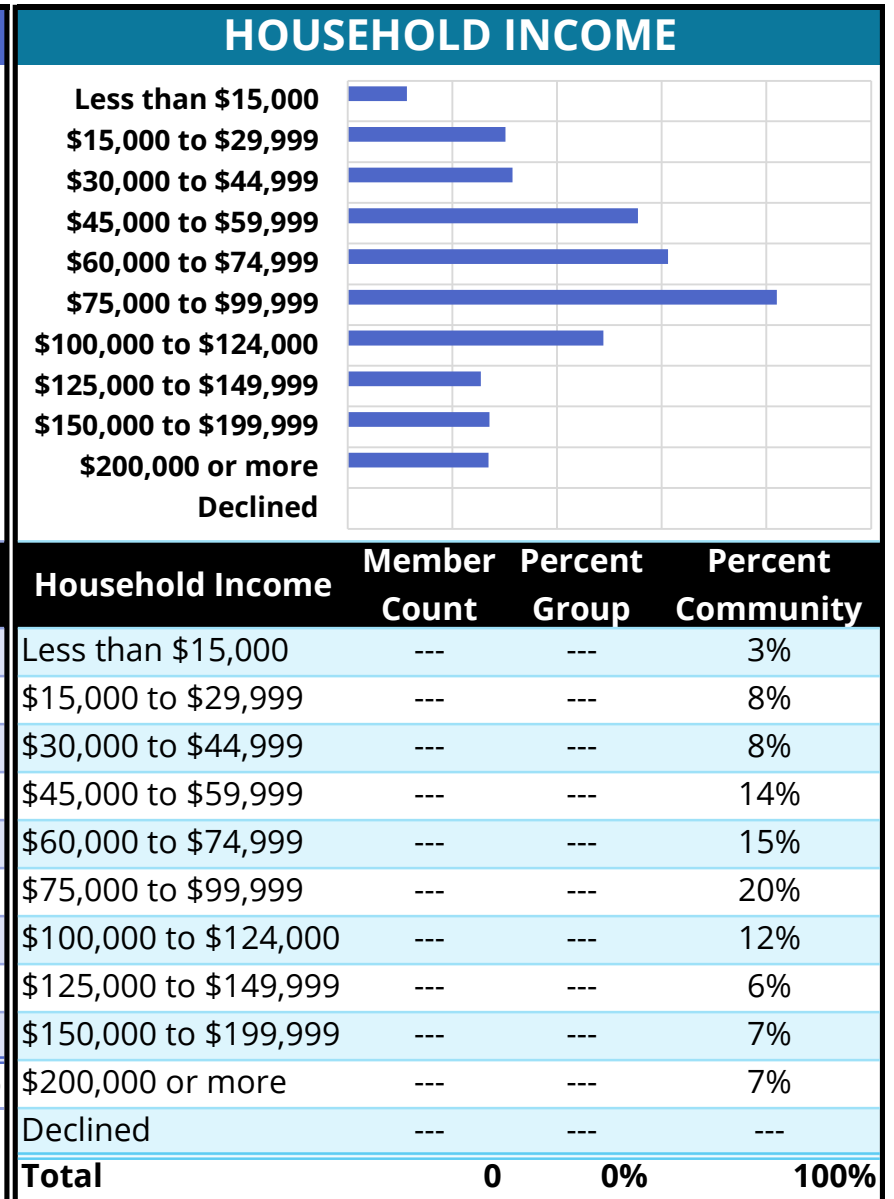
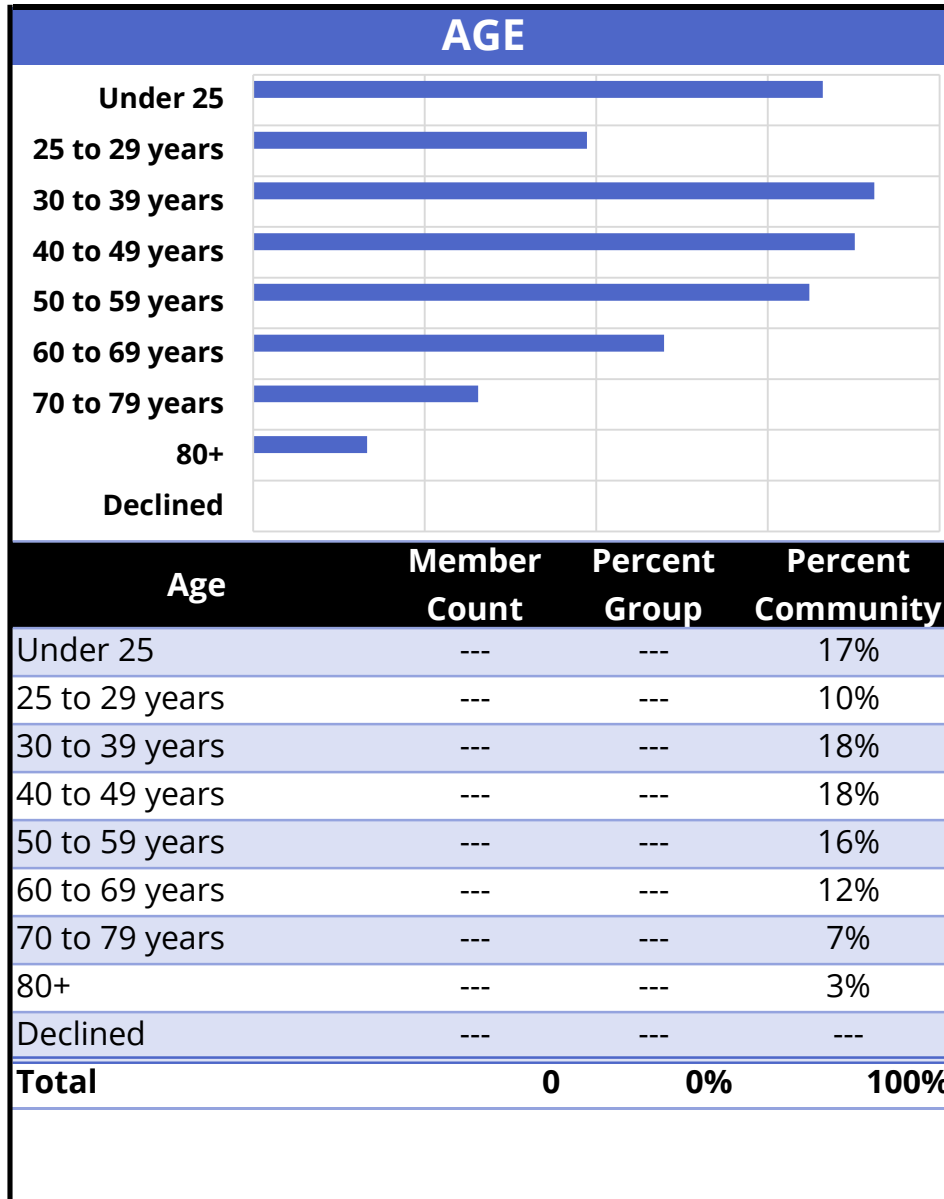
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 1            |
| Property Owner                      | 4            |
| Renter                              | ---          |
| Local Business Owner or Operator    | 8            |
| Youth Representative (Age Under 25) | ---          |
| Other (Non-Profit)                  | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>14</b>    |



| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 15.9%             |
| Black            | ---          | ---           | 7.0%              |
| Hispanic         | ---          | ---           | 56.9%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | ---          | ---           | 16.7%             |
| Two or More      | ---          | ---           | 2.4%              |
| Other            | ---          | ---           | 0.2%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>0</b>     | <b>0.0%</b>   | <b>100.0%</b>     |

# Otay Mesa

■ Percent Group ■ Percent Community



## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 25, 2023, 3:20:42 PM

What is the official name of your Planning Group?

**Otay Mesa-Nestor Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Otay Mesa-Nestor**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **8**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**The Planning Group will be accessible to all members of the community by:** • Expanding our social media reach including creating a Facebook group to post our meeting notifications as well as sharing those notifications on other neighborhood group apps and social media networks where concerns and issues in the community are shared. We will use this increased social media to also link to the City maintained planning group website. • Reaching out to our city council member's office to promote our planning group and amplifying our social media posts to get civic minded individuals to know about us and get them to attend our meetings. • Reaching out to our police community outreach officer to promote our planning group and amplifying our social media posts to get civic minded individuals to know about us and get them to attend our meetings. • Reaching out to organizations that members belong to and in the service area to work together and to get civic minded individuals to know about us and get them to attend our meetings. In this way, we aim to establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community. • Identify and post on community boards about our monthly meetings to get civic minded individuals to know about us and get them to attend our meetings.

How will your Planning Group fairly represent all members of your community?

**The Planning Group focus is on getting community members to attend and join the board. With that in mind, we want to address the lack of youth and female voices on the board. We intend to do this by reaching out to the school districts and colleges that are within our community to see if we can get any interest from any high school students that are interested in their local government. We will make it a priority to aim to fill one of the open seats with a student that is under 25 to make sure that they are represented in our community planning group. Additionally, we will reach out to female leadership specific organizations to attract females specifically to join the community group. Similar to the youth representative, we have made it a priority to aim to fill seats with more females and have successfully had a female member join us in October.**

Applicant Representative

**Edgar Garfias**

Email

**omncpg.sec@gmail.com**

Phone Number

**6197915876**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | Otay Mesa Nestor Community Planning Group Operating Procedures.pdf<br>174KB |
| <b>PDF</b> | Ethical Standards.pdf<br>104.4KB  |
| <b>PDF</b> | Community Participation and Representation Plan.pdf<br>153.3KB              |
| <b>PDF</b> | Member Composition Form - Worksheet.pdf<br>684.7KB                          |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Otay Mesa-Nestor Community Planning

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

1 American Indian  
    Asian  
    Black  
5 Hispanic  
1 Pacific Islander  
3 White  
2 Two or more races  
    Other: \_\_\_\_\_

### HOUSEHOLD INCOME

1 Less than \$15,000  
    \$15,000 to \$29,999  
    \$30,000 to \$44,999  
    \$45,000 to \$59,999  
3 \$60,000 to \$74,999  
2 \$75,000 to \$99,999  
2 \$100,000 to \$124,999  
2 \$125,000 to \$149,999  
2 \$150,000 to \$199,999  
    \$200,000 or more

### COMMUNITY AFFILIATION

6 Homeowner  
1 Property Owner  
5 Renter  
    Local Business Owner or Operator  
    Youth Representative (Age Under 25)  
    Other : \_\_\_\_\_

### AGE

    Under 25  
    25 to 29  
1 30 to 39  
3 40 to 49  
2 50 to 59  
2 60 to 69  
4 70 to 79  
    80 +

# **Otay Mesa Nestor Community Planning Group Bylaws**

## **1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Otay Mesa Nestor Community Planning Group. The community planning boundaries of this CPG are the boundaries of the Otay Mesa Nestor Community, as shown in Exhibit B.

## **2. Responsibilities**

### **2.1 Collaboration with City Staff**

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### **2.2 Advisory CPG Review**

The CPG may make advisory recommendations to the City and other governmental agencies on Land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### **2.3 Timely Submittal of CPG Recommendations to the City**

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### **2.4 Adherence to Ralph M. Brown Act**

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and

may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

## **3. Community Participation and Representation**

### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. CPG Composition**

### **4.1 Number of Voting Members**

The CPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

### **4.2 Voting Member Eligibility**

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

#### **4.2.1 Minimum Age**

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

#### **4.2.2 Minimum Attendance Requirements**

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### **4.2.3 Excused Meetings**

The CPG shall allow voting members to have two excused absences in any 12-month period throughout their term as a voting member. For an absence to be excused, the absence must be due to the member being out of town or illness. Additionally, the CPG secretary must be notified of the absence at least 1 full week prior to the meeting. Failure to do so, the absence will be counted against the minimum attendance requirement.

### **4.3 Community Representation**

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### **4.3.1 Appointed Seats**

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

### **4.4 Voting Member Term Limits**

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These

term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

#### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.
- (4) Waivers of Maximum Time of Service maybe granted to exceed the 10 member minimum needed for the planning group to operate in the event that (a) there are not enough new candidates to fill ALL vacant seats at the time of elections, (b) that meeting the 10 member minimum would still result in vacant seats after the election and (c) all returning candidates waiving the maximum time of service receive 2/3rds votes by eligible community members.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of

presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it.

Examples of photo identification include, but are not limited to, the following documents:

(A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card. (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a

pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

## 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a

result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

### 6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

## **7. Additional CPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

#### 7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

### 7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

## **8. CPG Rights and Liabilities**

### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees. Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute. The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months,

then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### **8.8 Violations of City Requests for Input**

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

#### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

#### **Attachment:**

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Otay Mesa-Nestor Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### **1) Conflicts of Interest**

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### **2) Abstentions for Potential Conflicts of Interest**

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### **3) Political Actions**

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### **4) Donations**

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### **5) Equal Time for Candidates or Ballot Measures**

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### **6) Professional Conduct**

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Community Participation & Representation Plan**

**As required for Planning Group Recognition by Terms and Conditions,  
Exhibit A of Council Policy 600-24**

The Otay Mesa-Nestor Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Be respectful of people’s opinions and time.
- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Share meeting information in digital formats including social media pages and a dedicated CPG website
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group’s role and to build relationships.

- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives.

**Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

# Otay Mesa–Nestor

■ Member Count

■ Percent Group

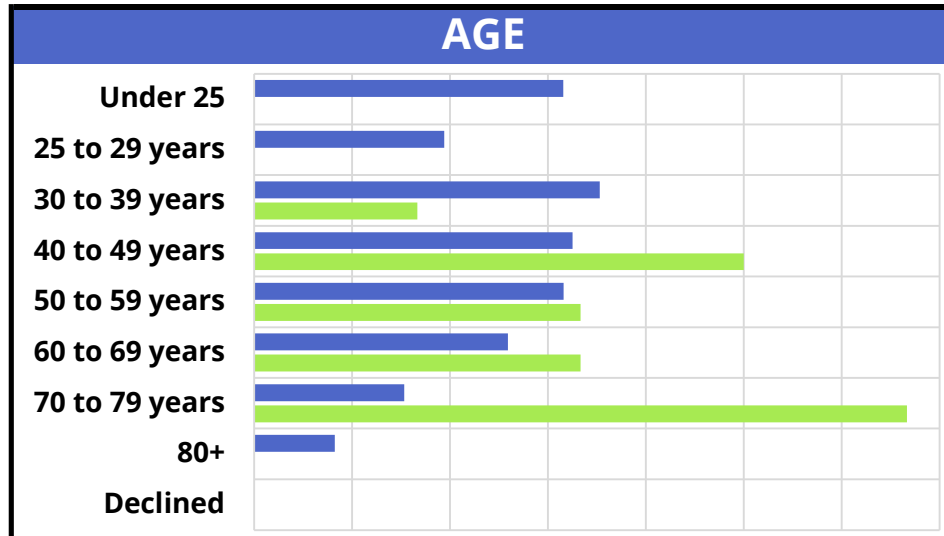
■ Percent Community

| COMMUNITY AFFILIATION               |                     |
|-------------------------------------|---------------------|
| Homeowner                           | 6                   |
| Property Owner                      | 1                   |
| Renter                              | 5                   |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other                               | ---                 |
| Declined                            | ---                 |
| <b>Community Affiliation</b>        | <b>Member Count</b> |
| Homeowner                           | 6                   |
| Property Owner                      | 1                   |
| Renter                              | 5                   |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other                               | ---                 |
| Declined                            | ---                 |
| <b>Total</b>                        | <b>12</b>           |

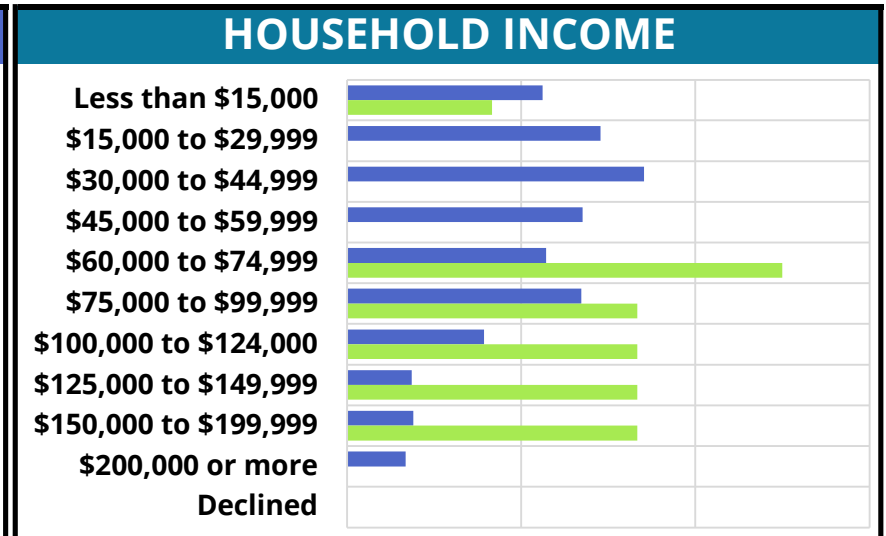
| RACE/ETHNICITY        |                     |                      |                          |
|-----------------------|---------------------|----------------------|--------------------------|
| American Indian       | 1                   | 8.3%                 | 0.3%                     |
| Asian                 | ---                 | ---                  | 7.2%                     |
| Black                 | ---                 | ---                  | 3.9%                     |
| Hispanic              | 5                   | 41.7%                | 70.5%                    |
| Pacific Islander      | 1                   | 8.3%                 | 0.4%                     |
| White                 | 3                   | 25.0%                | 14.7%                    |
| Two or More           | 2                   | 16.7%                | 2.9%                     |
| Other                 | ---                 | ---                  | 0.1%                     |
| Declined              | ---                 | ---                  | ---                      |
| <b>Race/Ethnicity</b> | <b>Member Count</b> | <b>Percent Group</b> | <b>Percent Community</b> |
| American Indian       | 1                   | 8.3%                 | 0.3%                     |
| Asian                 | ---                 | ---                  | 7.2%                     |
| Black                 | ---                 | ---                  | 3.9%                     |
| Hispanic              | 5                   | 41.7%                | 70.5%                    |
| Pacific Islander      | 1                   | 8.3%                 | 0.4%                     |
| White                 | 3                   | 25.0%                | 14.7%                    |
| Two or More           | 2                   | 16.7%                | 2.9%                     |
| Other                 | ---                 | ---                  | 0.1%                     |
| Declined              | ---                 | ---                  | ---                      |
| <b>Total</b>          | <b>12</b>           | <b>100.0%</b>        | <b>100.0%</b>            |

# Otay Mesa-Nestor

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 16%               |
| 25 to 29 years | ---          | ---           | 10%               |
| 30 to 39 years | 1            | 8%            | 18%               |
| 40 to 49 years | 3            | 25%           | 16%               |
| 50 to 59 years | 2            | 17%           | 16%               |
| 60 to 69 years | 2            | 17%           | 13%               |
| 70 to 79 years | 4            | 33%           | 8%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | 1            | 8%            | 11%               |
| \$15,000 to \$29,999   | ---          | ---           | 15%               |
| \$30,000 to \$44,999   | ---          | ---           | 17%               |
| \$45,000 to \$59,999   | ---          | ---           | 14%               |
| \$60,000 to \$74,999   | 3            | 25%           | 11%               |
| \$75,000 to \$99,999   | 2            | 17%           | 13%               |
| \$100,000 to \$124,000 | 2            | 17%           | 8%                |
| \$125,000 to \$149,999 | 2            | 17%           | 4%                |
| \$150,000 to \$199,999 | 2            | 17%           | 4%                |
| \$200,000 or more      | ---          | ---           | 3%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 21, 2023, 10:34:13 AM

What is the official name of your Planning Group?

**Pacific Beach Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Pacific Beach**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **1**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Strategies for Community Involvement**

- 1. Website:** The Pacific Beach Planning Group maintains its own website, PBplanning.org, which not only has monthly meeting agenda with date, location, and time. It also resources for other non-profit groups with websites, PB community plan, bylaws, election forms and other public notices. Presentations such as the Terminal One update are put on site for review. And a contact form to obtain community information is monitored by the Chairperson.
- 2. Local Locations** such as PB Library: Meetings are located at the Pacific Beach local library and are open to all. Flyers posted regarding meeting times and election candidacy and polling times at the Library and Recreation Center. Future plans are to post at transit sites and schools if possible.
- 3. Relationship with community joint meetings and surveys taken:** We plan on continuing joint "Town Hall" meetings on relevant topics of interest to the entire community. The PB Town Council and the PBPG have held 2 joint "Town Hall" meetings in 2022-23. Examples were with the Diamond slow street and our recent Capital Improvement Plan (CIP) process input. For details, please see PB Planning Group's application. Newspaper Articles on relevant topics and interest: As example: <https://sdnews.com/joint-meeting-between-pbtc-and-pbpg-focuses-on-traffic-safety/>
- 4. Partnerships with other local community boards** where we share results of meetings and potential new projects in PB: Pacific Beach Town Council Discover Pacific Beach Pacific Beach Parking District Beautiful Pacific Beach
- 5. Presence at other community group events:**
  - 1) Discover PB's BeachFest** with a tent. We provide information on what the Community Planning Groups do and achieve to people walking of the boardwalk in Pacific Beach. Recruit public to meetings and to elections.
  - 2) Pacific Beach Town Council: Concerts on the Green in Kate Sessions Park** on Community night annually with an information booth.

**Measuring Success**

- 1. Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, type and frequency of outreach efforts, change in composition of voting members as evidenced in annual surveys, etc.**
- 2. Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups.**
- 3. Document information in annual report and submit to the City via email: SDPlanningGroups@sandiego.gov within 14 days of the approval of the March**

How will your Planning Group fairly represent all members of your community?

The Pacific Beach Community Planning Group (PBPG) represents 48,954 residents as of 2021 SANDAG data. Pacific Beach's reputation as a teen and university hang-out belies its true character of a diverse population of all age groups from children to over 85 years. While we are overrepresented by the 60-69 category, it may be expected since working families have a difficult time coming to evening meetings. We have actively reached out to other groups to recruit younger members and have seen some growth in this demographic with even an "under 25" board member. We hope that via word of mouth that the younger generation will feel more welcome and their ideas about their future community will be actively listened to by the group. Planning is for the future and their input is absolutely needed and necessary. With regard to gender, we are underrepresented by females with only 23% while the area is 49% female. Pacific Beach is also 68% Caucasian per SANDAG data which is reflected in the PBPG data of 76% representation. American Indian representation in SANDAG data was .3% where the PBPG data reflects 8% of the CPG. Two or more races were also represented by 8% not compared in the SANDAG data. The diversity of professional experience from artist to attorney is vast and noted in our excel sheet demographics attached to application. Pacific Beach residents are of many socioeconomic backgrounds while it doesn't exactly match SANDAGS data we would like to recruit members from the 3 lower tiers of income. Our most common income was in the 75-99K income bracket which matches SANDAG data. Mean income cannot be calculated with the data parameters given by the City of San Diego. While the demographics for home occupation and time lived in Pacific Beach were not in the SANDAG data, our data is presented in our excel sheet and here in graphic form. Looking at the SANDAG data, only using "multi-family" as potential renters, 38% are renters. This likely is an underestimate given whole homes certainly have renters but given this comparison to the PBPG of 2/13 or 15%, renters are underrepresented. Local businesses are represented at 15% as well and are not captured in the SANDAG data. There is a perception of renters being more transient and possibly less interested in future planning, but the PBPG recognizes this is inaccurate. The planning groups chair has gone to many meetings of the community to actively recruit new board members who rent in Pacific Beach. Given the constraints of our budget, advertising in newspapers is unlikely but we are considering social media as an alternative to get the word out. As for how long a board member has lived in PB, the numbers skew towards fewer years, and this is likely due to our current active efforts at new recruitment.

Applicant Representative

**Marcella Bothwell**

Email

**bothwellm@icloud.com**

Phone Number

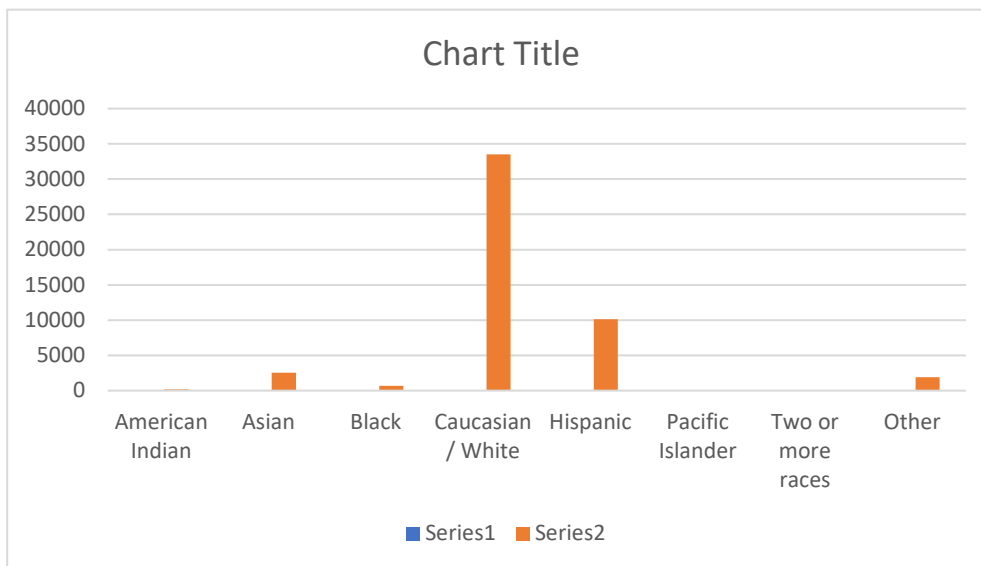
**8584104021**

Please include the following documents.

|             |  |
|-------------|--|
| <b>XLSX</b> | Final PBPG demo results_ 2023-11-18.xlsx<br>36.7KB                       |
| <b>PDF</b>  | PBPG outreach .pdf<br>8.6MB  |
| <b>PDF</b>  | PBPG Approved BYLAWS 2023 600 4_terms_and_conditions PBPG.pdf<br>473.2KB |

Question 3: What is your race or ethnicity? (600-24, Application)

|                   | Responses | SANDAG | %      |                  |
|-------------------|-----------|--------|--------|------------------|
| American Indian   | 1         | 178    | 7.7%   |                  |
| Asian             | 0         | 2535   | 0.0%   |                  |
| Black             | 0         | 659    | 0.0%   |                  |
| Caucasian / White | 10        | 33521  | 76.9%  |                  |
| Hispanic          | 0         | 10133  | 0.0%   |                  |
| Pacific Islander  | 0         |        | 0.0%   |                  |
| Two or more races | 1         |        | 7.7%   |                  |
| Other             | 1         | 1928   | 7.7%   | Decline to state |
| Totals            | 13        |        | 100.0% |                  |



Question 1: Please select the option tha

Under 25

25-29

30-39

40-49

50-59

60-69

70-79

80 and older

---

Totals

Question 2: What is your community aff

Homeowner

Property Owner

Renter

Local Business Owner or Operator

Youth Representative (Age under 25)

Other

---

Totals

Question 3: What is your race or ethnici

American Indian

Asian

Black

Caucasian / White

Hispanic

Pacific Islander

Two or more races

Other

---

Totals

Question 4: Please select the option tha

Less than \$15,000

\$15,000 to \$29,999

\$30,000 to \$44,999

\$45,000 to \$59,999

\$60,000 to \$74,999

|                        |
|------------------------|
| \$75,000 to \$99,999   |
| \$100,000 to \$124,999 |
| \$125,000 to \$149,999 |
| \$150,000 to \$199,999 |
| \$200,000 or more      |
| Totals                 |

Question 5: How long have you lived in,

|                    |
|--------------------|
| Less than 5 years  |
| 5-10 years         |
| 11-15 years        |
| 16-20 years        |
| 21-25 years        |
| More than 26 years |
| Totals             |

Question 6: How do you identify your ge

|            |
|------------|
| Female     |
| Male       |
| Non-binary |
| Other      |
| Totals     |

Question 7: What is your professional e

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

Question 8: How long have you served a

Less than 12 months

Between 12 and 24 months  
Between 24 and 36 months  
Between 36 and 48 months  
Between 48 and 60 months  
Between 60 and 72 months  
Between 72 and 84 months  
Between 84 and 96 months  
More than 96 months

---

Totals

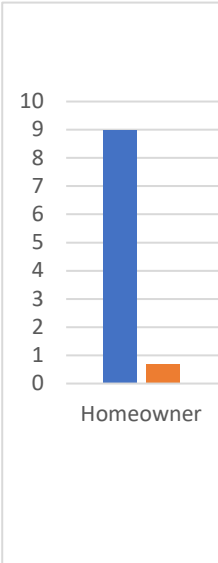
t best identifies your age (600-24, Application)

| Responses | %      |
|-----------|--------|
| 1         | 7.7%   |
| 0         | 0.0%   |
| 1         | 7.7%   |
| 1         | 7.7%   |
| 2         | 15.4%  |
| 6         | 46.2%  |
| 1         | 7.7%   |
| 1         | 7.7%   |
| <hr/>     |        |
| 13        | 100.0% |



iliation? (600-24, Application)

| Responses | %      |
|-----------|--------|
| 9         | 69.2%  |
| 0         | 0.0%   |
| 2         | 15.4%  |
| 2         | 15.4%  |
| 0         | 0.0%   |
| 0         | 0.0%   |
| <hr/>     |        |
| 13        | 100.0% |



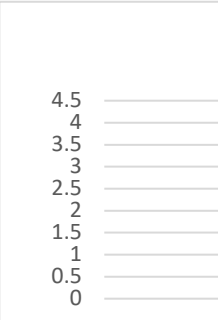
ty? (600-24, Application)

| Responses | %      |
|-----------|--------|
| 1         | 7.7%   |
| 0         | 0.0%   |
| 0         | 0.0%   |
| 10        | 76.9%  |
| 0         | 0.0%   |
| 0         | 0.0%   |
| 1         | 7.7%   |
| 1         | 7.7%   |
| <hr/>     |        |
| 13        | 100.0% |

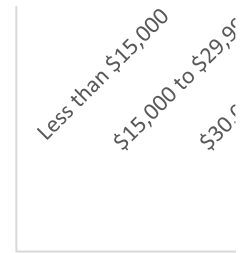
Decline to state

t best identifies your household income: (Application)

| Responses | %    |
|-----------|------|
| 0         | 0.0% |
| 0         | 0.0% |
| 0         | 0.0% |
| 1         | 7.7% |
| 1         | 7.7% |

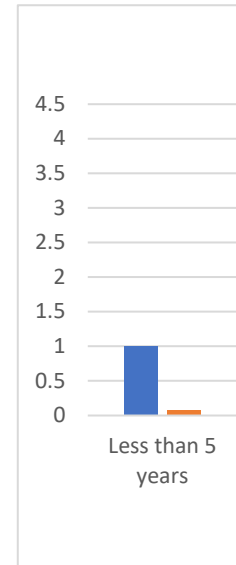


|    |        |
|----|--------|
| 4  | 30.8%  |
| 2  | 15.4%  |
| 2  | 15.4%  |
| 1  | 7.7%   |
| 2  | 15.4%  |
| 13 | 100.0% |



owned property in, or owned or operated a business in Pacific Beach? (600-24)

| Responses | %      |
|-----------|--------|
| 1         | 7.7%   |
| 3         | 23.1%  |
| 4         | 30.8%  |
| 0         | 0.0%   |
| 1         | 7.7%   |
| 4         | 30.8%  |
| 13        | 100.0% |



gender? (600-24)

| Responses | %      |                  |
|-----------|--------|------------------|
| 3         | 23.1%  |                  |
| 9         | 69.2%  |                  |
| 0         | 0.0%   |                  |
| 1         | 7.7%   | Decline to state |
| 13        | 100.0% |                  |

expertise or background? (600-24)

Responses

N/a

Artist

Attorney

City Planner

Corporate sales and marketing executive with full P&L responsibility ranging from \$50 million to

Designer, degree in environmental design, manufacturer, contractor

Engineer

Higher education, program manager

human resources

I have owned a business in pacific beach for 45 years and have been involved in the community

Medical

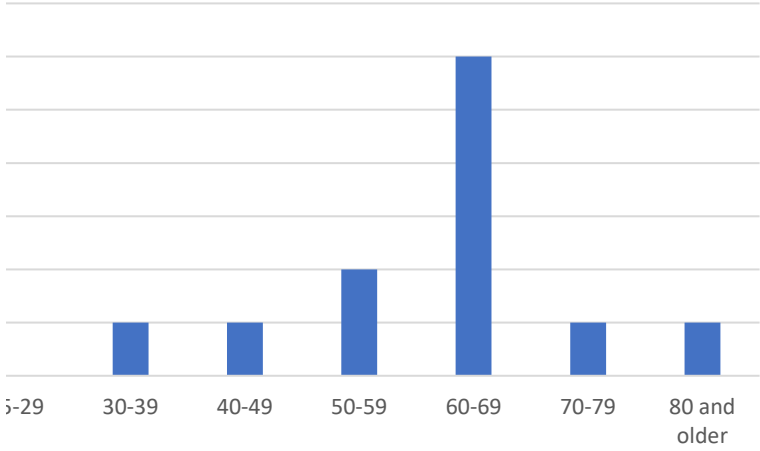
Retired

is a Board member of the PB Planning Group? (600-24)

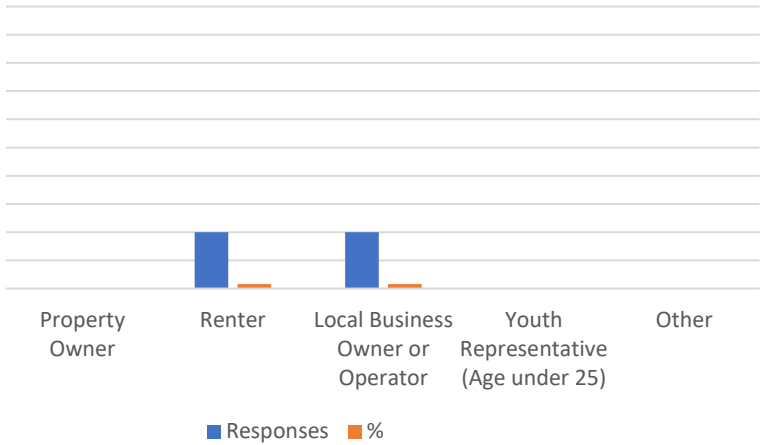
| Responses | %     |
|-----------|-------|
| 3         | 23.1% |

|       |        |
|-------|--------|
| 3     | 23.1%  |
| 2     | 15.4%  |
| 1     | 7.7%   |
| 1     | 7.7%   |
| 0     | 0.0%   |
| 2     | 15.4%  |
| 1     | 7.7%   |
| 0     | 0.0%   |
| <hr/> |        |
| 13    | 100.0% |

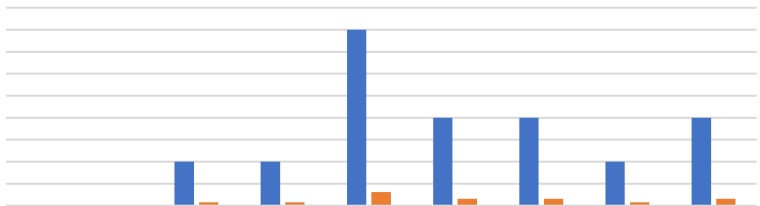
PBPG Demographics - Age

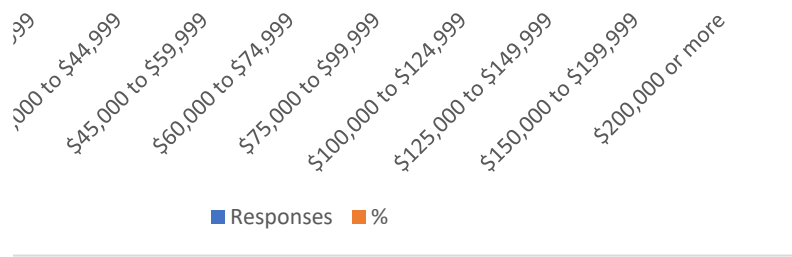


Occupant type



Income





over \$100 million. Have served on various boards and currently serve on the Board of Governor:





s of the San Diego YMCA, and the board of the McKinney YMCA.

**Attachment to CP 600-24 – Terms and Conditions**

**TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
PACIFIC BEACH PLANNING GROUP  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the PACIFIC BEACH PLANNING GROUP (PBPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

## **1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be PACIFIC BEACH PLANNING GROUP (PBPG).

The community planning boundaries of this CPG are the boundaries of the Pacific Beach Community, as shown in Exhibit A.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit A, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1st of each year and will also submit to the City any changes to rosters as a result of CPG elections.

2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

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### **3. Community Participation and Representation**

#### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups of the various geographic sections of the community and diversified community interests. On the PBPG, elected seats are filled by distribution of seats among the following interests that represent the community: 15 residential members or non-residential property owners, with no more than four coming from the same census tract, and five business/professional or non-profit corporate members as described below. Census tracts are defined by the Arcgis.com system: <https://sdgis-sandag.opendata.arcgis.com/datasets/SANDAG::census-tracts/explore?location=32.804159%2C-117.240888%2C15.00> and refer to Census tracts numbered 83.01, 80.02, 80.03, 79.05, 79.03, 78, 79.10, 79.07, 79.08, 77.01, and 77.02.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit B).

#### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### **4. CPG Composition**

##### 4.1 Number of Voting Members

The PBPG shall consist of: 20 elected members to represent the community. These members of the planning group shall constitute the officially recognized Community Planning Group (CPG) for the purpose of these bylaws and Council Policy 600-24 representing the various community interests set forth in these Terms and Conditions.

##### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

###### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

##### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

###### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats.

##### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

###### 4.4.1 Maximum Time of Service

Members of the PBPG shall be elected to serve for fixed terms of 2 years with expiration dates during alternate years to provide continuity for a maximum of 8 consecutive years of service.

4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

#### 4.5 Officers

The officers of the PBPG shall be elected from and by the members of the planning group and the officers shall consist of a Chairperson, Vice Chairperson, Treasurer, 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 8 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.

##### 4.5.1 Chairperson

The Chairperson shall be the principal officer of a recognized community planning group and shall preside over all planning group and community wide meetings organized by the planning group. 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 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 CPC with the same voting rights and privileges as the chair.

##### 4.5.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

##### 4.5.3 Secretary

The Secretary shall be responsible for the planning group's correspondence, attendance records, eligibility records per section 4.2. 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. If board member ineligibility is identified, the Secretary reports ineligibility to the Board member and Chair with Board documentation and report. Board member is allowed response, but if no reasonable reconciliation is made, the Chair should recommend member for removal from the Board as action item on next regularly scheduled noticed agenda. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.

##### 4.5.4 Treasurer

The Treasurer will be responsible for acquisition of appropriate CPG reimbursable receipts and be the contact point for the City of San Diego reimbursement.

#### 4.6 Committees of the PBPG

The PBPG may establish standing and ad hoc committees when their operation contributes to more effective discussions at regular planning group meetings. 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 subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

## 5. Open and Public Elections

### 5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve. All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

Only one elected CPG voting member per business tax certificate

Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

**5.1.2 Voter Identification for Community Business Owners**

Business Owners or their designated representative within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

**5.1.3 Voter Identification for Community Non-Profits**

Employees or members of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

**5.1.4 Voter Identification for Community Non-Resident Property Owners**

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Elections

The PBPG's general elections shall be held in March annually.

5.2.1 Election Committee

The planning group's Election Committee shall be established no later than January and shall begin soliciting eligible community members to become candidates. The election will be conducted by the Election Committee. The Election Committee chairperson shall be named by the chairperson of the PBPG. The Election Committee shall be made up of a minimum of 3 persons; at least 2 PBPG members of which one is required to be the chairperson of the committee. At least one other representatives from the general public may serve on the Elections committee. This could include representatives from community organizations such as the PB Town Council, BIA, or similar organizations. The Election Committee shall make a report to the full PBPG at the regular November meeting in order to obtain approval of the details and procedures relative to the coming annual elections. Candidate packets will be made available seven weeks prior to the election date at a location in the community that is convenient and readily accessible. Any committee members who are up for reelection will not be able to serve as Chairperson of the Election Committee or assume any duties related to aspects of election day activities—specifically regarding the staffing of polls and/or counting the ballots. The duties of the committee will include publicizing the elections, certifying candidates and votes, staffing, manning the polls, and counting the ballots. Ballot counting shall be supervised at all times by the Election Committee chairperson.

5.2.2 Candidacy

The deadline to qualify for candidacy in the March general election shall be two weeks prior to the March noticed regular or special meeting of the full planning group membership preceding the election. The PBPG 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 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 to the roster up to two weeks prior to the March meeting. The Election Committee is responsible for verification of candidacy and creation of a ballot with all candidates identified by name. A candidate forum may be advertised and held at the February meeting.

5.2.3 Geographic Representation

Council Policy 600-24 requires that elected members of the PBPG, to the extent possible, be representative of the various geographic sections of the community and diversified community interests. On the PBPG, elected seats are filled by distribution of seats among the following interests that represent the community: 15 residential members or non residential property owners, with no more than four coming from the same census tract, and five business/professional or non-profit corporate members as described below. Census tracts are defined by the Arcgis.com system: <https://sdgis-sandag.opendata.arcgis.com/datasets/SANDAG::census-tracts/explore?location=32.804159%2C-117.240888%2C15.00> and refer to Census tracts numbered 83.01, 80.02, 80.03, 79.05, 79.03, 78, 79.10, 79.07, 79.08, 77.01, and 77.02.

#### 5.2.4 Election Timing

If we have fewer candidates than seats there is no vote. If there are more candidates than seats then the PBPG conducts a vote to fill all open seats. The PBPG holds its election on multiple days in March. Voting in the election is held on two separate days. The date of the election and specific polling hours are to be publicly announced by the Elections Committee and approved by the PBPG. The polling space will be supervised at all times by two persons, one of which must be a PBPG member. The first voting day is the third Saturday in March. The second voting day is held concurrent with, but separate from, the March regular meeting. Polls will be closed 15 minutes prior to the March regular meeting.

#### 5.2.5 Election Voting

The PBPG 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 PBPG's policy related to write-in candidates is that write-in candidates are not allowed as well. Voting to elect new community planning group members shall be by secret written ballot. Proxy voting or mail-in ballots 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. No campaigning or distribution of campaign material shall take place within 500 feet of the polling place.

#### 5.2.6 Reporting Results

The Election Committee is responsible for counting of ballots and verification of elections. Counting will be done by at least 2 persons and certified by the Chair. Residential or property owners candidates with the majority of votes will be declared the winner provided there are no more than 4 from the distinct census group. If there are more than 4 then the candidate with least number of votes loses. With respect to a tie then a run-off election will be held before the April general meeting. The PBPG's election becomes final after announcing the election results at the conclusion of the noticed, regular March monthly planning group's monthly meeting. The Chair is responsible for preparing, certifying and forwarding the election report to the City.

#### 5.2.7 Seating of PBPG Board Members

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 regularly noticed planning group general meeting.

#### 5.2.8 Election Challenges

Any challenge to the election results must be filed with the chair of the Elections Subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

#### 5.2.9 Vacancies of any type:

Vacancy as defined as resignation, ineligibility via CP 600-24, or member removal process or adopted by-laws violation. The PBPG will announce any vacancy at the regular meeting and ensure that petition forms are available for all interested parties. Petitions from the prior regular election will be valid. The current PBPG board will then vote at the next regular scheduled meeting on application from interested parties. Applicant with most votes wins or if only one candidate presents a majority of the Board is required for approval

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

### 6.2 Rules of Procedure

The CPG shall adopt Robert's Rules of Order to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes. Remote or electronic general meetings are allowed under California state and / or City for emergency use.

### 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

### 6.4 Quorum

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.

### 6.5 Action on Agenda Items

6.5.1 Amendments to adopted bylaws require a two-thirds vote of the voting members of the PBPG.

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

6.5.3 A two-thirds vote of the PBPG Board is required to remove an elected community planning group member.

6.5.4 Removing a member due to ineligibility requires a majority vote of the voting members of the PBPG ratifying the findings presented by the Secretary.

6.5.5 All other PBPG actions, including committee votes, only require a simple majority of the voting members of the group in attendance.

6.5.6 The PBPG planning group's chair participates in discussions but does not vote except to make or break a tie.

6.5. 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.

6.6 Special Meetings -

The chair of the PBPG, 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. 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.

6.7 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 PBPG and are prohibited under these bylaws.

6.8 Right to Record

Any person attending a meeting of the PBPG 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.

6.9 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.

## **7. Additional CPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The PBPG adopts ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. T

#### 7.3.1 Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

**7.3.3 Abstentions for Potential Conflicts of Interest**

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

**7.3.4 Political Actions**

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

**7.3.5 Donations**

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

**7.3.6 Equal Time for Candidates or Ballot Measures**

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

**7.4 Voting Member Training**

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1st of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

**7.5 Collaboration with City Staff**

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

## **8. CPG Rights and Liabilities**

### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG secretary will be in charge of records maintaining voting member eligibility. Removal of Board member for ineligibility is referenced in Section 4.5.3.

### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24. In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

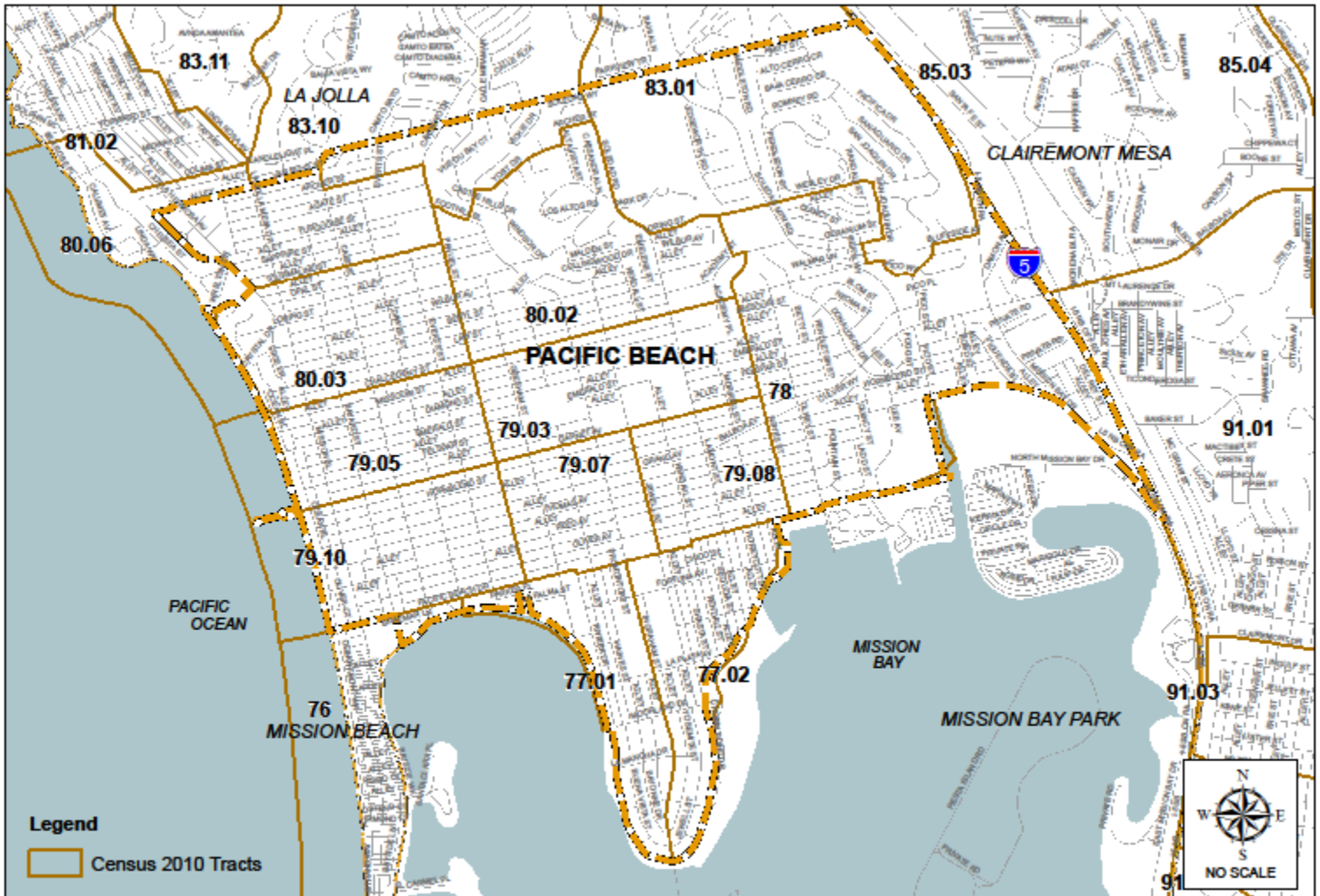
**10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

CURRENT

ATTACHMENT A : MAP OF PACIFIC BEACH



**Exhibit A: Pacific Beach**  
CITY OF SAN DIEGO • CITY PLANNING



**EXHIBIT B: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS  
FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION****Community Participation & Representation Plan**

As required for Planning Group Recognition by Terms and Conditions,

**Exhibit B of Council Policy 600-24**

The Pacific Beach Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate the PBPG’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement. Our plan is crafted to reflect the unique demographics and characteristics of our community.

**Our overarching Goals:**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A - Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s Data Surfer website.
- Ensure a safe, accessible meeting space.
- Be respectful of people’s opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the American Bar Association and the National Conflict Resolution Center

**Strategies for Community Involvement**

- 1) Website: The Pacific Beach Planning Group maintains its own website, PBplanning.org, which not only has monthly meeting agenda with date, location, and time. It also resources for other non-profit groups with websites, PB community plan, bylaws, election forms and other public notices. Presentations such as the Terminal One update are put on site for review. And a contact form to obtain community information is monitored by the Chairperson.
- 2) Local Locations such as PB Library: Meetings are located at the Pacific Beach local library and are open to all. Flyers posted regarding meeting times and election candidacy and polling times at the Library and Recreation Center. Future plans are to post at transit sites and schools if possible.
- 3) Relationship with community joint meetings and surveys taken: We plan on continuing joint “Town Hall” meetings on relevant topics of interest to the entire community.

The PB Town Council and the PBPG have held 2 joint “Town Hall” meetings in 2022-23. Examples were with the Diamond slow street and our recent Capital Improvement Plan (CIP) process input. For details, please see PB Planning Group’s application. Newspaper Articles on relevant topics and interest: As example: <https://sdnews.com/joint-meeting-between-pbtc-and-pbpg-focuses-on-traffic-safety/>

- 4) Partnerships with other local community boards where we share results of meetings and potential new projects in PB:

Pacific Beach Town Council  
Discover Pacific Beach  
Pacific Beach Parking District  
Beautiful Pacific Beach

- 5) Presence at other community group events:
  - 1) Discover PB’s BeachFest with a tent. We provide information on what the Community Planning Groups do and achieve to people walking of the boardwalk in Pacific Beach. Recruit public to meetings and to elections.
  - 2) Pacific Beach Town Council  
Concerts on the Green in Kate Sessions Park on Community night annually with an information booth.

**Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, type and frequency of outreach efforts, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups.
- Document information in annual report and submit to the City via email: SDPlanningGroups@sandiego.gov within 14 days of the approval of the March

### Accessibility to all members of community

Website: The Pacific Beach Planning Group maintains its own website, PBplanning.org, which not only has monthly meeting agenda with date, location, and time. It also resources for other non- profit groups with websites, PB community plan, bylaws, election forms and other public notices. Presentations such as the Terminal One update are put on site for review. And a contact form to obtain community information is monitored by the Chairperson. (see below example)

Library: Meetings are located at the Pacific Beach local library and are open to all. Agendas are posted at the library and our Website.

Relationships with other local groups are key to our participation and influence. The PB Town Council and the PBPG have held 2 joint “town Hall” meetings Examples were with the Diamond slow street and our recent Capital Improvement Plan (CIP) process input.

The Diamond slow street resulted in a vote used by our council member to judge the overall community opinion even though the overall result was split at 28-28.

At the CIP “town hall” a survey was taken on all needed CIP projects for the PB area, and a resultant report was used to complete the City’s survey and to provide input to CM La Cava’s budget recommendations. Furthermore, even unnamed data has been reviewed and PG board members have gone out to locations to evaluate traffic congestion suggestions.

Frequently newspaper articles report these events: <https://sdnews.com/joint-meeting-between-pbtc-and-pbpg-focuses-on-traffic-safety/> (see below example)

PB Planning group also participates on multiple community boards including the Discover PB (Business Improvement District), PB Recreation Group, Pacific Beach Town Council. The PBPG usually has membership with Beautiful PB but not at this time.

Events outside of Planning Group meetings: The PBPG regularly attends Discover PB’s Beachfest with a tent to provide information on what the Community Planning Groups do and achieve to people walking of the boardwalk in Pacific Beach. PBPG also attends Concerts on the Green in Kate Sessions Park on Community night annually with an information booth.



[About Us](#) ▾ [Committees](#) ▾ [Meetings](#) ▾ [Resources](#) ▾

## Pacific Beach Planning Group

The Official Planning Group for the Coastal Community of Pacific Beach



## General Meeting on Nov 8 2023 at 6:30pm in the PB Taylor Library Community Room



Iain Richardson

20231105

General


Click [here](#) for a copy of the agenda





### LINKS

- [Beautiful PB](#)
- [City Council District 1](#)
- [City of San Diego Planning Department](#)
- [Discover PB](#)
- [Pacific Beach Town Council](#)
- [PB Historical Society](#)

# Joint meeting between PBTC and PBPG focuses on traffic safety

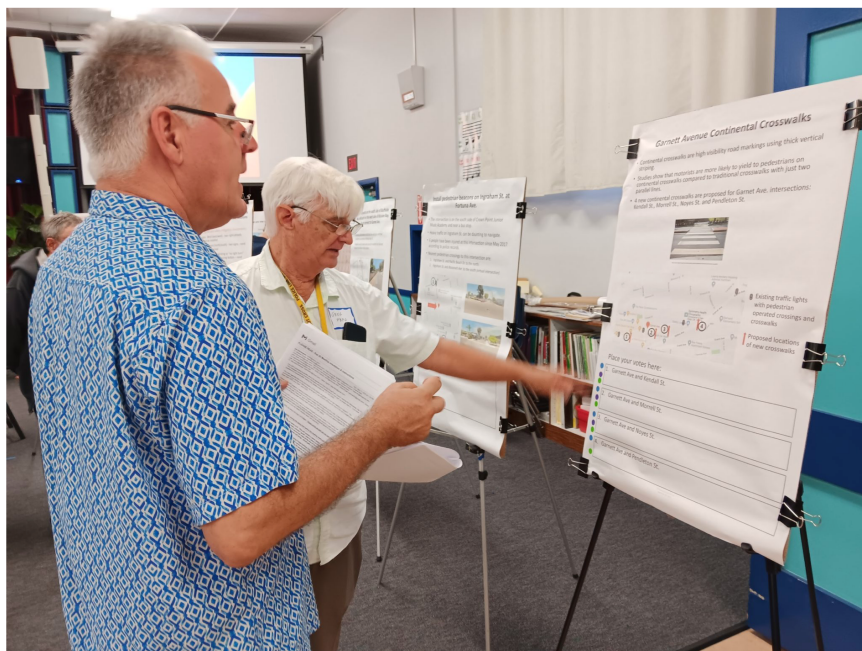
 by **Dave Schwab** — September 26, 2023 in Beach & Bay Press - Top Stories, SDNews - Top Stories Reading Time: 3 mins read

 0  0

0 SHARES

194 VIEWS





Traffic safety was the No. 1 priority for Capital Improvement Projects at a recent joint meeting between Pacific Beach Town Council and Pacific Beach Planning Group to select a preferred list of community infrastructure projects to be funded in this year's City



**Let's partner for life's moments.**

Together, we'll help you prepare for the next one — big or small.

**Joshua Lightcap**  
Fina  
5083 Santa Monica  
San Diego  
61



**Let's partner for life's moments.**

Together, we'll help you prepare for the next one — big or small.

**Jenica**  
Fina  
2907 Shelter Island  
Point Loma  
61

**STAY INFORMED**  
LOCAL NEWS UPDATE

Represent community / diverse interests

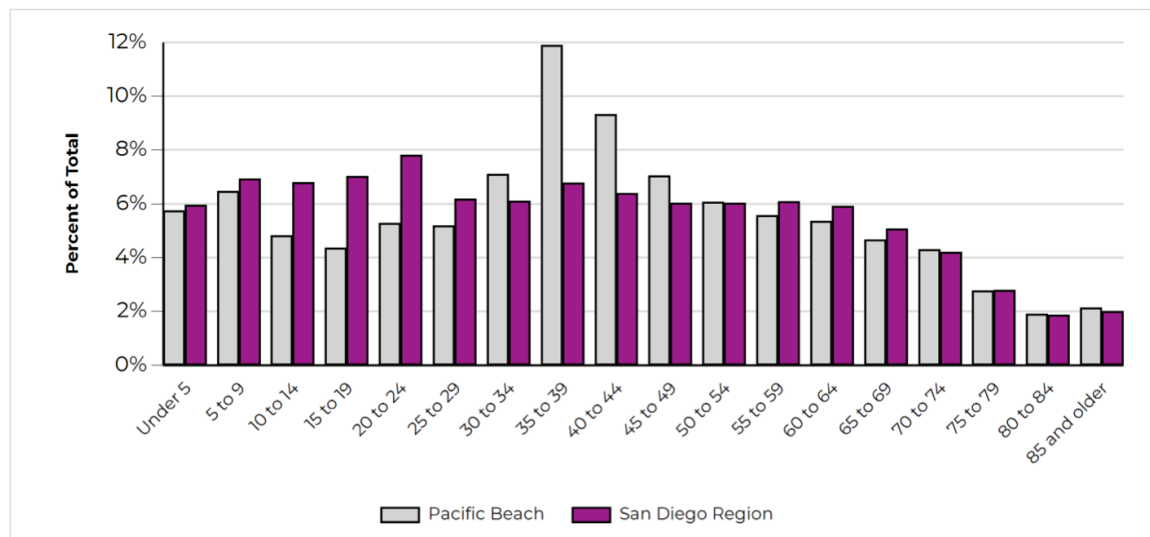
## Represent Diverse interests

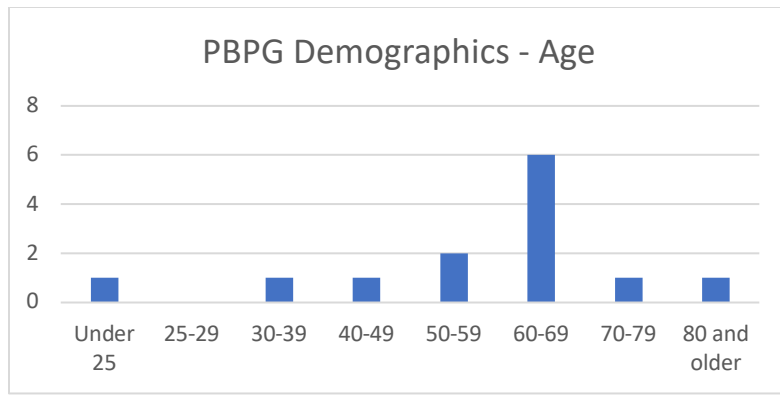
The Pacific Beach Community Planning Group (PBPG) represents 48,954 residents as of 2021 SANDAG data.

Pacific Beach's reputation as a teen and university hang-out belies its true character of a diverse population of all age groups from children to over 85 years. While we are overrepresented by the 60-69 category, it may be expected since working families have a difficult time coming to evening meetings. We have actively reached out to other groups to recruit younger members and have seen some growth in this demographic with even an "under 25" board member. We hope that via word of mouth that the younger generation will feel more welcome and their ideas about their future community will be actively listened to by the group. Planning is for the future and their input is absolutely needed and necessary.

With regard to gender, we are underrepresented by females with only 23% while the area is 49% female. Pacific Beach is also 68% Caucasian per SANDAG data which is reflected in the PBPG data of 76% representation. American Indian representation in SANDAG data was .3% where the PBPG data reflects 8% of the CPG. Two or more races were also represented by 8% not compared in the SANDAG data. The diversity of professional experience from artist to attorney is vast and noted in our excel sheet demographics attached to application.

**Population by Age**





Pacific Beach residents are of many socioeconomic backgrounds while it doesn't exactly match SANDAGS data we would like to recruit members from the 3 lower tiers of income. Our most common income was in the 75-99K income bracket which matches SANDAG data. Mean income cannot be calculated with the data parameters given by the City of San Diego.

#### Household Income

##### Households by Income Category (2010 \$, adjusted for inflation)

|            | Less than<br>\$15,000 | \$15,000-<br>\$29,999 | \$30,000-<br>\$44,999 | \$45,000-<br>\$59,999 | \$60,000-<br>\$74,999 | \$75,000-<br>\$99,999 | \$100,000-<br>\$124,999 | \$125,000-<br>\$149,999 | \$150,000-<br>\$199,999 | \$200,000<br>or more |
|------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-------------------------|-------------------------|-------------------------|----------------------|
| % of Total | 7%                    | 10%                   | 13%                   | 11%                   | 11%                   | 15%                   | 10%                     | 6%                      | 7%                      | 9%                   |

#### Median Household Income

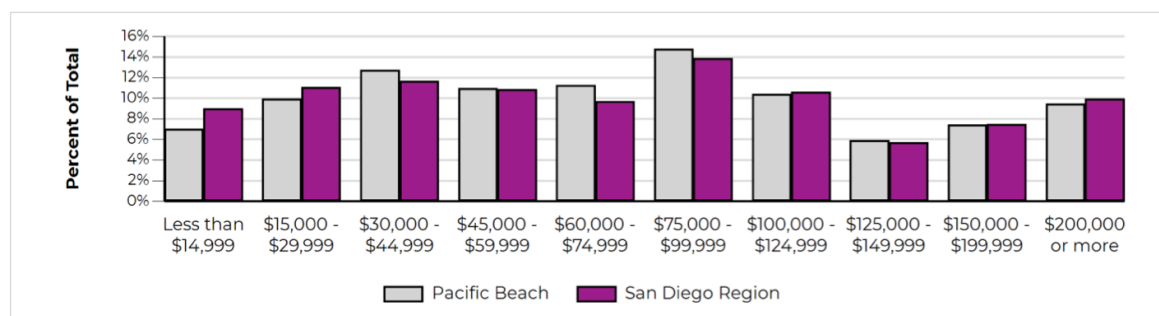
2021

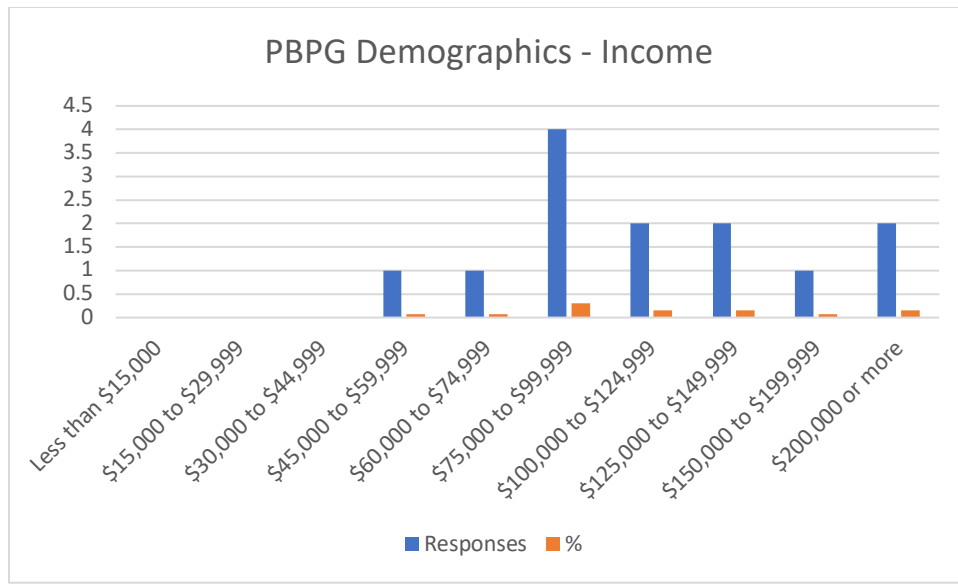
Adjusted for Inflation (2010 \$)

\$72,418

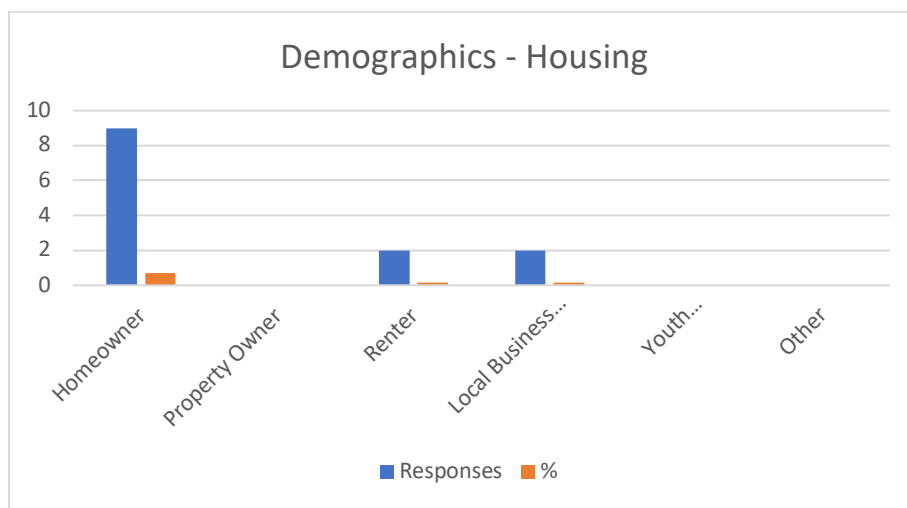
Not adjusted for inflation (current 2020 \$)

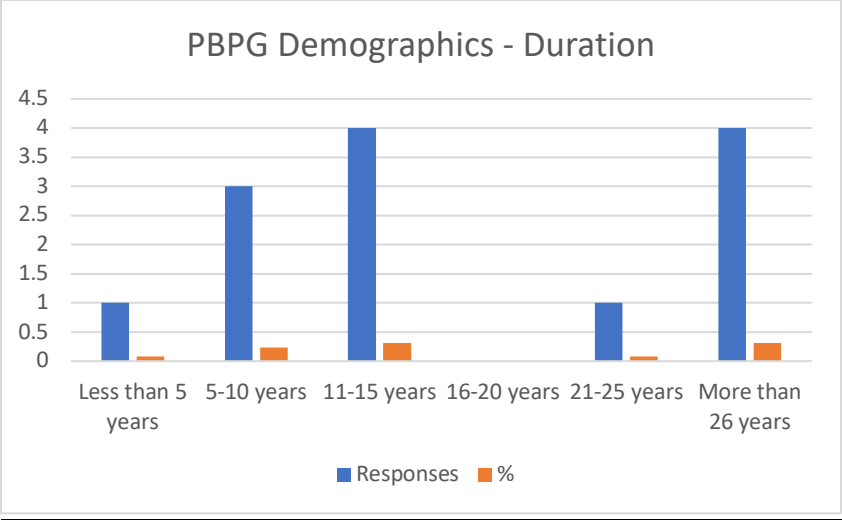
\$89,668





While the demographics for home occupation and time lived in Pacific Beach were not in the SANDAG data, our data is presented in our excel sheet and here in graphic form. Looking at the SANDAG data, only using “multi-family” as potential renters, 38% are renters. This likely is a underestimate given whole homes certainly have renters but given this comparison to the PBPG of 2/13 or 15%, renters are underrepresented. Local businesses are represented at 15% as well and are not captured in the SANDAG data. There is a perception of renters being more transient and possibly less interested in future planning, but the PBPG recognizes this is inaccurate. The planning groups chair has gone to many meetings of the community to actively recruit new board members who rent in Pacific Beach. Given the constraints of our budget, advertising in newspapers is unlikely but we are considering social media as an alternative to get the word out. As for how long a board member has lived in PB, the numbers skew towards fewer years and this is likely due to our current active efforts at new recruitment.





# Pacific Beach

■ Member Count

■ Percent Group

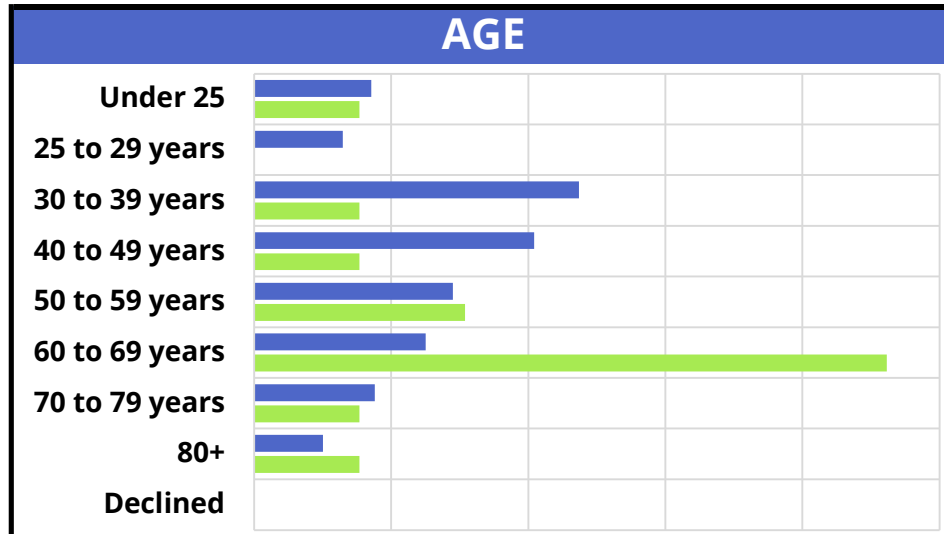
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 9            |
| Property Owner                      | ---          |
| Renter                              | 2            |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>13</b>    |

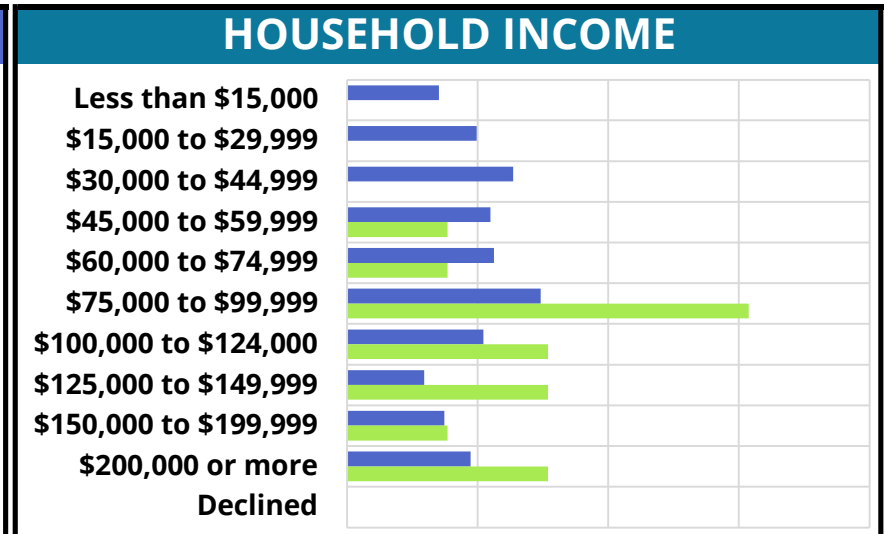
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | 1            | 7.7%          | 0.4%              |
| Asian            | ---          | ---           | 4.7%              |
| Black            | ---          | ---           | 1.3%              |
| Hispanic         | ---          | ---           | 20.7%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 10           | 76.9%         | 68.5%             |
| Two or More      | 1            | 7.7%          | 3.7%              |
| Other            | 1            | 7.7%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Pacific Beach

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | 1            | 8%            | 9%                |
| 25 to 29 years | ---          | ---           | 6%                |
| 30 to 39 years | 1            | 8%            | 24%               |
| 40 to 49 years | 1            | 8%            | 20%               |
| 50 to 59 years | 2            | 15%           | 15%               |
| 60 to 69 years | 6            | 46%           | 13%               |
| 70 to 79 years | 1            | 8%            | 9%                |
| 80+            | 1            | 8%            | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 7%                |
| \$15,000 to \$29,999   | ---          | ---           | 10%               |
| \$30,000 to \$44,999   | ---          | ---           | 13%               |
| \$45,000 to \$59,999   | 1            | 8%            | 11%               |
| \$60,000 to \$74,999   | 1            | 8%            | 11%               |
| \$75,000 to \$99,999   | 4            | 31%           | 15%               |
| \$100,000 to \$124,000 | 2            | 15%           | 10%               |
| \$125,000 to \$149,999 | 2            | 15%           | 6%                |
| \$150,000 to \$199,999 | 1            | 8%            | 7%                |
| \$200,000 or more      | 2            | 15%           | 9%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 15, 2023, 3:07:35 PM

What is the official name of your Planning Group?

**Peninsula Community Planning Board (PCPB)**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Peninsula**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **2**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Public Meetings, Informal Meetings, Printed Public Information, Social Media, Polls/Surveys, Partnering with Community-based Organizations**

How will your Planning Group fairly represent all members of your community?

**The Peninsula Community Planning Board shall consist of fifteen elected members. Five additional, non-voting members may be added to represent stakeholder groups. To measure community representation, the PCPB shall gather demographic data of existing and new PCPB voting members at the time of elections to measure whether the PCPB is representative of the community's demographics. The PCPB shall compare this data to the demographics of the community at large as may be available from the City or other agencies such as SANDAG or the U.S. Census Bureau. The demographic data gathered should include age range, nature of relationship to community (homeowner, renter, or business owner), duration of relationship to community, ethnicity, race, gender, professional background or expertise, and length of service or involvement with the CPG. To ensure representation of unique stakeholder interests in the community planning area, the PCPB may appoint up to five non-voting members, for a total of no more than twenty members, to represent ethnicities, age groups, disabilities, renters, and intergenerational households not otherwise represented by the elected members. These non-voting members will be selected to represent the interests of their segment of the community, add substantive knowledge to committee deliberation, and inform discussion. As with board community members, appointed members will be voting members of standing and ad hoc committees and subcommittees and will be encouraged to stand for election.**

Applicant Representative

**Eric Law**

Email

**erichlaw@gmail.com**

Phone Number

**7033503341**

Please include the following documents.

**DOCX** PCPB participation\_plan\_2023.docx  
27.7KB

**DOCX** PCPB\_Operating Procedures\_2023.docx  
266.8KB

**PDF** demography\_worksheet.pdf  
686.9KB

| Community Affiliation |        |          |                |       | Age |       |       |       |       |       |       |     | Household Income |        |         |         |         |         |           |           |           |       | Race/Ethnicity  |       |       |          |       |                  |             |       |   |
|-----------------------|--------|----------|----------------|-------|-----|-------|-------|-------|-------|-------|-------|-----|------------------|--------|---------|---------|---------|---------|-----------|-----------|-----------|-------|-----------------|-------|-------|----------|-------|------------------|-------------|-------|---|
| Property Owner        | Renter | Resident | Local Business | Youth | U25 | 25-29 | 30-39 | 40-49 | 50-59 | 60-69 | 70-79 | 80+ | <15k             | 15-29k | 30k-44k | 45k-59k | 60k-74k | 75k-99k | 100k-124k | 125k-149k | 150k-199k | 200k+ | Native American | Asian | Black | Hispanic | Other | Pacific Islander | Two or more | White |   |
|                       |        |          |                |       |     |       |       |       |       |       |       |     |                  |        |         |         |         |         |           |           |           |       |                 |       |       |          |       |                  |             |       |   |
| 10                    | 1      | 1        | 3              | 0     |     |       | 2     | 4     | 7     | 1     | 1     |     | 1                |        | 1       |         |         |         |           |           |           | 8     | 5               | 1     | 0     | 0        | 3     | 0                | 0           | 7     | 4 |

**Peninsula Community Planning Board Operating Procedures**  
**Approved November 16<sup>th</sup>, 2023 (Administrative Approval)**  
**Update from City Review February 27<sup>th</sup>, 2024**

**Introduction and Background**

Through this document, the Peninsula Community Planning Board adopts Council Policy 600-24's Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24. Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The Peninsula Community Planning Board , in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The Peninsula Community Planning Board acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council as a planning group in the City of San Diego. The Peninsula Community Planning Board acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The Peninsula Community Planning Board will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the Peninsula Community Planning Board's founding, operation, or organization.

The Peninsula Community Planning Board will also include with these Operating Procedures a Community Participation and Representation Plan and Ethical Standards and maintain these documents in accordance with the Records Management Section herein.

In consideration of Council Policy 600-24 and its attached Terms and Conditions, the Peninsula Community Planning Board hereby agrees to abide by the following as part of their Operating Procedures:

**ARTICLE I Name**

Section 1. The official name of this organization is the Peninsula Community Planning Board, sometimes abbreviated to PCPB.

Section 2. All activities of this organization shall be conducted in its official name.

Section 3 The community planning area boundaries for the Peninsula Community Planning Board are shown on Exhibit “A” and are generally described as the coastline on the east, Midway on the north and West Point Loma Blvd on the west to Froude Street, Froude Street to Adair, Sunset Cliffs Coastline to Point Loma Nazarene University, Point Loma Ave on the south and to include the Navy Installations to the south.

Section 4. Meetings of the Peninsula Community Planning board shall be held within these boundaries, except that when the Peninsula Community 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 meeting facility.

Section 5. The official positions and opinions of the Peninsula Community Planning Board shall not be established or determined by any organization other than the planning board, nor by any individual member of the planning board other than one authorized to do so by the planning board. A special emergency meeting of the PCPB may be held to act on urgent matters and legislation when it is not possible for the full committee to meet in person in time to act on the matter. Any member of the PCPB may call on the Chair to convene a special emergency meeting.

## **ARTICLE II Purpose of Community Planning Board and General Provisions**

Section 1. The Peninsula Community 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 to, the General Plan or a land use plan when a plan relates to the Peninsula Community Planning Board community boundaries. The planning board also advises on other land use matters as requested by the City or other governmental agency as detailed in Council Policy 600-24.

The PCPB may be called upon to advise on, or participate in, additional efforts such as identifying Capital Improvement Project infrastructure needs, as discussed in Council Policy 000-32. Pursuant to the provisions of Council Policy 600-33, the PCPB may be asked to review a park general development plan or capital improvements within the park if there is no City-recognized park advisory group. Nothing in this policy precludes the PCPB from serving as the local advisory group for a Maintenance Assessment District (MAD) nor from seeking to serve as the local manager of a new MAD.

Section 2. In reviewing individual development projects, the Peninsula Community Planning Board should focus such review on conformance with the Land Development Code, and the adopted community plan and the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. Whenever

possible, the formal planning board recommendation should be submitted no later than the end of the public review period offered by the draft environmental document. Upon receipt of the plans for projects with substantive revisions, updates, strikeout/underline, and/or involving a reissued environmental document, the planning board may choose to rehear the project, at a regular or special meeting, and may choose to provide a subsequent formal recommendation to the City.

The PCPB must submit its advisory recommendation on a development project, if any, to the City, via the Development Services Department Project Managers, within seven calendar days of the PCPB's approval of the recommendation. The City may decline to review any advisory recommendation submitted to the City eight or more calendar days after the recommendation was approved by the PCPB.

In addition, the PCPB must follow a uniform process for recording and posting PCPB project review recommendations. This process should either use a revised annual report that includes all project recommendations, or a Bulletin 620 Distribution Form revised to include the number of times the applicant presented to the PCPB per project and any major conditions to the project proposed by the PCPB.

For a development project that requires an Environmental Impact Report, the PCPB must submit its comments before the public review period closes.

Section 3. All activities of the Peninsula Community Planning Board shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.

Section 4. The Peninsula Community 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 board may take a position on a ballot measure.

Section 5. The Peninsula Community 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 Peninsula community 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 Peninsula Community Planning Board operates under the authority of the Ralph M. Brown Act which requires that meetings of the planning board be open and accessible to the public. In addition, Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" and these operating procedures govern the operations of the planning board. Several provisions of these bylaws constitute Brown Act requirements as outlined in the Policy. Amendments to Council Policy 600-24 will apply to the Peninsula Community Planning Board, as well as to all other community planning boards, even if the individual board's operating procedures are not required to be amended with parallel language.

In addition, Council Policy 600-24 provides explanations of the Policy's minimum standard operating procedures and responsibilities of this planning board. The latest version of *Robert's Rules of Order* is used when Council Policy 600-24 and these bylaws do not address an area of concern or interest.

Section 7. The Peninsula Community Planning Board may propose amendments to these operating procedures by a two-thirds vote of the voting members of the planning board. 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.

Section 8. The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **ARTICLE III Peninsula Community Planning Board Organization**

Section 1. The Peninsula Community Planning Board shall consist of fifteen elected members. These members of the planning board shall constitute the officially recognized community planning board for the purpose of these bylaws and Council Policy 600-24. Five additional, non-voting members may be added to represent stakeholder groups. At no time may the board exceed twenty voting and non-voting members.

Section 2. Community Representation. Council Policy 600-24 requires that elected members of the Peninsula Community Planning Board (PCPB) shall, to the extent possible, be representative of the community's demography and interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

Collection of Membership Data. To measure community representation, the PCPB shall gather demographic data of existing and new PCPB voting members at the

time of elections or at other regular periods to measure whether the PCPB is representative of the community's demographics. The PCPB shall compare this data to the demographics of the community at large as may be available from the City or other agencies such as SANDAG or the U.S. Census Bureau. The demographic data gathered should include age range, nature of relationship to community (homeowner, renter, or business owner), duration of relationship to community, ethnicity, race, gender, professional background or expertise, and length of service or involvement with the CPG. This data should be submitted to the City along with the annual rosters required by Article VI, section 2 (4) Meeting Document (b). Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

Voting Member Eligibility. The Peninsula Community Planning Board elected seats are filled by any Eligible Candidate identified below. There are no further restrictions on the distribution of seats among interests in the community.

Planning board 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 businessperson, 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 as evidenced by a business tax certificate or other official document. Only one representative of a particular establishment may hold a seat on the community planning board at one time.

An eligible member of the community may become an Eligible Candidate by submitting a completed application to the Elections subcommittee for validation. 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 board's criteria and formal action is taken by the planning board. However, the Peninsula Community Planning Board shall require proof of eligibility during elections.

Section 3. The fifteen Voting Members of the Peninsula Community Planning Board shall be elected to serve for fixed terms of three years in groups of five with expiration dates during alternating years to provide continuity.

No person may serve on the planning board for more than nine consecutive (three 3-year terms) years. The nine-year limit refers to total consecutive years of service time, not to individual seats held. After a one-year break in service as a planning board member, an individual who previously served for nine consecutive years shall again be eligible for election to the planning board.

The planning board will actively seek new members to the extent feasible. If insufficient numbers of new candidates are found to fill all vacant seats, the planning board may retain members who have served for nine consecutive years to continue on the planning board without a break in service. However, this member must be elected to an open seat by at least a two-thirds of the ballots cast by eligible members of the community participating in the regular election.

The number of individuals on a planning board serving more than nine consecutive years shall in no case exceed twenty-five percent of the voting board membership.

The term of the member elected by a two-thirds vote serving beyond nine years shall count as time served beyond the required break in service as required by this Section. Future consecutive election of the member who has served beyond nine years is subject to the requirements of this Section. Refer to Council Policy 600-24, II.E, for further clarification.

Appointed Seats. To ensure representation of unique stakeholder interests in the community planning area, the PCPB may appoint up to five non-voting members, for a total of no more than twenty members, to represent ethnicities, age groups, disabilities, renters, and intergenerational households not otherwise represented by the elected members. These non-voting members will be selected to represent the interests of their segment of the community, add substantive knowledge to committee deliberation, and inform discussion. As with board community members, appointed members will be voting members of standing and ad hoc committees and subcommittees and will be encouraged to stand for election.

- (1) Ten percent of the electorate is sufficient to merit representation. Where more than five stakeholder groups over ten percent of the electorate are not represented, the top five shall be afforded representation by an appointed seat.
- (2) Appointed seats shall be for a term of one (1) year, with members remaining eligible for reappointment for a maximum of six sequential terms. Any break in appointment of one year or greater will make the member eligible for reappointment for another six years. Appointed membership shall not affect eligibility for three full terms of three years as an elected, voting member, except that no elected member deemed ineligible for reelection may become an appointed member for at least one year after becoming ineligible for reelection.

- (3) Process. Immediately following the election of new members in March, the Executive Board shall determine if the PCPB remains representative of the community demographically. One elected member from a stakeholder group is sufficient to constitute representation. Should the Executive Board determine that the elected membership no longer represents the community adequately, the PCPB shall actively seek representatives from the impacted stakeholder group. The Elections Committee shall validate any candidate for appointment using the same process as an elected member. In the April PCPB meeting after the Elections Committee presents and the PCPB seats the newly elected members, the Executive Board shall present a slate of non-voting member candidates for appointment. Should multiple candidates express interest in appointment to represent a stakeholder group, the competing candidates shall be presented to the full board for consideration and selection by a vote of the full PCPB. The selected candidates shall be immediately seated before the board proceeds with the agenda.

Section 4. A member of the Peninsula Community Planning Board must retain eligibility during the entire term of service. The PCPB shall take attendance to ensure that each voting member attends at least two-thirds of the PCPB's regularly scheduled meetings in any twelve-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member.

Section 5. A member of the Peninsula Community Planning Board found to be out of compliance with the provisions of Council Policy 600-24 or the planning board's adopted operating procedures risks loss of defense and indemnification (legal protection and representation) pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

Section 6. Several provisions of these bylaws constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A member of the Peninsula Community Planning Board who participates in a meeting of the planning board 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 Peninsula Community 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 board'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 board's regular meetings.

A vacancy may also exist following a vote of the PCPB as described in section II.D of Council Policy 600-24 related to ineligibility or following conclusion of a member-removal process conducted under Article IX of these operating procedures.

Section 2. Vacancies that may occur on the Peninsula Community 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 Peninsula Community Planning Board shall move to fill vacancies at the time the vacancies are declared. Vacancies will have appropriate noticing in the local paper and on the PCPB website. Applicants for replacement seats will be subject to the same qualification requirements as applicants for General Elections. Vacancies shall be filled by a vote cast by the seated Planning Board members. Such vote shall be in writing and the vote cast by each Board Member to select a replacement for a vacant seat will not be disclosed until the results of the election are announced. The results of the election for the replacement seat should be announced at the same meeting as that in which the vote was taken. Those seated shall fill the remaining term of the member they are replacing.

Two or more concurrent PCPB vacancies shall be filled by a vote of all eligible members of the community by secret written ballot in a special election.

Section 3. When the Peninsula Community Planning Board is unable to fill a vacancy within 120 days, as specified above, and the planning board has more than twelve members, a search for a new member should continue, however either the seat may remain vacant until the next planning board election, or these operating procedures may be amended to permit decreased membership to a minimum of twelve 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 board members in good standing, the planning board shall report in writing the efforts made to fill the vacancy to the City. If, after 60 additional days, the planning board membership has not reached twelve members, the planning board will be deemed inactive until it has attained at least twelve members in good standing.

## **ARTICLE V Elections**

Section 1. General elections of Peninsula Community Planning Board members shall be held annually during the month of March in accordance with the PCPB's adopted elections procedures found in Article VIII, Section 6 of these operating procedures.

The deadline to qualify for candidacy in the March general election shall be on or prior to the Candidate Forum noted below. The planning board's Election Subcommittee shall be established no later than January and shall initiate the search for eligible community members to become candidates. In February, the Election Subcommittee shall present to the planning board a complete list of interested candidates collected up to that point in time. Candidates may be added at the February meeting. A Candidate Forum shall be advertised and shall be held after the February noticed regular meeting and prior to the March Election. The Candidate Forum represents the last opportunity for new candidates to be declared eligible.

The Peninsula Community Planning Board will allow write-in candidates. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate will be an invalid vote and will not be counted.

Section 2. The Peninsula Community Planning Board shall make a good faith effort to utilize means appropriate to publicize the planning board's eligibility requirements for candidacy and the upcoming elections.

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

The Peninsula Community Planning Board shall hold its annual election separately from, but on the same day and at the same location as, the regular board meeting in March, or at another date in March designated by the planning board.

The Peninsula Community Planning Board will require proof of identity of those eligible community members who are seeking to vote in the election pursuant to Article VIII, Section 6 (6). The planning board shall ensure that voting is only by recognized members of the community eligible to vote.

The ballot presented to eligible community members will clearly identify how many candidates can be selected and which candidates, if any, must receive a Two-thirds majority of the vote due to service beyond nine consecutive years of service.

Section 3. Voting to elect new PCPB members shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances.

Section 4. The Peninsula Community Planning Board election becomes final after announcing the election results at the conclusion of the regular noticed planning board 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 to allow their full participation as elected members at the April planning board meeting.

Any challenge to the election results must be filed with the chair of the Elections Subcommittee in writing within 48 hours of the counting of the ballots to allow enough time to resolve the issue.

Section 5. Article VIII, Section 6 contains all voting procedures, including voting eligibility; candidate eligibility; elections subcommittee establishment and responsibilities; promotion of elections; poll location; managing polls; counting ballots and Write in candidates; reporting election results to the Chair; and election challenge criteria and procedures.

## **ARTICLE VI Community Planning Board and Planning Board Member Duties**

Section 1. It is the duty of the Peninsula Community 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 the Peninsula Community Planning Board to conduct official business of the planning board in a public setting. It is recognized that the officers of the planning board may oversee administrative business of the planning board, such as the assembling of the draft agenda, in preparation for public discussions. However, all substantive discussions about agenda items or possible board positions on agenda items shall occur at the noticed planning board meetings.

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

### **Section 2. Meetings**

**Meeting Procedures.** It shall be the duty of each member of the Peninsula Community Planning Board to attend all planning board meetings.

- (1) **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 twenty 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 board 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 PCPB's website at least 72 hours in advance of the meeting.

- (2) **PUBLIC COMMENT-** Any interested member of the public may comment on agenda items during regular or special planning board meetings. In addition, each agenda for a regular planning board 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 board. Planning board members may make brief announcements or reports to the planning board on their own activities under the public comment section of the agenda. The planning board may adopt time limits for public comment to ensure operational efficiencies.
- (3) **ADJOURNMENTS AND CONTINUANCES** – If the Peninsula Community 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 board were present, the subsequent meeting, if not a regular meeting, must be noticed as if it was a special meeting.

- (4) **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 it were a regular meeting; otherwise, the original meeting agenda is adequate.
- (5) **CONSENT AGENDA** - For items to be considered for a "Consent Agenda" all of the following are required:
  - a. A subcommittee of the planning board has discussed the item at a noticed subcommittee meeting,
  - b. All interested members of the public were given an opportunity to address the subcommittee, and

- c. The item has not substantially changed since the subcommittee's consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

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

No member of the public shall be required, as a condition of attendance at any meeting of the planning board, 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.

- (7) **DEVELOPMENT PROJECT REVIEW** - The Peninsula Community 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 board shall allow participation of affected property owners, residents, and business establishments within proximity to the proposed development.

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

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

- (8) **ACTION ON AGENDA ITEMS** - An item not noticed on the agenda may be added if either two-thirds of the voting members of the PCPB, or every member if less than two-thirds of the voting members of the PCPB 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 board subsequent to

the agenda being posted.

(9) BOARD VOTING

- a. A two-thirds vote of the voting members of the PCPB is required to remove an elected community planning board member in accordance with Article IX.
- b. Removing a member due to ineligibility in accordance with Article III, Section 2 requires a majority vote of the voting members of the PCPB for the purpose of ratifying the findings presented by the Secretary to the board.
- c. Amendments to adopted operating procedures require a two-thirds vote of the voting members of the PCPB.
- d. A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the PCPB.
- e. All other PCPB actions, including subcommittee votes, only require a simple majority of the voting members of the group in attendance when a quorum is present.
- f. The Peninsula Community Planning Board's Chair may participate in discussions but does not vote except to make or break a tie.
- g. The planning board 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. Special web-based meetings are allowed and not a method of absentee voting.
- h. Votes taken on agenda items shall reflect the positions taken by the elected or appointed positions on the planning board.

(10) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the Peninsula Community Planning Board as to an action to be taken on an item by members of the planning board, 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.

(11) SPECIAL MEETINGS - The chair of the Peninsula Community Planning Board, or a majority of planning board members, may call a special meeting.

Special meetings may be web-based provided all other requirements are met. 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 board shall receive written notice of the meeting at least 24 hours before the time of the meeting as specified in the notice. Written notice shall be delivered to at least one 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.

- (12) **EMERGENCY MEETINGS** - Emergency meetings require no public notice and are called for matters related to public health and safety. These matters are outside of the purview of the Peninsula Community Planning Board and are prohibited under these operating procedures.
- (13) **RIGHT TO RECORD** - Any person attending a meeting of the Peninsula Community Planning Board must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning board that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.
- (14) **DISORDERLY CONDUCT** - If any planning board meeting is willfully interrupted by a person or board of persons, so as to make the orderly conduct of the meeting infeasible, the planning board may first cause removal of the individual or individuals. If that is unsuccessful then the planning board 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 board may also readmit an individual or individuals who were not responsible for the disruption.

Subcommittees. The Peninsula Community Planning Board may establish or create as needed standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning board meetings.

All subcommittee meetings are noticed, except that Ad-Hoc subcommittee meetings are, at minimum, noted on the PCPB website or listed on the regular planning board agenda.

- (1) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the Peninsula Community Planning Board as identified in Article II, Section 1, has established the following standing subcommittees: Airport, Long Range

Planning, Parks and Recreation, Traffic and Transportation, Environment, and Project Review. Subcommittees will stand for the year and subcommittee Chairs will be voted on by the Board.

- (2) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees may be established for a finite period to review more focused issue areas and shall be disbanded following their review.
- (3) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning board.

To prevent a subcommittee meeting becoming a meeting of the full Board, the number of Board members on any subcommittee must be less than a majority of the full Board. However, in accordance with the Brown Act, members of the Board who are not members of the subcommittee may attend a subcommittee meeting as a member of the audience to observe but may not participate verbally, or through gestures or facial expressions.

Non-members, who are duly appointed by a planning board to serve on a subcommittee, 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 Council Policy 600-24.

- (4) **RECOMMENDATIONS** – Subcommittee recommendations must be brought forth to the full planning board for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning board without a formal vote of the full planning board.

#### Abstentions and Recusals

- (1) **ABSTENTIONS** – In limited circumstances, planning board members may abstain from either voting on an action item, or from participating and voting on an action item. PCPB voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The PCPB's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a PCPB quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

- (2) RECUSALS - Any member of the Peninsula Community Planning Board with a direct economic interest in any project that comes before the planning board, or its subcommittees must disclose to the planning board that economic interest and must recuse from voting and not participate in any manner as a member of the planning board for that item on the agenda.
- (3) CONFLICTS OF INTEREST - PCPB voting members with a potential or perceived conflict of interest should recuse themselves from a PCPB hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances. Exceptions to conflicts of interest may be granted by the PCPB to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### Meeting Documents and Records

- (1) 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 board, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such a 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.
- (2) AGENDA AT MEETING - Any written documentation, prepared or provided by City staff, applicants, or planning board members that is distributed at the planning board meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the planning board 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 board 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 of the materials requested by an individual or individuals.
- (3) MINUTES – For each planning board meeting, a report of Peninsula Community Planning Board member attendance and a copy of approved minutes shall be retained by the planning board 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 next regularly scheduled PCPB meeting. The minutes of each planning board 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 board action) appeared before the planning board. If an applicant did not appear before the planning board, 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 board meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning board. The minutes shall also be posted to the PCPB website within 14 days of approval.

The Peninsula Community Planning Board is not required to record audio or video of 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.

- (4) **RECORDS RETENTION** – Peninsula Community Planning Board records must be retained for public review. Community planning board records are meeting agendas and any other writings that are distributed to at least a majority of the board members in connection with a matter subject to consideration at an open meeting of the board. Community planning board 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 PCPB operation and compliance. The PCPB also receives materials that do not qualify as records. Council Policy 600-24 discusses categories of material that are City records, community planning board records, and non-records.
  - a. The PCPB shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.
  - b. Written applications submitted to the PCPB by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The PCPB will submit to the City the rosters of PCPB

voting members by May 1st of each year and will also submit to the City any changes to rosters as a result of PCPB elections.

Professional Conduct. The PCPB and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the board's agenda. PCPB members shall recuse themselves from board business in which they have any personal interest or equity, to include abstention and recusal as noted above. PCPB voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times. Continued disreputable conduct may be grounds for censure or other disciplinary proceedings.

Section 3. It shall be the duty of the Peninsula Community Planning Board and its members to routinely seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, Section 1. The planning board 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 Peninsula Community Planning Board to maintain a current, up-to-date roster of the names, terms, and category/qualifications of planning board members in its possession, and to forward the current roster, as well as any updates, to the City. The planning board 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. The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections. The annual report shall be submitted to the City within 14 days of the approval of the March minutes.

Section 5. The Peninsula Community 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 board 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 board meeting. All contributions must be voluntarily made, and no official planning board correspondence may be withheld based on any individual's desire to not make a voluntary contribution. Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

Section 6. Each elected Peninsula Community Planning Board member shall complete the formal education, training program in-person or online administered by the City as part of planning board and individual member indemnification pursuant to Ordinance No. O-19883 NS, and any future amendments thereto. Voting members must complete the

training each year no later than June 1st of each succeeding year for as long as the voting member is serving or re-elected.

Newly seated planning board members must complete a basic orientation training session within 60 days of being elected or appointed to a planning board or the member will be ineligible to serve. Community members must complete training within 60 days of appointment to be indemnified by the city. The basic orientation training session will be scheduled within 60 days of the last day of March each year to meet this ordinance requirement. 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.

## **ARTICLE VII Planning Board Officers**

Section 1. The officers of the Peninsula Community Planning Board shall be elected from and by the members of the planning board. Said officers shall consist of a Chairperson, First Vice Chairperson, Second Vice Chairperson, Treasurer, and Secretary. The length of an officer's term shall be one year, except no person may serve in the same planning board office for more than nine 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 or Chair shall be the principal officer of a recognized community planning board and shall preside over all planning board and communitywide meetings organized by the planning board. The Chairperson will be the contact person for other community boards regarding requested correspondence. Example duties of the Chairperson include setting the agenda, responsibilities for making appointments for applicants for review, and shall be the point of contact for applicants and City Staff regarding review. The Chairperson shall organize and delegate as appropriate. The Chairperson will be the primary spokesperson for local news media and for press releases. 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 board.

Section 3. First Vice Chairperson: In the absence of the Chairperson, the First Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. The First Vice Chair will be the Chair of the Election Subcommittee unless the First Vice Chair is a candidate for re-election and, if so, a Chair of the Election Subcommittee will be appointed by the Board.

Section 4. Second Vice Chairperson. In the absence of the Chairperson and First Vice Chairperson, the Second Vice Chairperson shall perform all the duties and responsibilities of the First Vice Chairperson.

Section 5. Secretary. The Secretary shall be responsible for the planning board's correspondence, attendance records, and minutes and actions (including identification of those planning board members that constitute a quorum, who votes on an action item, and who may abstain or recuse and the reasons) and shall assure that planning board 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 6. Treasurer: The Treasurer shall keep books of accounts showing details of the business and the Board's accounts, and all receipts, and disbursements; amount of cash on hand, and amount of accounts payable and accounts receivable. The Treasurer shall disburse any of such money or incur indebtedness only as the result of an official action of the Peninsula Community Planning Board. The Treasurer may pay small board expenses less than \$30.00 without requesting permission beforehand but must report on such action at the next regularly scheduled Board meeting.

Section 7. The Chairperson shall be a recognized community planning board's representative to the Community Planners Committee (CPC). However, by vote of the planning board, a planning board member may be assigned as an alternate for the official representative to CPC with voting rights and same privileges as the Chair to attend in the absence of the Chair. Designation of a member other than the Chair as the planning board'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 8. The Peninsula Community Planning Board Chair or representative to the CPC shall promptly disseminate to all elected planning board members pertinent information to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, that is received by the planning board regarding its official business.

#### **ARTICLE VIII Planning Board Policies and Procedures**

Section 1. The Peninsula Community Planning Board operating procedures incorporate policies and procedures directed by Articles I through VIII and Attachment A of Council Policy 600-24. This Article lists additional procedures of the planning board.

Section 2. Community Participation. The following are the Peninsula Community Planning Board procedures regarding community participation:

Community Participation consists of notifying the Public of all meetings and inviting attendance at said meetings. Community members will have an opportunity to speak at all meetings on topics relevant to the purview of the Planning Board. Community input will be sought regarding all matters coming to the Board's attention.

The planning board will access all community resources and utilize all available media to promote community outreach programs to further education, awareness of its purpose and community contributions. It will strive for inclusion of diverse representation and input.

Section 3. Planning Board Composition. The following are the Peninsula Community Planning Board's procedures pursuant to Article III, Section 2 regarding planning board composition:

Composition of the planning board will be determined by general election. Members who resign or seats that become available through other means will be elected by a vote of the sitting planning board members to complete the term of the prior member. See Article III, Section 2 for eligibility for consideration to fill vacated seats.

Non-voting members may be appointed by the board to represent stakeholder groups in the community not otherwise represented in some capacity by the elected board members as defined by Article III, Section 3.

Section 4. Conduct of Meetings. The following are the Peninsula Community Planning Board procedures regarding conduct of planning board meetings:

All agendas to include Regular monthly meeting, Project Review meeting, Subcommittee meetings, and Special meetings of the Peninsula Community Planning Board will be noticed.

Meeting agendas will be noticed at least 72 hours prior to the meeting by public notice posted at a place freely accessible to members of the public and on the PCPB website. All meetings will allow for non-agenda and agenda public comment on topics relevant to the purview of the business of the Board. Public comment, normally three minutes per speaker, may be limited in respect of a full agenda, and may be reduced to no less than two minutes provided each speaker receives the same amount of time. It is to be expected that order and civil discourse will always be maintained. Persons who are disruptive, fail to follow the agenda and interrupt meeting progress will be asked to leave the room. If further disruption occurs Chair may declare the meeting adjourned. See Article VI, Section 2 (14) Disorderly Conduct. The audience and public will have an opportunity for input in all matters affecting community or projects that are presented. Projects brought by applicants will be considered in the Action Items

immediately following Parliamentary Items and after Non-Agenda Public Comment in as much as possible.

Subcommittee Chairs and members will be recommended and appointed by vote of the Board. The majority of subcommittee members will be board members. Board membership on subcommittees is limited to less than a majority of non-vacant seats on the board to assure Brown Act compliance. Community members, especially those with expertise may be added to a subcommittee if there is a demonstrated need and when their participation contributes to a more effective subcommittee. The community member will provide a resume and be presented to the board for a vote. A prospective subcommittee member from the community then shall be seated by a majority vote of the board.

The Chair of each subcommittee will be responsible for a mission statement and goals which will be added to the PCPB website. The Chair of each subcommittee will be responsible for conducting their specific mission, setting meetings, providing venues and for providing minutes of meetings all of which will be added to the PCPB website. The chairs of each subcommittee will keep the Peninsula Planning Board Chair noticed and apprised of all activities and the Chair will be an ex-officio member of all subcommittees.

The PCPB will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

Section 5. Member and Planning Board Responsibilities. The following are the Peninsula Community Planning Board's procedures regarding member and planning board responsibilities:

Planning Board positions may be represented to the City on planning issues that are not project review recommendations or are an appeal on a City decision by formal letter.

Operating procedure amendments can be recommended by the ad hoc subcommittee for the purpose of developing an amendment. An amendment to the Operating procedures will require a two-thirds vote of the voting members of the PCPB prior to submission to the offices of the Mayor and City Attorney for review and approval. See Article II, Section 7.

Standard Operating Procedures may be developed by an ad hoc subcommittee and will be a stand-alone document attached to the Operating procedures when completed. Standard Operating Procedures will be subject to change as needed.

Voluntary financial contributions may be accepted for specific purposes by the community or Board members and will be acknowledged by letter from the Board.

The Peninsula Community Planning Board encourages engagement and regular participation with other organizations that may promote greater operational effectiveness and communication for the public good.

Section 6. Elections. Council Policy 600-24 provides general guidance for planning board elections. The following are procedures for conducting an election pursuant to these operating procedures:

- (1) **ELECTION SUBCOMMITTEE:** The Election Subcommittee shall consist of the First Vice-Chair and three other Board members who are elected by the board at the regularly scheduled October meeting. No member running for election shall serve as a member of the Election Subcommittee. If the First Vice Chair is running for re-election, the Board shall elect someone to replace her/him as the Chair of the Election Subcommittee.
- (2) **ELECTION MEETING:** The election meeting shall take place in March at the location of the regularly scheduled Board meeting or at a special election meeting in March at the Board's discretion. At the election meeting the First Vice Chair (or approved replacement if the First Vice Chair is running for re-election) shall conduct and manage the election with the assistance of the Election Subcommittee. Other Board members may assist in the process so long as they are not candidates in the election.
- (3) **PUBLICATION OF ELECTION:** A notice of election and solicitation of candidates shall be posted monthly in a community newspaper and multiple community forums no later than January preceding the March election.
- (4) **CANDIDATE ELIGIBILITY:** An individual is qualified to run for a seat on the Peninsula Community Planning Board if she/he is an eligible member of the community and an Eligible Candidate, both as described in Article III, Section 2.

The Peninsula Community Planning Board will allow write-in candidates. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate will be an invalid vote and will not be counted.

Determination of eligibility shall be the responsibility of the Election Subcommittee and a formal record of this eligibility shall be kept.

- (5) **ELECTIONEERING:** There shall be no electioneering (handing out election slate materials, soliciting votes by candidates, etc.) within one hundred feet of the voting premises.
- (6) **VOTER ELIGIBILITY:** An individual is eligible to vote in the Peninsula Planning Board Election if she/he is an eligible community member, as described in Article III, Section 2, and provides proof of such eligibility. Proof of eligibility shall consist of:
- a. a valid CA driver's license or CA ID with an address located within the Planning Board area, or
  - b. a current utility bill (within the last two months) with the name and address within the Planning Board area (plus an acceptable form of picture identification), or
  - c. a property tax statement with the name and address within the Planning Board area (plus an acceptable form of picture identification), or
  - d. such other identification deemed acceptable by an Election Subcommittee member and, if present, a City of San Diego official.
  - e. Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.
  - f. Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency;

(J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

- g. Voter Identification for Community Business Owners - Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.
- h. Voter Identification for Community Non-Profits - Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.
- i. Voter Identification for Community Non-Resident Property Owners - Non-residents who own property within the community should present documents similar to those described in Section 6 (6) above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

All prospective voters shall sign the voter log which requires name, address, and, if applicable, business name. This log shall be kept by the First Vice Chair (or in event the First Vice Chair is running for office by the Chair of the

Peninsula Community Planning Board) as a permanent record of the election proceedings.

- (7) **COUNTING OF BALLOTS:** Counting shall be done by Election Subcommittee members and at least one City of San Diego official when available.
- (8) **ELECTION RESULTS:** Election results shall be determined by Plurality Vote, as when the candidates for available seats who receive the highest number of votes cast are elected irrespective of the percentage of votes received by any candidate. The election results shall be reported by the Chair of the Election Subcommittee to the Chair of the PCPB (or their designee if the Chair is running for re-election) so that the results may be announced at the Election Meeting.
- (9) **ELECTION MATERIAL RETENTION:** The First Vice Chair in her/his capacity as election Chair shall keep all election materials (ballots, voter log, etc. for at least (six) months. In the event the First Vice Chair is running for re-election, the Second Vice Chair will keep all election materials. At the end of that period the materials may be destroyed. In disputed elections, the City of San Diego's Planning Department, or other City agency may, at the Election Subcommittee's discretion, take responsibility for election materials.
- (10) **ELIGIBILITY CHALLENGES:** Challenges to the eligibility of a candidate to run for the Board should be brought to the attention of the Election Subcommittee. To facilitate these challenges, the Election Subcommittee will make the eligibility record (see four above) available to any member of the public (at his/her own expense) who requests it.
- (11) **ELECTION CHALLENGES:** Challenges to the election shall be made to the Elections Subcommittee chair within 48 hours of the election. With the exception of ballots, copies of all election materials shall be made available to the public at the expense of the party making the request.

## **ARTICLE IX Rights and Liabilities of the Peninsula Community Planning Board**

Section 1. Indemnification and Representation. The Peninsula Community Planning Board 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 III.A; their conduct was in conformance with the

Policy and these operating procedures; and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies. The Peninsula Community 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 board, as well as the planning board itself, may be subject to civil remedies.

Under certain circumstances, individual planning board 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.

Alleged Violations by a Member of the Peninsula Community Planning Board:

In cases of alleged violations of the Peninsula Community Planning Board operating procedures or Council Policy 600-24 by a planning board member, the planning board may conduct an investigation consistent with the Council Policy 600-24 and these operating procedures.

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

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

If corrective action or measures are not feasible, the planning board may remove a member by a two-thirds vote of the voting members of the community planning board. The vote to remove the board member shall occur at a regularly scheduled public meeting subject to the procedures outlined in the Council Policy 600-24 and these operating procedures.

If the planning board member found to be out of compliance with the provisions of these operating procedures or Council Policy 600-24, the planning board 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 Peninsula Community Planning Board to discipline or remove a member must occur at a scheduled planning board 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:

- (1) A complaint that a violation of operating procedures of Council Policy 600-24 has occurred will be presented to the planning board chair. If the complaint is about the chair, it may be presented to any other officer of the planning board.
- (2) 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.
- (3) The complaint should provide a citation of the operating procedures or Council Policy 600-24 provisions of which the action is claimed to violate. If the complaint is from someone other than another planning board member, the chair (or other officer) may assist in providing appropriate citations to assist the complainant.
- (4) The chair will confer with the planning board 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.
- (5) 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 investigating a violation: While the authority for this process rests with this planning board, City staff may be contacted for assistance at any point in the process.

- (1) Once the information about an alleged violation is completed in writing, the chair, with assistance from the planning board officers, will meet, and talk with the planning board member against whom the violation is alleged. The allegations will be presented and the planning board member shall be given

opportunity for rebuttal.

- (2) If the chair, with assistance from the planning board officers, determines that no violation has actually occurred, the chair may record this in the written record of the complaint.
- (3) If the chair, with assistance from the planning board officers, determines that a violation has occurred, but the situation can be remedied either by action of the planning board or by the planning board member, then the chair will outline the necessary actions to achieve the remedy.
- (4) If the chair, with assistance from the planning board officers, determines that the situation cannot be remedied and that the interests of the community and Peninsula Community Planning Board would best be served by the removal of the planning board member, then the chair shall set the matter for discussion at the next planning board meeting. The planning board 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 board discussion.

Presenting a violation to the planning board:

- (1) The matter of removing a seated planning board member will be placed on the planning board's agenda as a potential action item. Supporting materials from the chair or from the offending planning board member will be made available to the elected planning board members prior to the meeting.
- (2) The matter will be discussed at the planning board's regular meeting with opportunity given to the planning board member who committed the violation to present their case and/or rebut documentation gathered by the chair with the assistance of the planning board officers. The member may also request a continuance of the item to gather more information to present to the planning board.
- (3) At the end of the discussion, the planning board may, by a two-thirds vote, choose to remove the member.

Recourse for expelled member:

- (1) There is no appeal available to an elected planning board member removed by a two-thirds vote of the voting members of their recognized community planning board.

- (2) The planning board member's seat shall be immediately declared vacant and subject to the provisions of Article IV.
- (3) The removal of a planning board member by a two-thirds vote of the voting members of their recognized community planning board will not prohibit the member from running for a planning board seat in future scheduled elections.

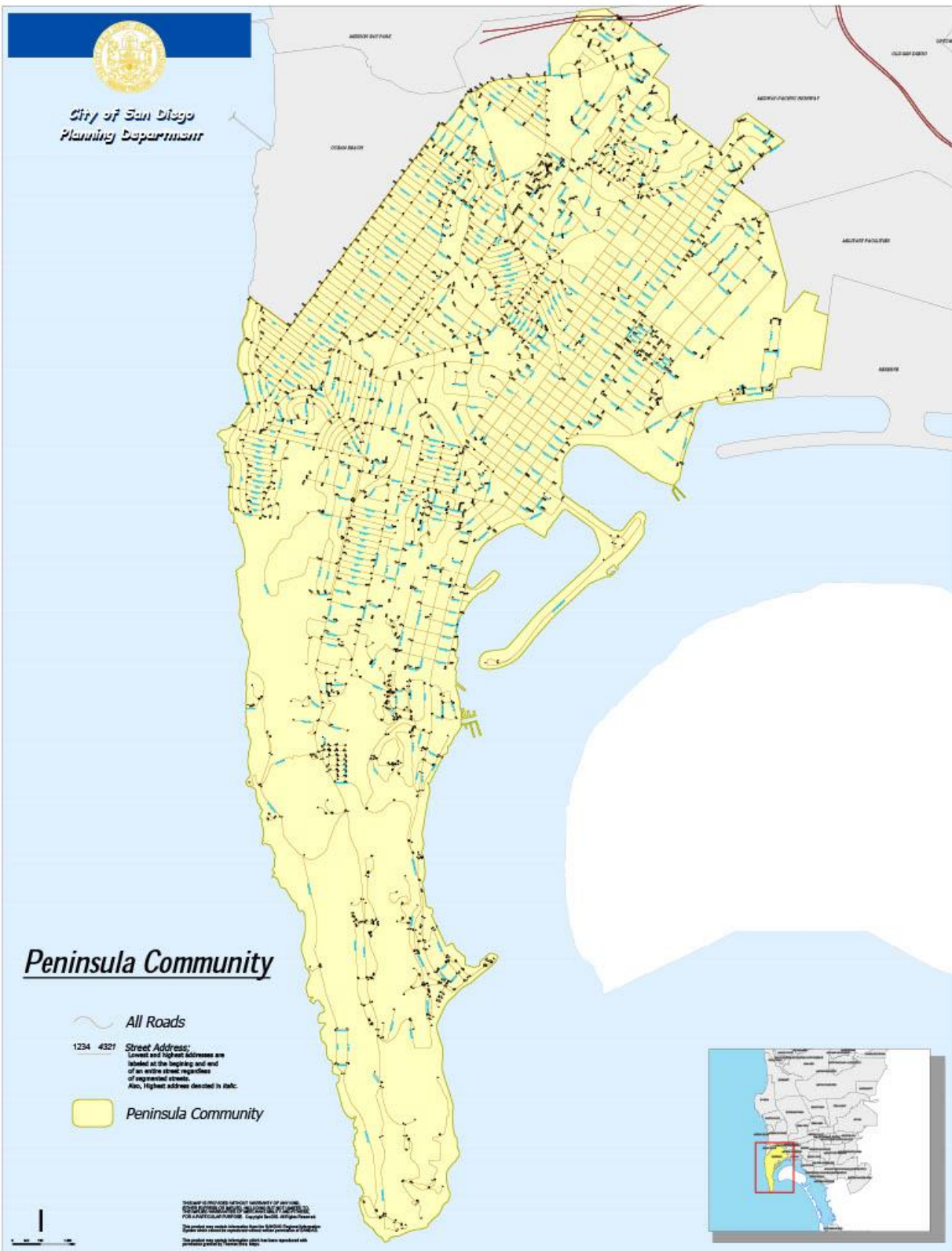
#### Alleged Violations Against the Peninsula Community Planning Board as a Whole

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

If a violation against the planning board as a whole is proven and there is a failure of the planning board to take corrective action, the planning board will forfeit its rights to represent its community as a community planning board recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated board's rights to represent its community shall be based on a recommendation by the Mayor's Office to the City Council. A planning board 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 board is found to be out of compliance with the provisions of this Policy not subject to the Brown Act or its adopted operating procedures risks loss of indemnification pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

## EXHIBIT A: Peninsula Community Boundaries



## **Peninsula Community Planning Board Community Engagement and Participation Plan**

The Peninsula Community Planning Board (PCPB) is committed to engaging a broad and diverse cross-section of our community. Informing our constituents, soliciting their needs, and obtaining broad input on projects and initiatives is critical to the success of the PCPB as an advisory body to the City.

### **Objective**

To best serve the Community's interests, the PCPB will engage all segments of the Peninsula Community to foster diverse participation in and within the PCPB, and to create and sustain two-way communication with constituents to elicit and represent their needs.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

### **Goals**

- Educate community members about the role of the PCPB and opportunities for involvement.
- Partner with non-profits, community organizations, businesses, schools/universities, and government organizations to build trust with the community.
- Inform the community about land use, General/Community Plans, projects, and legislation.
- Effectively communicate about the PCPB's advocacy for the community in easily understood language.
- Proactively listen to community needs and communicate these to the City.
- Obtain meaningful input from a broad range of community members on land use matters.
- Increase and diversify participation in Planning Group meetings and decision-making.
- Encourage student and youth participation in PCPB committees and other PCPB activities

### **Guiding Principles for Public Participation**

The PCPB will:

- Provide meeting information simply and accessibly to maximize community participation.
- Communicate clearly to all segments of the community.
- Consistently share information with the community members through multiple means.
- Make meeting materials available in the languages spoken within the community.
- Respect people's opinions and time.
- Ensure a safe, accessible meeting space.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events

attendance lists, change in composition of voting members as evidenced in annual surveys, etc.

- Qualitatively measure efforts made to bring in community members that have historically faced barriers to participation in Planning Groups.
- Document the measured results and submit them to the City Planning Department in the annual report in March.

## **Community Engagement Methods**

1. **Public Meetings:** The primary platforms for community engagement are the PCPB's public meetings, which include the monthly board meeting, standing committee meetings, and ad hoc committee meetings. These meetings are regularly occurring and publicly noticed. They are all open to the public in accordance with the Brown Act and conducted with the degree of formality necessary to ensure all parties have an opportunity to ask questions and be heard. Participants are able to hear relevant information, have an opportunity to ask questions, make comments, and hear the opinions of others.
  - a. **Committee meetings** are where the bulk of the PCPB's work is accomplished and are forums for focused public presentations, briefings, and discussions. The committees are very focused on narrow topics and are excellent for expansive discussion with subject matter experts and community stakeholders.
  - b. **Committee or Board Briefings.** The PCPB and its committees will regularly invite individuals, government organizations, non-profits, and advocacy groups to present on subject matter within their purview or interest. These briefings provide unique and direct access for the community to experts, candidates, decisionmakers, and activists.
  - c. **Informal/Informational events.** Unnoticed PCPB or non-PCPB events held to provide public access to PCPB member(s) unencumbered by an agenda of business. Principally held to inform the community about the PCPB, City planning, and how land use decisions are made. These events also serve as an open forum event focused on soliciting information on community needs and feedback on how City policies/legislation impact them. Examples include the PLHS Farmers Market, Liberty Station public events (e.g., fairs and festivals), and community events such as Rotary and Point Loma Association meetings.
  - d. **Web-based Meetings:** Any noticed PCPB meeting can also be a hybrid meeting. Methods to explore include live-streaming and interactive video teleconferencing. Informal (non-Brown Act) meetings can be completely web-based. Either approach provides important access to people who are not normally able to participate in person.
2. **Printed public information:** The PCPB will post meeting notices and informational material in key public locations such as Hervey Library, our schools, and community centers. Printed material is intended to target segments of the community that do not or cannot obtain information about the PCPB and land use issues through other information channels. The PCPB may use flyers to increase the awareness of and participation in the PCPB and land use discussions.

- a. The PCPB may collaborate with community organizations to employ signage to increase public awareness of key events and issues.
  - b. Newspaper: The PCPB will publish notification of elections in the local community papers. The PCPB will occasionally advertise key events, often in collaboration with other community organizations, in print media.
3. Internet: The PCPB's website is its principal information portal for the public. The PCPB uses its website to provide foundational information about the PCPB, its members, committees, and meetings. The PCPB maintains access to agendas, minutes, and other PCPB-generated material on its website. The PCPB posts meeting notices and detailed election material on its website.
- a. Social Media: The PCPB will regularly post information on key issues and events on multiple platforms. The PCPB posts information on several widely used Facebook community pages, on Nextdoor, and on Twitter/X. Facebook community pages include:
    - i. Ocean Beach!!!
    - ii. Point Loma, Midway, and Liberty Station Network
    - iii. Point Loma Connections
    - iv. OB Neighborhood Watch
  - b. As needed, the PCPB will use online polls, surveys, and comment forms to seek input on community needs/other initiatives. The PCPB regularly uses Nextdoor and Facebook online polls to collect community opinion about select projects, safety, and traffic concerns.
4. Partnering with Community-Based Organizations: The PCPB maintains extensive relationships with community organizations to disseminate information and obtain input on issues.
- a. The PCPB partners with local Town Councils and adjacent community Planning Boards to close communication seams, coordinate on shared issues, and collaborate on projects that impact surrounding neighborhoods.
  - b. The PCPB maintains relationships with local advocacy groups and community service organizations to understand all facets of an issue and to engage with impacted segments of the community.
  - c. The PCPB works with local state legislators, City council members, City Planning and Development Services Departments, and the San Diego Police Department to define issues and advise on community interests.
  - d. The PCPB works extensively with the Point Loma Association, Point Loma Rotary Club, Ocean Beach and Midway Planning Boards, Liberty Station Community Association Sunset Cliffs Natural Park Council to provide insight into land use impacts and community interests.

# Peninsula

Member Count    Percent Group    Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other (Resident)                    |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | ---          |
| Property Owner                      | 10           |
| Renter                              | 1            |
| Local Business Owner or Operator    | 3            |
| Youth Representative (Age Under 25) | ---          |
| Other (Resident)                    | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>15</b>    |

| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | 1            | 6.7%          | 0.5%              |
| Asian            | ---          | ---           | 5.0%              |
| Black            | ---          | ---           | 1.9%              |
| Hispanic         | 3            | 20.0%         | 18.3%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 4            | 26.7%         | 70.0%             |
| Two or More      | 7            | 46.7%         | 3.5%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>15</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Peninsula

■ Percent Group ■ Percent Community

| AGE            |              |               |                   |
|----------------|--------------|---------------|-------------------|
| Under 25       |              |               |                   |
| 25 to 29 years |              |               |                   |
| 30 to 39 years |              |               |                   |
| 40 to 49 years |              |               |                   |
| 50 to 59 years |              |               |                   |
| 60 to 69 years |              |               |                   |
| 70 to 79 years |              |               |                   |
| 80+            |              |               |                   |
| Declined       |              |               |                   |
| Age            | Member Count | Percent Group | Percent Community |
| Under 25       | ---          | ---           | 15%               |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | ---          | ---           | 16%               |
| 40 to 49 years | 2            | 13%           | 16%               |
| 50 to 59 years | 4            | 27%           | 15%               |
| 60 to 69 years | 7            | 47%           | 16%               |
| 70 to 79 years | 1            | 7%            | 11%               |
| 80+            | 1            | 7%            | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |

| HOUSEHOLD INCOME       |              |               |                   |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     |              |               |                   |
| \$15,000 to \$29,999   |              |               |                   |
| \$30,000 to \$44,999   |              |               |                   |
| \$45,000 to \$59,999   |              |               |                   |
| \$60,000 to \$74,999   |              |               |                   |
| \$75,000 to \$99,999   |              |               |                   |
| \$100,000 to \$124,000 |              |               |                   |
| \$125,000 to \$149,999 |              |               |                   |
| \$150,000 to \$199,999 |              |               |                   |
| \$200,000 or more      |              |               |                   |
| Declined               |              |               |                   |
| Household Income       | Member Count | Percent Group | Percent Community |
| Less than \$15,000     | 1            | 7%            | 7%                |
| \$15,000 to \$29,999   | ---          | ---           | 8%                |
| \$30,000 to \$44,999   | 1            | 7%            | 10%               |
| \$45,000 to \$59,999   | ---          | ---           | 10%               |
| \$60,000 to \$74,999   | ---          | ---           | 8%                |
| \$75,000 to \$99,999   | ---          | ---           | 14%               |
| \$100,000 to \$124,000 | ---          | ---           | 12%               |
| \$125,000 to \$149,999 | ---          | ---           | 7%                |
| \$150,000 to \$199,999 | 8            | 53%           | 10%               |
| \$200,000 or more      | 5            | 33%           | 14%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>15</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 27, 2023, 10:10:00 AM

What is the official name of your Planning Group?

**Rancho Bernardo Community Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Rancho Bernardo**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **5**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**The Rancho Bernardo Community Planning Board and its voting members routinely seek community participation in the Planning Board's planning and implementation process to serve the best long-term interest of the community at large. Methods will include, but are not limited to, sharing meeting and recruitment information with the community newspaper, posting information on our website (RBPlanningBoard.com), on the Rancho Bernardo Community Council website, and on social media (Facebook). The Planning Board has a representative on the Community Council to inform and recruit. The Planning Board's recruiting invitations and meeting information are posted at the Ed Brown Centers, Recreation Center and the Rancho Bernardo Branch of the City Library. The Rancho Bernardo Community Planning Board participates in and staffs information booths at all annual community events and street fairs. The Public Relations Committee provides meeting and recruitment information to the various Home Owners Associations for publication in community newsletters and for posting on individual community bulletin boards.**

How will your Planning Group fairly represent all members of your community?

The Rancho Bernardo Community Planning Board will ensure that voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups. Rancho Bernardo is a Master-Planned Community. The Rancho Bernardo Community Plan was updated and adopted by the City Council on December 18, 1988. Rancho Bernardo is divided into seven (7) Geographical Districts plus an Industrial Park. Descriptions of the Geographical Districts within the Community are as follows: District A: Single-family homes, Condominiums, Apartments and a full-service retirement facility. District B: Single-family homes, Condominiums and Apartments. District C: Single-family homes, Duplexes, Condominiums and Apartments. District D: Single-family homes, Condominiums and Apartments. District E: Single-family homes, Condominiums or Apartments and a full-service retirement facility. District F: Single-family homes, Duplexes, Condominiums, Apartments and a full-service retirement facility. District G: Single-family homes, Condominiums, Apartments and a Senior Apartment. To fairly represent all members of the community each geographical district has a defined number of seats on the Rancho Bernardo Community Planning Board. Districts A, D and F each have four (4) seats. Districts B, C, E and G each have two (2) seats. Representatives from each district are elected by eligible voters from within that district. All members of the Rancho Bernardo Community Planning Board shall, to the extent possible, represent the various geographic districts within the community and their diversified community interests. The twenty (20) elected seats are distributed by population and geographic factors within and among neighborhoods and other geographic subdivisions such as Homeowner Associations (HOA) and Property Owner Associations (POA) In accordance with the Bylaws, there shall be no specific quota of seats on the basis of race, color, sex, age over 18, creed, national origin, sexual orientation, or physical or mental disability.

Applicant Representative

**Gary Long**

Email

**gklong@pacbell.net**

Phone Number

**(858) 829-1115**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | Rancho Bernardo Community Planning Board - Operating Procedures.pdf<br>619.4KB |
| <b>PDF</b> | Attachment A - Guidelines for CPG Ethical Standards.pdf<br>5.4KB               |
| <b>PDF</b> | Attachment B - Participation _ Representation Plan.pdf<br>507.6KB              |
| <b>PDF</b> | Demographics Talley Sheet.pdf<br>281.9KB                                       |

Community Planning Group Recognition  
Member Composition Form - Worksheet

Planning Group Name: Rancho Bernardo Community Planning Board

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

**RACE/ETHNICITY**

     American Indian

  2   Asian

     Black

     Hispanic

     Pacific Islander

 11  White

     Two or more races

     Other: \_\_\_\_\_

**HOUSEHOLD INCOME**

     Less than \$15,000

  1   \$15,000 to \$29,000

     \$30,000 to \$44,999

     \$45,000 to \$59,999

  1   \$60,000 to \$74,999

  1   \$75,000 to \$99,999

  3   \$100,000 to \$124,999

  1   \$125,000 to \$149,999

  1   \$150,000 to \$199,999

  5   \$200,000 or more

**COMMUNITY AFFILIATION**

 10  Homeowner

  1   Property Owner

  1   Renter

     Local Business Owner or Operator

     Youth Representative (Age Under 25)

  1   Other : Retirement Facility

**AGE**

     Under 25

     25 to 29

     30 to 39

  2   40 to 49

  4   50 to 59

  2   60 to 69

  1   70 to 79

  4   80 +

**OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
THE RANCHO BERNARDO COMMUNITY PLANNING BOARD  
AS AN INDEPENDENT COMMUNITY PLANNING  
GROUP PER CITY COUNCIL POLICY 600-24**

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**OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
THE RANCHO BERNARDO COMMUNITY PLANNING BOARD  
AS AN INDEPENDENT COMMUNITY PLANNING  
GROUP PER CITY COUNCIL POLICY 600-24**

Introduction and Background

Through this document, the Rancho Bernardo Community Planning Board (the “planning board”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning board will adhere to and designated services the planning board will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24. Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning board is not City-controlled or managed organization. The City does not direct or recommends the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning board, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms to the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning board acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as an independent community planning group in the City of San Diego. The planning board acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning board will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning board’s founding, operation, or organization.

The planning board will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Attachments A and B and maintain these documents in accordance with sections 2.5 and 10.2 herein.

In consideration of Council Policy 600-24 and its attached Terms and Conditions, the Rancho Bernardo Community Planning Board hereby agrees to abide by the following as part of their Operating Procedures:

**OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF  
THE RANCHO BERNARDO COMMUNITY PLANNING BOARD  
AS AN INDEPENDENT COMMUNITY PLANNING  
GROUP PER CITY COUNCIL POLICY 600-24**

**Article I     Name and Geographical Boundaries**

- §1.1     The name of this City recognized planning group shall be the Rancho Bernardo Community Planning Board.
- §1.2     All activities of the Rancho Bernardo Community Planning Board shall be conducted in the planning board's official name.
- §1.3     The community planning area boundaries for the Rancho Bernardo Community Planning Board are the boundaries of Rancho Bernardo, as shown on attached Exhibit "A".
- §1.4     Meetings of the Rancho Bernardo Community Planning Board shall be held within its boundaries. When, however, the planning board does not have a meeting facility within its boundary that is accessible to all members of the public, the Board may meet at an accessible facility nearby to the Rancho Bernardo community.
- §1.5     The official positions and opinions of the Rancho Bernardo Community Planning Board shall not be established or determined by any organization other than the planning board, nor by any individual member of the planning board other than one authorized to do so by the planning board.

**Article II    Responsibilities of the Rancho Bernardo Community Planning Board**

- §2.1     Collaboration with City Staff: As a recognized independent body, the Rancho Bernardo Community Planning Board has been formed to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on Rancho Bernardo community land-use matters. These recommendations shall specifically address preparing, adopting, implementing, or amending the General Plan or a land use plan when it relates to the Rancho Bernardo community boundaries. The planning board also advises on other land use matters as requested by the City or other governmental agency as detailed in Council Policy 600-24.
- §2.2     Timely Submittal of Recommendations to the City: In reviewing individual development projects, the Rancho Bernardo Community Planning Board should focus such review on conformance with the Land Development Code, the adopted Community Plan, and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. The formal planning board recommendation must be submitted to the City within seven calendar days of the planning board taking action offered by the environmental review process. Upon receipt of project plans with substantive revisions, the planning board may choose to rehear the project and choose to provide a subsequent formal recommendation to the City.

The planning board shall submit its recommendation and any conditions to the project proposed by the planning board, using Bulletin 620 Distribution Form, or reasonable facsimile.

The Rancho Bernardo Community 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 Bernardo community 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.

The planning board will follow a uniform mandatory process for recording planning board project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the planning board's official records.

- §2.3 Independent Entity: All activities of the Rancho Bernardo Community Planning Board shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, age, creed, national origin, sexual orientation, or physical or mental disability. In addition, meeting facilities must be accessible to persons with disabilities.

The Rancho Bernardo Community 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 the Rancho Bernardo Community Planning Board when endorsing candidates for public office. The planning board may take a position on a ballot measure.

The planning board is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning board at the discretion of the City Manager and subject to the availability of City resources. In addition, the planning board may be allocated funds by the City when such funding is approved by the City Council.

- §2.4 Adherence to Ralph M. Brown Act: The Rancho Bernardo Community Planning Board operates under the authority of the Ralph M. Brown Act, set forth at California Government Code 54950 through 54963 (Brown Act), which requires that meetings of the planning board are open and accessible to the public. In addition, Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Boards" and these Terms and Conditions govern the operations of the Rancho Bernardo Community Planning Board. Several provisions of these Terms and Conditions constitute Brown Act requirements as outlined in the Policy. Amendments to Council Policy 600-224 will apply to the Rancho Bernardo Community Planning Board, as well as to all other community planning boards, even if individual groups' Terms and Conditions are not required to be amended with parallel language.

In addition, the Council Policy 600-24 provides explanations of the Policy's minimum standard operating procedures and responsibilities of this planning board. The latest version of Robert's Rules of Order is used when the Policy, the Council Policy 600-24, and these Operating Procedures do not address an area of concern or interest.

- §2.5 Maintenance of Open Records: The planning board shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning board by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning board in accordance with Council Policy 600-24. The planning board will submit to the City the Annual Roster of planning board voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning board elections.

- §2.6 Amendments: The Rancho Bernardo Community Planning Board may propose amendments to these Operating Procedures by a two-thirds ( $\frac{2}{3}$ ) vote of the voting members of the planning board. Proposed amendments shall be submitted to the offices of the Mayor and the 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. Operating Procedures amendments are not valid until approved by the City.

### Article III Community Participation and Representation

- §3.1 Membership: The Rancho Bernardo Community Planning Board will ensure that voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.
- §3.2 Community Outreach: The Rancho Bernardo Community Planning Board and its voting members shall routinely seek community participation in the planning and implementation process to serve the best long-term interest of the community at large.
- §3.3 Collection of Membership Data: To measure community representation, the Rancho Bernardo Community Planning Board shall gather demographic data of existing and new planning board voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning board. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### Article IV Rancho Bernardo Community Planning Board Composition

- §4.1 The Rancho Bernardo Community Planning Board shall consist of twenty-two members. Twenty (20) members will be elected to represent their respective community districts as shown on Exhibit “B”. Additionally; the planning board includes one appointed seat for a representative of the industrial property in the community and one appointed seat for a representative of the commercial property in the community.

There shall be no specific quota of seats on the basis of race, color, sex, age over eighteen (18), creed, national origin, sexual orientation, or physical or mental disability.

Planning board members shall constitute the officially recognized Rancho Bernardo Community Planning Board for the purpose of these Operating Procedures and Council Policy 600-24.

- §4.2 All members of the Rancho Bernardo Community Planning Board shall, to the extent possible, be representative of the various geographic districts within the community and diversified community interests. The twenty (20) elected seats are distributed by population and geographic factors within and among neighborhoods and other geographic subdivisions, as presented in the table below.

|             |      |   |
|-------------|------|---|
| District A: | Four | (4) seats for the Westwood and Casa de las Campanas areas   |
| District B: | Two  | (2) seats for the Eastview and Greens West areas  |
| District C: | Two  | (2) seats for the Oaks North area   |
| District D: | Four | (4) seats for the Alamedas, Gatewood, Greens, and Trails  |
| District E: | Two  | (2) seats for the Seven Oaks area   |
| District F: | Four | (4) seats for the Bernardo Heights area   |
| District G: | Two  | (2) seats for the High Country West, Camino Bernardo and any residential development located within the boundaries of the Rancho Bernardo Industrial Park |

Please refer to Exhibit B for specific district boundaries.

The remaining two seats are designated for an appointed industrial and commercial member, each of whom would represent their respective industrial or commercial interests related to the community's industrial park or various commercial properties.

To be eligible to join the planning board, an individual must be at least eighteen (18) years of age and shall be affiliated with the community as a:

- §4.2.1 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. A property owner need not reside in the community to be an eligible candidate. or,
- §4.2.2 Resident whose primary address of residence is located in the Rancho Bernardo community planning area but who does not necessarily own the property in which he or she lives. or,
- §4.2.3 Local business person who is a local business owner, operator, or designee of a non-residential real property address in the Rancho Bernardo community planning area. Note that only one representative of a particular business establishment may hold a seat on the planning board at one time. (See §6.8)

An individual eligible to become a member of the planning board, as described above, must have attended no less than one entire scheduled meeting of the Rancho Bernardo Community Planning Board within the last twelve (12) meetings prior to the March election. Community members and candidates for election to the planning board will also be required to demonstrate their qualifications and eligibility to serve, as described in §4.2.1 through §4.2.3, to the Election Subcommittee prior to the March 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 board's criteria and formal action is taken by the planning board if necessary.

To be eligible as a representative of industrial or commercial interests, a person shall be at least eighteen years old and an employee or owner of an industrial or commercial enterprise with a business address in Rancho Bernardo at which employees or operators of the business are located.

The commercial and industrial seats will be appointed by a majority vote of the voting members of the planning board. These members shall have the same voting rights as all other members and shall serve a term of one (1) year. The results shall be announced immediately following the vote and all planning board member votes shall be recorded in the minutes.

- §4.3 Members of the Rancho Bernardo Community Planning Board shall be elected to serve for fixed terms of two (2) years with expiration dates during alternate years to provide continuity.

No person may serve on the planning board for more than eight (8) consecutive years.

The eight (8) year limit refers to total maximum consecutive years of service time, not to individual seats held.

After a two (2) year break in service as a planning board member, an individual who served for eight consecutive years shall again be eligible for election to the planning board.

- §4.4 The planning board may waive the maximum time of service by vote of its voting members if the planning board cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should the planning board choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least ten (10) voting members (see section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least ten (10) voting members shall be ratified by at least a two-thirds ( $\frac{2}{3}$ ) majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds ( $\frac{2}{3}$ ) vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

- §4.5 A member of the Rancho Bernardo Community Planning Board must retain eligibility during the entire term of service.

- §4.6 A member of the Rancho Bernardo Community Planning Board who is found to be out of compliance with the provisions of Council Policy 600-24 or with the planning board adopted Operating Procedures risks loss of defense and indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

- §4.7 Some provisions of these Operating Procedures constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A member of the Rancho Bernardo Community Planning Board who participates in a meeting of the planning board where actions are alleged to have been in violation of the Brown Act may be subject to civil or criminal consequences.

## Article V Vacancies

- §5.1 The Rancho Bernardo Community 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 board's secretary reporting the third consecutive absence or fourth absence in the twelve (12) month period of April through March each year, of a member(s) from the planning board's regular meetings.

A vacancy may also exist following a vote of the planning board as described in Article II, Section E of Council Policy 600-24 (September 21, 2022) related to ineligibility, or following conclusion of a member-removal process conducted under Article XI of these Operating Procedures.

- §5.2 Vacancies that may occur on the Rancho Bernardo Community Planning Board should be filled not later than one-hundred twenty (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 planning board shall seek to fill vacancies at the time the vacancies are declared. A vacancy shall be immediately noticed and shall include a request from interested candidates to identify themselves for consideration at the next scheduled planning board meeting. A vacancy shall be filled by a majority vote of the voting members of the planning board in attendance. In addition, eligible candidates must have at least one (1) documented attendance at a planning board meeting from the time the meeting is convened until it is adjourned during the previous twelve months.

- §5.3 When the Rancho Bernardo Community Planning Board is unable to fill a vacancy within one-hundred twenty (120) days, as specified above, and the planning board has more than twelve members, a search for a new member should continue, however either the seat may remain vacant until the next planning board election, or these Operating Procedures may be amended to permit decreased membership to a minimum of ten (10) members.

If a vacancy remains for more than sixty (60) days from the time a vacancy is declared, and there are less than 10 elected planning board members in good standing, the planning board shall report in writing the efforts made to fill the vacancy to the City. If, after sixty (60) additional days, the planning board membership has not reached ten (10) members, the planning board will be deemed inactive until it has attained at least ten (10) members in good standing.

## Article VI Open and Public Elections

General elections of Rancho Bernardo Community Planning Board members shall be held during the month of March in accordance with the elections procedures in Article VI, Section 6.9.

The Rancho Bernardo Community Planning Board's general elections shall be held annually.

### §6.1 Promotion of Elections

Notice of the election including the time and place that balloting will take place and the procedure for obtaining mail-in ballots shall be posted on community center bulletin boards, included on the planning board's website, Rancho Bernardo Community Council website and published in local newspapers, social media and other outlets at least thirty (30) days prior to the election.

### §6.2 Members of the Election Ad Hoc Subcommittee

Each year the planning board will appoint either an Election Subcommittee Chairperson or Co-Chairpersons responsible for managing the election process and for ensuring that all policies and procedures as defined by the City of San Diego, Rancho Bernardo Community Planning Board's Operating Procedures along with any applicable rules and guidelines are adhered to. Any member who is a candidate for re-election may NOT serve on the Subcommittee. All other members of the planning board are eligible to participate in the election process. Any individual, eighteen (18) years of age or older, may request to serve on the election committee as a community representative.

The number of planning board members seated on the Election Subcommittee cannot exceed a quorum of the seated planning board membership. All individuals serving on the Subcommittee that are not members of the planning board must take the Community Orientation Workshop (COW) before they can participate. Volunteers working on election days are not required to take the COW.

### §6.3 Ad Hoc Election Subcommittee

The Ad Hoc Election Subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election Subcommittee shall present to the planning board 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.

### §6.4 Candidate Eligibility

To be eligible, a candidate must have documented attendance at one entire scheduled meeting during the twelve (12) months on or before the January meeting. All applications must be received by the Election Subcommittee Chairperson(s) before the start of the February noticed regular meeting or a special meeting of the full planning board membership preceding the election meeting. Candidates must meet the requirements described in §4.2.

## §6.5 Description of the Geographical Districts within the Community

- District A: All single-family homes, condominiums and apartments located in the Westwood, Westwood Valley, Village, Waterbridge, and Casa Bernardo developments, along with Casa de las Campanas, a full-service retirement facility.
- District B: All single-family homes, condominiums and apartments located in the Eastview, Greens West, Village Green, Bernardo Villas, Racquet Club, Bernardo Terrace, Playmor and Bernardo Point developments
- District C: Single-family homes, duplexes, condominiums and apartments, located in the Oaks North community.
- District D: Single-family homes, condominiums or apartments located in the Vista de Largo, Alamedas, Bernardo Hills, Bernardo Greens, Bernardo Villas, Campana Villas, Gatewood Hills, Montelena, Carlyle, The Trails, Moroda, and Vezelay developments
- District E: Single-family homes, condominiums or apartments located in the communities of Seven Oaks, along with the Remington Club, a full-service retirement facility.
- District F: Single-family homes, duplexes, condominiums and apartments located in the planned development community of Bernardo Heights, as well as Silvergate, a full-service retirement facility.
- District G: Single-family homes, condominiums and apartments located in the High Country West, Camino Bernardo, Deerwood, The Falls and The Villas developments, as well as the Tizon Affordable Senior Apartments and any residential development located within the boundaries of the Rancho Bernardo Industrial Park.

## §6.6 Preparation of the Ballot

Once all candidate applications have been received and verified by the Election Committee (after the February Board meeting) the ballots will be prepared. Ballots must be ready for mailing to absentee voters no less than three (3) weeks prior to the published deadline for voting.

Candidates will be listed on the ballot by District and voters will be instructed to vote only for candidates from their District. The ballot will clearly identify which seats individual candidates are running for, how many candidates can be selected, and which candidates, if any, must receive a two-thirds ( $\frac{2}{3}$ ) majority of the vote due to service beyond eight (8) consecutive years. Candidates' names shall be placed on the ballot in an order determined by random drawing

## §6.7 Campaign Etiquette / Improprieties

§6.7.1 Planning board members are elected by eligible voters' within the district in which they live. Friendly campaigning, such as contacting friends and neighbors and introducing one's self through newsletters or flyers, is encouraged. All contacts must be conducted in a friendly and courteous manner.

§6.7.2 Soliciting votes through un-mailed materials in U.S. mailboxes is illegal, and electioneering (defined by California law as any kind of campaigning within one-hundred [100] feet of a voting location) at or near the polls during the election process and on Election Day is prohibited and will result in disqualification.

§6.7.3 Candidates cannot guide, coach or instruct a voter on how to complete a ballot. A candidate's instructions must be limited to information about their candidacy only. Any voter questions or instructions required to complete the ballot will be provided by a member of the election committee.

§6.7.4 No candidate shall influence a voter to vote for them by providing services or gratuities.

#### §6.8 Equal Participation

All individuals of the public affiliated with the community within the geographical boundary of the planning board will be allowed to vote in planning board elections, so long as they meet minimum conditions for eligibility per Article VI, Section 6.4 of these Operating Procedures and comply with the following:

- Only one elected planning board voting member per business tax certificate
- Only one elected planning board voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or these Operating Procedures.

#### §6.9 Voting Procedure:

§6.9.1 Voting to elect new 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

##### §6.9.2 Voting by Absentee (Mail-in Ballot):

§6.9.2.1 The distribution of absentee ballots will be limited to one (1) per eligible voter. Distribution of multiple absentee ballots to a single member for distribution to a group of individuals is prohibited.

§6.9.2.2 Eligible members of the community as defined in the Operating Procedures may vote "by mail" by submitting a request for an absentee ballot. Absentee ballots will be made available no less than three (3) weeks prior to the published deadline for voting, and can be requested via first class mail, email, phone, or in person to the Chairperson(s) of the Election Committee. It is the option of the Election Committee to either hand deliver or mail the absentee ballot and a pre-addressed return envelope to the requesting voter. If the individual lives in a managed complex with a receptionist, the material may be given to the receptionist to pass along to the designated resident. Only the voter who made the request can use the absentee ballot to cast their vote.

- §6.9.2.3 Absentee ballots will not be available for pickup at any designated remote locations.
- §6.9.2.4 Once completed the ballot must be received by the Election Committee Chairperson(s) at least two (2) business days prior to the March Board meeting. All mail-in ballots, as received, will be marked with the date accepted.
- §6.9.2.5 The absentee ballot must be filled out following the printed instructions on the ballot. The completed ballot is then inserted into the pre-addressed first-class mailing envelope (postage required) and sealed. In the upper left-hand corner of the envelope, the name of the eligible absentee voter will be preprinted by an assigned Committee member. The voter must complete the required return address information by signing their name and printing their return address and District Number on the envelope. The voter's signature must be included just below the return address or the vote will not be counted. The ballot itself should not be signed by the voter. Should the voter inadvertently sign the ballot, it will not invalidate the ballot. The envelope must be mailed first class or delivered by hand to a polling location specified by the Election Committee Chairperson(s). An illegible or invalid address will invalidate the ballot.
- §6.9.2.6 If the absentee ballot is not returned by first class mail the absentee ballot may be placed in the signed pre-addressed envelope and dropped off in person at a polling location (valid ID may be required). A log of all distributed absentee ballots will be maintained. If voting at polling location the absentee ballot must be used and will not be replaced or substituted by any other ballot.
- §6.9.2.7 When the ballots are counted, all mail-in absentee ballots will be opened. The signature, name, address and District Number will be verified and the receiver will confirm that the voter is voting for a candidate(s) within their district. If the address as submitted is not within the District marked on the envelope the ballot will be disqualified. Once validated the ballot and the voter's envelope will be placed in separate containers. The envelopes and distribution log are retained along with the ballots.
- §6.9.3 Voting in Person (at a polling location):
- §6.9.3.1 Voter Identification: Eligible voters residing in Rancho Bernardo must present a valid picture ID. Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in Section 6.9.3.1.1. These requirements should be construed liberally by the planning board and any doubt resolved in favor of allowing a community member to vote in the election. Eligible voters that do not reside in Rancho Bernardo must present identification as detailed in Sections 6.9.3.2 through 6.9.3.4.

§6.9.3.1.1 Voter Identification for Resident Property Owners

- (A) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (a) driver's license or identification card of any state; (b) passport; (c) employee identification card; (d) identification card provided by a commercial establishment; (e) credit or debit card; (f) military identification card; (g) student identification card; (h) health club identification card; (i) insurance plan identification card; or (j) public housing identification card.
- (B) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (a) utility bill; (b) bank statement; (c) government check; (d) government paycheck; (e) document issued by a governmental agency; (f) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (g) voter notification card issued by a governmental agency; (h) public housing identification card issued by a governmental agency; (i) lease or rental statement or agreement issued by a governmental agency; (j) student identification card issued by a governmental agency; (k) tuition statement or bill issued by a governmental agency; (l) insurance plan card or drug discount card issued by a governmental agency; (m) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (n) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (o) identification documents issued by governmental disability agencies; (p) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (q) drug prescription issued by a government doctor or other governmental health care provider; (r) property tax statement issued by a governmental agency; (s) vehicle registration issued by a governmental agency; or (t) vehicle certificate of ownership issued by a governmental agency.

§6.9.3.1.2 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in §6.9.3.1.1 above, however at least one (1) of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by the planning board and any doubt resolved in favor of allowing a community member to vote in the election.

§6.9.3.1.3 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning board boundaries. These requirements should be construed liberally by the planning board and any doubt resolved in favor of allowing a community business owner to vote in the election.

§6.9.3.1.4 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning board boundaries. These requirements should be construed liberally by the planning board and any doubt resolved in favor of allowing a community member to vote in the election.

§6.9.3.2 Once eligibility has been validated the voter will complete the registration for the appropriate District. For each District with a candidate running there will be a dedicated ballot box and voter registration form. Only districts with candidates running will have a ballot box.

§6.9.3.3 The voter will be reminded to read all instructions on the ballot and vote only for candidate(s) that are running in their District. Voting for candidates in the wrong district or for more than permitted will result in the ballot not being counted.

§6.9.3.4 Voter to place their completed ballot in the District ballot box for which they registered.

§6.9.3.5 Once the election has closed and the ballot box is opened, confirm that ballots are for that district only – If not the ballot will be removed and disqualified.

## §6.10 Polling Locations and Hours

§6.10.1 There will be a minimum of two (2) calendar days scheduled for voting in person at a polling location. Multiple polling days at multiple locations, per Council Policy 600-24, will require the Board to submit the voting procedure at least forty-five (45) days in advance of the first day that voting is proposed to occur, to the office of the Mayor and to the City Attorney for review and approval.

§6.10.1.1 First polling day is the Saturday prior to the regularly scheduled March meeting of the planning board. Polling hours will be 9:00 AM to noon at a location to be determined (e.g., Rancho Bernardo Library, Ed Brown Center, Recreation Center, Community Center). The location will be published at least thirty (30) days prior to the election

§6.10.1.2 Second polling day is the day of the regularly scheduled March meeting of the planning board. Polling will be at the same location as the planning board meeting. Hours will be 10:00 AM to 5:30 PM.

§6.10.2 Each polling location will be staffed by election volunteers. Each shift will be made up of a minimum of two (2) volunteers. Each shift will be three (3) hours long. Volunteers will be comprised of committee members that are not candidates along with any other individuals eighteen (18) years of age or older (e.g., friends, neighbors, relatives, and high school/college students). The Chair(s) shall be present at all times while the poll is open to monitor or provide support as required.

§6.10.3 There will be a volunteer present to monitor the counting of the ballots and to certify results. This volunteer must be eighteen (18) years of age or older and not a member of the planning board.

## §6.11 Counting Ballots

All ballots will be gathered and counted after the last polling location closes and prior to the regularly scheduled March meeting of the planning board. There will be an eligible volunteer (not a member of the planning board) from the community present at all times to observe the ballot handling and the tally process. This volunteer will certify and sign off on the results when completed. The chairperson will adopt a procedure for counting that will ensure that all tallies taken are verified with a second count by an alternate volunteer.

Any ballot with votes for a candidate(s) from an incorrect district or with more than the indicated number of candidates selected will be disqualified and not counted. When there are more candidates than vacancies in a district, the candidates with the most votes will fill the vacant positions. In the case of a tie the winner is declared by a coin toss during the regularly scheduled April meeting of the planning board. Should there be a three-way or more tie for a District the winner will be determined by the single roll of a die (highest numbers wins).

The results of the election will be documented, signed by the Election Committee Chair(s) and the volunteer. The Election Committee Chairperson is responsible for preparing, certifying and forwarding the election report to the City. The election becomes final after announcing the results at the conclusion of the noticed, regular March monthly planning board meeting. The Election Committee Chairperson(s) is responsible for forwarding the election results (less ballot counts) to the local newspaper. Any challenge to the election results must be filed with the Chair of the Elections Subcommittee in writing within twenty-four (24) hours of the counting of the ballots in order to allow enough time to resolve the issue.

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 board meeting.

§6.12 Election by Acclamation

As of the deadline for submitting nominations, the number of qualified candidates within a District is not more than the number of vacancies to be elected in that District (non-contested election), as determined by the Chairperson of the Election Committee, the Committee may, but is not required to, consider the qualified candidates elected by acclamation without balloting.

§6.13 Retention of Voting Material

After the election has been certified by the planning board, the Election Committee Chairperson(s) will retain all ballots, voter registration sheets and mail-in envelopes until the regularly scheduled planning board meeting during the month of May. The material may be shredded and disposed of any time after the May meeting.

Article VII Rancho Bernardo Community Planning Board and Member Duties

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

It is the duty of a planning board as a whole, and of each individual member, to refrain from conduct that is detrimental to the planning board 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 board's agenda.

## §7.2 Meeting Procedures

It shall be the duty of each Rancho Bernardo Community Planning Board member to attend all planning board meetings.

§7.2.1 Regular Agenda Posting: At least seventy-two (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 twenty (20) words per item unless the item is complex. 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 board regarding that item [e.g., information item, action item].

The Rancho Bernardo Community Planning Board agenda shall be offered to the City for posting on the City's website and agenda items should be posted on the planning board website at least seventy-two (72) hours in advance of the meeting.

§7.2.2 Public Comment: Any interested member of the public may comment on agenda items during regular or special Rancho Bernardo Community Planning Board meetings. In addition, each agenda for a regular planning board meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but that are within the scope of authority of the Rancho Bernardo Community Planning Board. Planning board members may make brief announcement or reports under the public comment section of the agenda regarding their own activities. The planning board may adopt time limits for public comment to ensure operational efficiencies.

§7.2.3 Adjournments and Continuances: If the Rancho Bernardo Community 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 location where the adjourned meeting was to be held, as well as the Rancho Bernardo Branch Library, within twenty-four (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 board were present, the subsequent meeting, if not a regular meeting, must be noticed as if it is a special meeting.

§7.2.4 Continued Item: If an item is continued from a prior regular meeting to a subsequent meeting more than five (5) days from the date of the original meeting, a new agenda must be prepared in the same manner as for a regular meeting; otherwise the original meeting agenda is adequate.

§7.2.5 Consent Agenda: For items to be considered for a Consent Agenda, all of the following are required:

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

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

§7.2.6 Quorum and Public Attendance: A quorum, defined as a majority of non-vacant seats of the planning board, must be present to conduct business, vote on projects, and take actions at regular or special planning board meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the planning board, 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.

§7.2.7 Development Project Review: The Rancho Bernardo Community 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 board shall allow participation of affected property owners, residents, and business establishments within proximity to the proposed development.

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

§7.2.8 Action On Agenda Items: An item not noticed on the agenda may be added if either two-thirds ( $\frac{2}{3}$ ) of the voting members of a community planning board, or every member if less than two-thirds ( $\frac{2}{3}$ ) of the voting members of the community planning board 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 board subsequent to the agenda being posted.

A two-thirds ( $\frac{2}{3}$ ) vote of the voting members of the planning board is required to remove an elected or appointed community planning board member in accordance with Article XI Section 5.

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

Amendments to adopted Operating Procedures require a two-thirds ( $\frac{2}{3}$ ) vote of the Rancho Bernardo Community Planning Board voting members.

A vote to approve a community plan update or amendment requires a majority vote of the voting members of the Rancho Bernardo Community Planning Board.

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

The Rancho Bernardo Community Planning Board Chair fully participates in planning board discussions and votes on all action items.

The Rancho Bernardo Community Planning Board shall not engage in, or allow secret ballots or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or email, are also prohibited.

Votes taken on agenda items shall reflect the positions taken by the elected or appointed members of the planning board identified in Council Policy 600-24.

§7.2.9 Collective Concurrence: Any attempt to develop a collective concurrence of the members of the Rancho Bernardo Community Planning Board as to action to be taken on an item by the voting members, 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.

§7.2.10 Special Meetings: The Chair of the Rancho Bernardo Community Planning Board, or a majority vote of planning board 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 twenty-four (24) hours before a special meeting.

Each member of the planning board shall receive the written notice of the meeting at least twenty-four (24) hours before the time of the meeting as specified in the notice unless the member files with the planning board 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 twenty-four (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.

- §7.2.11 Emergency Meetings: Emergency meetings, requiring no public notice, are called for matters related to public health and safety. These matters are outside the purview of the Rancho Bernardo Community Planning Board and are prohibited under these Operating Procedures.
- §7.2.12 Right to Record: Any person attending a meeting of the Rancho Bernardo Community Planning Board must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the planning board that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.
- §7.2.13 Disorderly Conduct: In the event a planning board meeting is willfully interrupted by a person or board of persons, so as to make the orderly conduct of the meeting infeasible, the planning board may first cause removal of the individual or individuals. If the individual refuses to leave, the planning board may order the meeting room be cleared and may continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The planning board may also re-admit an individual or individuals who were not responsible for the disruption.

### §7.3 Subcommittees

The Rancho Bernardo Community Planning Board may establish standing and ad hoc subcommittees when its operation contributes to more effective discussions at regular planning board meetings. Planning board standing subcommittees are ongoing committees tasked with reviewing specific issue areas.

- §7.3.1 Standing Subcommittees: The Rancho Bernardo Community Planning Board, as identified in Article II, Section 1, has established the following standing subcommittees:
1. Development Review and Community Plan Subcommittee: The subcommittee reviews and comments on project development applications and reports planning findings and recommendations to the City. The subcommittee also reviews and recommends updates and amendments to the Community Plan.
  2. Regional Issues Subcommittee: The subcommittee addresses issues of regional significance that have the potential to affect areas both within and beyond the boundaries of Rancho Bernardo.
  3. Traffic and Transportation Subcommittee: The subcommittee examines and provides comments to the City on issues including, but not limited to, traffic flow, speed limits, parking and traffic safety issues. The subcommittee also works with residents to address their concerns and recommendations for traffic and transportation improvements.

4. Administrative Subcommittee: The planning board Administrative Subcommittee, comprised of the planning board Chair, Vice Chair, Secretary, and Treasurer, as well as the Standing Subcommittee Chairs, oversees general administrative business such as assembling the draft agenda in preparation for public discussion. Any substantive discussion about agenda items or a possible planning board position on an item shall occur at a publicly noticed planning board meeting.

All subcommittee durations are for the period of one (1) year from the end of the April meeting until the beginning of the next April meeting. Subcommittee Chairs will be appointed by the Rancho Bernardo Community Planning Board Chairperson and confirmed by a majority vote of the voting members of the planning board.

§7.3.2 Ad Hoc Subcommittees: Ad Hoc subcommittees are established for finite period of time to review more focused issue areas and are disbanded following their review.

§7.3.3 Subcommittee Composition: Subcommittees will be composed of planning board members and other eligible members of the community as defined in Article 4, Section 2. Eligible members will be appointed by the subcommittee chairperson. Standing subcommittees, with the exception of the Administrative Subcommittee, shall consist of no more than eight (8) members and less than a majority of the voting members of the planning board. The majority of subcommittee members must be voting members of the planning board.

Non-members, who are duly appointed by the planning board to serve on a subcommittee, shall 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 Council Policy 600-24 which includes completion of formal training by the City on the duties and responsibilities of the planning board.

§7.3.4 Recommendations: Subcommittee recommendations must be brought forth to the full planning board for a formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the official recommendation of the planning board without a formal vote of the full planning board.

#### §7.4 Abstentions and Recusals

§7.4.1 Recusals: Any member of the Rancho Bernardo Community Planning Board or standing subcommittee member with a direct economic interest in any project that comes before the planning board or its subcommittees must disclose to the planning board that economic interest, and must recuse from voting and participating in any manner as a member of the planning board for that item on the agenda.

§7.4.2 Abstentions: In limited circumstances, planning board 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.

§7.5 Meeting Documents and Records.

§7.5.1 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 planning board, 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.

§7.5.2 Agenda by Meeting: Any written documentation, prepared, or provided by City staff, applicants, or planning board members that is distributed at the planning board meeting shall be made available upon request for public inspection without delay. If such material is distributed at the planning board 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 board 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 of any materials requested by an individual or individuals.

§7.5.3 Minutes: For each Rancho Bernardo Community Planning Board meeting, a report of member attendance and a copy of approved minutes shall be retained by the planning board and made available for public inspection. A copy of the draft minutes should also be made available for public inspection as soon as possible, but not later than the planning board's next scheduled meeting. The minutes of each planning board 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 board action) appeared before the planning board. If an applicant did not appear before the planning board, the meeting minutes must indicate the date and type of notification (e.g. electronic, telephonic, and facsimile) provided to the applicant requesting his or her appearance at the planning board meeting. A copy of the approved minutes shall be submitted to the City and posted on the planning board's website within fourteen (14) days following a majority vote approval by the voting members of the planning board in attendance.

The Rancho Bernardo Community Planning Board is not required to audio record 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.

§7.6 It shall be the duty of the Rancho Bernardo Community 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 board 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.

- §7.7 It shall be the duty of the Rancho Bernardo Community Planning Board to maintain a current, up-to-date roster of names, terms, and category/qualifications of all planning board members, and to forward the current roster, as well as any updates, to the City. The planning board must also submit to the City each year an annual report of accomplishments for the past twelve (12) months and anticipated objectives for the coming year related to the duties enumerated in Council Policy 600-24 and the adopted Operating Procedures. Rosters and annual reports constitute disclosable records under the Brown Act.
- §7.8 The Rancho Bernardo Community 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 board 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 board meeting. All contributions must be voluntarily made, and no official planning board correspondence may be withheld based on any individual's desire to not make a voluntary contribution.
- §7.9 Each elected or appointed planning board member is required to attend an orientation training session administered by the City as part of planning board and individual member indemnification pursuant to San Diego Ordinance O-19883 NS, and any future amendments thereto. If it is not possible for the 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, the member shall successfully complete the online orientation training.

As required by Ordinance No.O-19883 NS, newly seated planning board members must complete basic orientation training within sixty (60) days of their election or appointment to the planning board or the member will be ineligible to serve. Basic orientation training will be scheduled within sixty (60) days of the last day of March each year to meet this ordinance requirement.

§7.10 Violations and Remedies:

§7.10.1 Alleged Violations by a Member of the Rancho Bernardo Community Planning Board:

In cases of alleged violations of the Operating Procedures or Council Policy 600-24 by a planning board member, the planning board may conduct an investigation consistent with the 600-24 and these Operating Procedures.

A complaint that an individual member of the planning board violated one or more provisions of the planning board's Operating Procedures or Council Policy 600-24 may be submitted to the planning board Chair by any individual, including another planning board member. The complaint shall be filed within ninety (90) days of the alleged violation and shall reference specific Articles and their subsequent sections of the Operating Procedure and/or Council Policy 600-24.

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

If corrective action or measures are not feasible, the Rancho Bernardo Community Planning Board may remove a member by a two-thirds ( $\frac{2}{3}$ ) vote of the voting members. The vote to remove the planning board member shall occur at a regularly scheduled public meeting subject to the procedures outlined in Council Policy 600-24 and these Operating Procedures.

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

Investigation procedures for member violations are outlined below:

Any action by the Rancho Bernardo Community Planning Board to discipline or remove a member must occur at a scheduled planning board meeting and shall be noticed 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 by a member are:

§7.10.1.1 Documenting a Violation:

1. A complaint that a violation of Operating Procedures or Council Policy 600-24 has occurred will be presented to the planning board Chair. If the complaint is about the Chair, it may be presented to any other officer of the planning board.
2. 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.
3. The complaint should provide a citation of the Operating Procedures or Council Policy 600-24 provisions of which the action is claimed to violate. If the complaint is from someone other than another planning board member, the Chair [or other officer] may assist in providing appropriate citations to assist the complainant.
4. The Chair will confer with the planning board officers regarding the complaint [exception: if an officer is the subject of the grievance or has a business or personal relationship with the alleged violator].
5. The Chair shall create a written record of the complaint and alleged violation to share with planning board officers and the alleged violator.

§7.10.1.2 Procedures for Administering and Acting on Investigating a Violation:

While the authority for this process rests with the planning board, City staff may be contacted for assistance at any point in the process.

1. Once the information about an alleged violation is completed in writing, the Chair, with assistance from the planning board officers, will meet and talk with the planning board member against whom the violation is alleged. The allegations will be presented and the planning board member shall be given the opportunity for rebuttal.
2. If the Chair, with assistance from the planning board officers, determines that no violation has actually occurred, the Chair may record this information in the written record of the complaint.
3. If the Chair, with assistance from the planning board officers, determines that a violation has occurred but the situation can be remedied either by action of the planning board or by the planning board member, the Chair will outline the necessary actions to achieve the remedy.
4. If the Chair, with assistance from the planning board officers, determines that the situation cannot be remedied and that the interests of the community and the Rancho Bernardo Community Planning Board would best be served by the removal of the planning board member, the Chair shall set the matter for discussion at the next planning board meeting. The planning board 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 board discussion.

§7.10.1.3 Presenting a Violation to the Planning Board:

1. The matter of removing a seated planning board member will be placed on the planning board's agenda as a potential action item. Supporting materials from the chair or from the offending planning board member will be made available to the elected planning board members prior to the meeting.
2. The matter will be discussed at the planning board's regular meeting with the opportunity given to the planning board member who committed the violation to present his or her case and/or rebut documentation gathered by the Chair with the assistance of the planning board officers. The member may also request a continuance of the item until the next scheduled planning board meeting to gather more information to present to the planning board.
3. At the end of the discussion, the planning board may, by a two-thirds ( $\frac{2}{3}$ ) vote of the voting members of the planning board choose to remove the member.

§7.10.1.4 Recourse for an Expelled Member:

1. There is no appeal available to an elected Rancho Bernardo Community Planning Board member removed by a two-thirds ( $\frac{2}{3}$ ) vote of the voting members of the Rancho Bernardo Community Planning Board.
2. The planning board member's seat shall be immediately declared vacant and subject to provisions of Article IV.
3. The removal of a planning board member by a two-thirds ( $\frac{2}{3}$ ) vote of the voting members of the planning board will not prohibit the member from running for a planning board seat in future scheduled elections.

Article VIII Rancho Bernardo Community Planning Board Officers

§8.1 The officers of the Rancho Bernardo Community Planning Board shall be elected from and by the members of the planning board at the regularly scheduled April meeting immediately following the seating of new members. The April meeting is convened by the Chair of the Election Subcommittee for the election of the Chairperson and then yields the chair to the newly elected Chairperson. Officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be for the duration of one (1) year, except that no person may serve in the same planning board office for more than eight consecutive years. After a period of one year in which that person did not serve as an officer, the individual shall again be eligible to serve in an officer capacity.

§8.2 Chairperson: The Chairperson shall be the principal officer of the Rancho Bernardo Community Planning Board and shall preside over all planning board and communitywide meetings organized by the planning board. The Chairperson is the point of contact for all planning board actions and will assign project review responsibilities to the appropriate subcommittees.

Appeals of discretionary decisions to the City shall be made by the Chairperson or, if necessary due to direct economic interest or absence, by another planning board officer who is identified to appeal that particular action on behalf of the planning board.

§8.3 Vice Chairperson: In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. In addition, the Vice Chair shall conduct the Administrative Subcommittee meetings at which the agenda for the next regularly scheduled planning board meeting is established. The Vice Chairperson may serve in other capacities as determined by the planning board Chair and confirmed by planning board members.

§8.4 Secretary: The Secretary shall be responsible for the planning board's correspondence, attendance records, and minutes and actions [including identification of planning board members who constitute a quorum, who vote on an action item, and who abstain or recuse, with their reasons]. The Secretary shall assure that planning board members and members of the public have access to this information. When necessary, the Secretary may ask another planning board member to assist with certain duties.

- §8.5 Treasurer. The Treasurer is responsible for receiving and disbursing the planning board's funds. The Treasurer shall provide a report of the Board's financial activity with the current balance at each scheduled planning board meeting and shall deposit all funds payable to the planning board; pay invoices owed and approved by the Planning Board; maintain records of the annual Planning Board's financial activities; and balance and reconcile the Board's checking account on a monthly basis. All checks drafted by the Treasurer shall be signed by two planning board officers. The Treasurer may be asked to prepare and submit a budget for the Board's approval.
- §8.6 The Chairperson shall be the Rancho Bernardo Community Planning Board's representative to the Community Planners Committee (CPC). However, by a specific action vote by the planning board, a planning board member other than the Chairperson may be selected as the official representative to CPC, with the same voting rights and privileges as the Chair. Designation of a planning board member other than the Chair shall be forwarded, in writing, to the appropriate staff representative to CPC prior to extension of voting rights and member attendance.
- §8.7 It is the duty of the officers and CPC representative(s) of the Rancho Bernardo Community Planning Board to promptly disseminate pertinent information received by the planning board regarding its official business to all planning board members.
- §8.8 Should the Board Chairperson, Vice Chairperson, Secretary, or Treasurer resign from office and/or from membership on the Rancho Bernardo Community Planning Board, the planning board shall, by majority vote of the voting members, elect a member to serve in the vacated position until the conclusion of the officer's term.

#### Article IX Rancho Bernardo Community Planning Board Policies and Procedures

- §9.1 The Rancho Bernardo Community Planning Board has included policies and procedures in its Operating Procedures that are found necessary for the planning board's effective operation under Council Policy 600-24. The planning board Operating Procedures may also incorporate additional information found in Exhibits that can be attached to these Operating Procedures. Such exhibits are considered part of these Operating Procedures and have the same effect as if they were incorporated directly into Articles I through XIII.

§9.1.1 Conduct of Meetings by the Rancho Bernardo Community Planning Board shall include:

- 1) Agenda: planning board meeting agendas are established and posted on the planning board website, the City website, and in a publicly accessible area no later than seventy-two (72) hours in advance of a scheduled monthly or special meeting.
- 2) Non-Agenda Public Comment: Time will be allotted at planning board meetings for the public to be heard. If the subject is on the agenda, public comments will be heard during discussion of the agenda item. If the matter is not on the agenda, residents' comments will be heard during the non-agenda portion of the meeting. No discussion or action by members will be taken other than to refer the matter to the appropriate individuals or subcommittee(s).

- 3) Agenda Items: These items are designated for action or for information only by the planning board on projects and other matters that impact Rancho Bernardo residents. If there is a need to take immediate action, an item may be added to the agenda, the sequence of agenda items may be changed, or an information item may be changed to an action item with a two-thirds vote of the voting members of the planning board. If two-thirds of planning board members are not in attendance, these actions require a unanimous vote by those voting members who are present.
- 4) Non-voting / Liaison Items: The planning board agenda provides an allotted time to receive liaison reports by locally elected officials and/or their representatives when appropriate. Liaison reports may also be heard as 'Non- Agenda Public Comment'. A quorum of the planning board must continue to be present for these items to be heard.
- 5) Financial Interests: Any planning board member or standing subcommittee member who has a direct economic interest in a project presented for information or action by the planning board, which could be perceived by other members as prejudicial toward the project, shall not participate in the discussion, ask or answer questions, or vote on the project as a planning board member.

The member must remove him or herself from the planning board seat but may participate as part of a project applicant team. The member may not otherwise speak, make statements, and answer questions from a place in the audience.

- 6) Obtaining the Floor: Board members wishing to speak must be recognized by the Chair. The Chair will give priority to those who have not yet spoken to the motion. Non-Board members wishing to speak on a subject must provide a completed Speaker's Slip to the Chair prior to the discussion and *may* identify themselves by name, address, organization, if any, and if they are a part of an organized presentation or if speaking as an individual.
- 7) Procedure on Agenda - Voting on Projects/Issues: When a development project or proposal has been presented to the Board, the Chair will ask for a report from the standing subcommittee Chair whose subcommittee has reviewed the project or issue. Following the report(s), planning board members may ask questions for clarification. The Chair then takes comments from the public, who completed a 'Speaker's Slip'. Public comments as to time and duration are determined by the Chair.

Once speakers have completed their presentation(s), the planning board Chair will ask for a motion, usually made by the appropriate subcommittee Chair. Once the motion is made and seconded, the Chair reads the motion, followed by limited discussion. This procedure is followed for all presentations with the exception if a proposal was only presented to the planning board and not a subcommittee, then any planning board member may make the motion.

#### §9.1.2 Member and Planning Board Responsibilities:

All Rancho Bernardo Community Planning Board members are expected to serve on at least one planning board standing subcommittee.

In addition to responsibilities outlined in Article VII of the planning board Operating Procedures, the Chair may appoint eligible planning board members, with the majority vote of planning board members in attendance, to serve as a liaison to the following community groups such as, but not limited to:

- (1) Community Recreation Board
- (2) San Dieguito River Park
- (3) San Pasqual / Lake Hodges Planning Group
- (4) Community Planners Committee (CPC)
- (5) SANDAG Task Force

#### Article X Additional Planning Board Responsibilities

§10.1 Commitment to Non-Discriminatory Practices: In conducting its responsibilities, the planning board will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

§10.2 Records Retention: The planning board will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

§10.3 Ethical Standards: The planning board will outline and adopt ethical standards for all planning board voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how planning board voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The following are examples of acceptable planning board ethical standards:

§10.3.1 Direct Economic Interest: Planning board voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

§10.3.2 Exceptions to Conflicts of Interest: Exceptions to conflicts of interest may be granted by a planning board to other planning board voting members who can show that the decision will not have an effect on their economic interest.

§10.3.3 Abstentions for Potential Conflicts of Interest: Planning board voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning board's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a planning board quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

§10.3.4 Political Actions: Neither the planning board nor voting members in their capacity as such may use their title from or position on a planning board for political endorsements of individuals. The planning board may, however, upon majority vote, take a position on pending legislation that is within the planning board's purview.

§10.3.5 Donations: Neither the planning board nor its voting members should accept donations on behalf of any individual running for office.

§10.3.6 Equal Time for Candidates or Ballot Measures: The planning board will endeavor to grant equal time for candidates or ballot measures if docketed on the planning board agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

§10.3.7 Professional Conduct: The planning board voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times

§10.4 Voting Member Training: The planning board will require all planning board voting members to complete the formal education program in-person or on-line offered by the City.

The planning board will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning board, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning board's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

§10.5 Collaboration with City Staff: Voting members of the Planning Board will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of their role and responsibilities.

Article XI      Rights and Liabilities of the Rancho Bernardo Community Planning Board

- §11.1      Indemnification: Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning board or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning boards,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning board or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with Council Policy 600-24 and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning board or one of its individual voting members is found to be out of compliance with the provisions of Council Policy 600-24, or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

- §11.2      Violations and Remedies Related to Provisions Citing the Brown Act: Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning board will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning board actions. Individual voting members of the recognized planning board, as well as the board as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning board, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning board may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning board, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning board to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning board, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or San Diego Ordinance O-19883.

§11.3 Violations of Membership Eligibility: Any planning board voting member who violates membership eligibility as defined in Section 6.4, may be removed by the remaining planning board voting members as outlined in Section 7.10.

§11.4 Violations and Remedies: If the planning board violates these Operating Procedures, it may forfeit its status as a recognized planning board and lose its right to indemnification and defense by the City. A planning board voting member and the planning board itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning board voting member, the planning board will conduct an investigation consistent with Council Policy 600-24.

In the case of an alleged violation of Council Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning board will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning board acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning board, or may recommend to the City Council that the planning board's recognition be revoked.

The planning board acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning board has violated their Operating Procedures or Council Policy 600-24 and the planning board has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning board's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

§11.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures: The planning board acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning board at a scheduled planning board meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

§11.6 Potential Conflicts of Interest: Planning board voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning board, which may include expulsion from the planning board. The planning board will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

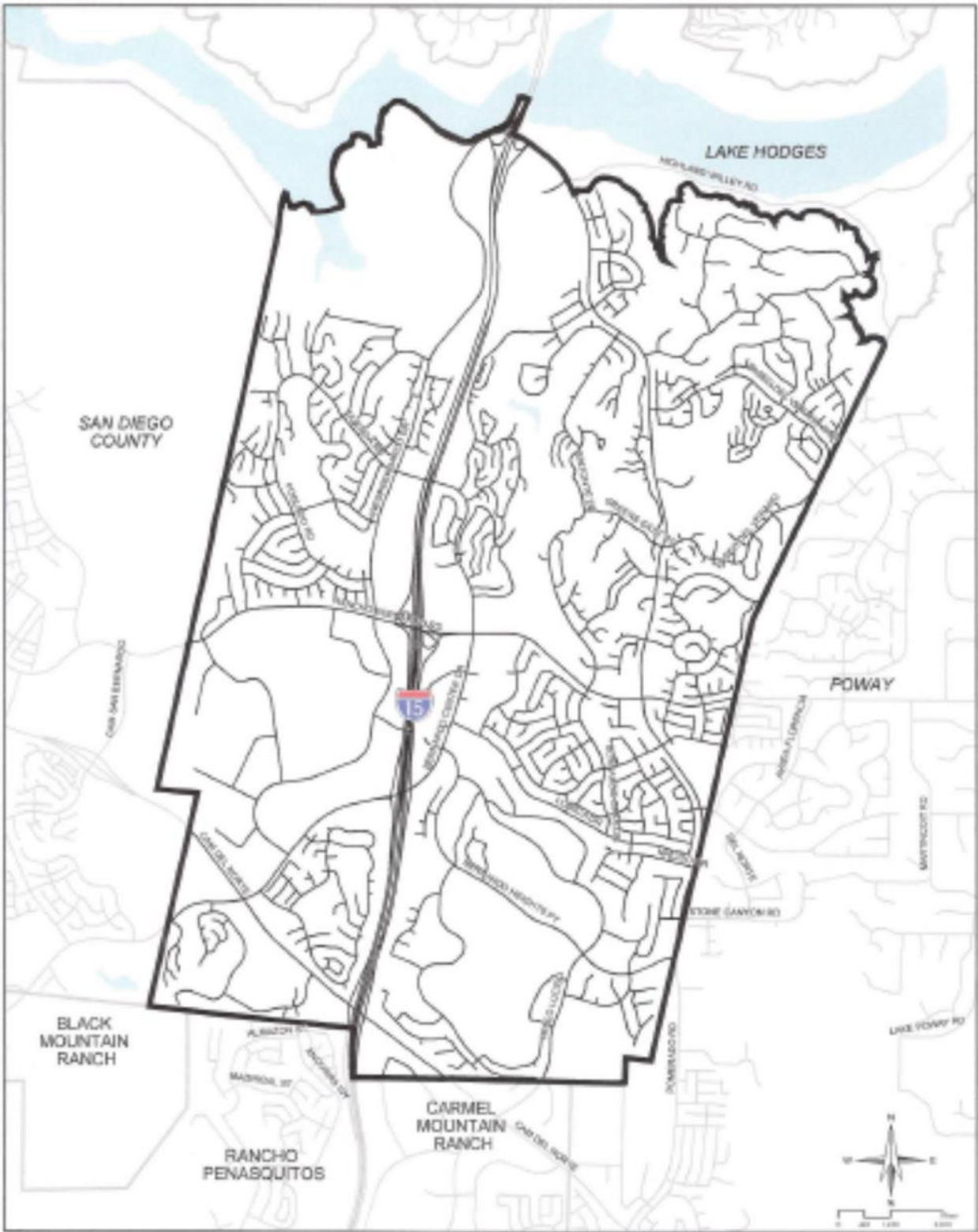
- §11.7 Violations and Remedies for Quorum and Attendance Requirements: If the Rancho Bernardo Community Planning Board is unable to meet quorum and attendance requirements for three consecutive months, then City may place the planning board in a temporary inactive status, to allow the planning board to work through its membership issues to return to active status. If the planning board remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the Rancho Bernardo Community Planning Board's recognition be revoked.
- §11.8 Violations of City Requests for Input: The Rancho Bernardo Community Planning Board acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Council Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

## Article XII Collective Action of the Rancho Bernardo Community Planning Board

The official positions and opinions of the Rancho Bernardo Community Planning Board will not be established or determined by any organization other than the recognized planning board, nor by any individual voting member or subcommittee of the planning board.

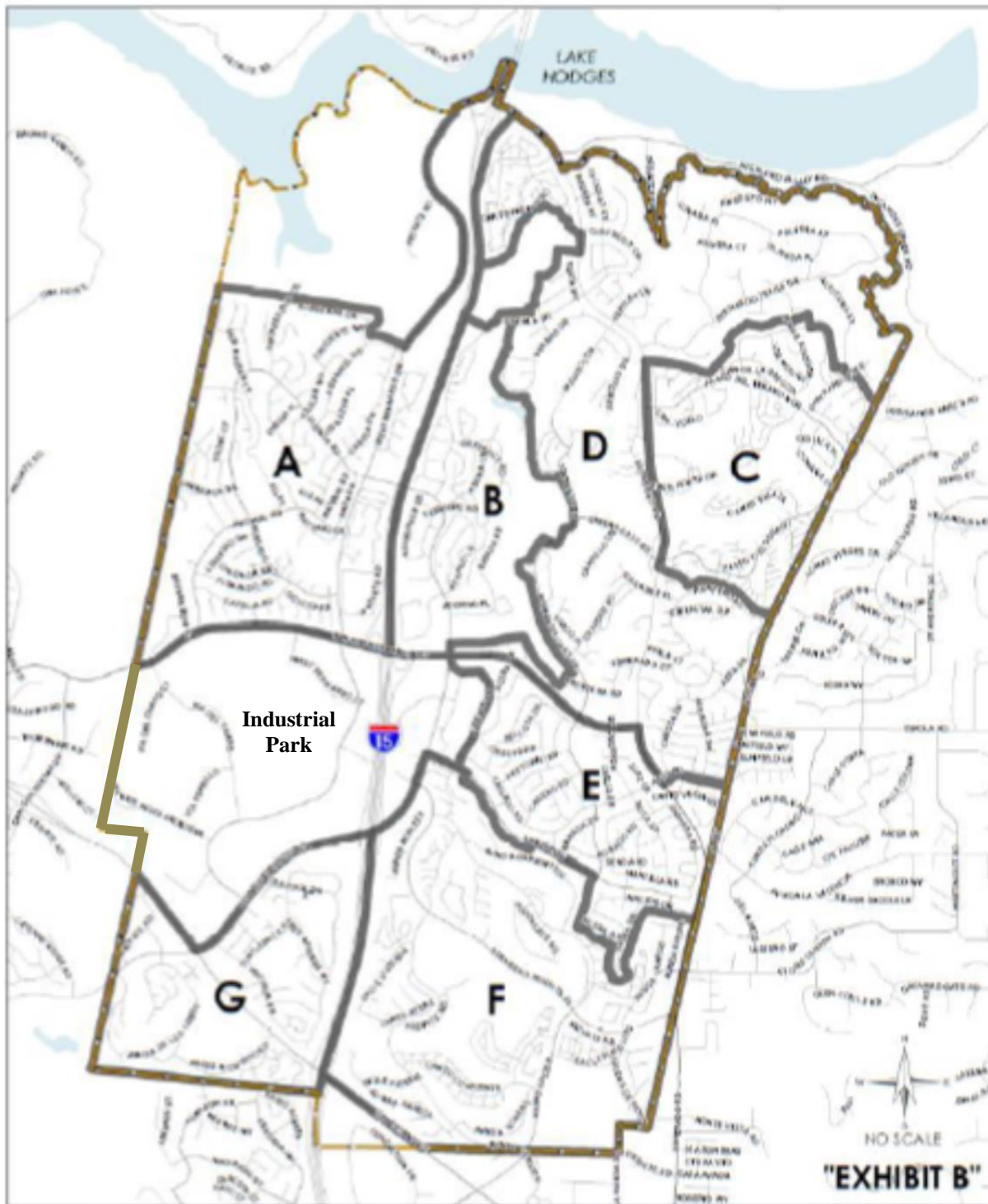
## Article XIII Term of the Operating Procedures

These Operating Procedures will be effective in perpetuity of the life of the Rancho Bernardo Community Planning Board unless recognition of the planning board is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with Council Policy 600-24 as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.



**Rancho Bernardo "EXHIBIT A"**  
CITY OF SAN DIEGO • PLANNING DEPARTMENT

**GIS**  
The City of San Diego's Geographic Information System (GIS) is a computer-based system that captures, stores, analyzes, and displays all the information that is related to the land and the environment. GIS is used to create maps, analyze spatial data, and make decisions about land use and resource management. For more information, visit the City of San Diego's GIS website at [gis.sandiego.gov](http://gis.sandiego.gov).



**Rancho Bernardo Districts**  
CITY OF SAN DIEGO



THIS MAP WAS CREATED USING THE CITY OF SAN DIEGO'S GIS SYSTEM. THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP. THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP.

NOTE: All properties zoned for residential within the Industrial Park are considered to be included as part of District G.

# **Guidelines for Rancho Bernardo Community Planning Board Ethical Standards**

## **As required for CPG Recognition by Terms and Conditions Attachment A**

The ethical standards detailed in these guidelines are included within the Operating Procedures (Terms and Conditions), Section 10.3. This attachment is not required.

# **Rancho Bernardo Community Planning Board**

## **Participation & Representation Plan**

### **Terms and Conditions, Attachment B**

The Rancho Bernardo Community Planning Board (“Planning Board”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Board members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Board to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our Planning Board’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Demographics and socioeconomic data provided by SANDAG.

#### **Overarching Goal**

- Educate community members about the role of our Planning Board and opportunities for involvement.
- Continue to build our relationships and trust with, the RB City Library, RB Community Council, the Brown Center, Community Home Owners Associations, etc. The Rancho Bernardo Community Planning Board has responsibility for growing the relationships with local public schools.
- Increase and diversify participation in monthly Rancho Bernardo Community Planning Board meetings and decision making.
- Communicate about our Planning Board’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Work to obtain meaningful input from a broad range of community members.
- Be proactive in listening to community needs and effectively communicating these to the City.

## **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Make meeting materials available in the languages spoken within the community.
- Be respectful of people's opinions and time.
- Ensure a safe, accessible meeting space.

## **Strategies for Community Involvement**

- Create a simple Planning Board flyer to advertise in community hubs with meeting information included to help educate the community on the role of the Planning Board, how to get involved, and the benefits of serving on the Rancho Bernardo Community Planning Board.
- Share meeting information in digital formats including social media pages and a dedicated Rancho Bernardo Community Planning Board website at:  
<http://www.RBPlanningBoard.com>
- Post printed monthly meeting information at local places including, but not limited to:
  - Community Newspaper
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools

- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Board's role and to build relationships.
- Advertise monthly meetings and elections in local community newspaper(s)/newsletter(s)/social media.
- Host informal events outside of Planning Board meetings to invite the public to learn about the Planning Board and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the RB Community Planning Board to attend.
- Continue our close relationship with Council District 5's office and the Mayor's office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs / other initiatives.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in planning groups. Document information in annual report and submit to the City.

## Goals for Planning Group Representation.

The following is demographic data for Rancho Bernardo obtained from SANDAG (2019).

### Demographic and Socioeconomic Estimates Community Planning Area Rancho Bernardo

|                           | Jan 1, 2019   |
|---------------------------|---------------|
| <b>Total Population</b>   | <b>43,902</b> |
| Household Population      | 43,322        |
| Group Quarters Population | 580           |
| Persons Per Household     | 2.49          |

#### Housing and Occupancy

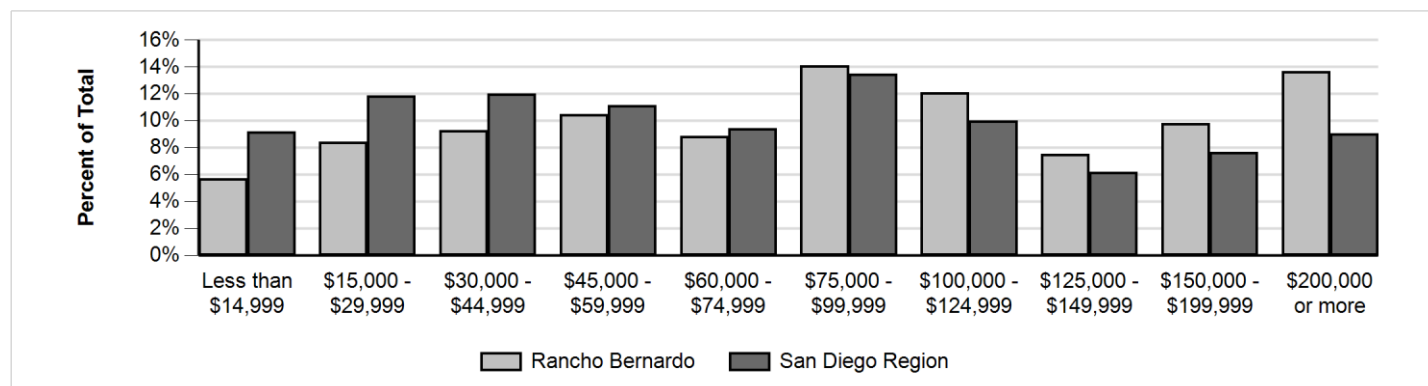
|                          | Total<br>Housing<br>Units | Households | Vacancy<br>Rate |
|--------------------------|---------------------------|------------|-----------------|
| Total Housing Units      | 17,964                    | 17,393     | 3.2%            |
| Single Family - Detached | 10,155                    | 9,821      | 3.3%            |
| Single Family - Attached | 3,156                     | 3,055      | 3.2%            |
| Multi-Family             | 4,653                     | 4,517      | 2.9%            |
| Mobile Home and Other    | 0                         | 0          | --              |

#### Household Income

Households by Income Category (2010 \$, adjusted for inflation)

|            | Less than<br>\$15,000 | \$15,000-<br>\$29,999 | \$30,000-<br>\$44,999 | \$45,000-<br>\$59,999 | \$60,000-<br>\$74,999 | \$75,000-<br>\$99,999 | \$100,000-<br>\$124,999 | \$125,000-<br>\$149,999 | \$150,000-<br>\$199,999 | \$200,000<br>or more |
|------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-------------------------|-------------------------|-------------------------|----------------------|
| % of Total | 6%                    | 8%                    | 9%                    | 10%                   | 9%                    | 14%                   | 12%                     | 8%                      | 10%                     | 14%                  |

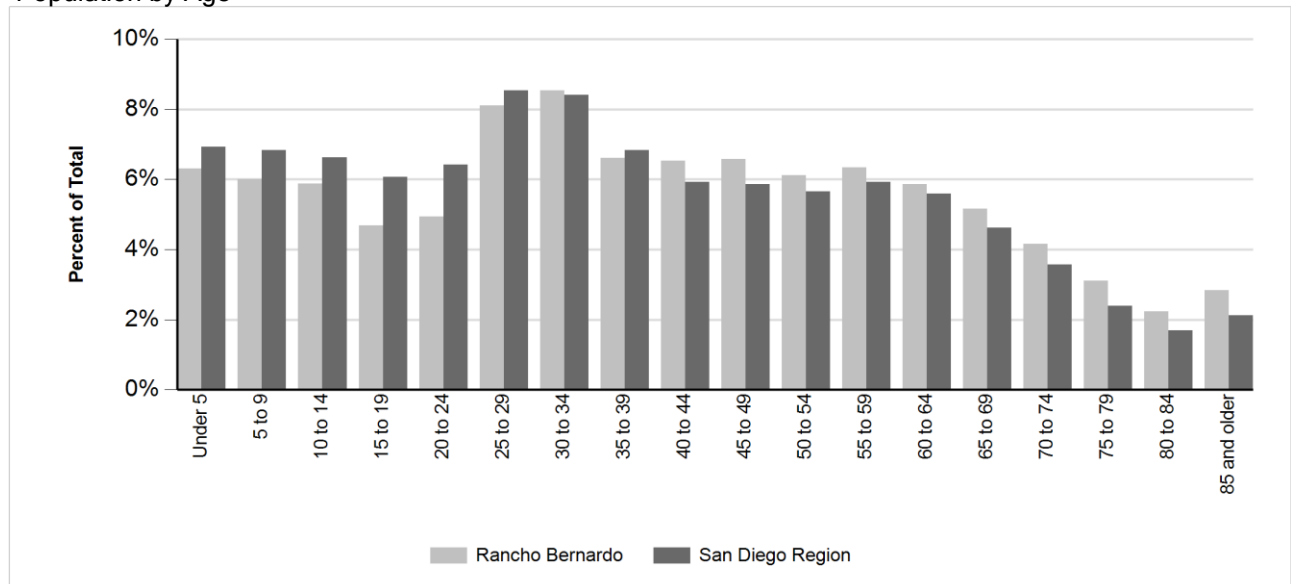
|   |           |
|---|-----------|
| Median Household Income                     | 2019      |
| Adjusted for Inflation (2010 \$)            | \$87,765  |
| Not adjusted for inflation (current 2018\$) | \$104,618 |



## Population by Age and Sex

|                  | Total         | Male   | Female | Percent Female |
|------------------|---------------|--------|--------|----------------|
| Total Population | <b>43,902</b> | 21,487 | 22,415 | 51%            |
| Under 5          | 2,771         | 1,389  | 1,382  | 50%            |
| 5 to 9           | 2,639         | 1,347  | 1,292  | 49%            |
| 10 to 14         | 2,580         | 1,343  | 1,237  | 48%            |
| 15 to 17         | 1,435         | 716    | 719    | 50%            |
| 18 and 19        | 618           | 294    | 324    | 52%            |
| 20 to 24         | 2,171         | 1,030  | 1,141  | 53%            |
| 25 to 29         | 3,561         | 1,898  | 1,663  | 47%            |
| 30 to 34         | 3,744         | 2,075  | 1,669  | 45%            |
| 35 to 39         | 2,899         | 1,453  | 1,446  | 50%            |
| 40 to 44         | 2,870         | 1,453  | 1,417  | 49%            |
| 45 to 49         | 2,886         | 1,390  | 1,496  | 52%            |
| 50 to 54         | 2,688         | 1,282  | 1,406  | 52%            |
| 55 to 59         | 2,784         | 1,330  | 1,454  | 52%            |
| 60 and 61        | 1,021         | 496    | 525    | 51%            |
| 62 to 64         | 1,554         | 728    | 826    | 53%            |
| 65 to 69         | 2,264         | 1,037  | 1,227  | 54%            |
| 70 to 74         | 1,827         | 821    | 1,006  | 55%            |
| 75 to 79         | 1,362         | 587    | 775    | 57%            |
| 80 to 84         | 983           | 395    | 588    | 60%            |
| 85 and older     | 1,245         | 423    | 822    | 66%            |
| Under 18         | 9,425         | 4,795  | 4,630  | 49%            |
| 65 and older     | 7,681         | 3,263  | 4,418  | 58%            |
| Median Age       | 39.2          | 37.2   | 41.2   | N/A            |

## Population by Age



## Population by Race, Ethnicity and Age

|                  | Hispanic | Non-Hispanic |       |                 |                      |           |
|------------------|----------|--------------|-------|-----------------|----------------------|-----------|
|                  |          | White        | Black | American Indian | Asian & Pacific Isl. | All Other |
| Total Population | 6,890    | 25,684       | 1,167 | <b>138</b>      | 8,060                | 1,963     |
| Under 5          | 491      | 1,548        | 82    | 10              | 527                  | 113       |
| 5 to 9           | 490      | 1,395        | 79    | 7               | 564                  | 104       |
| 10 to 14         | 516      | 1,352        | 68    | 15              | 531                  | 98        |
| 15 to 17         | 232      | 800          | 34    | 3               | 309                  | 57        |
| 18 and 19        | 146      | 342          | 13    | 2               | 85                   | 30        |
| 20 to 24         | 377      | 1,201        | 54    | 1               | 413                  | 125       |
| 25 to 29         | 581      | 2,024        | 104   | 12              | 646                  | 194       |
| 30 to 34         | 512      | 2,263        | 104   | 11              | 699                  | 155       |
| 35 to 39         | 488      | 1,605        | 82    | 10              | 579                  | 135       |
| 40 to 44         | 430      | 1,605        | 54    | 12              | 616                  | 153       |
| 45 to 49         | 433      | 1,675        | 70    | 9               | 578                  | 121       |
| 50 to 54         | 361      | 1,587        | 66    | 6               | 542                  | 126       |
| 55 to 59         | 416      | 1,669        | 82    | 13              | 481                  | 123       |
| 60 and 61        | 175      | 611          | 23    | 3               | 166                  | 43        |
| 62 to 64         | 227      | 939          | 40    | 4               | 267                  | 77        |
| 65 to 69         | 322      | 1,397        | 65    | 8               | 351                  | 121       |
| 70 to 74         | 247      | 1,205        | 44    | 4               | 257                  | 70        |
| 75 to 79         | 172      | 890          | 42    | 6               | 195                  | 57        |
| 80 to 84         | 129      | 678          | 32    | 1               | 123                  | 20        |
| 85 and older     | 145      | 898          | 29    | 1               | 131                  | 41        |
| Under 18         | 1,729    | 5,095        | 263   | 35              | 1,931                | 372       |
| 65 and older     | 1,015    | 5,068        | 212   | 20              | 1,057                | 309       |
| Median Age       | 36.0     | 41.0         | 37.8  | 39.0            | 37.2                 | 38.9      |

## Community Participation and Representation

The Rancho Bernardo Community Planning Board will ensure that voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The Rancho Bernardo Community Planning Board and its voting members shall routinely seek community participation in the Planning Board's planning and implementation process to serve the best long-term interest of the community at large. Methods will include, but are not limited to; sharing meeting and recruitment information with our community newspaper, posting the information on our website, at community centers and the local library.

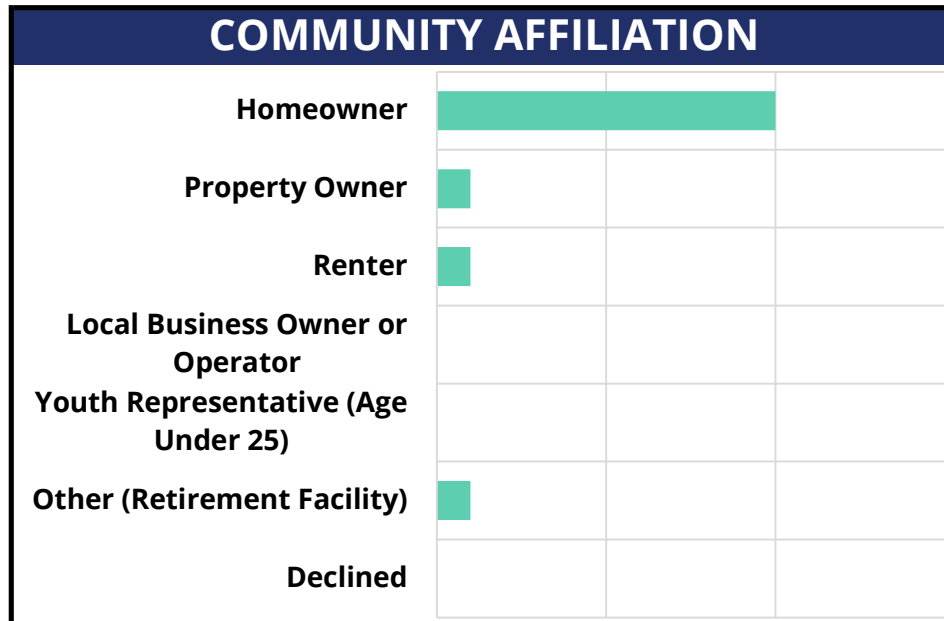
In accordance with the Bylaws, there shall be no specific quota of seats on the basis of race, color, sex, age over 18, creed, national origin, sexual orientation, or physical or mental disability.

# Rancho Bernardo

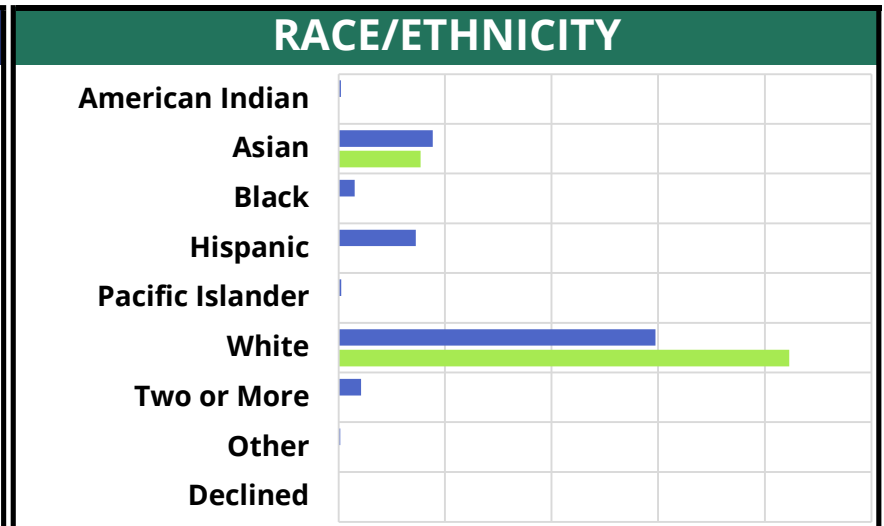
■ Member Count

■ Percent Group

■ Percent Community



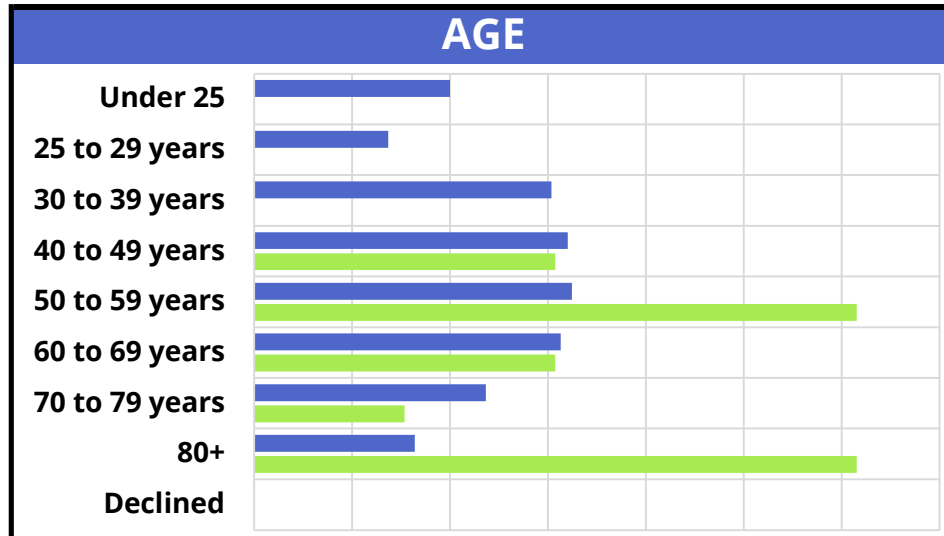
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 10           |
| Property Owner                      | 1            |
| Renter                              | 1            |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other (Retirement Facility)         | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>13</b>    |



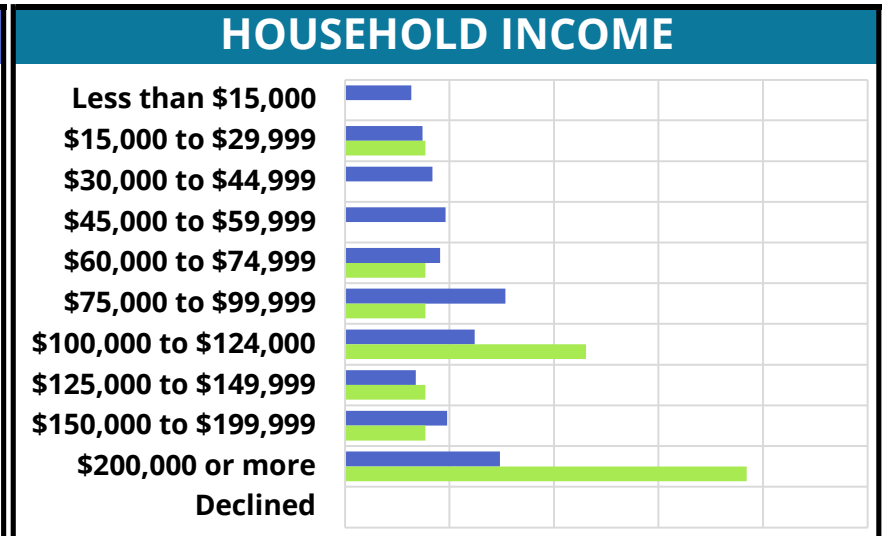
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | 2            | 15.4%         | 17.7%             |
| Black            | ---          | ---           | 3.0%              |
| Hispanic         | ---          | ---           | 14.5%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 11           | 84.6%         | 59.5%             |
| Two or More      | ---          | ---           | 4.2%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Rancho Bernardo

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 10%               |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | ---          | ---           | 15%               |
| 40 to 49 years | 2            | 15%           | 16%               |
| 50 to 59 years | 4            | 31%           | 16%               |
| 60 to 69 years | 2            | 15%           | 16%               |
| 70 to 79 years | 1            | 8%            | 12%               |
| 80+            | 4            | 31%           | 8%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 6%                |
| \$15,000 to \$29,999   | 1            | 8%            | 7%                |
| \$30,000 to \$44,999   | ---          | ---           | 8%                |
| \$45,000 to \$59,999   | ---          | ---           | 10%               |
| \$60,000 to \$74,999   | 1            | 8%            | 9%                |
| \$75,000 to \$99,999   | 1            | 8%            | 15%               |
| \$100,000 to \$124,000 | 3            | 23%           | 12%               |
| \$125,000 to \$149,999 | 1            | 8%            | 7%                |
| \$150,000 to \$199,999 | 1            | 8%            | 10%               |
| \$200,000 or more      | 5            | 38%           | 15%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 27, 2023, 2:01:07 PM

What is the official name of your Planning Group?

**Rancho de los Peñasquitos Planning Board (RPPB)**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Black Mountain Ranch**
- **Rancho Penasquitos**
- **Torrey Highlands**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **5**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

#### Group

Member Affiliation(s)

- **Homeowner**
- **Local Business Owner or Operator**
- **Non-Profit Owner or Operator**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Renter**
- **Local Business Owner or Operator**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**Asian**

Age

**50 to 59**

How will your Planning Group be accessible to all members of your community?

**Social media, library out reach, Distribution list, Other community groups, Website**

How will your Planning Group fairly represent all members of your community?

**We have a diverse mix of people on the board now. We listen to all voices.**

Applicant Representative

**Brian Reschke**

Email

**Chair.rppb@gmail.com**

Phone Number

**8586032040**

Please include the following documents.

**PDF** EXHIBIT A.pdf  
1.4MB

**PDF** EXHIBIT B.pdf  
1.7MB

**PDF** EXHIBIT C.pdf  
1.4MB

**DOCX** PQ Operating Procedures DRAFT 12.7.23.docx  
110.1KB



OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE

***Rancho de los Peñasquitos Planning Board (RPPB)***  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

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## Introduction and Background

Through this document, the ***Rancho de los Peñasquitos Planning Board (RPPB)*** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not a city-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally

required documents related to the planning group's founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

## **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the ***Rancho de los Peñasquitos Planning Board (RPPB)***, and all activities shall be conducted in its official name.

The community planning boundaries of this planning group are the boundaries of the *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch* Community, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries as shown in Exhibit B or related matters associated with implementation of its community plan, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying Capital Improvement Program (CIP) infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

The planning group may from time to time, and under a procedure consistent with these Operating Procedures, 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.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the Chairperson) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of Chairperson or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections. Annual Reports will be submitted to the City within 14 days of the approval of the March minutes. Annual reports should include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following March.

### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such.

The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. Planning Group Composition**

#### 4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The ***Rancho de los Peñasquitos Planning Board (RPPB)*** shall consist of twenty (20) elected and appointed members to represent the community. Appointed seats are identified to represent specific interests or unique stakeholder interests present in the community planning area, such as Town Council and Recreation Council.

#### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

- a. A qualified Rancho Penasquitos District Member is any person otherwise eligible who has resided within the boundaries of the respective district (attached as

Exhibit B) for which election or appointment is being sought at least thirty (30) days prior to election or appointment.

- b. 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 Planning Board jurisdiction for at least thirty (30) days prior to election or appointment.
- c. 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.
- d. A qualified Black Mountain 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.
- e. 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.
- f. 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.

When a member of the planning board is no longer qualified to hold their seat, the member shall submit a letter of resignation to the Chairperson.

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

#### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Voting members who want to apply for re-election or re-appointment do not need to comply with the attendance requirements noted above.

#### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a:

- a. property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped),

- within the community planning area;
- b. resident, who is an individual whose primary address of residence is an address in the community planning area;
- c. local businessperson, who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

An individual may become an eligible member of the community by demonstrating eligibility qualifications contained in 4.3(a), (b) or (c) above to the satisfaction of the Planning Board Chairperson or Election Ad Hoc Committee prior to the time of voting.

Once a community member's eligibility to vote is established, the individual remains an eligible member of the Rancho de los Peñasquitos Planning Board 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.

#### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the planning group may create appointed non-voting seats.

In addition to elected members, the ***Rancho de los Peñasquitos Planning Board (RPPB)*** has 4 appointed seats to better represent specific interests or unique stakeholder interests of the community. These seat(s) are appointed by submitting an application to the planning board Chairperson no later than one week prior to the meeting at which their appointment will be considered.

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

Appointed members are subject to the same removal provisions as Elected members, and 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.

#### 4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in RPPB discussions and in voting on matters being heard by the RPPB. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the RPPB.

#### 4.3.3 Vacancies

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, upon receipt of a written report from the planning

group's Chairperson 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 or following a vote of the planning group as described in Council Policy 600-24 related to ineligibility, and/or following conclusion of a member-removal process.

Vacancies that may occur on the Rancho de los Peñasquitos Planning Board should be filled not later than 60 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 as soon as the vacancies are declared. Vacancies shall be filled as follows:

- i. Vacancies of seats held by Residential Members and Commercial Members shall be filled by the Chairperson and ratified by a majority vote of members present at the first regular meeting of the Planning Board following the advertisement of such a vacancy.
- ii. 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 (Exhibit C) to the Planning Board Chairperson 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. 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 concurrently elected seat vacancies shall be filled through a special election by a vote of eligible RPPB members by utilizing a secret written ballot.

- i. If there is only one eligible interested candidate desiring to fill a single seat vacancy, he or she will be appointed by the Chairperson 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.
- ii. 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 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.

iii. If multiple eligible interested candidates desire to fill two vacancies within the same represented community (Torrey Highlands or Black Mountain Ranch), 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 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. The candidate with the most votes shall be confirmed to the seat with the longest remaining term, and the candidate with the next highest number of votes shall be confirmed to the seat with the shorter remaining term.

This information shall be recorded in the minutes and the selected candidates will take their seat at the next regular planning board meeting.

When the Rancho de los Peñasquitos Planning Board is unable to fill a vacancy within 60 days, as specified above, and the planning group has more than ten members, a diligent and substantial effort to search for a new member should continue, however the seat may remain vacant until the next planning group election.

The Rancho de los Peñasquitos Planning Board may fill a Residential Member seat that has remained vacant for 60 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:

- i. 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.
- ii. 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.
- iii. 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.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

Members of the ***Rancho de los Peñasquitos Planning Board (RPPB)*** shall be elected to serve fixed terms of 2 years, with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service. 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, and the eight-year limit refers to total maximum consecutive years of service time, not individual seats held.

#### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. ***Rancho de los Peñasquitos Planning Board (RPPB)*** will use the following guidelines:

- i. Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- ii. Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- iii. The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

### **5. Open and Public Elections**

#### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- a. Only one elected planning group voting member per business tax certificate.
- b. Only one elected planning group voting member per property tax billing. (Such as a multi-family residential parcels)

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of

presenting an original or copy of any of the documents described below in either paragraph (i) or (ii). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

i. Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

ii. Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their

founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

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.

Planning group operating procedures in this section will address the following election procedures:

- a. GENERAL ELECTIONS: General elections of Rancho de los Peñasquitos Planning Board members shall be held annually, during the month of March in accordance with the Rancho de los Peñasquitos Planning Board's adopted elections procedures. 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 meetings 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. No member of the Election committee shall be a candidate in the election. 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.

Eligible members of the community desiring to become a candidate for election to the planning group shall submit an application (Exhibit C) to the planning group Chairperson or Election Committee Chairperson no later than the adjournment of the February regular meeting prior to the scheduled election.

All persons voting in a planning group 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, subject to the provisions contained in Section 4.3.2 regarding Youth Seats.

At a minimum, a notice of planning group 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.

- b. **BALLOTS:** All persons voting in a planning group election shall be required to sign their name and address prior to voting. 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, are term limited, and are needed to meet the 10 member minimum, must receive a two-thirds (2/3) majority of the vote due to provide service beyond eight consecutive years of service. 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.

The Election Ad Hoc Committee shall be responsible for opening and counting all Ballots.

The candidate receiving the most votes (plurality) in each race shall be elected. In the event of a tie, the two candidates with the most votes shall proceed to a tie-breaking event in which case a coin toss will select the winning candidate.

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. Cast Ballots shall be kept by the Election Ad Hoc Committee for a period of 30 days, at which time shall be conveyed to the Chairperson to be destroyed.

Voting to elect community planning group members shall be by secret written ballot. Completed Ballots shall be deposited into a sealed box and opened only by the Election Ad Hoc Committee immediately before counting.

Proxy voting for elections is not allowed under any circumstances, and the Election Ad Hoc Committee shall discourage all electioneering in or around the voting location.

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

- c. VOTING: Voting for a Rancho Peñasquitos District Member seat is limited to residents who reside within the District boundary. Voting for the Renter-at-Large Member seat is limited to residents who reside within the Rancho Peñasquitos community planning area. Voting for the Torrey Highlands Member seats is limited to residents who reside in the Torrey Highlands community planning area. Voting for the Black Mountain Ranch Member seats are limited to residents who reside in the Black Mountain Ranch community planning area (see Exhibit B).

The Election Ad Hoc Committee shall setup the Voting location and keep open for a period of not less than two hours, at an ADA compliant accessible location.

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 group 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.

### 5.3 Election Timing

The planning group will host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt Robert's Rules of Order as rules of procedure for its meetings, to provide a uniform means for the planning group to facilitate public meetings, conduct public

business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

It is the duty of all planning group members to conduct official business of the planning group in a public setting, and to attend all meetings. 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.

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.

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

Planning group operating procedures in this section will address the following duties, operations and procedures:

- a. **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>.

- b. (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.
- c. (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.

- d. 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.
- e. CONSENT AGENDA - For items to be considered for a “Consent Agenda” all of the following are required:
  - i. A committee of the planning group has discussed the item at a noticed committee meeting,
  - ii. All interested members of the public were given an opportunity to address the committee, and
  - iii. 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.

- f. 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.

- g. 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.

- h. 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.

Removing a member due to ineligibility in accordance with Section 8.3.1 requires a majority vote of the voting members of the community planning group for the purpose of ratifying the findings presented by the Chairperson 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.

- i. **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.
- j. **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 Chairperson a written waiver of notice at, or prior to the time of, the meeting. Written notice shall be posted 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.

- k. **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 Operating Procedures.
- l. **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.

- m. **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.
- n. **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:**
    - 1. **Land Use Committee (LUC)**  
The LUC is comprised of up to five Planning Board members, appointed by the Planning Board Chairperson and voted on by the Board members which shall have the following 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 the status of current and proposed future projects.
    - 2. **Wireless Communication Facility Committee (WCFC)**  
The WCFC is comprised of up to five Planning Board members, appointed by the Planning Board Chairperson and voted on by the Board members which shall have the following 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 the status of current and proposed future projects.
  - 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. 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 the Standing committees shall be for the duration of the planning group.

Ad Hoc committees will be created by a simple majority vote of the

present board members.

- iii. COMMITTEE COMPOSITION – Each committee shall have no more than 5 members, but the number of members the committee has shall be fixed upon creation. Committees shall contain a majority of members who are members of the planning group.

Standing committee members shall be appointed or reappointed by the planning group Chairperson, with approval by a majority vote of the planning group, subsequent to the election of the planning group's new officers.

Removal of committee members from a committee may occur either through resignation or through removal by the planning group 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.

o. 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 consistent with Section 7.3, Ethical Standards.

p. MEETING DOCUMENTS AND RECORDS

- i. 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.

- ii. 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 them without charge. A cost-recovery fee may be charged for copies of recordings.

#### 6.4 Planning Group Officers

The officers of the ***Rancho de los Peñasquitos Planning Board (RPPB)*** 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 per the term limits established in Section 4.4. 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.

##### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group’s representative to the Community Planners Committee (CPC), unless otherwise designated.

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.

#### 6.4.2 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 Operating Procedures.

#### 6.4.3 Secretary

The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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.

#### 6.4.4 Other Officers & Representatives

The planning group may identify additional officers responsible for the effective operation of the planning group.

Representatives shall be appointed or reappointed by the Chairperson, with the approval by a majority vote of the planning board to the following committees or other organizations:

- i. Community Planners Committee (Chairperson or designee)
- ii. Peñasquitos East MAD (3 members)
- iii. Park Village MAD (3 members)
- iv. Torrey Highlands MAD (3 members)
- v. Black Mountain Ranch South MAD (pursuant to MAD bylaws)
- vi. Peñasquitos Canyon CAC (1 member + alternate)
- vii. Black Mountain Open Space Park (1 member + alternate)

#### 6.5 Additional planning group Officer Responsibilities

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

## **7. Additional Planning Group Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The planning group should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards.

#### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning

group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

#### 7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

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.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

### 7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

### 7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

## **8. Planning Group Rights and Liabilities**

### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will

defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

#### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section

4.2, may be removed by the remaining planning group voting members as outlined in Section 8.5.

#### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of

disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. Upon 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: GUIDELINES FOR CPG ETHICAL STANDARDS AND COMMUNITY PARTICIPATION & REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES (The *Rancho de los Peñasquitos Planning Board (RPPB)* will represent the communities of *Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch.*)

EXHIBIT C: APPLICATION FOR BOARD MEMBERSHIP AND ELECTION

## DOCUMENTS

## Guidelines for CPG Ethical Standards

This document describes recommended ethical standards the *Rancho de los Peñasquitos Planning Board (RPPB)* Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

### 1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

### 2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

### 3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

### 4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Community Participation & Representation Plan**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The ***Rancho de los Peñasquitos Planning Board (RPPB)*** Community CPG (“CPG”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing CPG members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our CPGs to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our CPG’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the consolidated demographics and characteristics of our three communities of Black Mountain Ranch, Rancho Penasquitos and Torrey Highlands. Please see Community Plan Area (CPA) demographics for Black Mountain Ranch, Rancho Penasquitos and Torrey Highlands provided by SANDAG’s [Data Surfer](#) website.

#### **Overarching Goal**

- Educate community members about the role of our CPG and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community. (examples: YMCA, RP Town Council, Friends of the Library, Recreation Council, Poway Unified School District, etc.)
- Increase and diversify participation in monthly CPG meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods
- Encourage community participation by directing members to online translation services if needed to review meeting materials. .
- Be respectful of people’s opinions and time within Robert’s Rules of Order.

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple CPG flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a CPG (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the CPG's role and to build relationships.
- Advertise monthly meetings, on the CPG's website/social media (See Appendix C – on information to include on flyers).
- Advertise elections and other events using other neighborhood based communication methods (flyers, mailers, handouts, posters, etc.)
- Host informal events outside of CPG meetings to invite the public to learn about the CPG and how to participate in monthly meetings. (example: Rancho de los Penasquitos Fiesta)
- Work with the council office, Mayor's Office and other governmental offices and agencies to amplify outreach and increase public participation.
- Consider online interactive activities, such as surveys, to seek input on community needs/ other initiatives.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, and composition of voting members as evidenced in annual surveys.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in CPGs. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov).

## Community CPGs

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application  |
|---|--|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.   |
| <b>Hotline/Dedicated CPG phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the CPG.  | <b>Share Information:</b> A dedicated CPG phone number could allow the CPG or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.  |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.  |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. CPGs can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.   |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.   |



## Community CPGs

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about CPGs or obtain community input.                                       | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the CPG.                 | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the CPG and community stakeholders an opportunity to visit a particular site or tour an area.  | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. CPGs should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues. |

**Workshops:** An informal public meeting that may include presentations and include opportunities for interaction among participants.

***Bringing people together:*** An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues.



## Community CPGs

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community CPGs

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |



## Community CPGs

Survey Best Practices

### How should you develop your questions?

**Making sure that your questions and responses match.**

If the focus of your question is about a CPG recommendation, then the response should use "recommend."

If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."

**Each question should only ask one thing.**

Your questions should be direct and seek a specific answer. For example:

"Are community parks clean and safe?" = wrong

"Are community parks clean?" and "Are community parks safe?" = correct.

**Develop clear and concise questions. Avoid technical jargon and abbreviations.**

Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using [Microsoft Word](#) or the [Hemingway app](#).

**Ask: How can this question be misinterpreted?**

Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.

### Writing your questions.

**Keep it simple and to the point.**

The respondent shouldn't have to re-read the question for clarity.

**Use words with clear meanings.**

Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.

**Limit the number of ranking options.**

Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.

**Multiple choice questions should cover all options but not overlap.**

For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."

**Avoid offering too few or too many options.**

Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.

## Community CPGs

[Sample flyer and CPG Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local CPG.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



Meets every third  
Thursday at 6pm.

1234 Planning Rd  
San Diego, CA  
12345

Get in touch with the  
Planning Group Chair



Chair Name Here  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)



## Community CPGs

[Sample flyer and CPG Webpage](#)

[Wix](#) is one of many online platforms that be used to design a CPG website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

- HOME
- MEETING AGENDAS
- MEETING MINUTES
- OPERATING PROCEDURES
- GET INVOLVED
- More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.

**Monthly Meetings:**  
 Occur every 3rd Wednesday of the month.  
 Location: Community Recreation Center  
 1234 Anywhere Avenue, SD CA 92199  
 Time: 6:00 p.m. to 8:00 p.m.  
 See Menu Bar above for meeting agenda.

# Rancho Peñasquitos Community Planning Area Map – District Boundaries



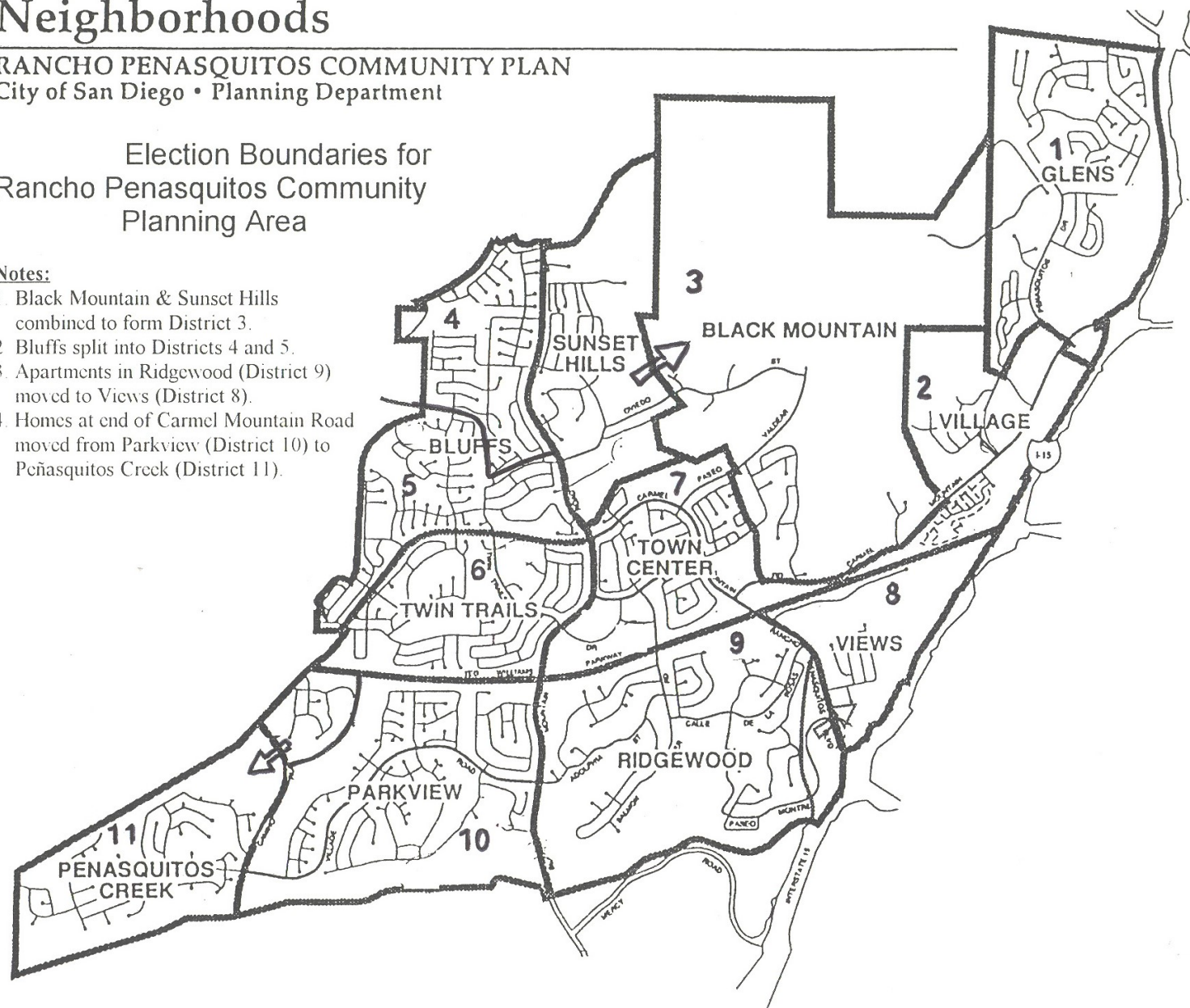
## Neighborhoods

RANCHO PENASQUITOS COMMUNITY PLAN  
City of San Diego • Planning Department

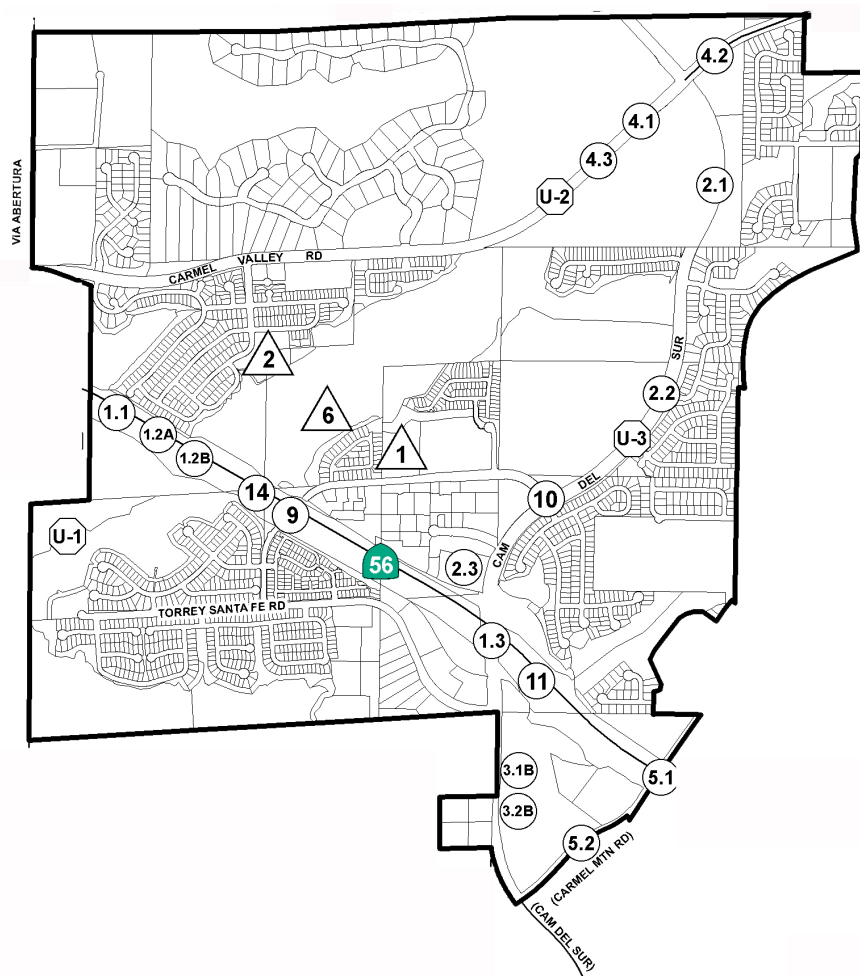
### Election Boundaries for Rancho Penasquitos Community Planning Area

#### Notes:

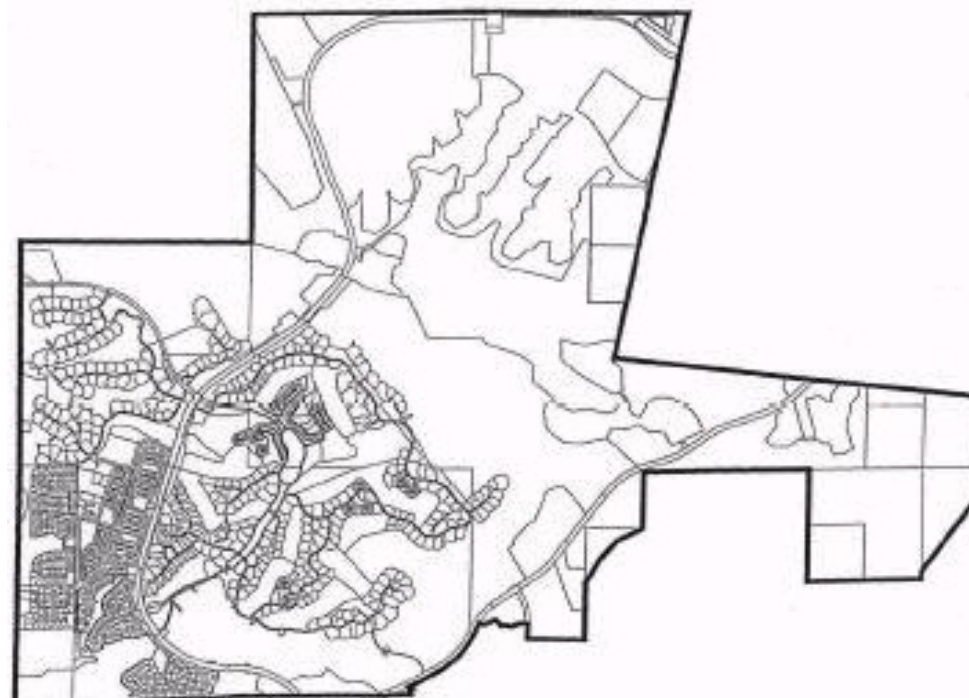
1. Black Mountain & Sunset Hills combined to form District 3.
2. Bluffs split into Districts 4 and 5.
3. Apartments in Ridgewood (District 9) moved to Views (District 8).
4. Homes at end of Carmel Mountain Road moved from Parkview (District 10) to Peñasquitos Creek (District 11).



## Torrey Highlands & Black Mountain Ranch Community Planning Area Maps



## Torrey Highlands Community Planning Area



## Black Mountain Ranch Community Planning Area

# **Application for Membership Rancho Peñasquitos Planning Board (RPPB)**

**EXHIBIT C**

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 | <input type="checkbox"/>          | Identification provided by applicant has been verified.  |  |
|                | <input type="checkbox"/>          | Applicant is 18 years of age or older.   |  |
|                | <input type="checkbox"/>          | Elected applicant has lived at their home address for a minimum of 30 days. (Verified with Government Issued ID or Utility Bill) |  |
|                | <input type="checkbox"/>          | Community or commercial organization applicant is recommended for appointment by letter from organization.                       |  |

**Sample Ballot Sheet – Odd Numbered Years**

(add candidate name(s), edit as needed for wavier consideration, cut into voting strips)

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

|                    |  |                                 |
|--------------------|--|---------------------------------|
| <b>District 1</b>  | Candidate's Name (Incumbent – 8+ years)  | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 3</b>  | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 5</b>  | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 7</b>  | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 9</b>  | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 11</b> | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

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

|                    |  |                                 |
|--------------------|--|---------------------------------|
| <b>At-Large #1</b> | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

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

|                    |  |                                 |
|--------------------|--|---------------------------------|
| <b>At-Large #1</b> | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

**BALLOT NOTES:**

- Current board members will be denoted as "Incumbents".
- Candidates with 8 or more consecutive years of service will be denoted as either:
  - "Incumbent – 8 years, requires 2/3 majority vote" OR
  - "Incumbent – 8+ years, requires 2/3 majority vote"
- Candidate order for each seat/race will be alphabetical by last name.
- Voter may select only one candidate in each race by selecting or marking the box after the candidate's name.
- 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.
- The candidate receiving the most votes (plurality) in each race shall be elected. Any candidate with 8 or more consecutive years of service, who does not have a challenger for seat, but is still needed to reach 10-member Panning Group minimum, can be elected if a 2/3 majority of the community votes in affirmative.

**Sample Ballot Sheet – Odd Numbered Years**

(add candidate name(s), edit as needed for minimum consideration, cut into voting strips)

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

|                        |  |                                 |
|------------------------|--|---------------------------------|
| <b>District 2</b>      | Candidate's Name (Incumbent – 8+ years)  | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 4</b>      | Candidate's Name   | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 6</b>      | Candidate's Name   | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 8</b>      | Candidate's Name   | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>District 10</b>     | Candidate's Name   | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |
| <b>Renter-At-Large</b> | Candidate's Name   | <input type="checkbox"/>        |
|                        | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

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

|                    |  |                                 |
|--------------------|--|---------------------------------|
| <b>At-Large #2</b> | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

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

|                    |  |                                 |
|--------------------|--|---------------------------------|
| <b>At-Large #2</b> | Candidate's Name   | <input type="checkbox"/>        |
|                    | To reach minimum 10 members on board, 8(+) years candidate allowed, if not rejected by 1/3 of voters | <input type="checkbox"/> reject |

**BALLOT NOTES:**

- Current board members will be denoted as "Incumbents".
- Candidates with 8 or more consecutive years of service will be denoted as either:
  - "Incumbent – 8 years, requires 2/3 majority vote for wavier" OR
  - "Incumbent – 8+ years, requires 2/3 majority vote for wavier"
- Candidate order for each seat/race will be alphabetical by last name.
- Voter may select only one candidate in each race by selecting or marking the box after the candidate's name.
- 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.
- The candidate receiving the most votes (plurality) in each race shall be elected. Any candidate with 8 or more consecutive years of service, who does not have a challenger for seat, but is still needed to reach 10-member Panning Group minimum, can be elected if a 2/3 majority of the community votes in affirmative for wavier.

# RPPB Annual Elections Vote Tally Sheet

Exhibit C  
YEAR \_\_\_\_\_

| Odd Year  | Even Year | Candidate's Names | Votes Received |
|---|-----------|-------------------|----------------|
| Member Seats  |           |                   |                |
| <b>RANCHO PEÑASQUITOS</b>   |           |                   |                |
| 1   | 2         |                   |                |
|   |           |                   |                |
| 3   | 4         |                   |                |
|   |           |                   |                |
| 5   | 6         |                   |                |
|   |           |                   |                |
| 7   | 8         |                   |                |
|   |           |                   |                |
| 9   | 10        |                   |                |
|   |           |                   |                |
| 11  | Renter    |                   |                |
|   |           |                   |                |
| <b>TORREY HIGHLANDS</b>   |           |                   |                |
| 1   | 2         |                   |                |
|   |           |                   |                |
| <b>BLACK MOUNTAIN RANCH</b>   |           |                   |                |
| 1   | 2         |                   |                |
|   |           |                   |                |
| <b>Shall Candidates be allowed to serve longer than 8 years to reach 10 member minimum?</b> |           |                   |                |
| 1   | 2         | Yes               |                |
|   |           | No                |                |

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

\_\_\_\_\_  
Date \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_

## 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,<br>TH or BMR | ID<br>Verified |
|----|-----------|------------|-----------|---------------|------------------------|----------------|
| 1  |           |            |           |               |                        |                |
| 2  |           |            |           |               |                        |                |
| 3  |           |            |           |               |                        |                |
| 4  |           |            |           |               |                        |                |
| 5  |           |            |           |               |                        |                |
| 6  |           |            |           |               |                        |                |
| 7  |           |            |           |               |                        |                |
| 8  |           |            |           |               |                        |                |
| 9  |           |            |           |               |                        |                |
| 10 |           |            |           |               |                        |                |
| 11 |           |            |           |               |                        |                |
| 12 |           |            |           |               |                        |                |
| 13 |           |            |           |               |                        |                |
| 14 |           |            |           |               |                        |                |
| 15 |           |            |           |               |                        |                |



# ELECTION NOTICE

## Rancho Peñasquitos Planning Board - March X, 20XX

4:30pm – 7:30pm XXXXXXXXXXXXXXXXXXXXXXXXXXXX, San Diego, CA 92129

(To be held in location XXXXXXXX)

All persons wishing to vote in the Planning Board election must be at least 18 years of age and must have resided within the district or at-large seat boundaries for which they are voting for the thirty (30) days prior to the election to be eligible. Each voter will cast a single ballot. The Election is conducted by secret ballot and identification with current address is required; write-in candidates and proxy voting are NOT allowed.

### Rancho Peñasquitos Candidates –

District 1 –

District 3 –

District 5 –

District 7 –

District 9 –

District 11 –

### Black Mtn. Ranch Candidate –

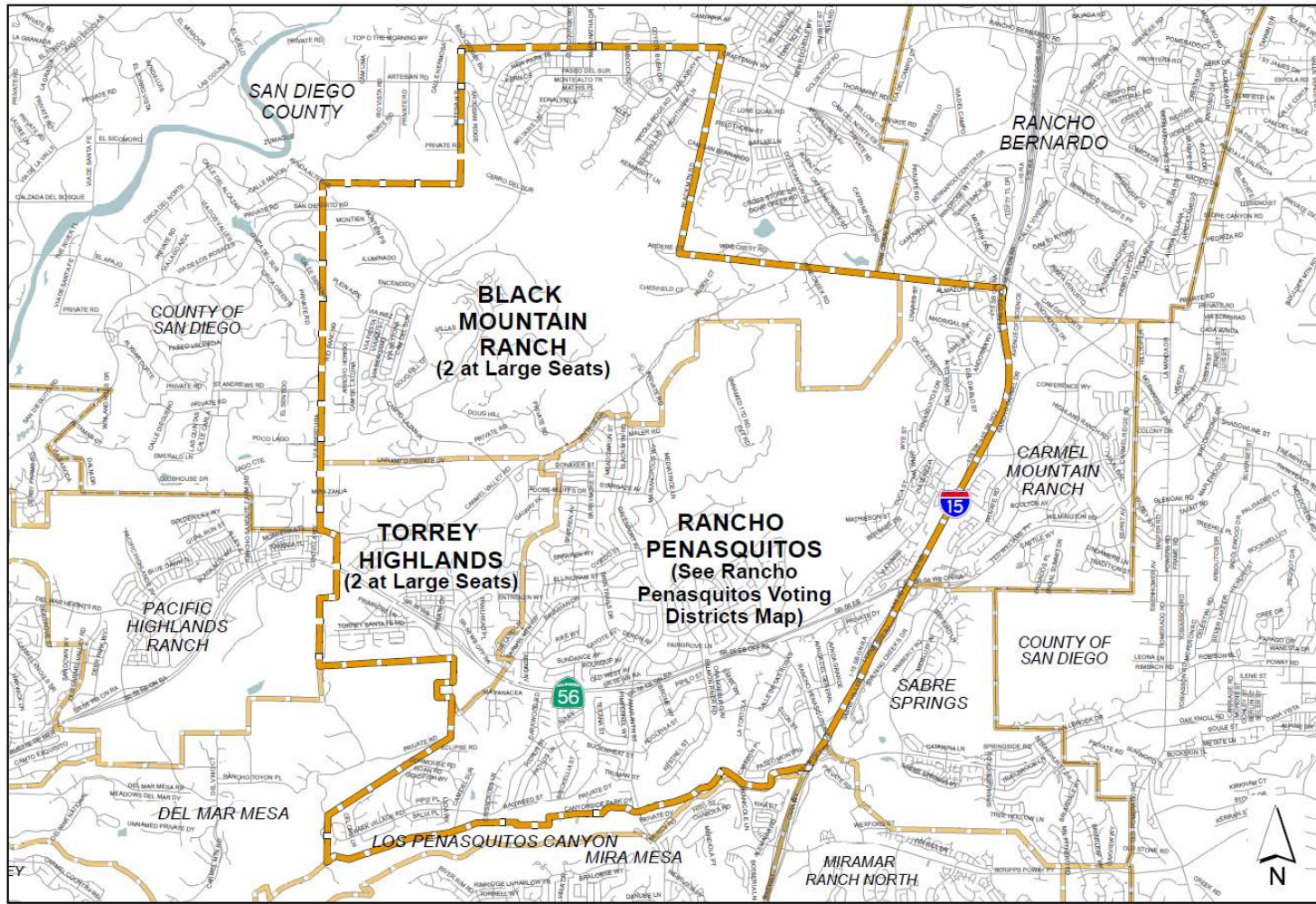
At-Large Seat #1 –

### Torrey Highlands Candidate –

At-Large Seat #1 –

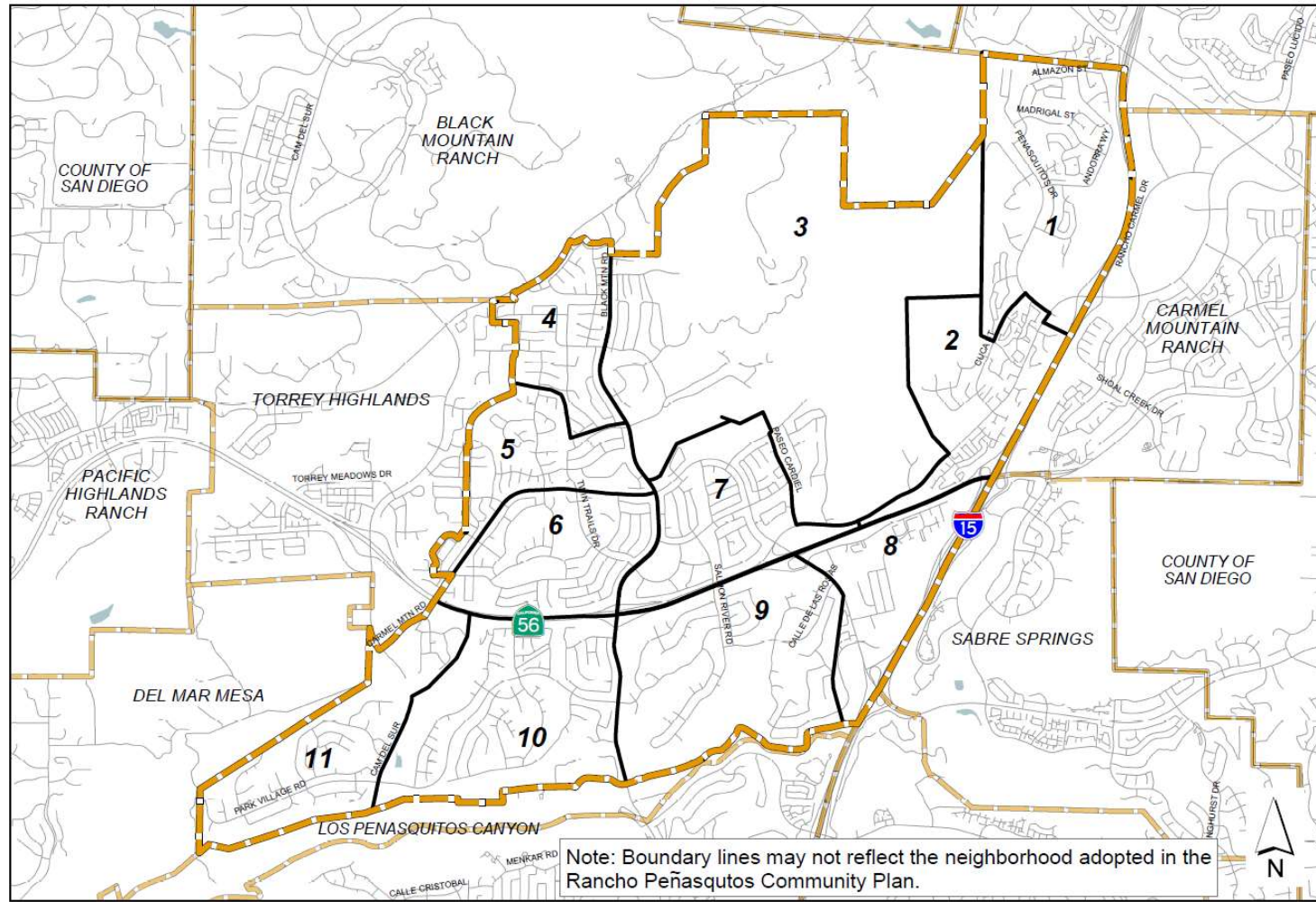
Members of the Rancho Peñasquitos Planning Board shall be elected to serve for a fixed term of two years. Election results will be reported during the March 20XX regularly scheduled meeting. Any challenge to the election results must be filed with the chairperson of the Elections Ad Hoc Committee or an officer of the Rancho 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 regular meeting.

**Questions:** XXXX XXXXX, Election Ad Hoc Committee Chair at XXXXXXXXXXXX.com



**Exhibit A: Boundary Map - Rancho Penasquitos Planning Board Area**





**Exhibit A: Rancho Peñasquitos Voting Districts**

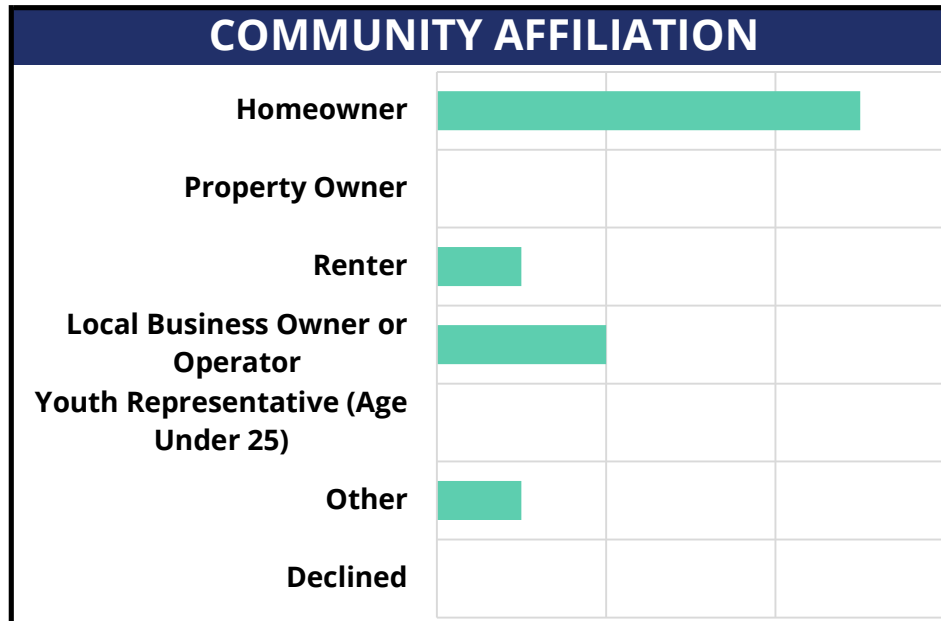


# Rancho de los Peñasquitos

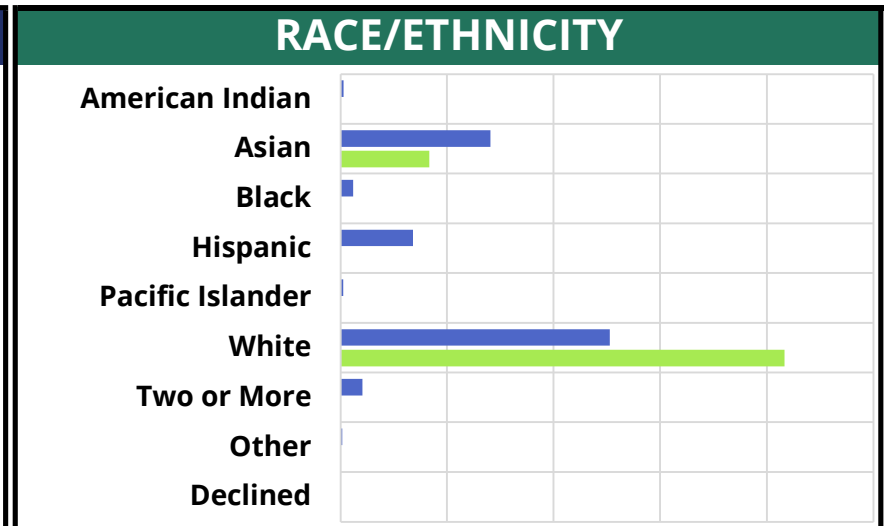
■ Member Count

■ Percent Group

■ Percent Community



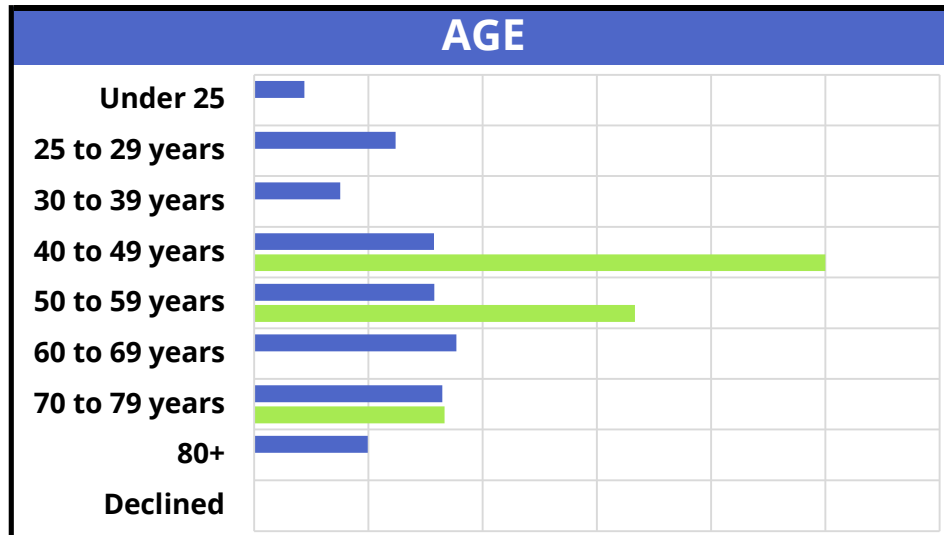
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 5            |
| Property Owner                      | ---          |
| Renter                              | 1            |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>9</b>     |



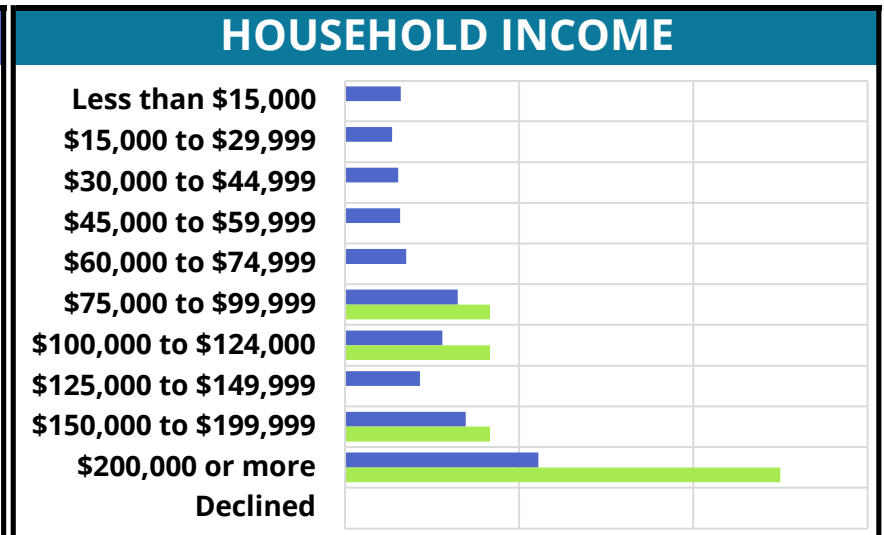
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.5%              |
| Asian            | 1            | 16.7%         | 28.1%             |
| Black            | ---          | ---           | 2.4%              |
| Hispanic         | ---          | ---           | 13.6%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 5            | 83.3%         | 50.5%             |
| Two or More      | ---          | ---           | 4.1%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>6</b>     | <b>100.0%</b> | <b>100.0%</b>     |

# Rancho de los Peñasquitos

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 4%                |
| 25 to 29 years | ---          | ---           | 12%               |
| 30 to 39 years | ---          | ---           | 8%                |
| 40 to 49 years | 3            | 50%           | 16%               |
| 50 to 59 years | 2            | 33%           | 16%               |
| 60 to 69 years | ---          | ---           | 18%               |
| 70 to 79 years | 1            | 17%           | 16%               |
| 80+            | ---          | ---           | 10%               |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>6</b>     | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 6%                |
| \$15,000 to \$29,999   | ---          | ---           | 5%                |
| \$30,000 to \$44,999   | ---          | ---           | 6%                |
| \$45,000 to \$59,999   | ---          | ---           | 6%                |
| \$60,000 to \$74,999   | ---          | ---           | 7%                |
| \$75,000 to \$99,999   | 1            | 17%           | 13%               |
| \$100,000 to \$124,000 | 1            | 17%           | 11%               |
| \$125,000 to \$149,999 | ---          | ---           | 9%                |
| \$150,000 to \$199,999 | 1            | 17%           | 14%               |
| \$200,000 or more      | 3            | 50%           | 22%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>6</b>     | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 31, 2023, 11:59:41 PM

What is the official name of your Planning Group?

**San Pasqual / Lake Hodges Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **San Pascual Valley/Lake Hodges**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **5**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner. •Communicate in ways that are inclusive, transparent and respectful. •Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools). •Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG's Data Surfer website. • Ensure a safe, accessible meeting space.**

How will your Planning Group fairly represent all members of your community?

**We Welcome ALL members of our Limited Community, comprised almost entirely of City Owned Leaseholds. We welcome and encourage all residents to participate without reservation(s).**

Applicant Representative

**Marc D. Lindshield**

Email

**lindshield@sbcglobal.net**

Phone Number

**760-802-0544**

Please include the following documents.

- PDF

participation\_and\_representation\_plan\_appendices \_3\_-1.pdf  
810.8KB
- PDF

NEW 2023 SP-LH CPG Operating Procedures Bylaws - Final.pdf  
615KB

## COUNCIL POLICY

### OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION OF THE

#### **San Pasqual/Lake Hodges Community Planning Group**

### AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER CITY COUNCIL POLICY 600-24

#### **Introduction and Background**

Through this document, the **San Pasqual/Lake Hodges Community Planning Group** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

## COUNCIL POLICY

### 1. Name and Geographical Boundaries

The name of this City-recognized planning group is the **San Pasqual/Lake Hodges Community Planning Group**. The community planning boundaries of this planning group are the boundaries of the **San Pasqual/Lake Hodges Community Planning Group** Community, as shown in Exhibit B.

### 2. Responsibilities

#### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

#### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

#### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

## COUNCIL POLICY

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

## **3. Community Participation and Representation**

### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

## COUNCIL POLICY

### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. Planning Group Composition**

### 4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **San Pasqual/Lake Hodges Community Planning Group** shall consist of: **Ten (10)** elected and appointed members to represent the community. Appointed seats are identified to represent specific interests or unique stakeholder interests present in the community planning area, such as art & culture, local colleges and universities, regional industries, other agencies (e.g military, school district, Port of San Diego, etc.)

### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

#### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

## COUNCIL POLICY

### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (2) resident, who is an individual whose primary address of residence is an address in the community planning area; or (3) local business person, or LEASEHOLDER who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document. At least four (4) seats are to be held by leaseholders of the City of San Diego holding leased land in the San Pasqual Valley. Whenever possible, seats are to be filled by representatives of the following agricultural specialties (in the Valley):

Dairy, Row Crops, Orchards, Nursery

#### 4.3.1 Appointed Seats

In addition to elected members, the **San Pasqual/Lake Hodges Community Planning Group** has **Three (3)** appointed seats to better represent specific interests or unique stakeholder interests of the community. These seats are appointed by their respective Directors or Governing Boards. Appointed seats are **Three (3)** of the community planning group membership, vote on group business and, together with the elected members, are referred to throughout as “voting members of the community planning group.”

While elected members may be removed by a two-thirds vote of the voting members of the community planning group in accordance with Section 8.3 if alleged violations of Council Policy or Brown Act are found true, an appointed member will be removed by the same method and replaced by another appointee by the Director or Board whom they represent.

Appointed seats shall represent:

1. San Diego Land Use Task Force as directed in the San Pasqual Vision Plan (Council SubPolicy 700-10) and filled by or appointed by the Chair of the Task Force.
2. San Diego Safari Park / San Diego Zoo Global
3. San Pasqual Union School District.

#### 4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

## COUNCIL POLICY

### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

Members of the **San Pasqual/Lake Hodges Community Planning Group** shall be elected to serve fixed terms of: **4 years with expiration dates during alternate years to provide continuity.** Voting members will not serve their service time for more than eight (8) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service UNLESS there are NO willing community members willing to serve, necessary to reach the minimum of TEN (10) members.

#### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

## COUNCIL POLICY

- Only two elected planning group voting member per business tax certificate
- Only two elected planning group voting member per property tax billing
- In no case shall there be more than two voting members per Master Leasee Business or Person.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

## COUNCIL POLICY

### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations. The **San Pasqual/Lake Hodges Planning Group** shall make a good faith effort to utilize means appropriate to publicize the planning group's eligibility requirements for candidacy and the upcoming elections.

- Cut-off date for candidates to submit nominations will be at the biannual Election Committee meeting, prior to the semi-annual March election.
- Verification of candidate eligibility prior to printing a ballot and the forms of verification required for eligibility per Section 5.1.1. through 5.1.4 of these operating procedures and who/where they are submitted.
- Creation of a ballot with all candidates' identification such as name, community affiliation they are fulfilling per Section 4.2 and 4.3, and what terms or remaining terms they are filling.
- The **San Pasqual/Lake Hodges Planning Group** planning group's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.
- Voting time is during or just before the noticed, regular March meeting.

## COUNCIL POLICY

- Closing the polls will occur when called by the chair of the Election Committee.
- Counting the ballots will take place by the Election Committee during the last 15 minutes of the March Election/Annual Meeting and results, including any extensions past term-limited member will be announced.
- Majority Vote Rules.
- Ballot record keeping addressing how long ballots are kept in case of challenge and challenges are to be made to the Election Subcommittee Chair.
- Tie-breaking procedure is by coin toss.
- Newly elected members are seated immediately, at the end of the meeting at which the election was held.
- Maintaining confidentiality of secret written ballots is managed by the Election Committee Members and placed into a sealed envelope for record storage.
- No electioneering at the time and place of the election is allowed.
- Due to the limited number of Community Residents/Leaseholders, ongoing recruitment for people willing to commit to serving the remaining term of a vacant seat will be continual.

### 5.3 Election Timing

The planning group will endeavor to host its elections during the month of March every other year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt rules of procedure for its meetings, using to the best of its ability "Roberts *Rules of Order – Simplified*" to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and procedures:

## COUNCIL POLICY

- Regular agenda content and posting consistent with the Brown Act, relative to time allotted for non agenda public comment and individual/group testimony on agenda items, adjournments and continuances, consent agenda, quorum, action items especially as it relates to development project review, collective concurrence, special meetings and emergency meetings, right to record and meeting minutes.
- All San Pasqual/Lake Hodges Community Planning Group Meetings (and Subcommittees) WILL BE AUDIO and or VIDEO RECORDED in its entirety, from Call to Order to Adjournment, to serve as the “Official Minutes” and record of the meeting. This will be announced at the beginning of each meeting. Recordings will be retained by the Secretary and posted online.
- All regular meetings and Sub-Committee Meetings will have a sign-in sheet to record attendance.
- Abstentions and recusals consistent with Section 7.3 Ethical Standards. Operating procedures should indicate that recusals are noted in the meeting minutes and also include a planning group member’s reason for abstaining.
- Representative to the Community Planners Committee (CPC) shall be the CPG Chairman, this duty falls automatically to the Vice-Chair in his absence. CPC Representative is allowed to represent (to the best of his or her abilities and understandings) the opinion and wishes of the Community Planning Group. A report of ALL actions voted on or taken at CPC meetings (if any) will be presented at the next CPG meeting.

### 6.4 Planning Group Officers

The officers of the **San Pasqual/Lake Hodges Planning Group** 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 TWO (2) years. No person may serve in the same planning group office for more than eight years per the term limits established in Section 4.4. UNLESS no other Elected Members are WILLING to Serve in said position. 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. Exemptions MAY be made in the event no other member is willing or able to hold the office.

#### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group’s representative to the Community Planners Committee (CPC), unless otherwise designated.

#### 6.4.2 Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson by filling for the Chair when the Chair is absent or must recuse from a particular situation, acting as the alternate representative to the CPC or reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City

## COUNCIL POLICY

Council, Planning Commission, planning staff, community or institutional boards or agencies, or similar organizations on planning group actions and policies.

### 6.4.3 Secretary

Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and recorded minutes and actions including identification of those planning group's 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.

### 6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

### 6.5 Additional planning group Officer Responsibilities

The **San Pasqual/Lake Hodges Planning Group** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

## **7. Additional Planning Group Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards see **Exhibit A Planning Group Guidelines for Ethical Standards**.

## COUNCIL POLICY

### 7.4 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 7.5 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@saniego.gov](mailto:SDPlanningGroups@saniego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does

## COUNCIL POLICY

not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

### 7.6 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 7.6.1

#### 7.6.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation, followed by a vote of simple majority of remaining board members.

### 7.7 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

## COUNCIL POLICY

### 7.8 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

### 7.9 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

### 7.10 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive scheduled meetings, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive scheduled meetings, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

### 7.11 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

## **8. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

## **9. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be

## COUNCIL POLICY

amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. The **San Pasqual/Lake Hodges Planning Group** will represent the community of San Pasqual and Lake Hodges Community contained within the boundaries of the attached map:  
EXHIBIT B.

## **Exhibit A**

### **Guidelines for CPG Ethical Standards**

This document describes recommended ethical standards the **San Pasqual/Lake Hodges Community Planning Group's** (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### **1) Conflicts of Interest**

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### **2) Abstentions for Potential Conflicts of Interest**

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a

## COUNCIL POLICY

where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain.

At the time of the vote, a member shall disclose their reason for abstaining.

### 3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

### 4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comments.

### 6) Professional Conduct

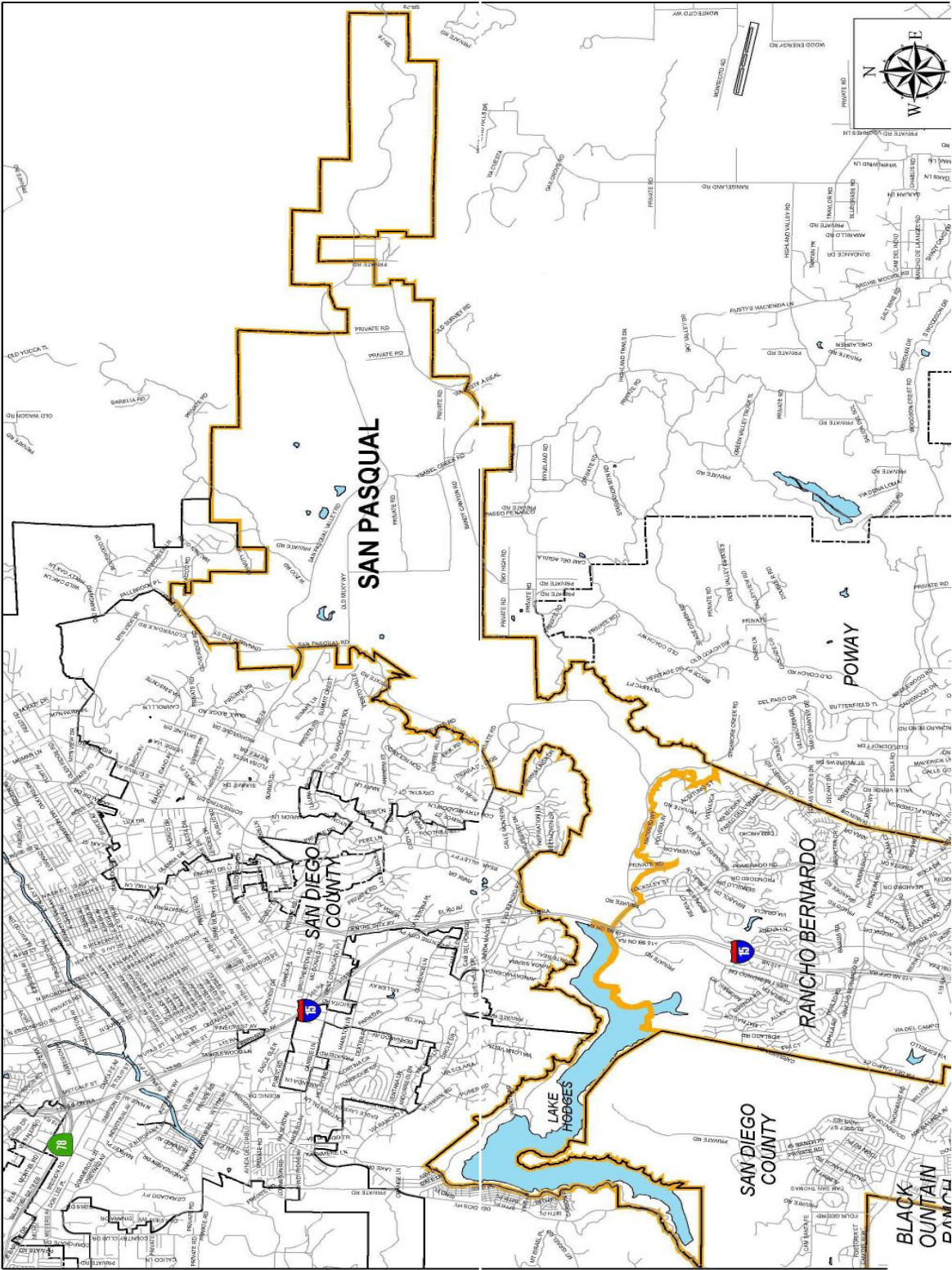
The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

**CITY OF SAN DIEGO, CALIFORNIA**

**COUNCIL POLICY**

**EXHIBIT B:  
MAP OF PLANNING GROUP BOUNDARIES.**

COUNCIL POLICY



## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The **San Pasqual/Lake Hodges Community Planning Group** (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the

[National Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

## **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to where and when available:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

## **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (Panda) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

### Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group

## WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**

 **Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

# San Pasqual/Lake Hodges

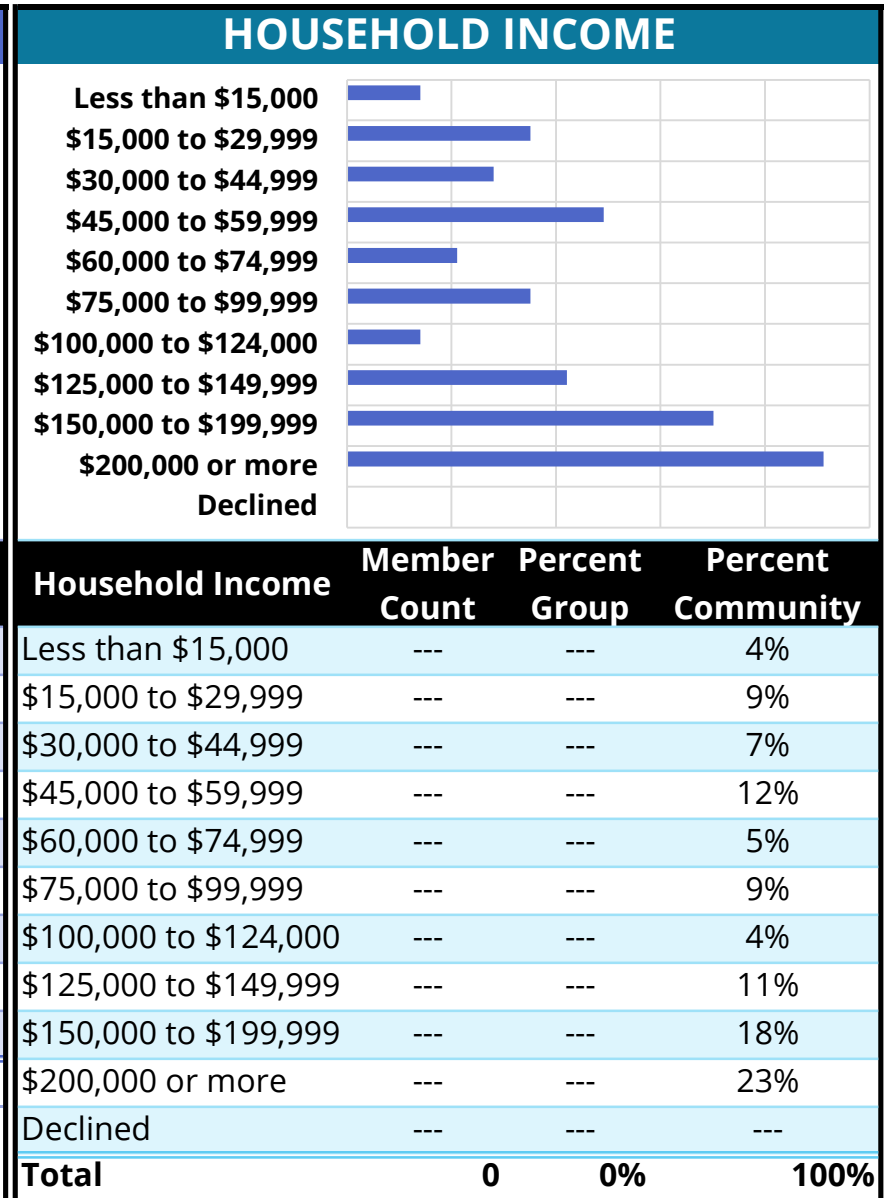
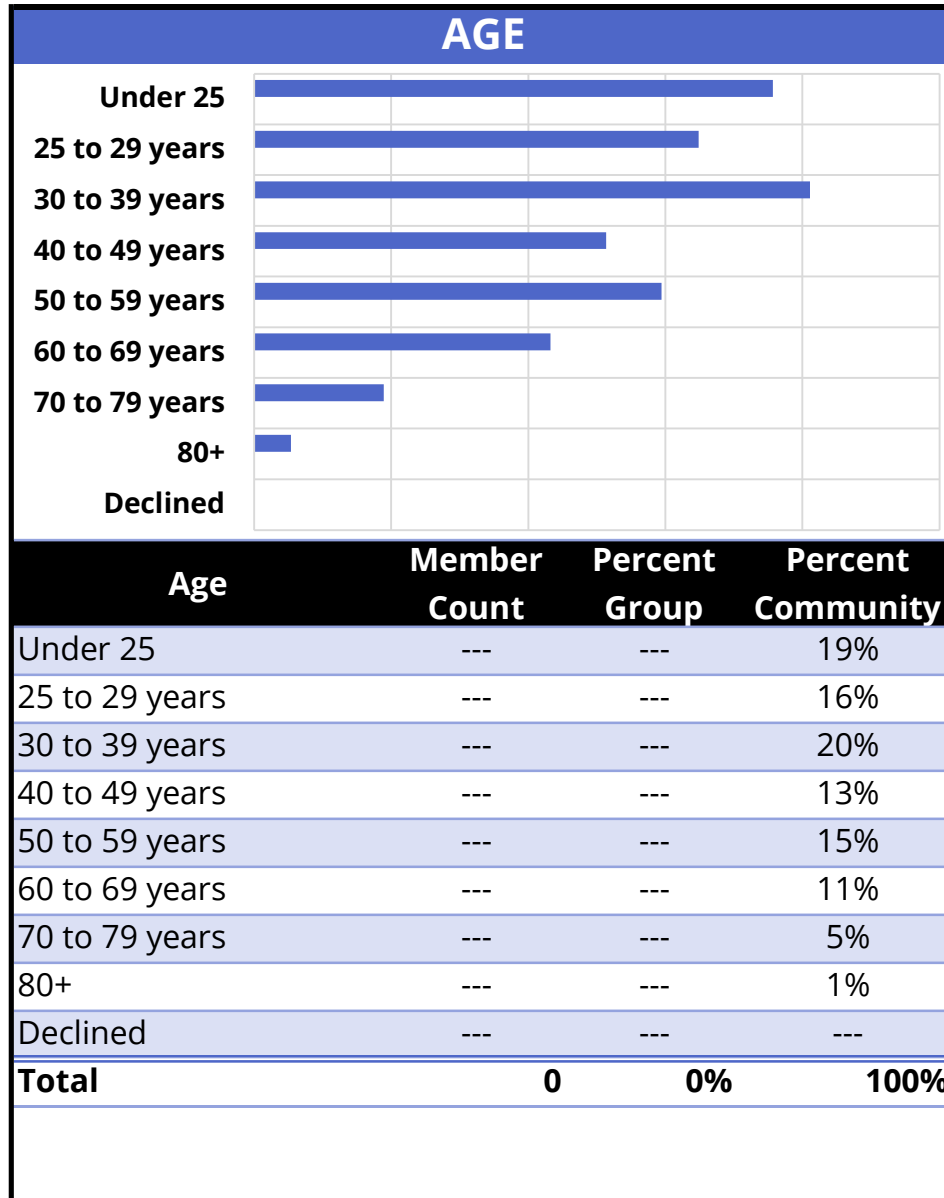
■ Member Count    ■ Percent Group    ■ Percent Community

| COMMUNITY AFFILIATION               |  |  |  |  |              |
|-------------------------------------|--|--|--|--|--------------|
| Homeowner                           |  |  |  |  |              |
| Property Owner                      |  |  |  |  |              |
| Renter                              |  |  |  |  |              |
| Local Business Owner or Operator    |  |  |  |  |              |
| Youth Representative (Age Under 25) |  |  |  |  |              |
| Other                               |  |  |  |  |              |
| Declined                            |  |  |  |  |              |
| Community Affiliation               |  |  |  |  | Member Count |
| Homeowner                           |  |  |  |  | ---          |
| Property Owner                      |  |  |  |  | ---          |
| Renter                              |  |  |  |  | ---          |
| Local Business Owner or Operator    |  |  |  |  | ---          |
| Youth Representative (Age Under 25) |  |  |  |  | ---          |
| Other                               |  |  |  |  | ---          |
| Declined                            |  |  |  |  | ---          |
| Total                               |  |  |  |  | 0            |
|                                     |  |  |  |  |              |

| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.0%              |
| Asian            | ---          | ---           | 16.8%             |
| Black            | ---          | ---           | 1.8%              |
| Hispanic         | ---          | ---           | 48.2%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | ---          | ---           | 25.7%             |
| Two or More      | ---          | ---           | 6.2%              |
| Other            | ---          | ---           | 0.9%              |
| Declined         | ---          | ---           | ---               |
| Total            | 0            | 0.0%          | 100.0%            |

# San Pasqual/Lake Hodges

■ Percent Group ■ Percent Community



# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 28, 2023, 5:12:14 PM

What is the official name of your Planning Group?

**San Ysidro Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- San Ysidro**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- 8**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

Group

Member Affiliation(s)

- Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Local Business Owner or Operator**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**Hispanic**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**Hispanic**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**Hispanic**

Age

**80+**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$15,000 to \$29,999**

Race / Ethnicity

**Two or More**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Hispanic**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**Two or More**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Property Owner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Non-Profit Owner or Operator**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**Hispanic**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Two or More**

Age

**30 to 39**

How will your Planning Group be accessible to all members of your community?

**SYCPG will maintain a webpage hosted by the San Ysidro Improvement Corporation. SYCPG will continue to engage local community members through partnerships with SYIC, Casa Familiar, and SY Health. SYCPG will continue to engage via public social media accounts such as Facebook Groups, Nextdoor, and Ring Community. SYCPG will post notices at local schools. SYCPG will post notices with SY Library and SY Women's Club.**

How will your Planning Group fairly represent all members of your community?

**The SYCPG maintains active partnerships with all of our community's interest groups. We will continue to actively recruit a diverse cross section of San Ysidro.**

Applicant Representative

**Rudy Lopez**

Email

**rudyjrlopez@gmail.com**

Phone Number

**6195817491**

Please include the following documents.

|            |               |
|------------|---------------|
| <b>PDF</b> | SYCPG T_C.pdf |
|            | 1.4MB         |

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
**SAN YSIDRO COMMUNITY PLANNING GROUP**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish the minimum standards by which the San Ysidro Community Planning Group (the CPG) will adhere to and designate services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be San Ysidro Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the San Ysidro Community, as shown in Exhibit B.

## **2. Responsibilities**

### **2.1 Collaboration with City Staff**

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### **2.2 Advisory CPG Review**

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### **2.3 Timely Submittal of CPG Recommendations to the City**

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### **2.4 Adherence to Ralph M. Brown Act**

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth in California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### **2.5 Maintenance of Open Records**

The CPG shall maintain its official records, including its rosters, annual reports, meeting

agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager or Chief Operating Officer and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

## **3. Community Participation and Representation**

### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. CPG Composition**

### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 15 voting members, respectively, representing the various community interests set forth in these Terms and Conditions.

### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

#### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a:

- (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area;
- (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

#### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a two-year break in service.

#### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members if the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

### **5. Open and Public Elections**

#### 5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting

it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

- CPG operating procedures should address the following:
- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots

- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

### 6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

## **7. Additional CPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

All CPG voting members shall adhere to the following ethical standards to guard against potential conflicts of interest and undue influence on any recommendation:

#### 7.3.1 Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

### 7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

### **8. CPG Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may

seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and

Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION

**Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The San Ysidro Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

**Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Make meeting materials available in the languages spoken within the community.
- Be respectful of people’s opinions and time.
- Ensure a safe, accessible meeting space.

**Strategies for Community Involvement**

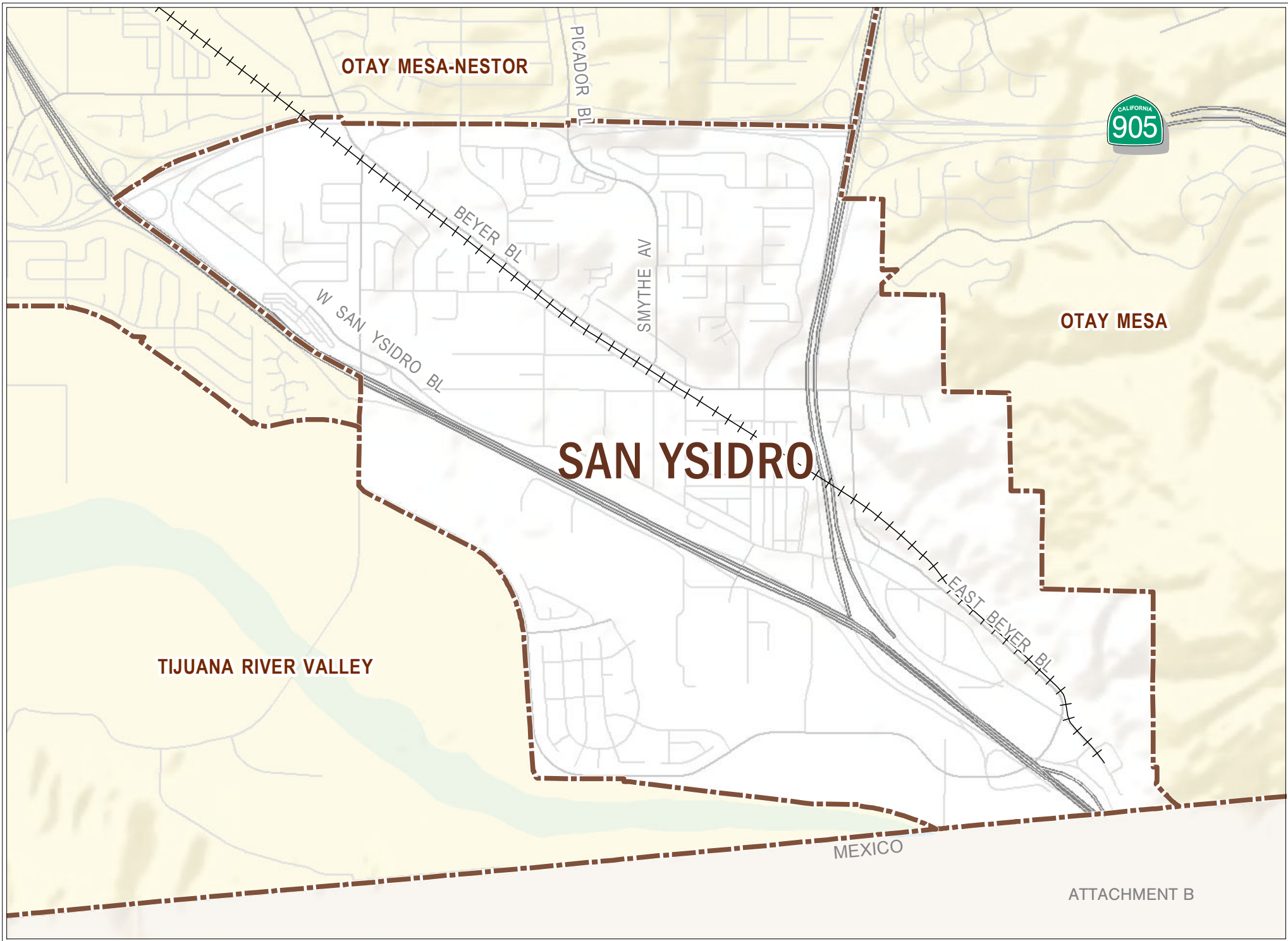
- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get

involved, and the benefits of serving on a Planning Group.

- Share meeting information in digital formats including social media pages and a dedicated CPG website.
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media.
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives.

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

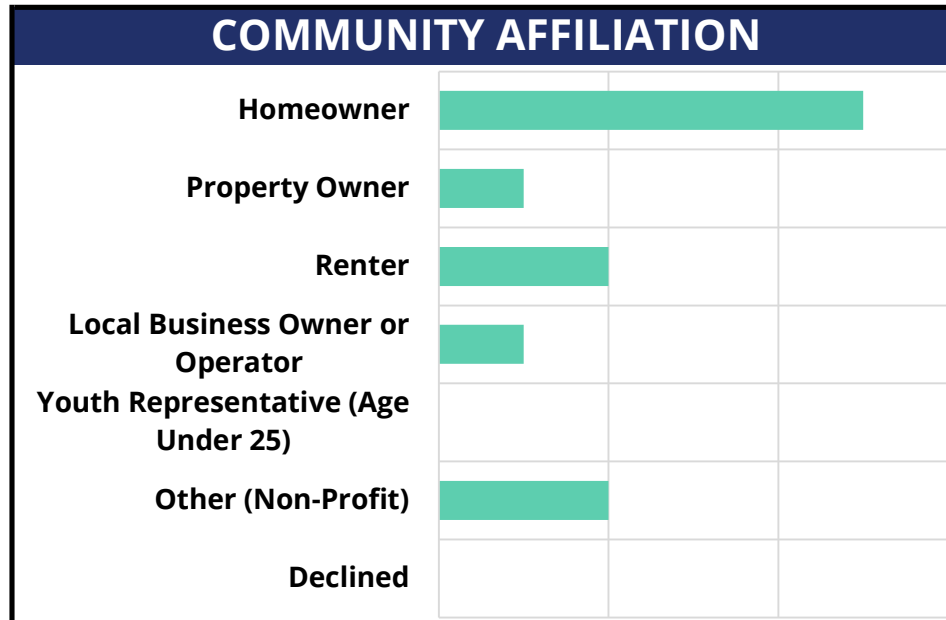


# San Ysidro

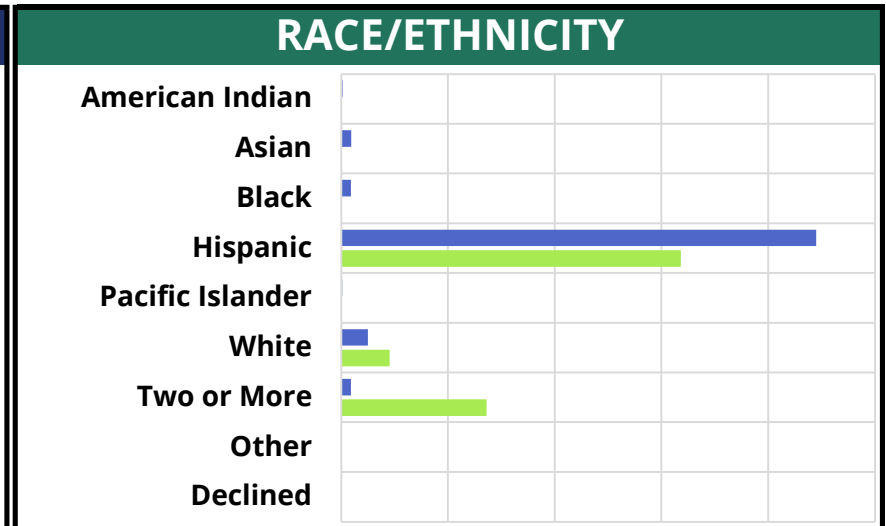
■ Member Count

■ Percent Group

■ Percent Community



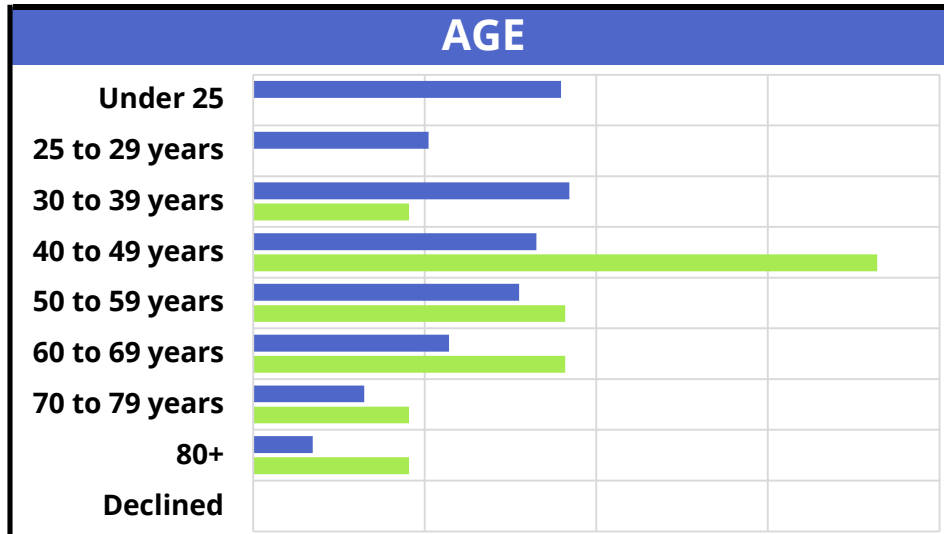
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 5            |
| Property Owner                      | 1            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other (Non-Profit)                  | 2            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



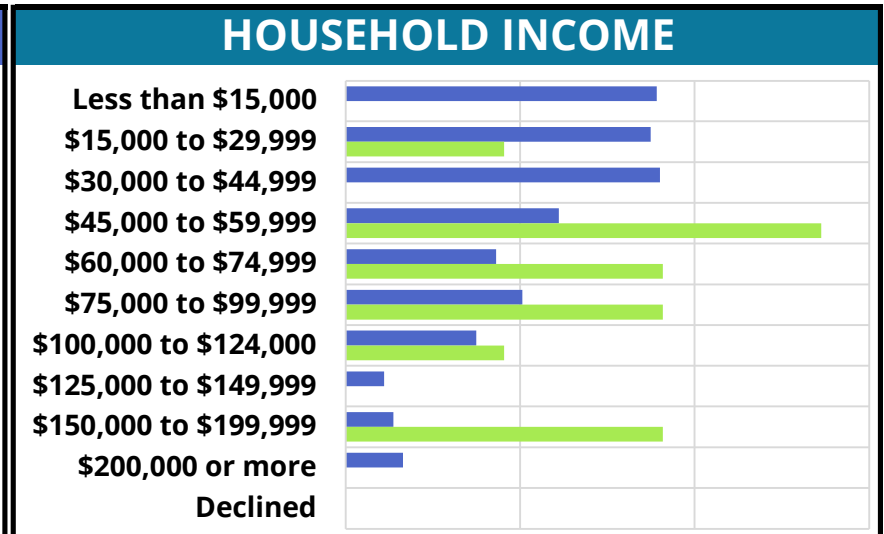
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 1.9%              |
| Black            | ---          | ---           | 1.8%              |
| Hispanic         | 7            | 63.6%         | 89.0%             |
| Pacific Islander | ---          | ---           | 0.2%              |
| White            | 1            | 9.1%          | 5.0%              |
| Two or More      | 3            | 27.3%         | 1.8%              |
| Other            | ---          | ---           | 0.1%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# San Ysidro

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 18%               |
| 25 to 29 years | ---          | ---           | 10%               |
| 30 to 39 years | 1            | 9%            | 18%               |
| 40 to 49 years | 4            | 36%           | 17%               |
| 50 to 59 years | 2            | 18%           | 16%               |
| 60 to 69 years | 2            | 18%           | 11%               |
| 70 to 79 years | 1            | 9%            | 6%                |
| 80+            | 1            | 9%            | 3%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 18%               |
| \$15,000 to \$29,999   | 1            | 9%            | 17%               |
| \$30,000 to \$44,999   | ---          | ---           | 18%               |
| \$45,000 to \$59,999   | 3            | 27%           | 12%               |
| \$60,000 to \$74,999   | 2            | 18%           | 9%                |
| \$75,000 to \$99,999   | 2            | 18%           | 10%               |
| \$100,000 to \$124,000 | 1            | 9%            | 7%                |
| \$125,000 to \$149,999 | ---          | ---           | 2%                |
| \$150,000 to \$199,999 | 2            | 18%           | 3%                |
| \$200,000 or more      | ---          | ---           | 3%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 11, 2023, 2:08:58 PM

What is the official name of your Planning Group?

**Scripps Ranch Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Miramar Ranch North**
- **Rancho Encantada**
- **Scripps Miramar Ranch**

Are you an existing Planning Group that was established prior to September 13, 2022?

**No**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **5**
- **6**

Indicate here if you propose to have more than 20 CPG Members.

**Yes**

How will your Planning Group be accessible to all members of your community?

**1. Our Chairperson or designated representative will prepare a monthly column to appear in the Scripps Ranch Civic Association Newsletter. This publication is distributed free of charge to over 12000 residences and business locations in the 92131 area. 2. The SRPG will have a dedicated website at: [www.scrippsranch.org/SRPG](http://www.scrippsranch.org/SRPG). 3. The SRPG will organize informal town hall events to solicit feedback on community needs. We will select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the SRPG to attend. 4. The SRPG will set up informal meetings or calls with local non-profit organizations to introduce and discuss the SRPG's role and to build relationships. 5. The SRPG will create a simple SRPG fact sheet to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on the SRPG.**

How will your Planning Group fairly represent all members of your community?

**Our Planning Group's member composition will consist of community members who truly want to be involved in planning of the community, including providing input on development proposals and transit plans. Our member elections are advertised widely. The Planning Group will have close relationships with other local organizations, including our "town council" -- the Scripps Ranch Civic Association -- which has endorsed the formation of a CPG including all the planning areas in the 92131 zip code. The SRPG will continue its strong relationships with the District 5 and 6 council offices, as well as our County Supervisor, Assembly and Senate representatives, and our U.S. Congressional Representative.**

Applicant Representative

**Wallace H. Wulfeck,                      Victoria LaBruzzo,                      William Crooks**

Email

**whwulfeck@gmail.com                      victorialabruzzo@gmail.com                      bcrooks@san.rr.com**

Phone Number

**858 566 2376                      858 414 6141                      858 735 7005**

Please include the following documents.

|            |  |
|------------|--|
| <b>PDF</b> | SRPG_Operating_Procedures.pdf<br>421.9KB       |
| <b>PDF</b> | SRPG_ethical_standards.pdf<br>110.5KB          |
| <b>PDF</b> | SRPG_participation_and_rep_plan.pdf<br>402.9KB |
| <b>PDF</b> | SRPG_Exhibit-B-Map.pdf<br>152.4KB              |
| <b>PDF</b> | SRPG_Demographic_Info.pdf<br>360.6KB           |
| <b>TXT</b> | SRPG Application Note.txt<br>0.8KB             |

# Community Planning Group Recognition

## Member Composition Form – Worksheets

Planning Group Name: SCRIPPS RANCH PLANNING GROIP

The following are data from SANDAG concerning home ownership / renter status and subpopulation characteristics from 2020 Population Estimates. Since 2020, about 250 rental housing units in Scripps Miramar Ranch, and 250 rental units in Miramar Ranch North have been added. A project to construct 110 single-family homes in Scripps Miramar Ranch is pending.

| Planning Area       | Total Population | Total Housing Units | Percent rental | Detached single family | Attached single family | Mult-unit apartments |
|---------------------|------------------|---------------------|----------------|------------------------|------------------------|----------------------|
| Scripps Miramar     | 20298 57.4%      | 7444                | 18             | 5255                   | 920                    | 1259                 |
| Miramar Ranch North | 12175 34.5%      | 4331                | 18             | 2210                   | 682                    | 1439                 |
| Rancho Encantada    | 2835 8.0%        | 950                 | 10             | 812                    | 32                     | 106                  |
| Total               | 35308            | 12725               | 17             | 8277                   | 1634                   | 2804                 |
|                     |                  |                     |                |                        |                        |                      |

| Planning Area       | Total Population | Hispanic | White | Black | American Indian | AAPI |
|---------------------|------------------|----------|-------|-------|-----------------|------|
| Scripps Miramar     | 20298            | 2845     | 11771 | 531   | 39              | 4135 |
| Miramar Ranch North | 12175            | 1992     | 5558  | 341   | 34              | 3792 |
| Rancho Encantada    | 2835             | 446      | 1701  | 154   | 9               | 458  |
| Total               | 35308            | 5283     | 19030 | 1026  | 82              | 8385 |
| Percent             | 100%             | 15%      | 54%   | 3%    | 0.2%            | 24%  |

The following data were collected in October 2023 from current members of the Scripps Ranch Community Planning Group and the Miramar Ranch North Planning Council. However, new elections will be held in March 2024, and members of the new SRPG will be selected from those elected at that time. No data is available on prospective candidates at this time.

#### **RACE/ETHNICITY**

\_\_0\_\_ American Indian

\_\_0\_\_ Asian

\_\_0\_\_ Black

\_\_1\_\_ Hispanic

\_\_0\_\_ Pacific Islander

\_\_21\_\_ White

\_\_3\_\_ Two or more races

Other:

---

#### **HOUSEHOLD INCOME**

\_\_0\_\_ Less than \$15,000

\_\_0\_\_ \$15,000 to \$29,999

\_\_0\_\_ \$30,000 to \$44,999

\_\_0\_\_ \$45,000 to \$59,999

\_\_1\_\_ \$60,000 to \$74,999

\_\_5\_\_ \$75,000 to \$99,999

\_\_2\_\_ \$100,000 to \$124,999

\_\_2\_\_ \$125,000 to \$149,999

\_\_2\_\_ \$150,000 to \$199,999

\_\_13\_\_ \$200,000 or more

#### **COMMUNITY AFFILIATION**

\_\_19\_\_ Homeowner

\_\_0\_\_ Property Owner

\_\_1\_\_ Renter

\_\_3\_\_ Local Business Owner or Operator

\_\_1\_\_ Youth Representative (Age Under 25)

\_\_1\_\_ Other : Retirement Community

#### **AGE**

\_\_1\_\_ Under 25

\_\_1\_\_ 25 to 29

\_\_0\_\_ 30 to 39

\_\_2\_\_ 40 to 49

\_\_3\_\_ 50 to 59

\_\_11\_\_ 60 to 69

\_\_7\_\_ 70 to 79

\_\_0\_\_ 80 +

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE

**SCRIPPS RANCH PLANNING GROUP**

AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the **Scripps Ranch Planning Group** (the “SRPG”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the SRPG will adhere to and designated services the SRPG will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The SRPG is not a City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of SRPG voting members, or delegate authority to SRPGs to act on its behalf.

The SRPG, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The SRPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The SRPG acknowledges that the City Council can revoke recognition of any planning group if the City Council, in its sole discretion, determines these standards are not being met.

The SRPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the SRPG’s founding, operation, or organization.

The SRPG will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the SRPG hereby agrees to abide by the following as part of their Operating Procedures:

**1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **Scripps Ranch Planning Group**.

The community planning boundaries of this planning group are the boundaries of the **92131 Zip Code (excluding Marine Corps Air Station Miramar property)**. The SRPG represents the Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada planning areas, as shown in Exhibit B.

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**COUNCIL POLICY**

**2. Responsibilities**

2.1 Collaboration with City Staff

As a recognized independent body, the SRPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory Planning Group Review

The SRPG may make advisory recommendations to the City and other governmental agencies on land use matters within the SRPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The SRPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying Capital Improvement Program (CIP) infrastructure needs or additional City matters.

The SRPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the SRPG although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, SRPG project review recommendations, if any, shall be submitted to the City within seven calendar days of the SRPG taking action.

In addition, the SRPG shall submit its recommendation and any conditions to the project proposed by the SRPG, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the SRPG, vote results, the SRPG's conditions/recommendation, name and signature of chair or designated representative.

The SRPG shall follow a uniform mandatory process for recording SRPG project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the SRPG's official records.

2.4 Adherence to Ralph M. Brown Act

The SRPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

provisions. Failure of the SRPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the SRPG to lose its Council recognition and may subject the SRPG and SRPG voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The SRPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the SRPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the SRPG in accordance with [Council Policy 600-24](#). The SRPG will submit to the City the Annual Roster of SRPG voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of SRPG elections.

2.6 Independent Entity

The SRPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

3.1 Membership

The SRPG will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The SRPG and its voting members should routinely seek robust community participation in the SRPG planning and implementation process to serve the best long-term interest of the community at large.

3.2 Community Outreach

The SRPG and its voting members shall routinely seek community participation in the SRPG planning and implementation process to serve the best long-term interest of the community at large. See Exhibit A.

3.3 Collection of Membership Data

To measure community representation, the SRPG shall gather demographic data of existing and new SRPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the SRPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

will be conducted in a manner to ensure the privacy of responses and respondents.

**4. Planning Group Composition**

4.1 Number of Voting Members

The SRPG will have no fewer than ten (10) and no more than twenty-five (25) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **Scripps Ranch Planning Group** shall consist of: **twenty-five (25)** elected members to represent the community.

4.2 Voting Member Eligibility

The SRPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age.

4.2.2 Minimum Attendance Requirements

The SRPG shall take attendance to ensure that each voting member attends at least two-thirds of the SRPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

4.3 Community Representation

The SRPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

Every effort shall be made to identify candidates who reflect to the greatest extent possible the population distribution and demographics among the Scripps Miramar Ranch, Miramar Ranch North and Rancho Encantada planning areas. The goals are 14 members from Scripps Miramar Ranch; 9 members from Miramar Ranch North; and 2 members from Rancho Encantada. However, if there is an insufficient number of candidates from any planning area, then members may be elected at large from the total planning group area. There shall be no specific quota of seats on the basis of race, color, sex, age over 18, creed, national origin, sexual orientation, or physical or mental disability.

4.4 Voting Member Term Limits

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**COUNCIL POLICY**

The SRPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

Members of the **Scripps Ranch Planning Group** shall be elected to serve fixed terms of 3 years with 1/3 of the terms expiring each year to provide continuity. Voting members will not serve their service time for more than nine (9) consecutive years. SRPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The SRPG may develop procedures for waiving the maximum time of service by vote of its voting members if the SRPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

**5. Open and Public Elections**

5.1. Equal Participation

The SRPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized SRPG can serve.

All members of the public affiliated with the community within the geographical boundary of the SRPG will be allowed to vote in SRPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected SRPG voting member per business tax certificate
- Only one elected SRPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

**CITY OF SAN DIEGO, CALIFORNIA**  
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**5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

**5.1.2 Voter Identification for Community Business Owners**

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the SRPG boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

**5.1.3 Voter Identification for Community Non-Profits**

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the SRPG boundaries. These requirements should be construed liberally by planning groups and any

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doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The SRPG will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the SRPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in SRPG operations.

5.3- Election Procedures

- Candidates will submit nominations no later than the SRPG's regular February meeting before the annual March election.
- Candidate eligibility will be verified by an SRPG officer prior to printing a ballot per Section 5.1.1. through 5.1.4 of these operating procedures.
- Each ballot shall include all candidates' identification such as name, community affiliation they are fulfilling per Section 4.2 and 4.3, and what terms or remaining terms they are filling.
- Write in candidates are not permitted.
- Candidates may make statements of their candidacy at the January and/or February meetings.
- Voting shall be held at the Scripps Ranch Library or the Scripps Ranch Civic Association Community Center, during the three-hour period of 3:30pm to 6:30pm. The elections shall be announced in advance at prior meetings of the SRPG and in the community newsletter.
- Polls will be managed by SRPG voting members who are not candidates for (re)election at the current election. The Scripps Ranch Library and the Community Center can accommodate individuals with disabilities.
- Poll managers will verify voter eligibility as referenced in Sections 5.1.1 through 5.1.4 in these Operating Procedures.
- Ballots will indicate what open positions are available and how many candidates to vote for. Ballots will state that no write-in candidates are permitted. For candidates who may serve longer than 9 consecutive years according to the provisions of these Operating Procedures, the ballot shall indicate that the candidate may only be elected if

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no other qualified candidates not subject to term limits are available.

- The annual election shall be noticed and held on the noticed, regular meeting date in March.
- The poll shall be closed preceding the regular March meeting when all voters who have arrived by 6:30pm have cast ballots.
- Ballots shall be counted by members of the SRPG who are not candidates for (re)election during the current election cycle.
- Ballots shall be kept in case of challenge for one month following the election, until the election has been certified at the April meeting.
- Tie votes shall be resolved by a coin toss at the April meeting.
- Election challenges, if any, shall be filed with the Chairperson of the SRPG within one week of the noticed, regular March meeting. Results are final if no election challenges are filed. Challenges shall be resolved by the SRPG members at the April meeting.
- Newly elected members are seated at the April meeting after Challenges, if any, are resolved.
- Ballots shall be secret and confidentiality shall be maintained until the ballots are destroyed.
- Electioneering at the poll is not permitted.
- If a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge, the seat may be filled by appointment by vote of the SRPG.
- The Secretary shall determine that a vacancy exists if a member no longer meets eligibility requirement, or fails to satisfy Section 4.2.2 Minimum Attendance Requirements within a 12-month period from April to the following March of each year, or violates Section 8.3 Membership Eligibility.
- Declared vacancies shall be filled by appointment by vote of the SRPG at any meeting thereafter. Vacancies occurring within 120 days of the next regular election shall remain vacant until filled at the election.

**5.4 Election Timing**

The SRPG will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

**6. Conduct of Meetings**

**6.1 Professional Conduct**

The SRPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the SRPG's agenda.

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6.2 Rules of Procedure

The SRPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order, Rosenberg's Rules of Order, Democratic Rules of Order, or Simplified Rules of Order to provide a uniform means for the SRPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The SRPG will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

6.4 Meeting Procedures

Regular meetings of the Scripps Ranch Planning Group shall be held each month, except that meetings may be adjourned in January and/or July to accommodate holidays, or in any month, at the discretion of the Chairperson, if there are no action agenda items. Meetings shall not be adjourned if action is necessary to meet project-review deadlines as described in the Terms and Conditions.

It shall be the duty of each member of the Scripps Ranch Planning Group to attend all planning group meetings. Should State Law and San Diego City policy allow, meetings may be conducted through electronic means, or may include use of hybrid electronic meeting technology.

6.4.1 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.

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. The agenda shall also be posted in the Scripps Ranch Planning Group section of the Scripps Ranch Civic Association's website at [www.scrippsrancho.org/srpg](http://www.scrippsrancho.org/srpg) at least 72 hours in advance of the meeting. The agenda may also be posted on other websites at the discretion of the Chair.

6.4.2 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 within the scope of authority of the planning group. Planning group members may make brief

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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.

6.4.3 Adjournments and Continuances

If the Scripps Ranch Planning Group 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 before 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.

6.4.4 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.

6.4.5 Consent Agenda

For items to be considered for a "Consent Agenda" all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

6.4.6 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

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information shall clearly state that completion of such information is voluntary. No member of the public may be charged a fee for admittance.

6.4.7 Development Project Review

The Scripps Ranch Planning Group 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.

6.4.8 Action on Agenda Items

An item not noticed on the agenda may be added if either two-thirds of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the community planning group is required to remove a community planning group member.

Removing a member due to ineligibility 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 Operating Procedures require a two-thirds vote of the voting members of the Scripps Ranch Planning Group.

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 subcommittee votes, only require a simple majority of the voting members of the community planning group in attendance when a quorum is present.

6.4.9 Voting on Action Items

The Scripps Ranch Planning Group planning group's Chair 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

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items, such as by telephone or by e-mail are also prohibited. If permitted by State Law or Council Policy, members attending via electronic meeting technologies may vote as if present in person.

6.4.10 Collective Concurrence

Any attempt to develop a collective concurrence of the members of the Scripps Ranch Planning Group 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.

6.4.11 Special Meetings

The Chair of the Scripps Ranch Planning Group, 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 or email 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.

6.4.12 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 Scripps Ranch Planning Group and are prohibited under these Operating Procedures.

6.4.13 Right to Record

Any person attending a meeting of the Scripps Ranch Planning Group 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.

6.4.14 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.

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**6.4.15 Subcommittees**

The Scripps Ranch Planning Group may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

- (i) **STANDING SUBCOMMITTEES** – There shall be three (3) standing subcommittees, one for each of the Scripps Miramar Ranch, Miramar Ranch North, or Rancho Encantada planning areas, whose members are residents, property owners, or business representatives from their respective planning area.
- (ii) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.
- (iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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 Council Policy, Terms and Conditions, and these Operating Procedures.

- (iv) **RECOMMENDATIONS** – Subcommittee 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 subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

**6.4.16 Recusals and Abstentions**

- (i) **RECUSALS** - Any member of the Scripps Ranch Planning Group with a direct economic interest in any project that comes before the planning group or its subcommittees 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.

**6.4.17 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

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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, which 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 Scripps Ranch Planning Group 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, and will be posted to [www.scrippsranh.org/srpg](http://www.scrippsranh.org/srpg). 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 the names of speakers and those offering 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. The minutes of any meeting will be approved by vote of the planning group at its next regular meeting. A copy of the approved minutes shall be submitted to the City within 14 days after approval by the planning group and shall be posted to the SRPG's website at [www.scrippsranh.org/srpg](http://www.scrippsranh.org/srpg) within 14 days after approval.

The Scripps Ranch Planning Group is not required to make audio or videotape recordings of meetings but if recordings are made by the SRPG, 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** – Scripps Ranch Planning Group 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 Scripps Ranch Planning Group operation

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and compliance. The Scripps Ranch Planning Group also receives materials that do not qualify as records. The Terms and Conditions discuss categories of material that are City records, community planning group records, and non-records.

6.4.18 Planning Group Duties

It shall be the duty of the Scripps Ranch Planning Group and its members to periodically seek community-wide understanding of and participation in the planning and implementation process. 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.

It shall be the duty of the Scripps Ranch Planning Group 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. Rosters and annual reports constitute disclosable records under the Brown Act.

The Scripps Ranch Planning Group 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.

6.5 - Planning Group Officers

6.5.1. Officers

The officers of the Scripps Ranch Planning Group shall be elected from and by the members of the planning group at the next regular meeting following the annual March election. Said officers shall consist of a Chairperson, three Vice Chairpersons (one for each included planning area) and Secretary. The length of an officer's term shall be three years. A person may be re-elected to an office, except that no person may serve in the same planning group office for more than nine 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.

6.5.2 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 shall also prepare the agenda and serve as a point of contact for the Planning Group.

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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 be the SRPG'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 CPC with the same voting rights and privileges as the chair. The Chairperson may also appoint an alternate representative with the same voting rights and privileges as the Chair. Designation of a member other than the chair 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.

6.5.3 Vice-Chairpersons

In the absence of the Chairperson, a Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. Each Vice Chairperson shall serve as chairperson of the standing subcommittee for his or her planning area.

6.5.4 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.

**7. Additional Planning Group Responsibilities**

7.1 Maintenance Assessment Districts

Recommendations on Maintenance Assessment Districts (MAD) may be made by the planning area subcommittees. A recommendation for approval, amendment, or disapproval of a MAD budget shall be by majority vote only of members who are residents, property owners, or business representatives in that District. The SRPG as a whole shall endorse the results of any such recommendation as the SRPG recommendation without further dissent or modification by other members not from that District.

7.2 Planning Group Representation

Positions on development review matters that are established by vote of the Planning Group may be represented to the Planning Commission and/or City Council by the Chairperson or a representative designated by the Planning Group.

Positions established by vote of the Planning Group on items other than project review may be represented to the City by the Chairperson or a designated representative by personal contact, by letter, or electronic communication.

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Individual members of the Planning Group may contact the City on any matter, but shall not represent the Planning Group unless designated by vote of the Planning group.

7.3 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.4 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request. The requestor shall reimburse the SRPG for copying costs.

7.5 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The planning group shall use the [City's Ethics Ordinance](#) as a guide in interpreting its ethical standards.

7.5.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.5.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

7.5.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that

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item, regardless of the point in time they declare their abstention.

7.5.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

7.5.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

7.5.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.5.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.6 Voting Member Training

Each planning group voting member shall complete the formal education program in-person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or is re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.7 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

## **8 Planning Group Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will

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defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community planning groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@saniego.gov](mailto:SDPlanningGroups@saniego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section

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4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

8.4   Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

8.6   Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may

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include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9 Collective Action of the Planning Group**

The official positions and opinions of the SRPG will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the SRPG.

**10 Term of Operating Procedures**

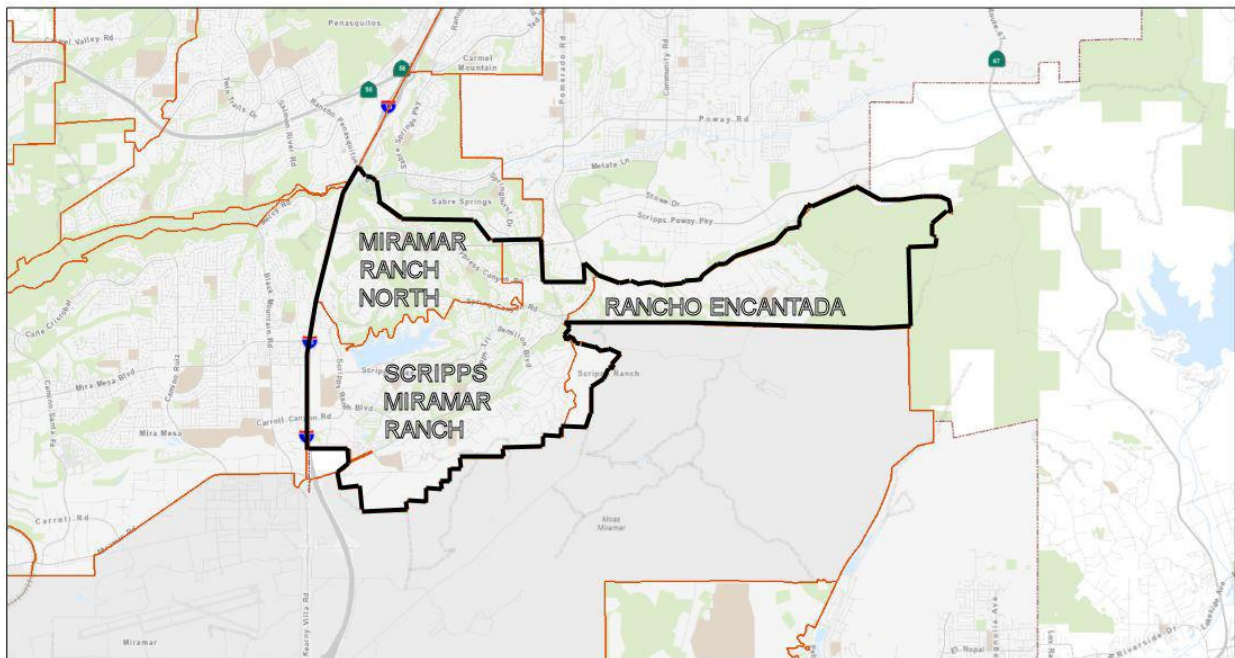
These Operating Procedures will be effective in perpetuity of the life of the SRPG unless recognition of the SRPG is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. Proposed amendments shall 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. Amendments to the Operating Procedures are not valid until approved by the City.

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Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. The Scripps Ranch Planning Group will represent the communities of Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada (Stonebridge Estates.)



November 2, 2023

Community Planning Areas (City)

**SCRIPPS RANCH PLANNING GROUP**

**Including: Scripps Miramar Ranch  
Miramar Ranch North  
Rancho Encantada**

1:72,224  
0 0.75 1.5 3 mi  
0 1.25 2.5 5 km

SanGIS

Data Sources: SANDAG and SanGIS  
SanGIS Legal Notice: <http://www.sandag.org/LegalNotice.htm>

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Scripps Ranch Community Planning Group (SRPG) should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

SRPG voting members with a potential or perceived conflict of interest should recuse themselves from a SRPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the SRPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

SRPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The SRPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a SRPG quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the SRPG nor voting members in their capacity as such should use their title from or position on the SRPG for political endorsements of individuals. The SRPG may, however, upon majority vote, take a position on pending legislation that is within the SRPG's purview.

#### 4) Donations

Neither the SRPG nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The SRPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The SRPG shall establish standards for voting member professional conduct. SRPG voting members shall treat each other, applicants, city staff, and the public with courtesy and respect at all times.

**EXHIBIT A**  
**Scripps Ranch Planning Group**  
**Community Participation & Representation Plan**  
**As required for CPG Recognition by Terms and Conditions, Exhibit A**

The Scripps Ranch Planning Group (SRPG) is committed to engaging a broad and diverse cross section of our community members in monthly meetings and to electing SRPG members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our CPG to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our CPG's goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

**Overarching Goals**

- Educate community members about the role of our CPG and opportunities for involvement.
- Continue our relationships with the non-profit Scripps Ranch Civic Association, the Scripps Ranch Library, and with Alliant International University. The SRCA has responsibility for relationships with local public schools.
- Increase and diversify participation in monthly SRPG meetings and decision making.
- Communicate about our CPG's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning. Work to obtain meaningful input from a broad range of community members.
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage residents to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Make meeting materials available for translation to the languages spoken within the community.
- Be respectful of people's opinions and time.
- Ensure a safe, accessible meeting space.

## Strategies for Community Involvement

- Create a simple SRPG fact sheet to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on the SRPG.
- Share meeting information in digital formats including social media pages and a dedicated SRPG website at: [www.scrippsranh.org/srpg](http://www.scrippsranh.org/srpg)
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library
  - Park and Rec Building(s)
  - Public transit hubs, if any.
  - Grocery stores
  - Coffee shops
- The Chairperson, Secretary, or another planning group member designated by the Chairperson, will prepare a column article to appear in the *Scripps Ranch Civic Association Newsletter* each month that it is published. Approximately 12,000 copies of the Newsletter are distributed free of charge to residents in the 92131 zip code. The column will briefly describe actions taken by the planning group, development projects under consideration in the community, and upcoming activities of the planning groups including elections. The column may contain positions or opinions on issues that are established by action of the planning group. The columns will be aggregated in the required Annual Report.
- Build relationships with other city advisory boards to cross-pollinate messaging. Coordinate with other CPGs in Council Districts 5 and 6 on matters of common interest.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the SRPG's role and to build relationships
- Announce monthly meetings and elections in the *Scripps Ranch Civic Association Newsletter*.
- Host informal events outside of SRPG meetings to invite the public to learn about the CPG and how to participate in monthly meetings
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the SRPG to attend
- Continue our close relationship with Council District 5 and 6 offices and the Mayor's office to amplify outreach
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives

## Measuring Success

- Monitor month over month and year over year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys..

- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in the SRPG. Document information in annual report and submit to the City.

### **Goals for Planning Group Representation.**

The following are demographic data for the Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada, obtained from SANDAG.

| Planning Area         | Total Population |       | Total Housing Units | Percent rental | Detached single family | Attached single family | Mult-unit apartment |
|-----------------------|------------------|-------|---------------------|----------------|------------------------|------------------------|---------------------|
| Scripps Miramar Ranch | 20298            | 57.4% | 7444                | 18             | 5255                   | 920                    | 1259                |
| Miramar Ranch North   | 12175            | 34.5% | 4331                | 18             | 2210                   | 682                    | 1439                |
| Rancho Encantada      | 2835             | 8.0%  | 950                 | 10             | 812                    | 32                     | 106                 |
| Total                 | 35308            |       | 12725               | 17             | 8277                   | 1634                   | 2804                |
|                       |                  |       |                     |                |                        |                        |                     |

| Planning Area         | Total Population | Hispanic | White | Black | American Indian | AAPI |
|-----------------------|------------------|----------|-------|-------|-----------------|------|
| Scripps Miramar Ranch | 20298            | 2845     | 11771 | 531   | 39              | 4135 |
| Miramar Ranch North   | 12175            | 1992     | 5558  | 341   | 34              | 3792 |
| Rancho Encantada      | 2835             | 446      | 1701  | 154   | 9               | 458  |
| Total                 | 35308            | 5283     | 19030 | 1026  | 82              | 8385 |
| Percent               | 100%             | 15%      | 54%   | 3%    | 0.2%            | 24%  |

*Note: Data is from 2020 SANDAG Population Estimates. Since then, about 250 rental housing units in Scripps Miramar Ranch, and 250 rental units in Miramar Ranch North have been added.*

- On the Scripps Ranch Planning Group, every effort shall be made to identify candidates who reflect to the greatest extent possible the population distribution and demographics among the Scripps Miramar Ranch, Miramar Ranch North and Rancho Encantada planning areas. The goals are 14 members from Scripps Miramar Ranch; 9 members from Miramar Ranch North; and 2 members from Rancho Encantada. However, if there is an insufficient number of candidates from any planning area, then members may be elected at large from the total planning group area.
- Current demographic information reveals that approximately 17 percent of households in Scripps Miramar Ranch and Miramar Ranch North, and 10 percent in Rancho Encantada, occupy rental units. Accordingly, special efforts will be made to recruit at least 3 members in Scripps Miramar Ranch, and 2 members in Miramar Ranch North who are renters.
- In accordance with our Operating Procedures, there shall be no specific quota of seats on the basis of race, color, sex, age over 18, creed, national origin, sexual orientation, or physical or mental disability.

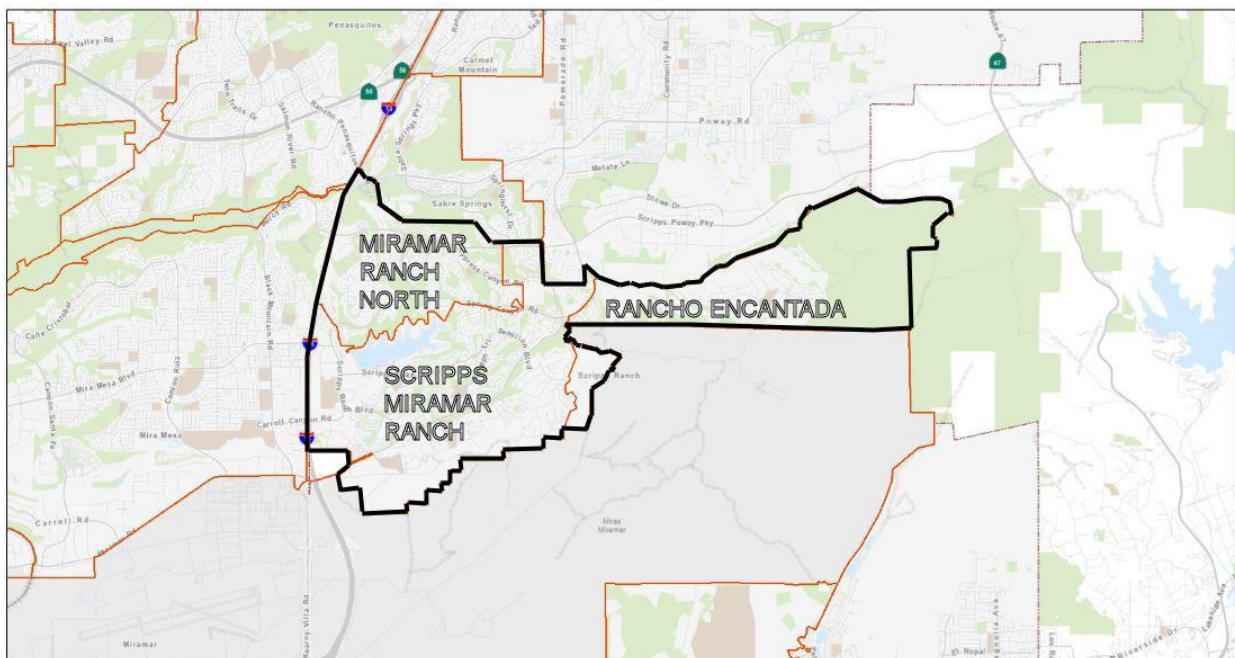
CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE

**SCRIPPS RANCH PLANNING GROUP**

AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES.** The Scripps Ranch Planning Group will represent the communities of Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada (Stonebridge Estates.)



November 2, 2023

Community Planning Areas (City)

**SCRIPPS RANCH PLANNING GROUP**

**Including: Scripps Miramar Ranch  
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1:72,224  
0 0.75 1.5 3 mi  
0 1.25 2.5 5 km

SanGIS

Data Sources: SANDAG and SanGIS  
SanGIS Legal Notice: <http://www.sandag.org/LegalNotice.htm>

This Application for Recognition for the Scripps Ranch Planning Group is submitted in accordance with the guidance on the <https://www.sandiego.gov/planning/community-plans/cpg/recognition-operations> webpage. We propose one planning group, to represent the current planning areas of Scripps Miramar Ranch, Miramar Ranch North, and Rancho Encantada.

Our Member Composition information is included in the SRPG-Demographic-Info document, but should be regarded only as an example because new elections for our planning groups will be held in March 2024, and we have no information at this time on possible candidacy.

We are requesting the Council to approve 25 members of our planning group. This is proposed to ensure sufficient representation, consistent with our population demographics, for all three of the planning areas in the Scripps Ranch community.

# Scripps Ranch

■ Member Count

■ Percent Group

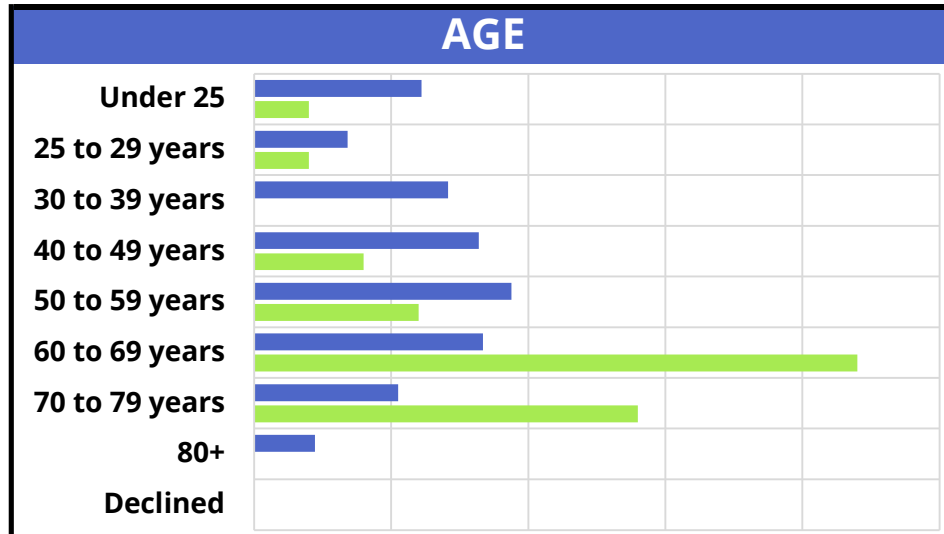
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or Operator    |              |
| Youth Representative (Age Under 25) |              |
| Other (Retirement Community)        |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 19           |
| Property Owner                      | ---          |
| Renter                              | 1            |
| Local Business Owner or Operator    | 3            |
| Youth Representative (Age Under 25) | 1            |
| Other (Retirement Community)        | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>25</b>    |

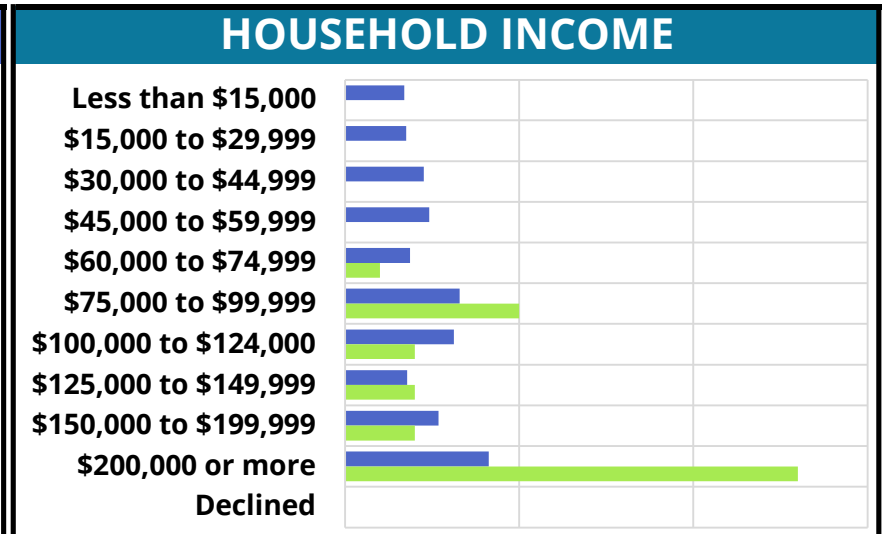
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 25.2%             |
| Black            | ---          | ---           | 2.7%              |
| Hispanic         | 1            | 4.0%          | 13.3%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 21           | 84.0%         | 53.4%             |
| Two or More      | 3            | 12.0%         | 4.4%              |
| Other            | ---          | ---           | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>25</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Scripps Ranch

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | 1            | 4%            | 12%               |
| 25 to 29 years | 1            | 4%            | 7%                |
| 30 to 39 years | ---          | ---           | 14%               |
| 40 to 49 years | 2            | 8%            | 16%               |
| 50 to 59 years | 3            | 12%           | 19%               |
| 60 to 69 years | 11           | 44%           | 17%               |
| 70 to 79 years | 7            | 28%           | 11%               |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>25</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 7%                |
| \$15,000 to \$29,999   | ---          | ---           | 7%                |
| \$30,000 to \$44,999   | ---          | ---           | 9%                |
| \$45,000 to \$59,999   | ---          | ---           | 10%               |
| \$60,000 to \$74,999   | 1            | 4%            | 7%                |
| \$75,000 to \$99,999   | 5            | 20%           | 13%               |
| \$100,000 to \$124,000 | 2            | 8%            | 13%               |
| \$125,000 to \$149,999 | 2            | 8%            | 7%                |
| \$150,000 to \$199,999 | 2            | 8%            | 11%               |
| \$200,000 or more      | 13           | 52%           | 16%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>25</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Oct 25, 2023, 11:28:55 AM

What is the official name of your Planning Group?

**Serra Mesa Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Serra Mesa**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **7**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Examples: 1. Website – SMPG maintains a webpage, established in 2017, with pertinent information and documents at <http://www.serramesa.org/smpg/>. 2. Community Newsletter – The Serra Mesa Community Council publishes an online bimonthly newsletter, Serra Mesa Observer, available at <http://www.serramesa.org/smcc/observer-newsletter/>. SMPG first began submitting articles to the Observer in 1992 and will continue to do so. 3. Constant Contact & Social Media – The Serra Mesa Community Council maintains a Constant Contact account and has authorized SMPG to use this account. SMPG sends out and will continue to send out email notices of meetings, events, and other information to 1,300+ subscribers. Anyone can sign up for notices at <http://www.serramesa.org/>. Additionally, meetings are announced on NextDoor. 4. Brochure – SMPG's brochure, first introduced in 2005, is distributed at community events, e.g., 92123 Event on September 16th at the Serra Mesa Recreation Center. SMPG will expand the distribution of the brochure adding the library, coffee shops, and other key places. 5. Community Partnerships and Events – The meeting agenda of the Serra Mesa Community Council includes a report from SMPG. SMPG has participated in major community events and will continue to do so. The most recent ones are the SMCC sponsored 92123 Event, and the Serra Mesa-Kearny Mesa Library sponsored National Night Out. 6. SMPG Meetings – Community members can participate in SMPG meetings in person or online (uses high quality equipment). The online option has resulted in an increase in participation in meetings and positive feedback.**

How will your Planning Group fairly represent all members of your community?

**Serra Mesa is a geographically diverse community with areas around the stadium, multifamily housing, military housing, shopping center, I-805, and hospital complex. The new bylaws stipulate a preference for two representatives, one homeowner and one renter, from each of the six elementary school district areas; a business representative; and a non-profit person. These categories provide for geographic, homeowner, renter, business and non-profit representation. The representation should result in a fuller understanding of diverse viewpoints. In the past, whenever possible, SMPG has notified affected residents of projects/issues by distributing information door-to-door. This has resulted in additional input from residents and better representation. SMPG will continue to distribute information door-to-door, but will, also, brainstorm other methods of communication, e.g., large banner at key places and times.**

Applicant Representative

**Cat Stempel**

Email

**smpg@serramesa.org**

Phone Number

**619-300-1903**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | SMPG Member Composition Worksheet 2023.pdf<br>35.1KB          |
| <b>PDF</b> | SMPG Bylaws Approved Oct 2023.pdf<br>789.4KB                  |
| <b>PDF</b> | SMPG Ethical Standards 2023.pdf<br>104.1KB                    |
| <b>PDF</b> | SMPG Participaton and Representation Plan 2023.pdf<br>123.3KB |

## Serra Mesa Planning Group Board Composition Tally - 12 Board Members\*\*

### RACE/ETHNICITY

\_\_\_\_ American Indian  
\_\_\_\_ Asian  
1 Black  
\_\_\_\_ Hispanic  
\_\_\_\_ Pacific Islander  
9 White  
\_\_\_\_ Two or more races  
\_\_\_\_ Other  
1 Decline  
11 Total

### AGE

\_\_\_\_ Under 25  
\_\_\_\_ 25 to 29  
2 30 to 39  
1 40 to 49  
3 50 to 59  
2 60 to 69  
1 70 to 79  
1 80+  
1 Decline  
11 Total

### HOUSEHOLD INCOME

\_\_\_\_ Less than \$15,000  
1 \$15,000 to \$29,999  
\_\_\_\_ \$30,000 to \$44,999  
3 \$45,000 to \$59,999  
\_\_\_\_ \$60,000 to \$74,999  
\_\_\_\_ \$75,000 to \$99,999  
2 \$100,000 to \$124,999  
\_\_\_\_ \$125,000 to \$149,999  
2 \$150,000 to \$199,999  
1 \$200,000 or more  
2 Decline  
11 Total

### COMMUNITY AFFILIATION \*

9 Homeowner  
1 Property Owner  
\_\_\_\_ Renter  
\_\_\_\_ Local Business Owner or Operator  
\_\_\_\_ Youth Representative (Age Under 25)  
1 Other: Family Member Homeowner  
1 Decline  
12 Total

\*1 marked both homeowner & property.

\*\*One person, a local business person who is a designee at a non-residential real property in the community planning area, is not included in the tally.

# Serra Mesa Planning Group Bylaws

## **Introduction and Background**

Through this document, the **Serra Mesa Planning Group** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#).

Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with Article VI, Section 2., (d), **(iv)** herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

## **ARTICLE I Name**

Section 1. The official name of this organization is the *Serra Mesa Planning Group*.

Section 2. All activities of this organization shall be conducted in its official name.

Section 3. The community planning area boundaries for the *Serra Mesa Planning Group* are the boundaries of the *Serra Mesa* community, as shown on Exhibit "A."

West – Highway 163

East – Extends to the slopes of the Stonecrest Specific Plan

North – The northern boundaries of the residential areas near Aero Drive with the commercial/research and development and city-owned areas excluded

South – The southern boundaries of the residential areas of Birdland, Phyllis Place and Mission Village, with the sand and gravel areas excluded

Section 4. Meetings of the *Serra Mesa Planning Group* shall be held within these boundaries, except that when the *Serra Mesa Planning Group* does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.

Section 5. The official positions and opinions of the *Serra Mesa Planning Group* shall not be established or determined by any organization other than the planning group, nor by any individual member of the planning group or subcommittee other than one authorized to do so by the planning group.

Section 6. Unless otherwise specified, the term "planning group" in these bylaws refers to the 14 elected members. Community members vote only in Elections as described in Article V.

## **ARTICLE II Purpose of Community Planning Group and General Provisions**

Section 1. The *Serra Mesa Planning Group* has been formed and recognized as an independent advisory body 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 to, the General Plan, community plan or a land use plan when a plan relates to the *Serra Mesa* community boundaries. The planning group also advises on other land use matters, such as identifying CIP infrastructure needs, as requested by the City or other governmental agency as detailed in Council Policy 600-24, Article IV: Scope of Advisory Recommendations.

The *Serra Mesa Planning Group* recognizes that City staff and development project applicants are not required by the City to present their project or application before the *Serra Mesa Planning Group* although the City encourages applicants to conduct robust engagement with the *Serra Mesa Planning Group*, the community, and project neighbors.

Section 2. The purpose of the *Serra Mesa Planning Group*:

(a) The *Serra Mesa Planning Group* shall review development projects within the community boundaries. In reviewing individual development projects, the *Serra Mesa Planning Group* should focus such review on conformance with the Land

Development Code, and the adopted community plan and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project 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. Also, development projects adjacent to the community boundaries can be reviewed in response to community concerns.

(b) Timely Submittal of Recommendations to the City

- (1) In order to be considered as part of the City's development review process, *Serra Mesa Planning Group* project review recommendations, if any, must be submitted to the City within seven calendar days of the *Serra Mesa Planning Group* taking action.
- (2) In addition, the *Serra Mesa Planning Group* shall submit its recommendation and any conditions to the project proposed by the *Serra Mesa Planning Group*, using Bulletin 620 Distribution Form, or reasonable facsimile.
- (3) The *Serra Mesa Planning Group* will follow a uniform mandatory process for recording *Serra Mesa Planning Group* project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the *Serra Mesa Planning Group's* official records.

- (c) Monitor development planned in areas surrounding the Serra Mesa boundaries to ensure that any and all impactation is mitigated.
- (d) Monitor any redevelopment planned due to condemnation/abandonment/rezoning in Serra Mesa and adjacent areas, ensuring that any/all impactation is mitigated.

Insofar as the efforts of the planning group are engaged in the diligent pursuit of the above purpose, professional planning staff assistance shall be provided by the Planning Department, upon request of the planning group.

Section 3. All activities of the *Serra Mesa Planning Group* shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.

Section 4. The *Serra Mesa Planning Group* 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 *Serra Mesa Planning Group'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 *Serra Mesa* community 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 *Serra Mesa Planning Group* 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 Article II Operational Framework for Recognized CPGs 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 *Serra Mesa Planning Group*, 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 Policy provides 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, and these bylaws do not address an area of concern or interest.
- Section 7. The *Serra Mesa Planning Group* may amend these bylaws by 2/3 (two-thirds) 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.
- Section 8. The *Serra Mesa Planning Group* will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the *Serra Mesa Planning Group*.
- Section 9. The *Serra Mesa Planning Group* is an independent entity from the City and must be able to operate as such. The City may provide assistance at the discretion of the City Manager and subject to the availability of City resources. In addition, funds may be allocated by the City when such funding is approved by the City Council.

### **ARTICLE III Community Planning Group Organizations**

- Section 1. Number of Voting Members: The *Serra Mesa Planning Group* shall consist of 14 elected members to represent the community. These elected 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. Voting Member Eligibility: Council Policy 600-24 requires that elected members of the *Serra Mesa Planning Group* shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

The *Serra Mesa Planning Group* elected seats are filled by a geographic distribution of seats. The planning group shall make every effort to seek two community members, one homeowner and one renter, from each of the six elementary school areas: Juarez, Cubberly, Wegeforth, Jones, Angier, and Fletcher (or as revised by the San Diego Unified School District); one local business person, and one non-profit person.

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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document; only one representative of a particular establishment may hold a seat on the community planning group at one time.
- (4) non-profit person, who is a local operator or designee at a non-residential real property address in the community planning area as evidenced by an official document; only one representative of a particular establishment may hold a seat on the community planning group at one time.

Section 3. Voting Member Term: Members of the *Serra Mesa Planning Group* 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.

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 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 at least 10 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 using the

following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

Section 4. Lack of Eligibility: A member of the *Serra Mesa Planning Group* must retain eligibility during the entire term of service and must attend at least two-thirds of the *Serra Mesa Planning Group*'s regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member.

- (1) An individual shall lose membership, effective immediately, upon failure to meet the requirements of Voting Member Eligibility as defined in Article III, Section 2. Such an individual should notify the Secretary to ensure records of the *Serra Mesa Planning Group* are current. The individual can reapply for membership pursuant to the procedures in Article VIII, Section 3.
- (2) If the Secretary discovers that a Member is no longer eligible, then the Member in question shall be notified and given the opportunity to present evidence of eligibility. If the individual does not provide satisfactory evidence of eligibility, then membership shall be removed upon a majority vote of the Board at the next regular meeting of the *Serra Mesa Planning Group*. Such loss of membership shall be recorded in the membership records. The individual losing said membership may reapply for membership upon becoming an Eligible Member of the Community and following the procedures set forth in Article VIII, Section 3.

#### **ARTICLE IV Vacancies**

Section 1. The *Serra Mesa Planning Group* 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, or upon receiving evidence of a member's death.

A vacancy may also exist following a vote of the community planning group as described in Article III, Section 4 related to ineligibility, or following conclusion of a member-removal process conducted under Article IX Section 3, or due to adopted bylaws violations.

A single vacancy that occurs in a community planning group shall be filled by the group in a manner specified by the group's adopted bylaws.

Two or more concurrent community planning group vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

- Section 2. Vacancies that may occur on the *Serra Mesa Planning Group* 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 *Serra Mesa Planning Group* shall fill vacancies at the time the vacancies are declared. Vacancies shall be filled by selection by planning group members at the time the vacancies are declared.

- Section 3. When the *Serra Mesa Planning Group* is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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 10 members. If a vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 10 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 10 members, the planning group will be deemed inactive until it has attained at least 10 members in good standing.

## **ARTICLE V Elections**

- Section 1. General elections of *Serra Mesa Planning Group* members shall be held annually prior to the regularly scheduled meeting in the month of March in accordance with the elections' procedures found in Article VIII of these bylaws.

The deadline to qualify for candidacy in the March general election shall be prior to the February-noticed regular or a special meeting of the full planning group membership preceding the election. The planning group's Election Subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election Subcommittee 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. If a candidate is unable to attend the forum, their application is read instead.

- Section 2. The *Serra Mesa Planning Group* 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 two years.

The *Serra Mesa Planning Group* 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 a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service.

The *Serra Mesa Planning Group's* policy related to write-in candidates is that write-in candidates are allowed. If it is later determined by the Election Subcommittee that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

No person may campaign for votes within one hundred feet of the building in which the polling place is located.

Section 3. Voting to elect new 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 *Serra Mesa Planning Group'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 Subcommittee 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 6 contains all voting procedures, including voting time; voting location; voting eligibility; candidate eligibility; elections subcommittee establishment and responsibilities; promotion of elections; counting votes; ballots; write-in candidates; 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 *Serra Mesa Planning Group* 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 will 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 *Serra Mesa Planning Group* to attend all planning group meetings.

(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.

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.

(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.

The *Serra Mesa Planning Group* will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

(iii) **ADJOURNMENTS AND CONTINUANCES** – If the *Serra Mesa Planning Group* 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
2. All interested members of the public were given an opportunity to address the subcommittee, and
3. The item has not substantially changed since the subcommittee’s consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 *Serra Mesa Planning Group* 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 of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the community planning group is required to remove an elected 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 vote of the voting members of the *Serra Mesa Planning Group*.

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

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

The *Serra Mesa Planning Group's* chair 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 agenda items shall reflect the positions taken by the elected or appointed positions 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 *Serra Mesa Planning Group* 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 *Serra Mesa Planning Group*, 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. 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 *Serra Mesa Planning Group* and are prohibited under these bylaws.

(xii) RIGHT TO RECORD – Any person attending a meeting of the Serra Mesa Planning Group must be allowed to record or photograph the proceedings unless there is a reasonable finding by the planning group that noise, illumination, or obstruction is constituting 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) Subcommittees**

The *Serra Mesa Planning Group* may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

(i) **STANDING SUBCOMMITTEES** – Pursuant to the purpose of the *Serra Mesa Planning Group* as identified in Article II, Section 1, the planning group has established no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter [such as the Elections subcommittee].

(ii) **AD HOC SUBCOMMITTEES** – Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.

(iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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 Policy 600-24.

(iv) **RECOMMENDATIONS** – Subcommittee 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 or subcommittee 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 *Serra Mesa Planning Group* with a direct economic interest in any project that comes before the planning group, or its subcommittees 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. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

(ii) ABSTENTIONS – A voting member may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member’s ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in the quorum for that item, regardless of the point in time they declare 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 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 of the materials requested by an individual or individuals.

(iii) MINUTES – For each planning group meeting, a report of *Serra Mesa Planning Group* 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 during 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 *Serra Mesa Planning Group* 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 – *Serra Mesa Planning Group* 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.

The *Serra Mesa Planning Group* shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the *Serra Mesa Planning Group* by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the *Serra Mesa Planning Group* in accordance with Policy 600-24. The *Serra Mesa Planning Group* will submit to the City the rosters of voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of elections.

- Section 3. It shall be the duty of the *Serra Mesa Planning Group* 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 *Serra Mesa Planning Group* 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. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March. Rosters and annual reports constitute disclosable records under the Brown Act.
- Section 5. The *Serra Mesa Planning Group* 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. The *Serra Mesa Planning Group* requires voting members to complete in-person or online training each year within 60 days of being initially elected or appointed to the *Serra Mesa Planning Group*, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the *Serra Mesa Planning Group's* official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

## **ARTICLE VII Planning Group Officers**

- Section 1. The officers of the *Serra Mesa Planning Group* shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer (if the Board determines the Treasurer position is needed). 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 shall set the agenda for meetings and serve as the point of contact for development applicants.
- 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.
- 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 be the chair of the Elections Subcommittee and shall be responsible for implementing the elections in accordance with the 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. Treasurer. The Treasurer shall receive all monies and deposit same in a bank in the name of the Planning Group. This officer shall pay all bills as directed by the Planning Group. An account shall be kept of all financial transactions and of the financial condition of the planning group, preparing a monthly financial report. All checks shall be signed by any two of the officers.
- Section 6. 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 7. The *Serra Mesa Planning Group* officers and representatives to the CPC shall promptly disseminate to all elected 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 *Serra Mesa Planning Group* bylaws incorporate policies and procedures directed by Council Policy 600-24. These bylaws also contain some policies and procedures recommended in the Terms and Conditions 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.

- Section 2. **Community Participation and Representation**

It shall be the duty of the Planning Group to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II. The following are the *Serra Mesa Planning Group* procedures regarding community participation:

- (a) AGENDA – The Agenda for the next planning group meeting as well as the draft minutes from the previous meeting shall be posted at the Serra Mesa Library and forwarded to the City for posting on the City's website and on the planning group's website. Also, if possible, the planning group will send out email notices to interested parties.

(b) **PROJECT REVIEW PARTICIPATION** – It shall also be the duty of the planning group, when reviewing proposed projects, to allow participation of affected property owners, residents, and business establishments with proximity to the proposed project. Any interested member of the public shall be given an opportunity to comment on proposed projects during planning group meetings. Such interested member should submit a request to be placed on the agenda prior to the opening of that meeting. At the start of each item, the Chairperson will identify how much time can be allocated to public comment, based on the number of items before the *Serra Mesa Planning Group*.

(c) **APPLICANT NOTIFICATION** – The planning group shall inform, in writing, the project applicant or representatives each time that such review will take place and provide the applicant or representative with an opportunity to present the project.

(d) **COMMUNITY NOTIFICATION** – The *Serra Mesa Planning Group* and its voting members shall routinely seek community participation in the *Serra Mesa Planning Group* planning and implementation process to serve the best long-term interest of the community at large. Project applicants should inform, in writing, all affected property owners, residents, and business establishments within the community. Such notices should include the time and location of the planning group meeting where the project will be discussed, as well as a description of the project in sufficient detail to indicate how the project will affect the community. The planning group will make available a template for these notices.

(e) **MEMBERSHIP** – The *Serra Mesa Planning Group* will ensure that voting members of the *Serra Mesa Planning Group*, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

(f) **COLLECTION OF MEMBERSHIP DATA** – To measure community representation, the *Serra Mesa Planning Group* shall gather demographic data of existing and new voting members at the time of elections or other regular periods to measure inclusion and diversity on the *Serra Mesa Planning Group*. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### Section 3. **Planning Group Composition**

The following are the *Serra Mesa Planning Group* procedures pursuant to Article III, Section 2 regarding planning group composition:

(a) **APPLICATION FOR VOTING MEMBER** – In order to be considered for an elected seat on the planning group, a community member must submit a signed application and biography stating the applicant's eligibility, viewpoints, and interested in the community not later than the regularly scheduled February planning group meeting.

(b) REPRESENTATION – The planning group shall make every effort to elect two community members, one homeowner and one renter, from each of the six elementary school areas in Serra Mesa, which are: Angier, Cubberley, Fletcher, Jones, Juarez, and Wegeforth (or as revised by the San Diego Unified School District); one business person; and one non-profit person. If a position within a school area is unfilled, an eligible member residing outside that school area may be elected to the vacant position and will serve as an at-large member.

#### Section 4. **Conduct of Meetings**

The following are the *Serra Mesa Planning Group* procedures regarding conduct of planning group meetings:

(a) MEETING NOTIFICATION – Agendas and Minutes will be posted and publicized as stated in Subsection (a) of this Section.

#### (b) AD HOC SUBCOMMITTEES

From time to time, it may be necessary to appoint ad hoc subcommittees for particular projects and/or involving other community organizations. Examples are review of a proposed community project, a change in land use, a plan amendment, or response to inquiries from the city or community. These subcommittees are established to accomplish a particular task, such as, gathering and analyzing information concerning the issue and to make recommendations to the planning group. The Ad Hoc Subcommittee will cease to exist once that purpose has been served.

(c) ELECTION SUBCOMMITTEE CHAIR shall be the planning group vice-chair unless the vice chair is a candidate in the election.

#### Section 5. **Member and Planning Group Responsibilities**

The following are the *Serra Mesa Planning Group* procedures regarding member and planning group responsibilities:

(a) LIAISON WITH COMMUNITY – The chair shall seek members of the *Serra Mesa Planning Group* to serve as monitors/liaisons to the planning groups and community organizations for communities that border Serra Mesa and to community organizations within Serra Mesa.

(b) POSITION ON ISSUE – The planning group’s position on an issue may be represented to the City by a letter, written by the Chair or a member of the planning group appointed by the Chair, that communicates a motion approved by the planning group and may indicate the content of planning group discussion on the issue.

(c) REPRESENTATION – Officers and Ad Hoc Subcommittee Chairs, or their designee, may represent the *Serra Mesa Planning Group* at meetings conducted by the city, other governmental agencies or groups on actions or positions taken by the group.

1. Such assignments shall be made by the planning group chair.
  2. No written or oral communication may be made at such meetings as representing a position of the planning group on an issue until the planning group has taken an appropriate official position.
  3. Any presentation materials or presentations that have been updated/modified after the planning group has taken its official position must be reviewed and approved by the planning group chair or vice chair before being presented. Any group member has the individual right to comment at public hearings or to the press, but the member must state that his/her comments are personal and do not reflect those of the planning group.
- (d) **FINANCIAL** – Voluntary financial donations or contributions of goods or services from the citizens of the community may be sought to support the efforts of the planning group, to promote understanding and participation in the planning review process. However, no membership dues shall be required. Neither the *Serra Mesa Planning Group* nor its voting members should accept donations on behalf of any individual running for office.

## Section 6. **Elections**

The following are procedures pertaining to the elections' provisions of these bylaws:

- (a) **VOTING ELIGIBILITY** – All members of the public affiliated with the community within the geographical boundary of the *Serra Mesa Planning Group* will be allowed to vote in *Serra Mesa Planning Group* elections, so long as they meet minimum conditions for eligibility per Article III, Section 2 and comply with the following:
- Only one elected *Serra Mesa Planning Group* voting member per business tax certificate.
  - Only one elected *Serra Mesa Planning Group* voting member per property tax billing.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

- (b) **VOTER IDENTIFICATION FOR RESIDENT COMMUNITY MEMBERS** – Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements will be construed liberally, and any doubt resolved in favor of allowing a community member to vote in the election.

1. Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are

not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

2. Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

(c) **VOTER IDENTIFICATION FOR COMMUNITY BUSINESS OWNERS** – Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the *Serra Mesa Planning Group* boundaries. These requirements will be construed liberally, and any doubt resolved in favor of allowing a community business owner to vote in the election.

(d) **VOTER IDENTIFICATION FOR COMMUNITY NON-PROFITS** – Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the *Serra Mesa Planning Group* boundaries. These requirements will be construed liberally, and any doubt resolved in favor of allowing a community business owner to vote in the election.

(e) **VOTER IDENTIFICATION FOR COMMUNITY NON-RESIDENT PROPERTY OWNERS** – Non-residents who own property within the community should present documents similar to those described in (b) above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements will be construed liberally and any doubt resolved in favor of allowing a community member to vote in the election.

(f) **CANDIDATE ELIGIBILITY** – Refer to Article III, Section 2 for requirements. Additionally, candidates must have agreed to stand for election, and have submitted an application and biography signed by the candidate, stating the applicant's eligibility, viewpoints, and interests in the community, not later than the regularly scheduled February planning group meeting.

(g) **ELECTION SUBCOMMITTEE ESTABLISHMENT AND RESPONSIBILITIES** – Duties of Election Subcommittee are to perform required elections of planning group members once a year, including verifying eligibility of candidates and voting community members, verifying current school district area boundaries used to identify candidates, making school district area boundary maps available to candidates and voters, creating ballots, performing election, counting ballots, announcing results, filing/storing ballots with meeting minutes, and presiding over any election challenges.

(h) **PROMOTION OF ELECTIONS** – The planning group shall make a good faith effort to contact community newspapers and utilize other means to advertise the elections, such as posting notice in the local post office, library, and recreation center – at least ten (10) days prior to the meeting of election.

(i) **MANAGING THE POLLS** – The poll will be sited at the location of the March meeting of the planning group and will be open for at least one-half hour prior to the meeting. The poll will close prior to the convening of the meeting. The Election Subcommittee is responsible for managing or assigning the management of the poll.

(j) **BALLOTS** – Voting shall be by secret written ballot of eligible community members and planning group voting members. Ballots shall be available at the noticed election which will be held prior to and at the same location of the noticed planning group meeting. Refer to Article V, Section 2.

(k) **WRITE-IN CANDIDATES** – Write-in candidates are allowed and subject to the eligibility requirements listed in Article III, Section 2. Refer to Article V, Section 2 and Article VIII, Section 6 (b). If a write-in candidate wins, the Election Subcommittee is responsible for verifying eligibility.

(l) **COUNTING VOTES** – The Election Subcommittee will assign two people (e.g., community member, or board member not running for office) to tally the votes. Candidates are elected by the plurality method of counting votes. The candidates of the

stated school district areas (Angier, Cubberley, Fletcher, Jones, Juarez, and Wegeforth, or as revised by the San Diego Unified School District), with the most votes will be elected to the planning group in accordance with the following steps:

NOTE: in any election task set forth in these bylaws, including those where votes are being tallied, no candidate running for a seat – whether a current SMPG member or new candidate – will be involved.

- Any eligible member of the community may run for a seat on the SMPG. Each candidate will identify themselves with a school district area.
- The Election Subcommittee will identify a list of vacancies by school district area.
- The Election Subcommittee will tally the votes earned by each candidate and place them in order with highest vote total to lowest vote total.
- The Election Subcommittee will start at the top of the list of candidates and place vote-getting-candidate #1 into their identified school's district area seat. Vote-getting-candidate #2 will be placed into a vacancy in their district, etc.
- As the Election Subcommittee goes down the list of successful candidates, if the next candidate in order of votes received is in a district where 2 seats have already been filled, their names will be kept on the list.
- The Election Subcommittee will keep placing candidates in their identified school district area until each of the schools' district areas have 2 representatives and all vacancies are filled.
- However, the Election Subcommittee may reach the bottom of the candidates' list and some school district areas may not have 2 representatives when the bottom of the candidates' list is reached.
- If this is the case, the Election Subcommittee will return to the top of the remaining-candidates list and fill vacant seats, including the 3 at-large seats, with the highest vote getter, then the next highest, until the vacancies are filled.
- Any candidate who wasn't the highest vote-getter for a vacancy in a district is considered to be occupying an at-large seat for that term of service.

(m) TIE BREAKING PROCEDURE – In the case of a two or three-way tie, the winner will be determined by one or more tosses of a coin by the Chairperson or member of the Election Subcommittee.

(n) RETENTION OF THE BALLOTS – All ballots from the election shall be retained and kept confidential by the Secretary for a minimum of 120 days.

(o) REPORT ELECTION RESULTS – The Election Subcommittee chair will announce the results of the election at the meeting when they become available. The annual election becomes final one week after announcing the validated election results at

the conclusion of the noticed, regular March monthly meeting if no challenge to the election results has been filed.

(p) **ELECTION CHALLENGE AND PROCEDURE** – Any challenge to the election results must be filed with the Chair of the Elections Committee in writing within 24 hours following the March meeting adjournment. If a challenge is received, the Elections Committee shall promptly discuss the challenge to determine if any facts to support the challenge were provided by the individual filing the challenge. Facts should be related to actions taken during the election process that are not in accordance with Council Policy 600-24 or Serra Mesa Planning Group's adopted bylaws, or with announced or published election procedures or lack thereof. If there is no substance to the challenge and the election results can be certified, newly elected Board Members shall be seated at the beginning of the April regular meeting. A ratification vote of the Elections Committee's findings should be placed on the April agenda for a majority vote of the voting members of the Board. If there is substance to the challenge, the Elections Committee should identify with the Officers the appropriate resolution. The resolution should be placed on the April agenda for a majority vote of the Board. City staff may be consulted if there is any question or assistance needed. Further criteria and procedures for challenges will follow Council Policy 600-24.

#### Section 7. **Amendments**

Proposed amendments to these bylaws must be submitted in writing, noticed to the community, and announced at the monthly meeting preceding the monthly meeting at which the vote is taken.

#### Section 8. **Term of the Bylaws**

These bylaws will be effective in perpetuity of the life of the *Serra Mesa Planning Group* unless recognition of the *Serra Mesa Planning Group* is revoked by the City as described in Article IX, Section 3 or the bylaws are updated to be consistent with Policy 600-24 as it may be amended.

### **ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. **Indemnification and Representation.** Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the *Serra Mesa Planning Group* or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the *Serra Mesa Planning Group* or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are

consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the *Serra Mesa Planning Group* or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

Section 2. Violations and Remedies Related to Provisions Citing the Brown Act. Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the *Serra Mesa Planning Group* will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void *Serra Mesa Planning Group* actions. Individual voting members of the *Serra Mesa Planning Group*, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the *Serra Mesa Planning Group*, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the *Serra Mesa Planning Group* may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The *Serra Mesa planning Group*, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the *Serra Mesa Planning Group* to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The *Serra Mesa Planning Group*, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

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

(a) Alleged Violations by a Member of the *Serra Mesa Planning Group*

In cases of alleged violations of the *Serra Mesa Planning Group* bylaws or Council Policy 600-24 by a planning group member, the planning group may conduct an investigation consistent with the Policy and these bylaws.

A *Serra Mesa Planning Group* voting member found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the *Serra Mesa Planning Group*, which may include expulsion from the board. The *Serra Mesa Planning Group* will report in writing instances of disciplinary action to the City within 60 days of any allegation.

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 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 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 Policy 600-24 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 *Serra Mesa Planning Group* to discipline or remove a member must occur at a scheduled planning group meeting and be advertised on the agenda as an action item. The investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process. 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 or 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 the alleged violation, the timeframe within which the alleged violation was committed, and who was responsible for the alleged 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and *Serra Mesa Planning Group* 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 will be given the opportunity to resign prior to docketing the matter for a planning group discussion.
- If the Chair is the alleged violator, the Vice Chair shall perform the duties described above.

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 chair or vice chair, or from the offending planning group member will be made available to the elected planning group members 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 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 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 an 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 the 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 *Serra Mesa Planning Group* as a Whole

If the *Serra Mesa Planning Group* violates these bylaws, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A *Serra Mesa Planning Group* voting member and the *Serra Mesa Planning Group* itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these bylaws by a *Serra Mesa Planning Group* voting member, the *Serra Mesa Planning Group* will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The *Serra Mesa Planning Group* will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The *Serra Mesa Planning Group* acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the *Serra Mesa Planning Group*, or may recommend to the City Council that the *Serra Mesa Planning Group's* recognition be revoked.

The *Serra Mesa Planning Group* acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a *Serra Mesa Planning Group* has violated their bylaws or Policy 600-24 and the *Serra Mesa Planning Group* has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the *Serra Mesa Planning Group's* recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

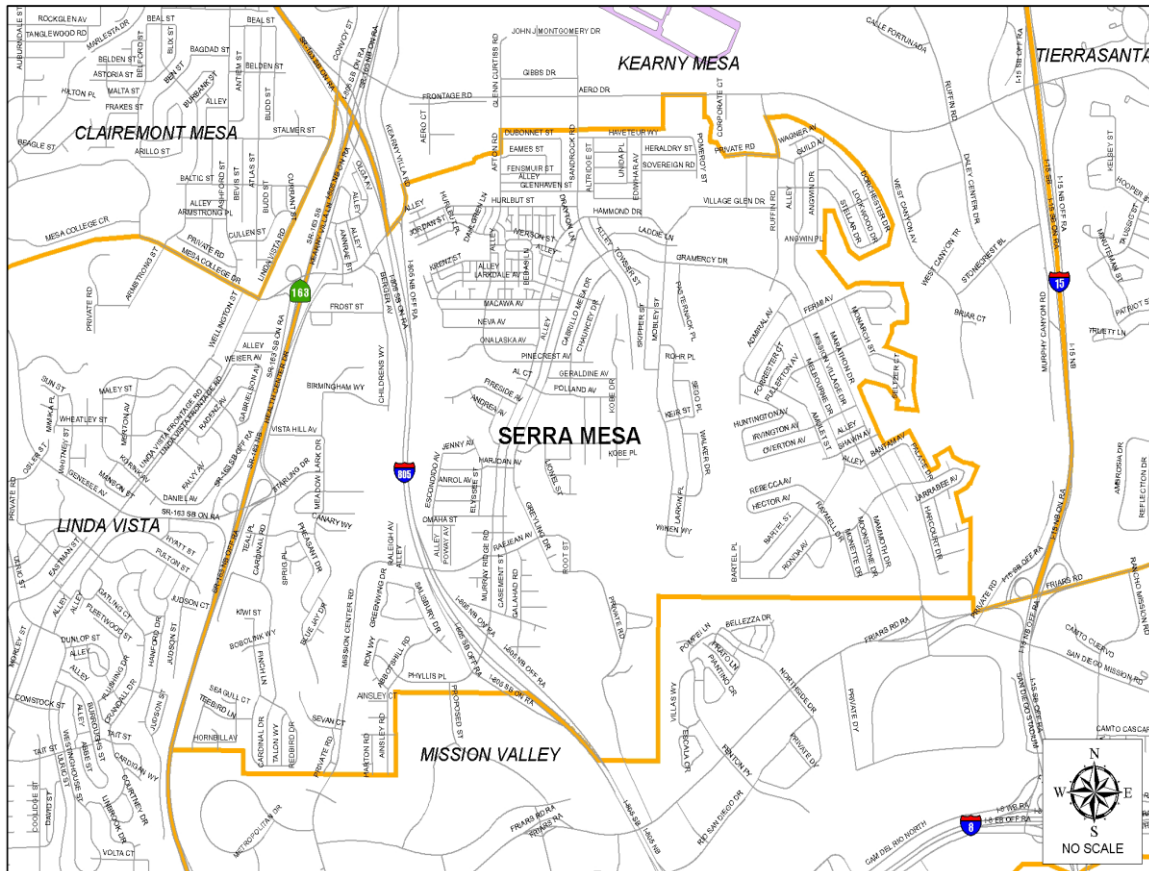
(c) Violations and Remedies for Quorum and Attendance Requirements

If the *Serra Mesa Planning Group* is unable to meet quorum and attendance requirements for three consecutive months, then City may place the *Serra Mesa Planning Group* in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the *Serra Mesa Planning Group* remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

(d) Violations of City Requests for Input

The *Serra Mesa Planning Group* acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

Exhibit A: *Serra Mesa Planning Group* Boundary Map



**Exhibit A: Boundary Map-Serra Mesa**  
 CITY OF SAN DIEGO • CITY PLANNING & COMMUNITY INVESTMENT

Map 10000111 & 10000112 SAN DIEGO, CA 92108-1111  
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**SanGIS**  
 This is a public information product. It is not intended to be used for legal purposes. It is not a substitute for a professional survey. It is not a substitute for a professional engineering or architectural drawing. It is not a substitute for a professional geologist's report. It is not a substitute for a professional environmental impact statement. It is not a substitute for a professional environmental assessment. It is not a substitute for a professional environmental impact analysis. It is not a substitute for a professional environmental impact study. It is not a substitute for a professional environmental impact report. It is not a substitute for a professional environmental impact statement. It is not a substitute for a professional environmental assessment. It is not a substitute for a professional environmental impact analysis. It is not a substitute for a professional environmental impact study. It is not a substitute for a professional environmental impact report.

## **Guidelines for CPG Ethical Standards**

This document describes recommended ethical standards the *Serra Mesa Planning Group's* (SMPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

### 1) Conflicts of Interest

SMPG voting members with a potential or perceived conflict of interest should recuse themselves from a SMPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the SMPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

### 2) Abstentions for Potential Conflicts of Interest

SMPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The SMPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a SMPG quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

### 3) Political Actions

Neither the SMPG nor voting members in their capacity as such should use their title from or position on a SMPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

### 4) Donations

Neither the SMPG nor its voting members should accept donations on behalf of any individual running for public office.

### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during the non-agenda public comment.

#### 6) Professional Conduct

SMPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times. The SMPG voting members should create a welcoming environment by

- Being polite, courteous, and considerate.
- Being respectful and understanding of different viewpoints, cultural background, languages, and experiences.
- Using inclusive language.
- Not making offensive comments regarding age, gender, sexual orientation, disability, physical appearance, body size, race, or religion.
- Focusing on what is best for the community.

## **Community Participation & Representation Plan**

The Serra Mesa Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision- making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available whenever possible in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s Data Surfer website.
- Be respectful of people’s opinions and time.
- Ensure a safe, accessible meeting space.

## Strategies for Community Involvement

- Use Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group
- Share meeting information in digital formats including social media pages and the dedicated Planning Group website at <http://www.serramesa.org/smpg/>.
- Consistently post printed monthly meeting information whenever possible at local places including, but not limited to:
  - Local library
  - Park and Rec Building
  - Public transit hubs
  - Coffee shops
  - Schools
  - Laundromats
  - Religious Affiliations
- Build relationships with other city advisory boards whenever appropriate to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations whenever appropriate to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Participate in events/activities outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs whenever appropriate. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives whenever appropriate.

## Measuring Success

- Monitor month-over-month and year-over-year whenever possible meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov) within 14 days of the approval of the March minutes.

# Serra Mesa

■ Member Count

■ Percent Group

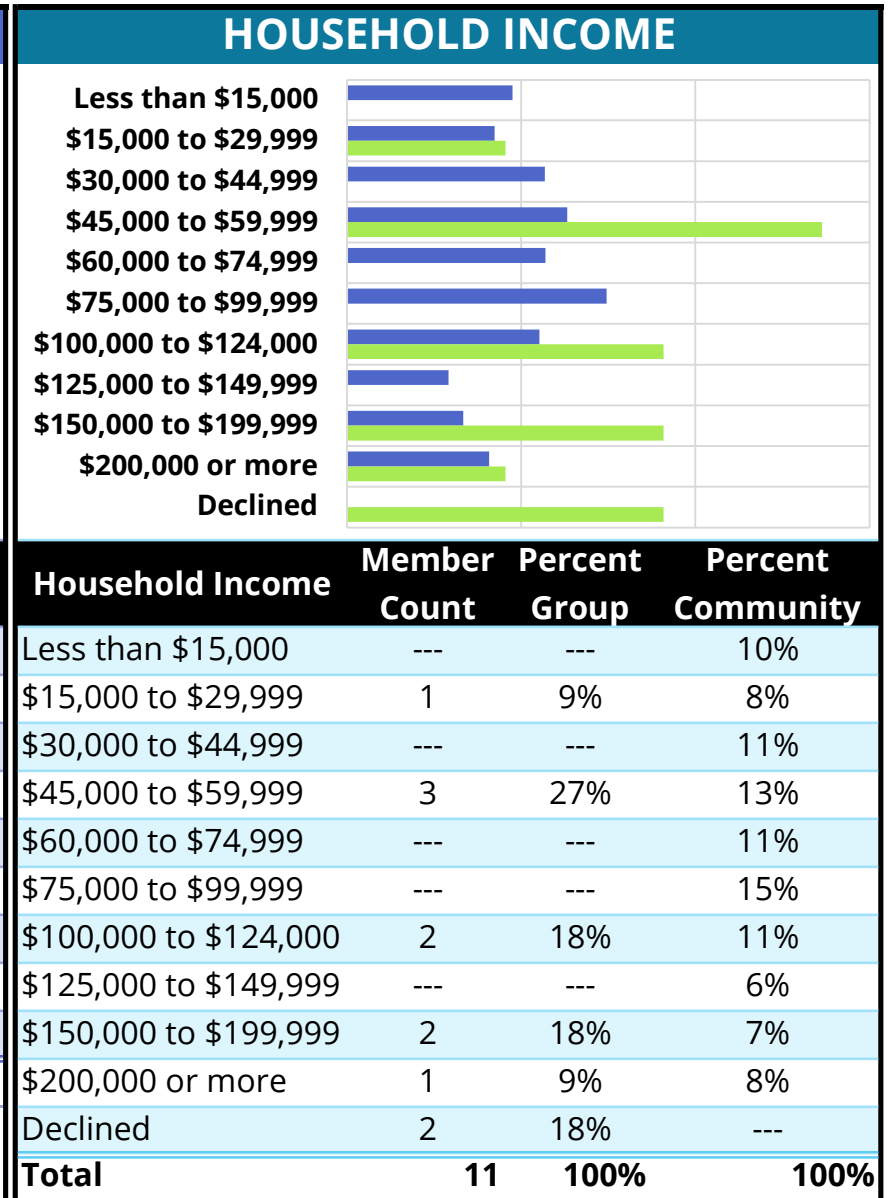
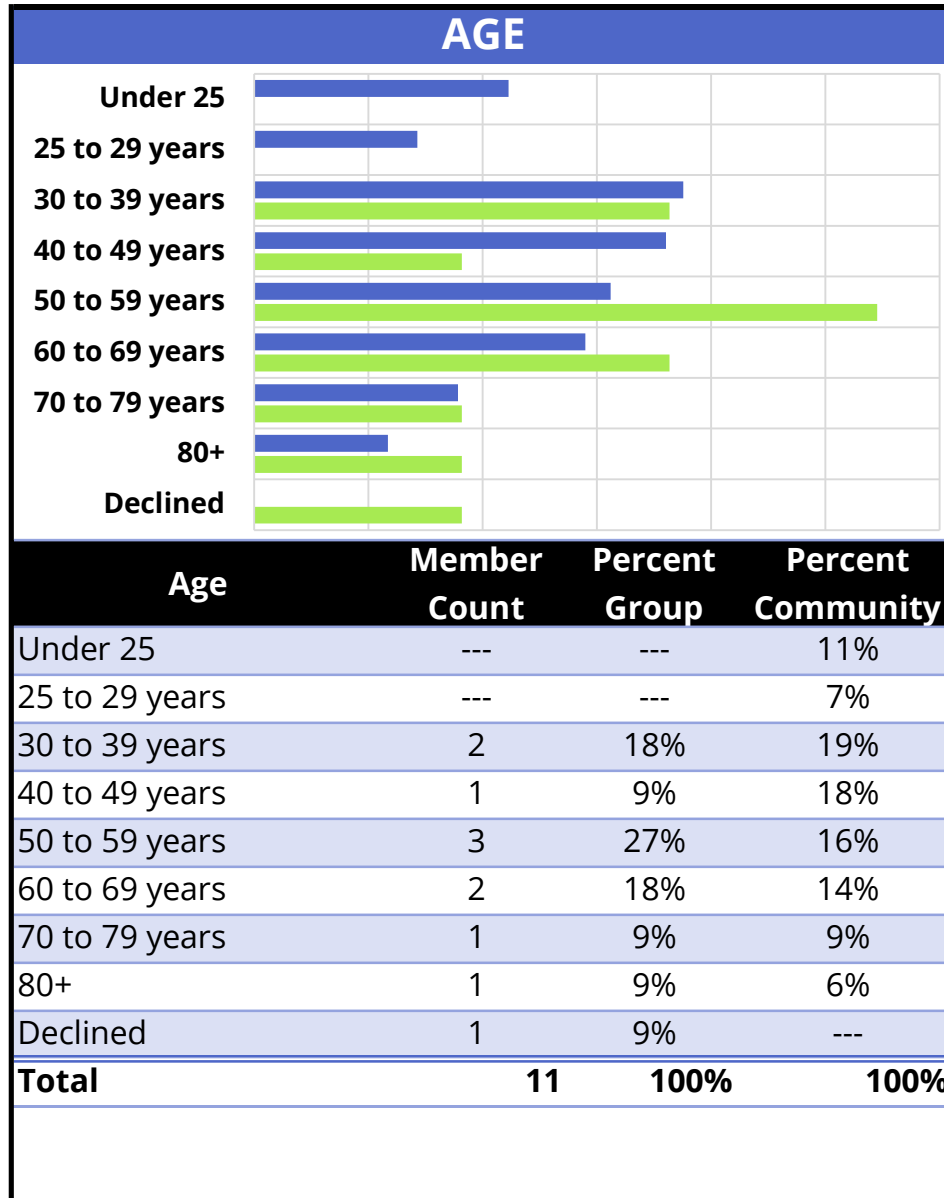
■ Percent Community

| COMMUNITY AFFILIATION               |                     |
|-------------------------------------|---------------------|
| Homeowner                           | 9                   |
| Property Owner                      | 1                   |
| Renter                              | ---                 |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other (Family Member Homeowner)     | 1                   |
| Declined                            | 1                   |
| <b>Community Affiliation</b>        | <b>Member Count</b> |
| Homeowner                           | 9                   |
| Property Owner                      | 1                   |
| Renter                              | ---                 |
| Local Business Owner or Operator    | ---                 |
| Youth Representative (Age Under 25) | ---                 |
| Other (Family Member Homeowner)     | 1                   |
| Declined                            | 1                   |
| <b>Total</b>                        | <b>12</b>           |

| RACE/ETHNICITY        |                     |                      |                          |
|-----------------------|---------------------|----------------------|--------------------------|
| American Indian       | ---                 | ---                  | 0.4%                     |
| Asian                 | ---                 | ---                  | 14.6%                    |
| Black                 | 1                   | 9.1%                 | 7.6%                     |
| Hispanic              | ---                 | ---                  | 26.1%                    |
| Pacific Islander      | ---                 | ---                  | 0.4%                     |
| White                 | 9                   | 81.8%                | 46.7%                    |
| Two or More           | ---                 | ---                  | 4.0%                     |
| Other                 | ---                 | ---                  | 0.2%                     |
| Declined              | 1                   | 9.1%                 | ---                      |
| <b>Race/Ethnicity</b> | <b>Member Count</b> | <b>Percent Group</b> | <b>Percent Community</b> |
| American Indian       | ---                 | ---                  | 0.4%                     |
| Asian                 | ---                 | ---                  | 14.6%                    |
| Black                 | 1                   | 9.1%                 | 7.6%                     |
| Hispanic              | ---                 | ---                  | 26.1%                    |
| Pacific Islander      | ---                 | ---                  | 0.4%                     |
| White                 | 9                   | 81.8%                | 46.7%                    |
| Two or More           | ---                 | ---                  | 4.0%                     |
| Other                 | ---                 | ---                  | 0.2%                     |
| Declined              | 1                   | 9.1%                 | ---                      |
| <b>Total</b>          | <b>11</b>           | <b>100.0%</b>        | <b>100.0%</b>            |

# Serra Mesa

■ Percent Group ■ Percent Community



# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Jan 30, 2024, 4:54:35 PM

What is the official name of your Planning Group?

**Skyline Paradise Hills Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Skyline-Paradise Hills**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **4**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Black**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**30 to 39**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$45,000 to \$59,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$200,000 or more**

Race / Ethnicity

**Black**

Age

**80+**

Group

Member Affiliation(s)

- **Renter**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**Hispanic**

Age

**30 to 39**

How will your Planning Group be accessible to all members of your community?

- **Engage with various community groups such as rec councils, town councils, school cluster groups, and community-based organizations via embedded liaisons who will communicate to members in those spaces about CPG efforts and opportunities for participation • Utilize social media such as Instagram, Facebook, and Nextdoor • Attempt to engage local print media, both ethnic and mainstream in an effort to solicit free advertising for the planning group • Participate in community events through tabling opportunities • Submit information to the City Council district office for inclusion in their newsletter • Make use of the locked bulletin board that is we purchased and installed at the Ralph's grocery store**

How will your Planning Group fairly represent all members of your community?

- **Attempt to increase diversity by employing awareness of the community's demographics • Reach out to the AAPI community through their social gatherings at the Tooma Park Senior center • Attend pop-up fairs and post at food-based businesses in the community • Attend the Reo Drive Low-rider events • Attempt to bring in more renters as well as home owners • Post flyers in places where renters may be present, such as laundromats • Post information at places where younger community members and families with children frequent such as libraries, recreation centers, and school cluster meetings**

Applicant Representative

**Samantha Jenkins**

Email

**sjenkins@sandiego.edu**

Phone Number

**8587331549**

Please include the following documents.

**DOCX** SPHCPG Operating Procedures 01-24.docx  
74.1KB

**DOCX** Community Participation and Representation Plan.docx  
16.6KB

**PDF** skyline\_paradise\_hills\_community\_planning\_committee\_bylaws.approved\_15\_december\_2015.pdf  
793.9KB



OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**Skyline-Paradise Hills Community Planning  
Group**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

### **Introduction and Background**

Through this document, the **[Skyline-Paradise Hills Community Planning Group]** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

#### **1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **Skyline-Paradise Hills Community**

**Planning Group** are the boundaries of the Skyline Hills, Paradise Hills, Bay Terraces, Jamacha and Lomita communities, as shown in Exhibit A.

## 2. Responsibilities

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible

location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections. Annual Reports should be submitted to the City within 14 days of the approval of the March minutes. Annual Reports shall be submitted to the City within 14 days of the approval of the March minutes and include a summary list of accomplishments, and major actions on large projects and policy matters covering a calendar year from April through the following month of March.

### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

## **3. Community Participation and Representation**

### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. Planning Group Composition**

### 4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **Skyline-Paradise Hills Community Planning Group** (S-PHCPG) shall consist of: ten (10) elected members to represent the community. Appointed seats can be identified to represent specific interests or unique stakeholder interests present in the community planning area, such as art & culture, local colleges and universities, regional industries, other agencies (e.g military, school district, Port of San Diego, etc.)

### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

#### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the planning group may create appointed non-voting seats.

4.3.2 Youth Seats

Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

Members of the **Skyline-Paradise Hills Community Planning Group** shall be elected to serve fixed terms of: 2 years, with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than eight (8) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

**5. Open and Public Elections**

5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including:

(A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

Planning group operating procedures in this section will address the following election procedures:

Section 1. General elections of S-PH CPC members shall be held during the month of March in accordance with the S-PH CPC's adopted elections procedures. The S-PH CPC'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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

Section 2. The S-PHCPG 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 annual S-PH CPG membership election will be held separate from, but concurrent with, the March regular meeting. The S-PHCPG 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 a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service. The S-PHCPG planning group's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new S-PH CPG 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 S-PH CPG'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Section 5. An ad hoc election subcommittee shall brief the S-PHCPG of the handling of the listed issues in writing, and will make available to the public the following: the voting procedures, including voting times; voting locations; voting eligibility; candidate eligibility; elections committee establishment and responsibilities; promotion of elections; counting votes [plurality, etc.]; ballots; write-in candidates; poll locations/s; managing polls and counting ballots; reporting election results to the Chair, and, election challenge criteria and procedures prior to the election.

### 5.3 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt rules of procedure for its meetings, such as [Robert's Rules of Order](#), [Rosenberg's Rules of Order](#), [Democratic Rules of Order](#), or [Simplified Rules of Order](#) to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and meeting procedures:

It shall be the duty of each member of the S-PHCPG to attend all planning group meetings.

(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. 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.

(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 S-PHCPG 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
  2. All interested members of the public were given an opportunity to address the subcommittee, and
  3. The item has not substantially changed since the subcommittee's consideration.
- The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 S-PHCPG 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 of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the community planning group is required to remove an elected 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 vote of the voting members of the S-PH CPG. 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 subcommittee votes, only require a simple majority of the voting members of the community planning group in

attendance when a quorum is present. The S-PH CPC planning group's chair participates in discussions but does not vote except to make or break a tie. 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 agenda items shall reflect the positions taken by the elected or appointed positions 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 S-PH CPC 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 S-PH CPC, 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 S-PH CPC and are prohibited under these bylaws.

(xii) **RIGHT TO RECORD** - Any person attending a meeting of the S-PH CPC 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.

#### 6.4 Planning Group Officers

The officers of the **Skyline-Paradise Hills Community Planning Group** 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: 2 years, except that no person may serve in the same planning group office for more than eight or nine consecutive years per the term limits established in Section 4.4. 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.

#### 6.5 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. The Chairperson shall be responsible for setting the agenda, being the point of contact for development applicants and acting as the primary representative to the Community Planners Committee (CPC).

#### 6.6 Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

#### 6.7 Secretary

Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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.

#### 6.8 Additional planning group Officer Responsibilities

The **Skyline-Paradise Hills Community Planning Group** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group shall submit its adopted ethical standards (see Exhibit A) or incorporate their ethical standards within this section of their Operating Procedures. The planning group should use the [City's Ethics Ordinance](#) as a guide in drafting its ethical standards.

#### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

#### 7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

#### 7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies.

Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sanidiego.gov](mailto:SDPlanningGroups@sanidiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

#### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

##### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may

recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

**10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

**CURRENT**

**Attachments:**

**EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN**

The Skyline Paradise Hills Community Planning Group will work intently towards being accessible to all members of our community. We will engage in this practice via a number of efforts that will broadly share and publicize opportunities to participate in the planning group and engage regarding overall community issues and land use related issues. To this end the planning group will

This planning group will:

- Engage with various community groups such as rec councils, town councils, school cluster groups, and community-based organizations via embedded liaisons who will communicate to members in those spaces about CPG efforts and opportunities for participation
- Utilize social media such as Instagram, Facebook, and Nextdoor
- Attempt to engage local print media, both ethnic and mainstream in an effort to solicit free advertising for the planning group
- Participate in community events through tabling opportunities
- Submit information to the City Council district office for inclusion in their newsletter
- Make use of the locked bulletin board that is we purchased and installed at the Ralph's grocery store

The planning group will support community participation and representation via multiple strategies. These three strategies will serve to increase and potentially sustain a diverse membership and community-based engagement with our work.

We will:

- Attempt to increase diversity by employing awareness of the community's demographics
- Reach out to the AAPI community through their social gatherings at the Tooma Park Senior center
- Attend pop-up fairs and post at food-based businesses in the community
- Attend the Reo Drive Low-rider events
- Attempt to bring in more renters as well as home owners
- Post flyers in places where renters may be present, such as laundromats
- Post information at places where younger community members and families with children frequent such as libraries, recreation centers, and school cluster meetings

Our planning group's member composition is the first in many ways and is still working to addressing increasing diversity. Our membership is currently composed of individuals of varying ages and genders as well as income levels. We have individuals who are leading young families as well as seasoned retirees.

Our planning group is currently comprised of:

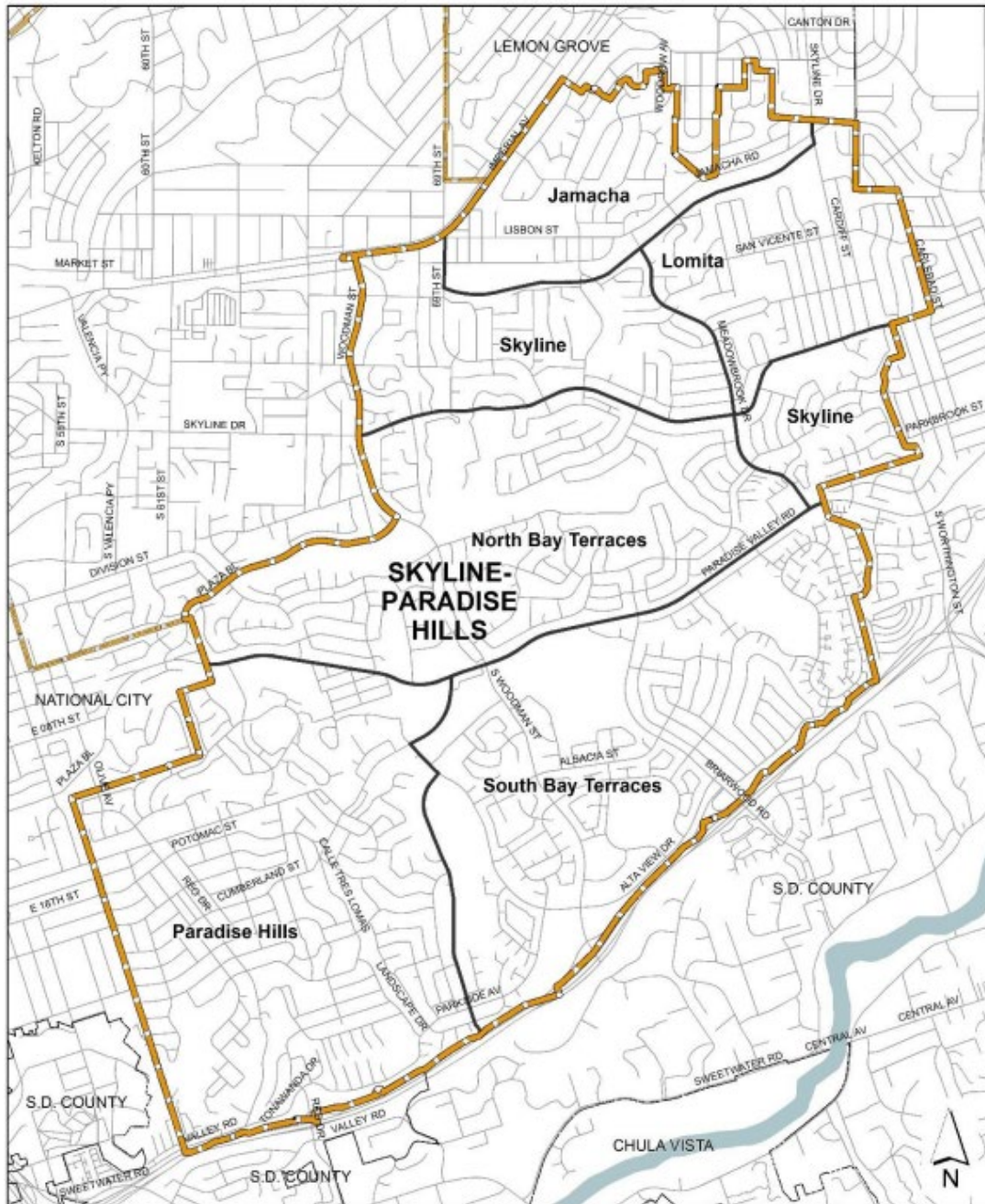
- Both male and female identifying member
- Those between the ages of 30 and 80yrs
- Homeowners and renters
- Latino, African American and Caucasian persons
- People of diverse socio-economic status

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

CURRENT

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES

The planning group will represent the communities of Skyline, Paradise Hills, North & South Bay Terraces, Jamacaha , and Lomita



**Exhibit A: Skyline-Paradise Hills**



**SKYLINE-PARADISE HILLS COMMUNITY PLANNING COMMITTEE BYLAWS**  
**Approved December 15, 2015**  
**(Administrative Approval)**

**ARTICLE I Name**

- Section 1. The official name of this organization is the Skyline-Paradise Hills Community Planning Committee (*S-PH CPC*).
- Section 2. All activities of this organization shall be conducted in its official name.
- Section 3. The community planning area boundaries for the *S-PH CPC* are the boundaries of the Skyline-Paradise Hills community, as shown on Exhibit "A."
- Section 4. Meetings of the *S-PH CPC* shall be held within these boundaries, except that when the *S-PH CPC* does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.
- Section 5. The official positions and opinions of the *S-PH CPC* 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 *S-PH CPC* 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 to, the General Plan or a land use plan when a plan relates to the Skyline-Paradise Hills community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency 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 *S-PH CPC* should focus such review on conformance with the Land Development Code, and 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 choose to provide a subsequent formal recommendation to the City.

- Section 3. All activities of the *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC'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 Skyline-Paradise Hills community 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 *S-PH CPC* 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 *S-PH CPC*, 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 *S-PH CPC* may propose amendments to these bylaws by a two-thirds 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. Bylaws amendments are not valid until approved by the City.

### **ARTICLE III Community Planning Group Organizations**

- Section 1. The *S-PH CPC* shall consist of 20 elected 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 *S-PH CPC* shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the *S-PH CPC*, elected seats are filled by any eligible member identified below. There is no further restriction on the distribution of seats among interests in the community.

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 attending three meetings of the *S-PH CPC* and submitting an application demonstrating eligibility prior to the March general election the planning group Secretary or Election Committee prior to the March election or at the time of voting.

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 *S-PH CPC* shall require proof of eligibility during elections.

Section 3. Members of the *S-PH CPC* 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.

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 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 *S-PH CPC* must retain eligibility during the entire term of service.
- Section 5. A member of the *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* shall fill vacancies at the time the vacancies are declared at the next possible scheduled meeting. A single vacancy shall be filled by appointment by the *S-PH CPC* as an item noticed on the agenda.

Two or more concurrent *S-PH CPC* vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

Section 3. When the *S-PH CPC* is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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.

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 *S-PH CPC* members shall be held during the month of March in accordance with the *S-PH CPC*'s adopted elections procedures.

The *S-PH CPC*'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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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 meetings of the *S-PH CPC*'s last 12 meetings prior to the February regular meeting preceding the election.

Section 2. The *S-PH CPC* 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 annual *S-PH CPC* membership election will be held separate from, but concurrent with, the March regular meeting.

The *S-PH CPC* 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 a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service.

The *S-PH CPC* planning group's policy related to write-in candidates is that write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new *S-PH CPC* 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 *S-PH CPC*'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Section 5. An ad hoc election subcommittee shall brief the *S-PH CPC* of the handling of the listed issues in writing, and will make available to the public the following: the voting procedures, including voting times; voting locations; voting eligibility; candidate eligibility; elections committee establishment and responsibilities; promotion of elections; counting votes [plurality, etc.]; ballots; write-in candidates; poll locations/s; managing polls and counting ballots; reporting election results to the Chair, and, election challenge criteria and procedures prior to the election.

## **ARTICLE VI Community Planning Group and Planning Group Member Duties**

Section 1. It is the duty of the *S-PH CPC* 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 *S-PH CPC* to attend all planning group meetings.

(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.

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.

(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 *S-PH CPC* 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 subcommittee of the planning group has discussed the item at a noticed subcommittee meeting,
2. All interested members of the public were given an opportunity to address the subcommittee, and
3. The item has not substantially changed since the subcommittee's consideration.

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 *S-PH CPC* 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 of the voting members of a community planning group, or every member if less than two-thirds 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 vote of the voting members of the community planning group is required to remove an elected 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 vote of the voting members of the *S-PH CPC*.

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 subcommittee votes, only require a simple majority of the voting members of the community planning group in attendance when a quorum is present.

The *S-PH CPC* planning group's chair participates in discussions but does not vote except to make or break a tie.

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 agenda items shall reflect the positions taken by the elected or appointed positions 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 *S-PH CPC* 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 *S-PH CPC*, 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 *S-PH CPC* and are prohibited under these bylaws.

(xii) RIGHT TO RECORD - Any person attending a meeting of the *S-PH CPC* 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) Subcommittees**

The *S-PH CPC* may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

(i) **STANDING SUBCOMMITTEES** - Pursuant to the purpose of the *S-PH CPC* as identified in Article II, Section 1, the planning group has established no standing subcommittees but will create, as needed, an ad hoc subcommittee to address a particular planning or operational matter [such as the Elections subcommittee].

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

(iii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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** – Subcommittee 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 subcommittee 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 *S-PH CPC* with a direct economic interest in any project that comes before the planning group or its subcommittees 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 charge for the cost of reproducing any the materials requested by an individual or individuals.

(iii) MINUTES – For each planning group meeting, a report of *S-PH CPC* 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 *S-PH CPC* 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 – *S-PH CPC* 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 *S-PH CPC* operation and compliance. The *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC* shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary and Treasurer. The length of an officer's term shall be two years, except that no person may serve in the same planning group office for more than eight or nine 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 will set the agenda for monthly meetings and be the primary point of contact for development applicants, etc.
- 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.
- 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 Treasurer shall receive all monies and deposit same in the name of the *S-PH CPC* and: pay all bills as directed by the *S-PH CPC*; keep account of all transactions and financial condition of the *S-PH CPC*. The Treasurer will report monthly to the *S-PH CPC* and make a written report annually in January of each year. An audit will be conducted before a new Treasurer takes office.

- Section 6. 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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 7. The *S-PH CPC* officers and representatives to the CPC shall promptly disseminate to all elected 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 *S-PH CPC* 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; and Member and Planning Group Responsibilities.

#### **(a) Community Participation**

The following are the *S-PH CPC* procedures regarding community participation:

The committee shall encourage community participation of community members and neighborhood community groups.

#### **(b) Planning Group Composition**

The following are the *S-PH CPC* procedures pursuant to Article III, Section 2 regarding planning group composition:

Exhibit B provides the form used for determining eligible community members.

**(c) Conduct of Meetings**

The following are the *S-PH CPC* procedures regarding conduct of planning group meetings:

Committee agendas are posted both on-line at the City's Community Planning Group website and at the meeting location.

Non-agenda public comment time will be scheduled at the beginning of meetings.

Sub-committees will be established as needed to conduct specific tasks such as elections.

**(d) Member and Planning Group Responsibilities**

The following are the *S-PH CPC* procedures regarding member and planning group responsibilities:

The *S-PH CPC* will inform the city concerning the planning group's positions on planning issues that are not project review recommendations via the City Councilmember.

The *S-PH CPC* maintains a collection of voluntary financial contributions. These funds are used to promote committee membership.

**ARTICLE IX Rights and Liabilities of Recognized Community Planning Groups**

Section 1. Indemnification and Representation. The *S-PH CPC* 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 *S-PH CPC* 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 *S-PH CPC***

In cases of alleged violations of the *S-PH CPC* 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 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 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 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 *S-PH CPC* 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 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers,

determines that the situation cannot be remedied and that the interests of the community and *S-PH CPC* 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 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 chair or from the offending planning group member will be made available to the elected planning group members 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 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 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 an 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 *S-PH CPC* as a Whole**

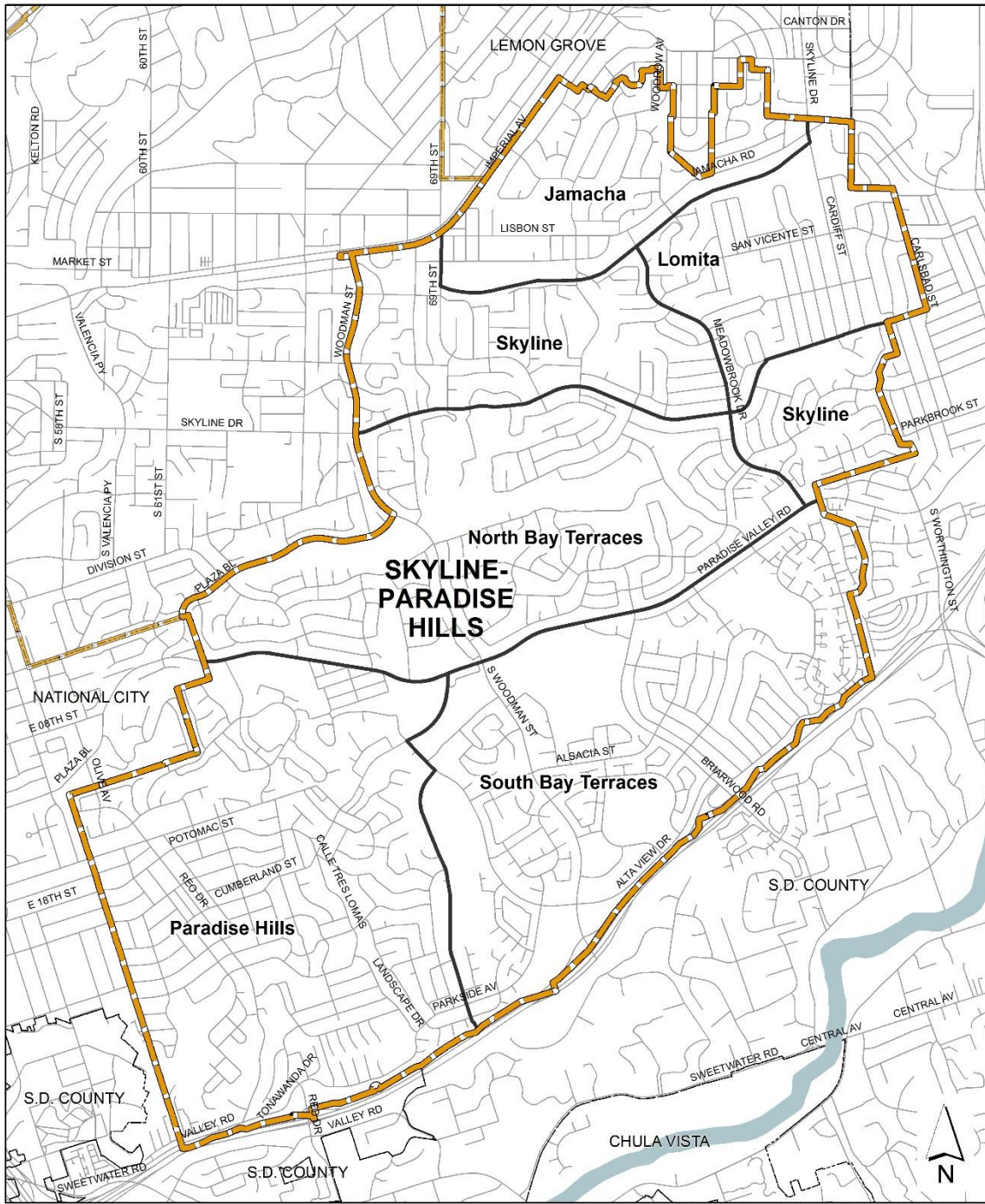
In the case of an alleged violation of the planning group's bylaws or of Council Policy 600-24 by the planning group as a whole or multiple members of the planning group, the violation shall be forwarded in

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

- Exhibit A: Skyline-Paradise Hills Community Planning Committee Boundary Map
- Exhibit B: *S-PH CPC* Eligible Member of the Community Application



## Exhibit A: Skyline-Paradise Hills





## APPLICATION

The *Skyline-Paradise Hills Community Planning Committee (S-PH CPC)* holds regular meetings at 7:00 p.m. on the second Tuesday of each month in at the Paradise Hills Recreation Center, 6610 Potomac St. San Diego, CA 92139. The planning group consists of 20 elected Members and is the officially recognized advisory group to the San Diego City Council. The role of the Planning group is to review and provide recommendations to the City on land use matters and development-related projects and issues in the Skyline, Paradise Hills, South Bay Terraces, North Bay Terraces, Lomita and Jamacha neighborhoods.

There is no charge to attend meetings or to join the *S-PH CPC*. Any person, age 18 or older, who lives, owns property, or owns or operates a business within the S-PH CPC area and is interested in becoming qualified as an Eligible Member of the community in accordance with the *S-PH CPC* bylaws may submit a completed Application to the Planning Committee's Secretary. In order to either vote in the *S-PH CPC* elections or be elected to a Planning Committee seat, an individual must have attended at least three regular Planning Committee meeting(s) in the previous twelve months.

Eligible members are encouraged to volunteer, to participate at the *S-PH CPC*'s meetings, to serve on the Planning Committee's ad hoc subcommittees (Bylaws, Election, special project, etc.), to vote when *S-PH CPC* elections are held, and to consider becoming candidates when there are vacancies as specified in the bylaws.

Donations to assist the Planning Committee in carrying out community activities are accepted.

Name \_\_\_\_\_ e-mail \_\_\_\_\_

Address \_\_\_\_\_ phone \_\_\_\_\_  
\_\_\_\_\_

### Eligible Member Category(ies):

- ( ) Resident (address if different) \_\_\_\_\_  
( ) Property owner (address) \_\_\_\_\_  
( ) Business (address) \_\_\_\_\_

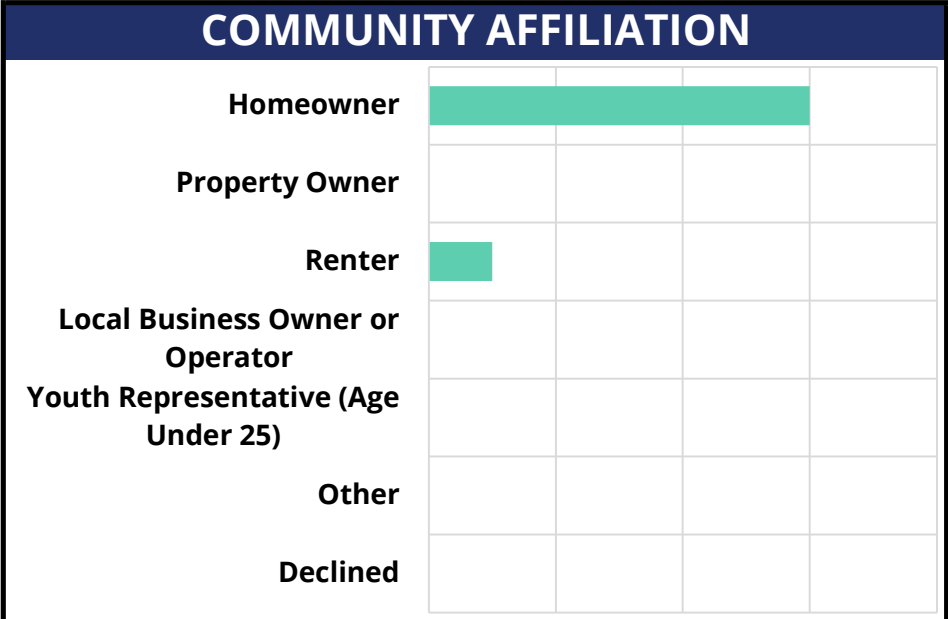
Signature \_\_\_\_\_ Date \_\_\_\_\_

For Planning Committee Use: Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

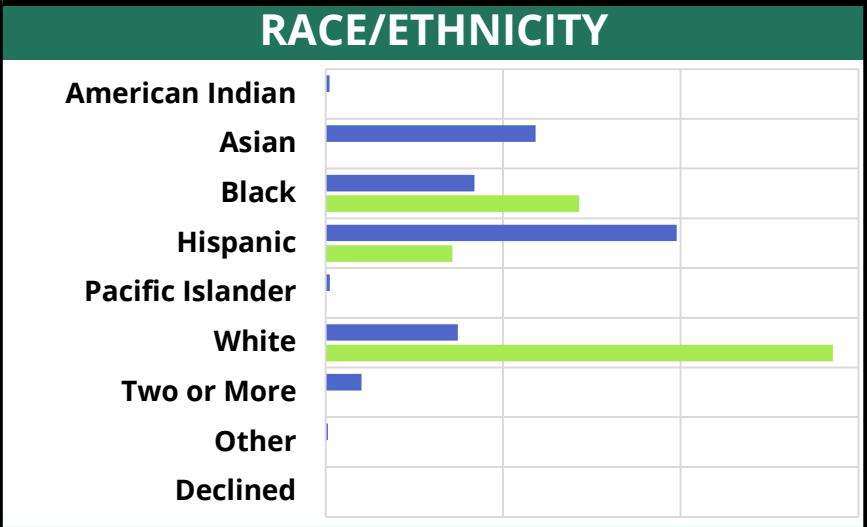
Meets Eligibility Criteria: Yes ☐ No ☐ Secretary \_\_\_\_\_  
Community Orientation Workshop date \_\_\_\_\_

# Skyline-Paradise Hills

■ Member Count    ■ Percent Group    ■ Percent Community



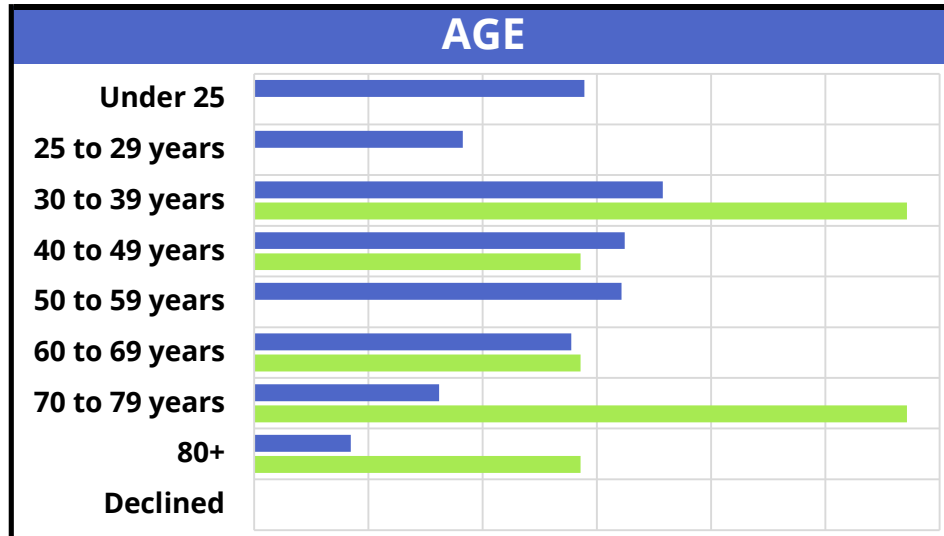
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 6            |
| Property Owner                      | ---          |
| Renter                              | 1            |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| Total                               | 7            |
|                                     |              |



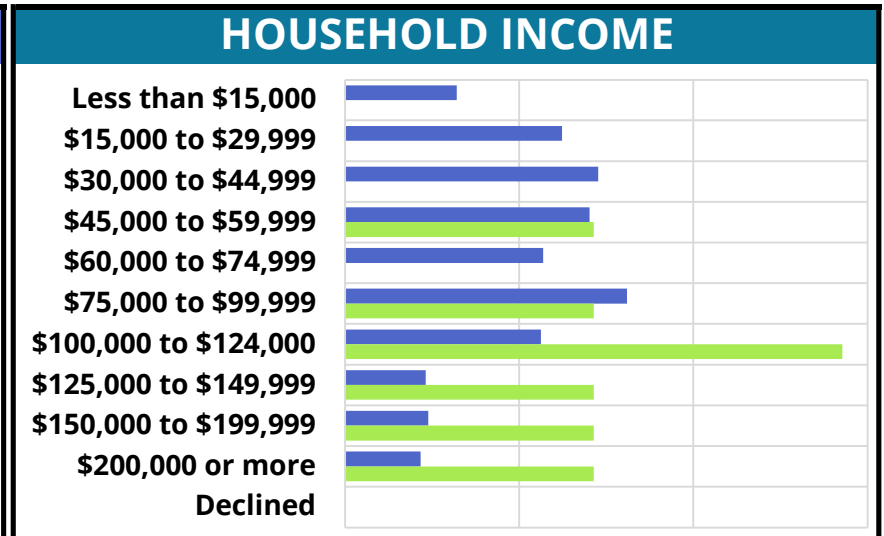
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 23.6%             |
| Black            | 2            | 28.6%         | 16.8%             |
| Hispanic         | 1            | 14.3%         | 39.5%             |
| Pacific Islander | ---          | ---           | 0.5%              |
| White            | 4            | 57.1%         | 14.9%             |
| Two or More      | ---          | ---           | 4.0%              |
| Other            | ---          | ---           | 0.2%              |
| Declined         | ---          | ---           | ---               |
| Total            | 7            | 100.0%        | 100.0%            |

# Skyline-Paradise Hills

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 14%               |
| 25 to 29 years | ---          | ---           | 9%                |
| 30 to 39 years | 2            | 29%           | 18%               |
| 40 to 49 years | 1            | 14%           | 16%               |
| 50 to 59 years | ---          | ---           | 16%               |
| 60 to 69 years | 1            | 14%           | 14%               |
| 70 to 79 years | 2            | 29%           | 8%                |
| 80+            | 1            | 14%           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>7</b>     | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 6%                |
| \$15,000 to \$29,999   | ---          | ---           | 12%               |
| \$30,000 to \$44,999   | ---          | ---           | 15%               |
| \$45,000 to \$59,999   | 1            | 14%           | 14%               |
| \$60,000 to \$74,999   | ---          | ---           | 11%               |
| \$75,000 to \$99,999   | 1            | 14%           | 16%               |
| \$100,000 to \$124,000 | 2            | 29%           | 11%               |
| \$125,000 to \$149,999 | 1            | 14%           | 5%                |
| \$150,000 to \$199,999 | 1            | 14%           | 5%                |
| \$200,000 or more      | 1            | 14%           | 4%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>7</b>     | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 21, 2023, 9:01:39 PM

What is the official name of your Planning Group?

**Southeastern San Diego Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Southeastern**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **4**
- **8**
- **9**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**Examples of efforts that the Southeastern San Diego Community Planning Group (“SSD CPG”) will employ to broadly share and publicize the opportunity to participate and engage in the group include the examples below. For additional efforts and details, see Exhibit A2 Community Participation & Representation Plan. 1. Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group 2. Share meeting information in digital formats including social media pages and a dedicated CPG website 3. Consistently post printed monthly meeting information at local places including, but not limited to: local libraries, park & rec buildings, public transit hubs, grocery stores, coffee shops, schools, etc. 4. Build relationships with other city advisory boards to cross-pollinate messaging 5. Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group’s role and to build relationships**

How will your Planning Group fairly represent all members of your community?

**The Southeastern San Diego Community Planning Group (“SSD CPG”) member composition strives to be representative of the diverse interests in the community. The SSD CPG is committed to engaging a broad and diverse cross-section of our community members in monthly meetings, and to electing board members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of the SSD CPG to serve as a recognized advisory body to the City. For additional information, please see the SSD CPG Member Composition Worksheet and Exhibit A2 Community Participation & Representation Plan.**

Applicant Representative

**Jasmine Mallen, SSD CPG Secretary**

Email

**southeasternsdpg@gmail.com**

Phone Number

**619-618-9799**

Please include the following documents.

- |            |   |
|------------|---|
| <b>PDF</b> | 1. Operating Procedures that address Terms and Conditions.pdf<br>226.9KB                |
| <b>PDF</b> | 2. Exhibit A1 - Ethical Standards.pdf<br>187.9KB  |
| <b>PDF</b> | 3. Exhibit A2 - Community Participation _ Representation Plan.pdf<br>684.9KB            |
| <b>PDF</b> | 4. Exhibit B - Area Map of Southeastern San Diego Community Planning Group.pdf<br>236KB |
| <b>PDF</b> | 5. Member Composition Worksheet_SSDCPG.pdf<br>641.9KB                                   |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Southeastern San Diego Community Planning Group

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

     American Indian

     Asian

  2   Black

  2   Hispanic

     Pacific Islander

  4   White

  2   Two or more races

  1   Other:                                 

### HOUSEHOLD INCOME

     Less than \$15,000

     \$15,000 to \$29,999

     \$30,000 to \$44,999

  1   \$45,000 to \$59,999

  1   \$60,000 to \$74,999

  2   \$75,000 to \$99,999

  1   \$100,000 to \$124,999

     \$125,000 to \$149,999

  1   \$150,000 to \$199,999

  1   \$200,000 or more

### COMMUNITY AFFILIATION

  7   Homeowner

  1   Property Owner

  2   Renter

  1   Local Business Owner or Operator

     Youth Representative (Age Under 25)

     Other :                                 

### AGE

     Under 25

     25 to 29

  3   30 to 39

  4   40 to 49

  2   50 to 59

  2   60 to 69

     70 to 79

     80 +

**Attachment to CP 600-24 – Terms and Conditions**

TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
SOUTHEASTERN SAN DIEGO COMMUNITY PLANNING GROUP  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Southeastern San Diego Community Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 9.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Southeastern San Diego Community Planning Group. The community planning boundaries of this CPG are the boundaries of the Southeastern San Diego Community Plan, as shown in Exhibit B. The CPG covers the area south of the Dr.

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Martin Luther King, Jr. Freeway (Highway 94), east of Interstate 5, north of the border of National City, and west of Interstate 805; and includes the communities of Sherman Heights, Logan Heights, Grant Hill, Memorial, Stockton, Mount Hope, Mountain View, Southcrest, and Shelltown.

**2. Responsibilities**

**2.1 Collaboration with City Staff**

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

**2.2 Advisory CPG Review**

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

**2.3 Timely Submittal of CPG Recommendations to the City**

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

**2.4 Adherence to Ralph M. Brown Act**

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

**2.5 Maintenance of Open Records**

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

**2.6 Independent Entity**

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

**3.1 Membership**

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

**3.2 Community Outreach**

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

**3.3 Collection of Membership Data**

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### **4. CPG Composition**

##### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively, representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

##### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

###### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age, with the exception of an optional youth representative.

###### 4.2.2 Youth Representative

Youth representatives are between 16 and 24 years of age, chosen among the youth who live in the community, and serve a maximum term of 2 years. Youth members may rejoin the CPG as a non-youth member after their youth seat term. Youth seat members have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee, which shall include the legal guardian's assumption of responsibility for making any request for indemnification by the City.

###### 4.2.3 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

##### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document. Board Members shall, to the extent possible, be representative of the various geographic sections of the community.

#### 4.3.3 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in this document.

#### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The CPG will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats, the CPG may waive the maximum time of service by vote of the Board Members should CPG be unable to find sufficient new Board Members. A Waiver of Maximum Time of Service should be determined with the use of the following guidelines:

- 1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- 2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- 3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

#### 4.5 Authorized Number of Board Members

The CPG shall consist of 14 elected members to represent the community. The number of seats authorized on the CPG Board shall be no fewer than ten (10) and no more than twenty (20) Board Members at any given time; the exact authorized number is to be fixed, within these limits, by resolution of the Board Members. To the extent the Board Members deem it necessary to increase the maximum number of appointees to the CPG Board as set forth in this section to represent the community within the CPG Boundary adequately, it shall obtain prior approval from the City Council prior to amending this section to effectuate a larger maximum number of Board Members.

#### 4.6 Vacancies

A vacancy of Board Members shall be deemed to exist in the event of the following: (i) the death, resignation, or removal of any Board Members; (ii) whenever the number of authorized Board

Members is increased; or (iii) the failure of the Community Members, at any meeting at which any Board Member or Board Members are to be elected, to elect the full authorized number of Board Members.

#### 4.7 Disciplinary Action

Any Board Member found to be in violation of the Bylaws or any provision of the Terms and Conditions entered into between this CPG and the City shall be subject to discipline, up to and including removal, at a scheduled meeting of the Board. Any proposed discipline shall be advertised on the agenda as an action item and the investigation or complaint shall be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 4.8 Removals

##### 4.8.1 Basis for Removal

A Board Member may be removed by a majority vote of then-appointed Board Members with or without cause. Cause for removal shall exist in the following instances:

- 1) Failure to meet the qualifications as set forth in Section 4.2 above at any time during their tenure;
- 2) Failure to attend at least two-thirds (2/3) of this CPG's Board Member meetings in any twelve (12) month period throughout their tenure.
- 3) Failure to adhere to any term imposed under these Bylaws or the Terms and Conditions entered into by the CPG with the City.
- 4) Failure to recuse oneself from a vote involving a Conflict of Interest; and
- 5) Failure to timely disclosure a Conflict of Interest.

##### 4.9 Procedures for Removal

Prior to effecting any removal of a Board Member, fair written notice shall be provided to the affected Board Member no less than fifteen (15) calendar days prior to the proposed meeting that such removal will be subject to a vote by the Board Members. Notice of removal shall contain the general grounds for removal and sufficient documentation to support such grounds. The affected Board Member shall be afforded an opportunity to be heard prior to any vote on the affected Board Member's removal. Any proposed removal shall be advertised on the agenda as an action item and the investigation or complaint shall be reported to the City within sixty (60) days of the removal so as to ensure a fair and public process.

##### 4.10 Resignations

Any Board Member may resign by giving written notice to the Board Members. Such a written resignation will be effective on the later of (i) the date it is delivered or (ii) the time specified in the written notice that the resignation is to become effective.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The CPG has developed election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

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All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The CPG operating procedures govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

#### 5.2.1 Election Process

The CPG 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 CPG holds its election on the same day and immediately prior to the March regular meeting.

The CPG will require proof of identity of those eligible community members who are seeking to vote in the election, in accordance with Section 5.1.1. 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 a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service.

The CPG's policy related to write-in candidates is that write-in candidates are not allowed.

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**5.2.2 Voting**

Voting to elect new CPG 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. Should a vote be tied, no action takes place and a new motion can be brought forth.

Should a candidate be absent from a scheduled forum, the candidate will be allowed to submit a written statement that should be no longer than 10 minutes in reading length, approximately 1300 words.

The subsequent meeting after an election has occurred is when the newly elected voting members will be seated on the board and eligible to vote.

**5.2.3 Procedures**

The CPG'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 subcommittee in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.

Voting will be held on the same day and location as the CPG's regular March meeting. The election shall be held immediately preceding the regular March meeting and voting will be open for a period of at least 30 minutes.

Voting is by secret ballot and is counted by one CPG member and one non- member, both of whom are chosen by the CPG Chairperson. One CPG is responsible for gathering information and creating the ballots.

The steps in the process of seating eligible candidates are:

- 1) Determine election date and time
- 2) Determine the number of available seats.
- 3) Place candidates with the highest number votes into vacancies, assigning the candidate with the highest number of votes first, until all open seats are filled or until all eligible candidates have been placed.
- 4) If vacant seats remain, determine if any candidate seeking to serve beyond eight years has met the criteria in Council Policy 600-24 to continue service and, if so, seat one or more candidates into vacant seats starting with the candidate with the highest number of votes.
- 5) Retain all important minutes and notes from elections

**5.3 Election Timing**

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs. The CPG'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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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.

## **6. Conduct of Meetings**

### **6.1 Professional Conduct**

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda. 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.

### **6.2 Rules of Procedure**

All meetings of Community Members and CPG Board Members shall adhere to Robert's Rules of Order unless otherwise provided in these Bylaws. Where these Bylaws conflict with Robert's Rules of Order, these Bylaws shall govern.

### **6.3 Transparency in Operations**

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

### **6.4 Quorum and Action of the Board Members**

#### **6.4.1 Quorum**

A majority of Board Members appointed shall constitute a quorum for the transaction of business. Every act taken or decision made by a vote of the majority of the Board Members present at a meeting duly held at which a quorum is present is the act of the Board Members. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of Board Members from the meeting, if any action taken is approved by at least a majority of the required quorum for that meeting.

#### **6.4.2 Minimum Vote Requirements for Valid Board Member Action**

Every act taken or decision made by a vote of the majority of the Board Members present at a meeting duly held at which a quorum is present is the act of the Board Members. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of Board Members from the meeting, if any action taken is approved by at least a

majority of the required quorum for that meeting.

#### 6.4.3 Deadlock

Any action subject to deadlock shall be set for a re-vote at a meeting duly notice and held no later than ten (10) days following the deadlock. Failure to reach a decision of the Board Members after a re-vote shall be cast to the Community Members for consideration and vote, passing with a majority approval of Community Members present.

### 6.5 Additional Procedures

#### 6.5.1 Posting of Agendas

Agendas are posted at the meeting location at least 72 hours prior to the CPG meeting and are sent to the City to be posted on the City's website. In addition, they are electronically sent to the CPG's e-mail list of interested parties. Also, on the Notice of Public Hearing regarding specific projects, CPG meeting and contact information is provided.

#### 6.5.2 Meeting Operations

Public comments are accepted on items not on the agenda at the beginning of each CPG meeting. Comments are limited to two minutes. Consent Items are limited to those items that are submitted by the City (e.g., Traffic Engineering, Waste Water [sewer installations], etc.) or those projects that the Projects Subcommittee recommends be put on consent. Projects by non-City applicants are never put on the Consent Agenda

#### 6.5.3 Contents of the Meeting

The CPG meetings may include the following:

- Roll Call and self-introductions
- Approval of the agenda
- Public comments on items not already on the agenda
- Reports from Staff (City Planning, City Council Districts, representatives from State or Federal elected officials), Civic San Diego, and any other agencies that serve CPG's planning area
- Consent Items
- Action Items
- Information Items
- CPG Member Comments (reports of activities of the CPC or activities in the communities)
- Adjournment

#### 6.5.4 Input on Projects

Elected members of the CPG may comment on the project and ask the applicant questions related to the project in turn, as recognized by the Chair. After the elected members of the CPG have had the opportunity to comment, members of the public are allowed to comment and ask questions on projects in turn, as recognized by the Chair.

#### 6.5.5 Projects Subcommittee Membership

Project Subcommittee members and other interested parties are welcome to attend.

## **7. Community Planning Group Duties**

### **7.1 General**

It is the duty of the CPG 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.

### **7.2 Meeting Procedures**

It shall be the duty of each member of the CPG to attend all planning group meetings.

#### **7.2.1 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.

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 at least 72 hours in advance of the meeting.

#### **7.2.3 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.

#### **7.2.4 Adjournments and Continuances**

If the CPG 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.

7.2.5 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.

7.2.6 Consent Agenda

For items to be considered for a "Consent Agenda" all of the following are required:

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

7.2.7 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.

7.2.8 Development Project Review

The CPG 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.

**7.2.9 Action on Agenda Items**

An item not noticed on the agenda may be added if either two-thirds of the voting members of the CPG, or every member if less than two-thirds of the voting members of the CPG 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 vote of the voting members of the CPG is required to remove an elected community planning group member in accordance with Article IX.

Removing a member due to ineligibility in accordance with Section 4.2 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 vote of the voting members of the CPG.

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 CPG actions, including subcommittee votes, only require a simple majority of the voting members of the community planning group in attendance when a quorum is present. The CPG's chair 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 agenda items shall reflect the positions taken by the elected or appointed positions on the planning group

**7.2.10 Collective Concurrence**

Any attempt to develop a collective concurrence of the members of the CPG 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.

**7.2.11 Special Meetings**

The chair of the CPG, 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.

7.2.12 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 CPG and are prohibited under these bylaws.

7.2.13 Right to Record - Any person attending a meeting of the CPG 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.

7.2.14 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.

### 7.3 Subcommittees

The CPG may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings.

#### 7.3.1 Standing Subcommittees

Pursuant to the purpose of the CPG ~~as identified in Article II, Section 1~~, the planning group has established the Projects Subcommittee:

The Projects Subcommittee reviews projects and submits recommendations to the full planning group. The membership is limited to a range of two to six members of the CPG who are chosen by the CPG Chairperson.

The Projects Subcommittee reviews each project that has been submitted to the City for a discretionary land use permit under the General Plan and the Southeastern San Diego Community Plan. In order to ensure the health and safety and enhance the quality of life of the community, the Projects Subcommittee thoroughly reviews all the documents the applicant submitted to the City, including the San Diego Police Department's (SDPD's) review.

#### 7.3.2 Ad Hoc Subcommittees

Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review.

#### 7.3.3 Subcommittee Composition

Subcommittees shall contain a majority of members who are members of the planning group.

Non-members, who are duly appointed by a planning group to serve on a subcommittee, 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.

#### 7.3.4 Recommendations

Subcommittee 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 subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning group without a formal vote of the full planning group.

### 7.4 Abstentions and Recusals

#### 7.4.1 Recusals

Any member of the CPG with a direct economic interest in any project that comes before the planning group or its subcommittees 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.

#### 7.4.2 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.

### 7.5 Meeting Documents and Records

#### 7.5.1 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.

#### 7.5.2 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 materials requested by an individual or individuals.

#### 7.5.3 Minutes

For each planning group meeting, a report of CPG 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 CPG 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.

#### 7.5.4 Records Retention

CPG 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 CPG operation and compliance. The CPG 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.

#### 7.6 Community Participation

It shall be the duty of the CPG 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.

#### 7.7 Roster

It shall be the duty of the CPG 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.

#### 7.8 Financial Contributions

The CPG 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.

### 7.9 Mandatory Training

Each elected CPG 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.

## 8. **Planning Group Officers**

### 8.1 Officers

The officers of the CPG shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be two 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.

### 8.2 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's additional duties include: setting the agenda, being the point of contact for development applicants, appointing a chairperson for the Projects Subcommittee, and convening Special Meetings.

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.

### 8.3 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson.

### 8.4 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.

### 8.5 Community Planners Committee (CPC) Representative

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 CPC with the

same voting rights and privileges as the chair. Designation of a member other than the chair 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.

#### 8.6 Official Business

The CPG officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

### 9. **Additional CPG Responsibilities**

#### 9.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 9.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

#### 9.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

##### 9.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

##### 9.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

##### 9.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a

where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 9.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 9.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

#### 9.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 9.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 9.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

#### 9.6 Annual Report

The CPG Board shall submit to the City by May 1st of each year an annual report as required by the Terms and Conditions entered into between this CPG and the City and pursuant to CP 600-24.

#### 9.7 Presentations on Regulatory Items:

The CPG comments to City staff, departments, commissions, City Council or council committees on regulatory items such as alcohol Conditional Use Permits and Site Development Permits.

#### 9.8 Procedure for Amending Bylaws:

CPG places proposed amendments to the bylaws on the agenda as a noticed item for public

discussion. Once the amendment is drafted and is approved by 2/3 of the voting members of the CPG, it is submitted to City staff.

#### 9.9 Voluntary Financial Contributions:

The CPG accepts financial contributions from individuals only, but does not solicit such donations. Financial donations from groups must be found to be free of conflicts of interest and accepted by a majority vote of the voting members.

#### 9.10 Participation with Other Organizations

The CPG works with other community organizations such as the advisory committee to the Central Division of the San Diego Police Department (SDPD) or the local business organizations like the Central Commercial District Revitalization Corporation (CCDRC). Groups like these may give timely reports to the CPG on their activities and upcoming activities.

### 10. **CPG Rights and Liabilities**

#### 10.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 10.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting

member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

#### 10.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

##### 10.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 10.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

**10.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions**

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

**10.6 Potential Conflicts of Interest**

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

**10.7 Violations and Remedies for Quorum and Attendance Requirements**

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

**10.8 Violations of City Requests for Input**

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**11. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

**12. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

**CITY OF SAN DIEGO, CALIFORNIA**  
**COUNCIL POLICY**

**CURRENT**

**Attachments:**

**EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN  
APPLICATION FOR CITY COUNCIL RECOGNITION (Guidelines for CPG  
Ethical Standards, Community Participation & Representation Plan)**

**EXHIBIT B: Boundary Map of Southeastern San Diego Community Planning Group**

**Guidelines for CPG Ethical Standards**  
**Southeastern San Diego Community Planning Group**  
**As required for CPG Recognition by Terms and Conditions, Exhibit A1**

This document describes recommended ethical standards the Southeastern San Diego Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **COMMUNITY PARTICIPATION & REPRESENTATION PLAN OF SOUTHEASTERN SAN DIEGO COMMUNITY PLANNING GROUP**

The Southeastern San Diego Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/ newsletter(s)/ social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- To measure community representation, CPT shall gather demographic data of all CPG Board Members and Community Members at the time of elections or other regular period to measure the inclusion and diversity of the CPG. To preserve the privacy of participating CPG Board Members and Community Member, participation shall be voluntary and the Forms attached hereto as Exhibit 1 shall be used to facilitate data collection. This data shall be submitted to the City along with the CPG's annual rosters. Data results shall be compared against the demographics of the community data results provided by SANDAG accessible at <https://datasurfer.sandag.org/>
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application  |
|--|--|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.  |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.  |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.  |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.  |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.  |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues. |

**Workshops:** An informal public meeting that may include presentations and include opportunities for interaction among participants.

***Bringing people together:*** An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues.

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## Community Planning Groups

Survey Best Practices

### How should you develop your questions?

**Making sure that your questions and responses match.**

If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”

If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."

**Each question should only ask one thing.**

Your questions should be direct and seek a specific answer. For example:

“Are community parks clean and safe?” = wrong

"Are community parks clean?" and "Are community parks safe?" = correct.

**Develop clear and concise questions. Avoid technical jargon and abbreviations.**

Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using [Microsoft Word](#) or the [Hemmingway app](#).

**Ask: How can this question be misinterpreted?**

Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.

### Writing your questions.

**Keep it simple and to the point.**

The respondent shouldn't have to re-read the question for clarity.

**Use words with clear meanings.**

Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.

**Limit the number of ranking options.**

Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.

**Multiple choice questions should cover all options but not overlap.**

For example, when asking respondents about their favorite community destinations don't have an option for both “library and recreation center.”

**Avoid offering too few or too many options.**

Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.

 **EXAMPLE FLYER**

# Community Planning Group

**WHY SHOULD YOU JOIN?**

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.

  
**Meets every third Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the Planning Group Chair**



**Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)**

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



[HOME](#) [MEETING AGENDAS](#) [MEETING MINUTES](#) [OPERATING PROCEDURES](#) [GET INVOLVED](#) [More](#)

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



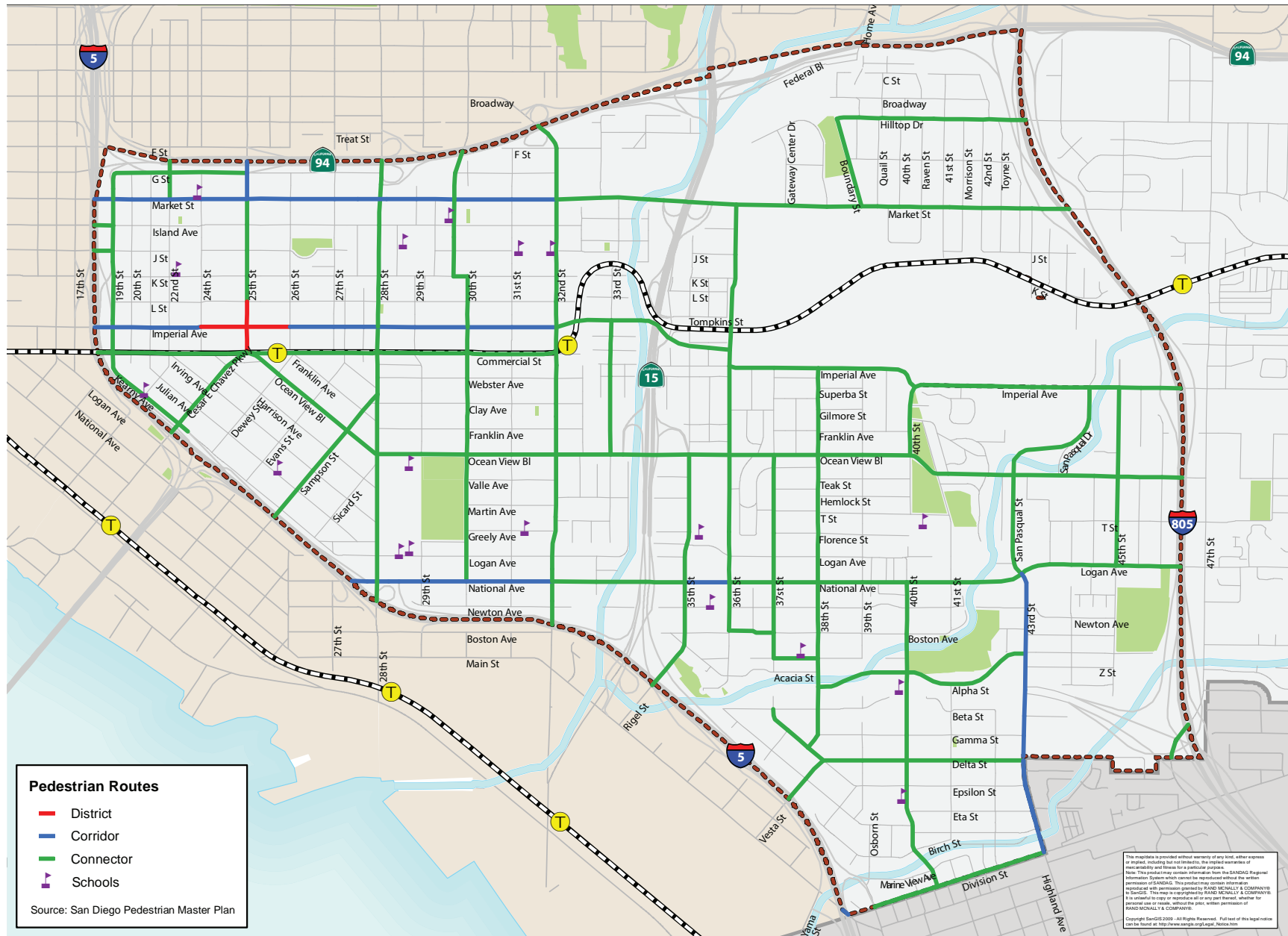
### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

**FIGURE 3-1: Pedestrian Routes**


\*\*\*CONFIDENTIAL\*\*\*NOT FOR PUBLIC DISTRIBUTION

## SOUTHEASTERN SAN DIEGO PLANNING GROUP

| Member # | ROLE/ OFFICE | FIRST    | LAST     | PHONE        | ADDRESS              | CITY      | ST | ZIP   |
|----------|--------------|----------|----------|--------------|----------------------|-----------|----|-------|
| 1        | CHAIR        | Amie     | Hayes    | 585-330-6934 | 156 20th Street      | San Diego | CA | 92102 |
| 2        | VICE-CHAIR   | Terrance | Sullivan | 619-997-0937 | 3086 Imperial Avenue | San Diego | CA | 92102 |
| 3        | SECRETARY    | Jasmine  | Mallen   | 619-618-9799 | 3093 Martin Avenue   | San Diego | CA | 92113 |
| 4        | TREASURER    | Kerry    | Wesson   | 858-382-1080 | 517 21st Street      | San Diego | CA | 92102 |
| 5        | MEMBER       | Oscar    | Gomez    | 619-255-1789 | 1357 Acacia Court    | San Diego | CA | 92113 |
| 6        | MEMBER       | Aaron    | Magagna  | 619-405-0298 | 3279 National Avenue | San Diego | CA | 92113 |
| 7        | MEMBER       | Howard   | Cuarezma | 619-757-7309 | 3770 Harding Ave     | San Diego | CA | 92113 |
| 8        | MEMBER       | Alli     | Urgaby   | 619-400-9567 | 703 Dewey Street     | San Diego | CA | 92113 |
| 9        | MEMBER       | Reginald | Womack   | 619-806-7621 | 3105 F Street        | San Diego | CA | 92102 |
| 10       | MEMBER       | Diane    | Armenta  | 619-764-3727 | 1225 S. 36th Street  | San Diego | CA | 92113 |
| 11       | VACANT       |          |          |              |                      |           |    |       |
| 12       | VACANT       |          |          |              |                      |           |    |       |
| 13       | VACANT       |          |          |              |                      |           |    |       |
| 14       | VACANT       |          |          |              |                      |           |    |       |

ITION\*\*\*

| DUP (SSDPG)                  |                             |
|------------------------------|-----------------------------|
| ELIGIBILITY & NEIGHBORHOOD   | EMAIL                       |
| Resident/Sherman Heights     | amiek.hayes@gmail.com       |
| Resident/Stockton            | terrancesullivan3@gmail.com |
| Resident/Logan Heights       | jasminemallen@sandiego.edu  |
| Property Owner/Sherman       | 1897aztec@gmail.com         |
| Resident/Southcrest          | ogomez73@gmail.com          |
| Property Owner/Logan Heights | aaronmagagna@gmail.com      |
| Resident/Mountain View       | hjcuaresma@gmail.com        |
| Resident/Logan Heights       | alliurguby@gmail.com        |
| Resident/Stockton            | rkcamow@gmail.com           |
| Resident/Southcrest          | bolivardiane@gmail.com      |
|                              |                             |
|                              |                             |
|                              |                             |
|                              |                             |

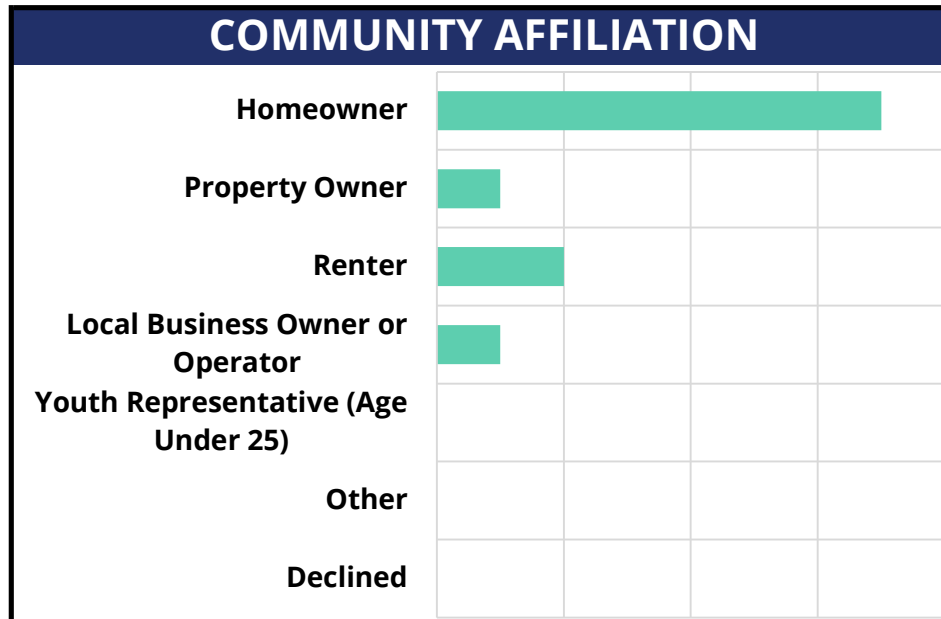
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# Southeastern

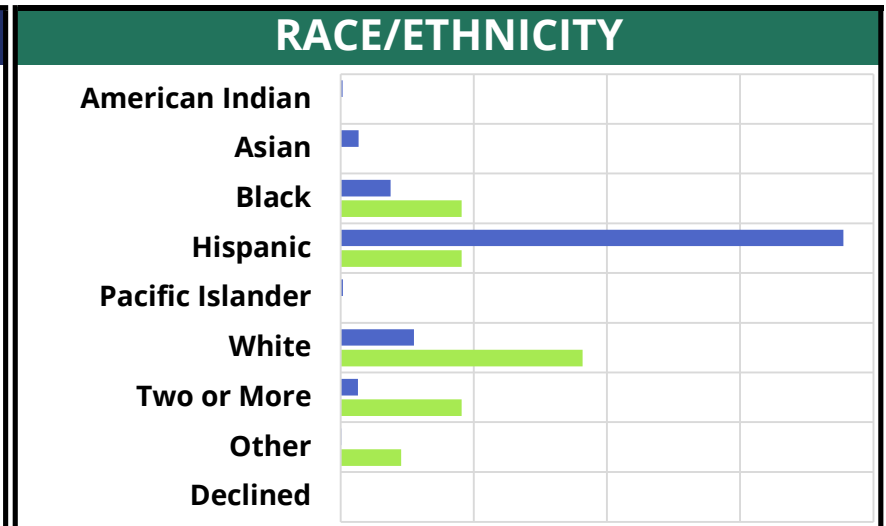
■ Member Count

■ Percent Group

■ Percent Community



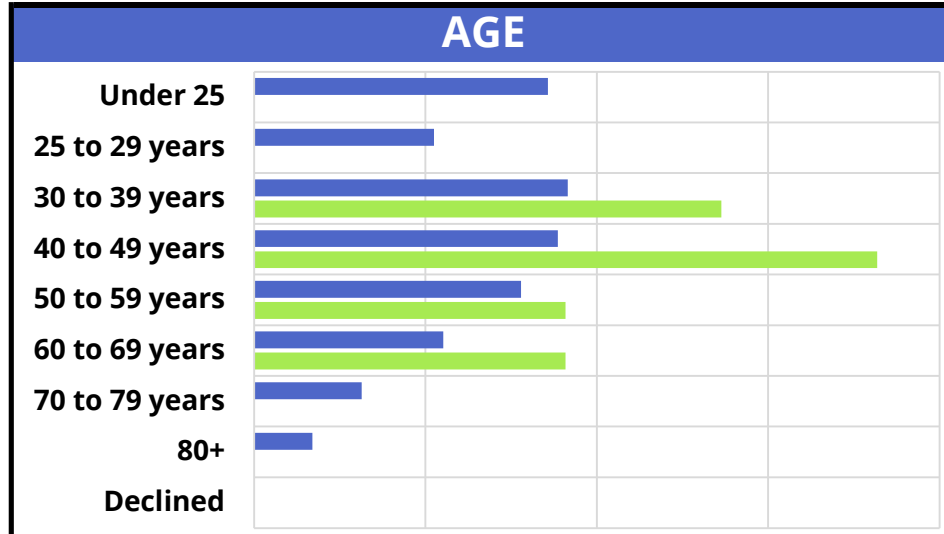
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 7            |
| Property Owner                      | 1            |
| Renter                              | 2            |
| Local Business Owner or Operator    | 1            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>11</b>    |



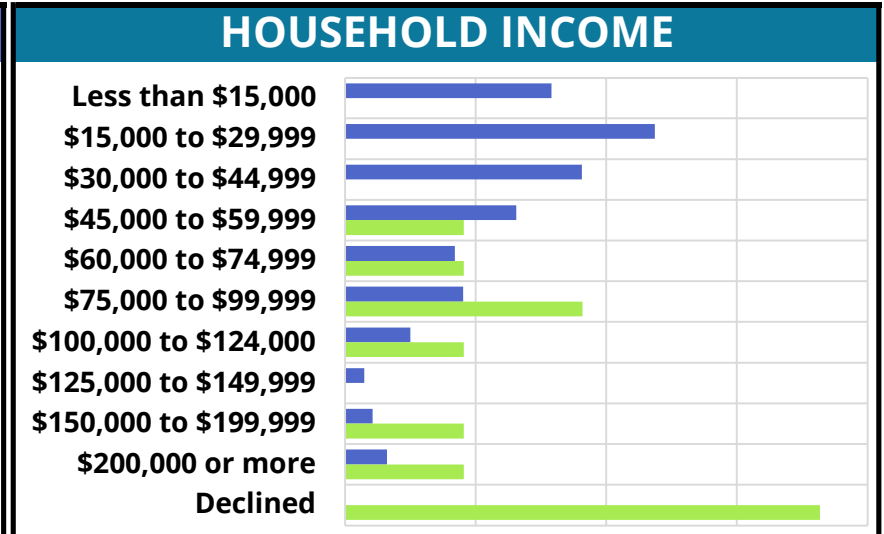
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 2.7%              |
| Black            | 2            | 18.2%         | 7.5%              |
| Hispanic         | 2            | 18.2%         | 75.5%             |
| Pacific Islander | ---          | ---           | 0.3%              |
| White            | 4            | 36.4%         | 11.0%             |
| Two or More      | 2            | 18.2%         | 2.6%              |
| Other            | 1            | 9.1%          | 0.1%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Southeastern

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 17%               |
| 25 to 29 years | ---          | ---           | 11%               |
| 30 to 39 years | 3            | 27%           | 18%               |
| 40 to 49 years | 4            | 36%           | 18%               |
| 50 to 59 years | 2            | 18%           | 16%               |
| 60 to 69 years | 2            | 18%           | 11%               |
| 70 to 79 years | ---          | ---           | 6%                |
| 80+            | ---          | ---           | 3%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 16%               |
| \$15,000 to \$29,999   | ---          | ---           | 24%               |
| \$30,000 to \$44,999   | ---          | ---           | 18%               |
| \$45,000 to \$59,999   | 1            | 9%            | 13%               |
| \$60,000 to \$74,999   | 1            | 9%            | 8%                |
| \$75,000 to \$99,999   | 2            | 18%           | 9%                |
| \$100,000 to \$124,000 | 1            | 9%            | 5%                |
| \$125,000 to \$149,999 | ---          | ---           | 1%                |
| \$150,000 to \$199,999 | 1            | 9%            | 2%                |
| \$200,000 or more      | 1            | 9%            | 3%                |
| Declined               | 4            | 36%           | ---               |
| <b>Total</b>           | <b>11</b>    | <b>100%</b>   | <b>100%</b>       |

## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 21, 2023, 9:34:30 PM

What is the official name of your Planning Group?

**Tierrasanta Community Council and Planning Group**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Tierrasanta**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **7**

Indicate here if you propose to have more than 20 CPG Members.

**No**

### Member Details

|  |
|--|
| Group  |
| Member Affiliation(s)  |
| <ul style="list-style-type: none"><li>• <b>Homeowner</b></li><li>• <b>Property Owner</b></li><li>• <b>Local Business Owner or Operator</b></li></ul> |
| Household Income   |
| <b>\$200,000 or more</b>   |
| Race / Ethnicity   |
| <b>Other</b>   |
| Age  |
| <b>30 to 39</b>  |

## Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$150,000 to \$199,999**

Race / Ethnicity

**White**

Age

**40 to 49**

## Group

Member Affiliation(s)

- **Renter**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**30 to 39**

## Group

Member Affiliation(s)

- **Homeowner**
- **Property Owner**
- **Local Business Owner or Operator**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**Two or More**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**70 to 79**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$125,000 to \$149,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**White**

Age

**80+**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**White**

Age

**60 to 69**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**Two or More**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**
- **Other**

Household Income

**\$75,000 to \$99,999**

Race / Ethnicity

**Two or More**

Age

**40 to 49**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$100,000 to \$124,999**

Race / Ethnicity

**White**

Age

**50 to 59**

Group

Member Affiliation(s)

- **Homeowner**

Household Income

**\$60,000 to \$74,999**

Race / Ethnicity

**Two or More**

Age

**60 to 69**

How will your Planning Group be accessible to all members of your community?

**Maintaining a website, partnerships with other community-wide organizations, emails to 1k+ subscribers, community signs, and flyers at main hubs such as local businesses and the library.**

How will your Planning Group fairly represent all members of your community?

**We have the community split into 5 areas, including the military housing, and we solicit 3 members from each area. We also encourage a representative from the high school to be on the board to give that perspective. Local organizations are encouraged to take part in the meetings via presentations.**

Applicant Representative

**Christopher Shamoon**

Email

**Shamoon.tcc@gmail.com**

Phone Number

**858-732-4747**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | 4_terms_and_conditions_1_.pdf<br>261.4KB                         |
| <b>PDF</b> | 5_guidelines_for_ethical_standards_1_.pdf<br>276.2KB             |
| <b>PDF</b> | participation_and_representation_plan_appendices_1_.pdf<br>1.4MB |
| <b>PDF</b> | 5_worksheet.pdf<br>712.6KB                                       |

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: Tierrasanta Community Council and Planning Gr

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

     American Indian

  1   Asian

  1   Black

  1   Hispanic

     Pacific Islander

  8   White

     Two or more races

  1   Other: Middle Eastern

### HOUSEHOLD INCOME

     Less than \$15,000

     \$15,000 to \$29,999

     \$30,000 to \$44,999

     \$45,000 to \$59,999

  3   \$60,000 to \$74,999

  2   \$75,000 to \$99,999

  3   \$100,000 to \$124,999

  2   \$125,000 to \$149,999

  1   \$150,000 to \$199,999

  1   \$200,000 or more

### COMMUNITY AFFILIATION

 11   Homeowner

  2   Property Owner

  1   Renter

  2   Local Business Owner or Operator

     Youth Representative (Age Under 25)

     Other :                                 

### AGE

     Under 25

     25 to 29

  2   30 to 39

  3   40 to 49

  1   50 to 59

  4   60 to 69

  1   70 to 79

  1   80 +

**Attachment to CP 600-24 – Terms and Conditions**

**TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF  
TIERRASANTA COMMUNITY COUNCIL AND PLANNING GROUP  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Terms and Conditions established herein, the City desires to establish minimum standards the Tierrasanta Community Council and Planning Group (the CPG) will adhere to and designated services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be Tierrasanta.

The community planning boundaries of this CPG are the boundaries of the Tierrasanta Community, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

### 2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings,

and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of CPG elections.

#### 2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

#### 3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

### **4. CPG Composition**

#### 4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 20 voting members, respectively,

representing the various community interests set forth in these Terms and Conditions. The Council may recognize a CPG with more than 20 voting members if the larger membership is necessary to give better representation to a community.

#### 4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

##### 4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least two-thirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

##### 4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

#### 4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members of the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

### **5.1. Equal Participation**

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### **5.1.1 Voter Identification for Resident Community Members**

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community

members to participate in elections, and the principles of inclusion and diversity in CPG operations.

CPG operating procedures should address the following:

- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots
- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

### 5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

**7. Additional CPG Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The CPG will outline and adopt ethical standards for all CPG voting members to guard against potential conflicts of interest and undue influence on any recommendation. These standards should include how CPG voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The CPG shall submit its adopted ethical standards to the City Council in its application for recognition by the City Council (see Exhibit A). The CPG should use the City's Ethics Ordinance as a guide in drafting its ethical standards. The following are examples of acceptable CPG ethical standards:

7.3.1 Example Standards of Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Example Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in-person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

**8. CPG Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the

specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled “An Ordinance Providing for Defense and Indemnification of Community Planning Groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

#### 8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

#### 8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through

its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the CPG**

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

#### **10. Term of the Terms and Conditions**

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Tierrasanta Community Council and Planning Group Community Planning Group's (CPG) bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

CPG voting members with a potential or perceived conflict of interest should recuse themselves from a CPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the CPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

CPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the CPG nor voting members in their capacity as such should use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

#### 4) Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for public office.

#### 5) Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The CPG shall establish standards for voting member professional conduct. CPG voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Tierrasanta Community Council and Planning Group Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

#### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

#### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <p><b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments.</p> | <p><b><i>Bringing people together:</i></b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.</p>  |
| <p><b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.</p>  | <p><b><i>Bringing people together:</i></b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a>.</p> |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemmingway app</a>.</p>   |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



**Meets every third  
Thursday at 6pm.**

**1234 Planning Rd  
San Diego, CA  
12345**

**Get in touch with the  
Planning Group Chair**



**Chair Name Here**  
123-456-7890  
[cpgchair@sandiego.gov](mailto:cpgchair@sandiego.gov)

**For More Information:** [www.reallygreatsite.com](http://www.reallygreatsite.com)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME   MEETING AGENDAS   MEETING MINUTES   OPERATING PROCEDURES   GET INVOLVED   More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



#### Monthly Meetings:

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

Tierrasanta Community Council:

1. Area1: Ingrid Cornax April 2023-March 2025

2. Area1: John Adair April 2022-March 2024

3. Area1: Michael Ferrell April 2022-March 2024

4. Area2: Mary Saxon April 2023 -March 2025

5. Area2: Rich Thesing April 2023-March 2025

6. Area2: Dawn Nielsen-Lostritto April 2022 -March 2024

7. Area3: Robert Lang April 2023 – March 2025

8. Area3 Jennifer Schultz-April 2023 – March 2025

9. Area3: Rebecca Schacher April 2022 – March 2024

10. Area 4: Lisa Leonard April 2023 – March 2025

11. Area4: (vacant) – April 2022 – March 2024

12. Area4: (vacant) - April 2022 – March 2024

13. Murphy Canyon: Kelly Kolterman-Brown April 2023 – March 2025

14. Murphy Canyon: Briana Taylor April 2023 – March 2025

15. Murphy Canyon: (vacant) – April 2022 – March 2024

16. Commercial: Chris Shamoon April 2023 – March 2025

17. Village @ MV: Carol Kelley

# Tierrasanta

■ Member Count

■ Percent Group

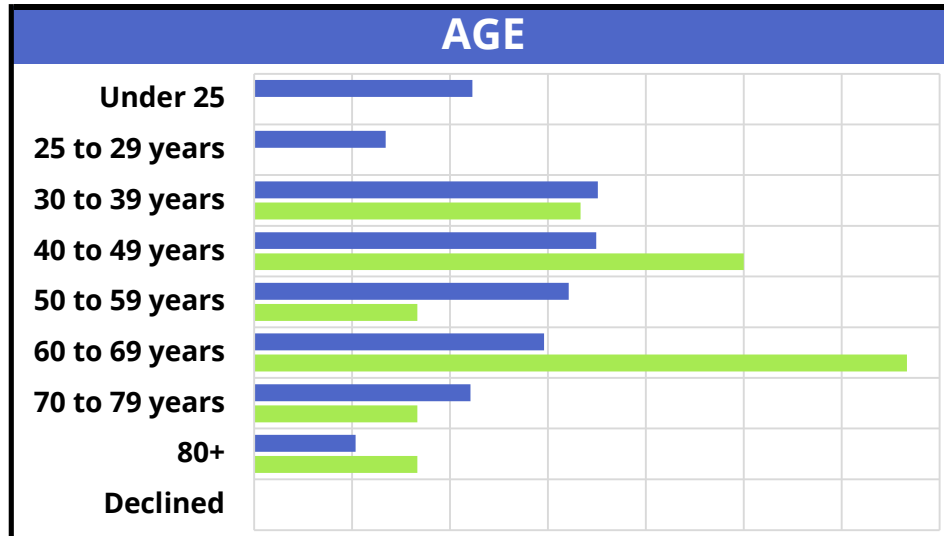
■ Percent Community

| COMMUNITY AFFILIATION               |                        |
|-------------------------------------|------------------------|
| Homeowner                           | <div><div></div></div> |
| Property Owner                      | <div><div></div></div> |
| Renter                              | <div><div></div></div> |
| Local Business Owner or Operator    | <div><div></div></div> |
| Youth Representative (Age Under 25) |                        |
| Other                               |                        |
| Declined                            |                        |
| Community Affiliation               | Member Count           |
| Homeowner                           | 11                     |
| Property Owner                      | 2                      |
| Renter                              | 1                      |
| Local Business Owner or Operator    | 2                      |
| Youth Representative (Age Under 25) | ---                    |
| Other                               | ---                    |
| Declined                            | ---                    |
| <b>Total</b>                        | <b>16</b>              |

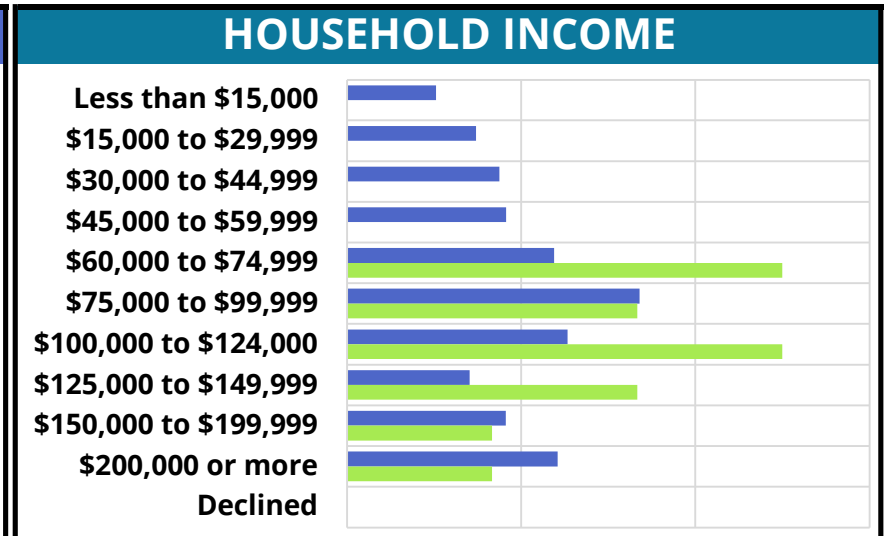
| RACE/ETHNICITY   |                        |               |                   |
|------------------|------------------------|---------------|-------------------|
| American Indian  | <div><div></div></div> |               |                   |
| Asian            | <div><div></div></div> |               |                   |
| Black            | <div><div></div></div> |               |                   |
| Hispanic         | <div><div></div></div> |               |                   |
| Pacific Islander | <div><div></div></div> |               |                   |
| White            | <div><div></div></div> |               |                   |
| Two or More      | <div><div></div></div> |               |                   |
| Other            | <div><div></div></div> |               |                   |
| Declined         |                        |               |                   |
| Race/Ethnicity   | Member Count           | Percent Group | Percent Community |
| American Indian  | ---                    | ---           | 0.3%              |
| Asian            | 1                      | 8.3%          | 12.5%             |
| Black            | 1                      | 8.3%          | 5.3%              |
| Hispanic         | 1                      | 8.3%          | 19.9%             |
| Pacific Islander | ---                    | ---           | 0.4%              |
| White            | 8                      | 66.7%         | 57.0%             |
| Two or More      | ---                    | ---           | 4.3%              |
| Other            | 1                      | 8.3%          | 0.2%              |
| Declined         | ---                    | ---           | ---               |
| <b>Total</b>     | <b>12</b>              | <b>100.0%</b> | <b>100.0%</b>     |

# Tierrasanta

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 11%               |
| 25 to 29 years | ---          | ---           | 7%                |
| 30 to 39 years | 2            | 17%           | 18%               |
| 40 to 49 years | 3            | 25%           | 17%               |
| 50 to 59 years | 1            | 8%            | 16%               |
| 60 to 69 years | 4            | 33%           | 15%               |
| 70 to 79 years | 1            | 8%            | 11%               |
| 80+            | 1            | 8%            | 5%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 5%                |
| \$15,000 to \$29,999   | ---          | ---           | 7%                |
| \$30,000 to \$44,999   | ---          | ---           | 9%                |
| \$45,000 to \$59,999   | ---          | ---           | 9%                |
| \$60,000 to \$74,999   | 3            | 25%           | 12%               |
| \$75,000 to \$99,999   | 2            | 17%           | 17%               |
| \$100,000 to \$124,000 | 3            | 25%           | 13%               |
| \$125,000 to \$149,999 | 2            | 17%           | 7%                |
| \$150,000 to \$199,999 | 1            | 8%            | 9%                |
| \$200,000 or more      | 1            | 8%            | 12%               |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>12</b>    | <b>100%</b>   | <b>100%</b>       |

# Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 22, 2023, 12:39:14 PM

What is the official name of your Planning Group?

**Torrey Hills Community Planning Board**

What community/planning area(s) are you establishing a Planning Group for? Click here to open the Community Planning Area Map

- **Torrey Hills**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? Click here to open the Council District Map

- **1**

Indicate here if you propose to have more than 20 CPG Members.

**No**

## Member Details

|                       |  |
|-----------------------|--|
| Group                 |  |
| Member Affiliation(s) | <ul style="list-style-type: none"><li>• <b>Homeowner</b></li><li>• <b>Property Owner</b></li></ul> |
| Household Income      | <b>\$150,000 to \$199,999</b>  |
| Race / Ethnicity      | <b>White</b>   |
| Age                   | <b>60 to 69</b>  |

How will your Planning Group be accessible to all members of your community?

**Flyers posted at park and at shopping center, Nextdoor website, and identifying Asian and Indian social circles for direct communications.**

How will your Planning Group fairly represent all members of your community?

**Since the community is built out, the primary goal becomes maximizing the living experience. This is done by inviting comments and fostering a healthy neighbor-to-neighbor community.**

Applicant Representative

**Victor Marshall**

Email

**svtcobra331@gmail.com**

Phone Number

**18583568944**

Please include the following documents.

- |             |  |
|-------------|--|
| <b>DOCX</b> | THCPB guidelines_for_ethical_standards.docx<br>18.3KB                  |
| <b>DOCX</b> | THCPB Operating Procedures.docx<br>78.9KB                              |
| <b>DOCX</b> | THCPB participation_and_representation_plan_appendices.docx<br>982.9KB |
| <b>DOCX</b> | THCPB Bylaws.docx<br>41.5KB  |

OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**TORREY HILLS COMMUNITY PLANNING  
BOARD**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the Torrey Hills Community Planning Board (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment (Exhibit A). In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms to the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Council Policy 600-24 and the attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

**1. Name and Geographical Boundaries**

The name of this City recognized planning group shall be Torrey Hills Community Planning

Board.

The community planning boundaries of this planning group are the boundaries of the Torrey Hills community, as shown in Exhibit B.

## **2. Responsibilities**

### 2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### 2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

### 2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using Bulletin 620 Distribution Form, or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by

conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with Policy 600-24. The planning group will submit to the City the Annual Rosters of planning group voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

#### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted

to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

#### **4. Planning Group Composition**

##### 4.1 Number of Voting Members

The planning shall consist of twelve (12) elected and three (3) appointed members to represent the community. Appointed seats are identified to represent specific interests or unique stakeholder interests present in the community planning area, such as art & culture, local businesses, or local industry.

##### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

###### 1. Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative.

###### 2. Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

##### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

###### 1. Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the planning group may create appointed non-voting seats. These appointed non-voting seats are described as follows.

In addition to elected members, the planning group has three (3) appointed seats to better represent specific interests or unique stakeholder interests of the community (e.g., businesses). San Diego Gas & Electric Company (SDG&E) has a permanent seat as a significant landowner within the planning group's boundaries (five percent of total land area). The Chairperson will appoint one seat and the Vice-Chairperson will appoint one seat to service a one-year term that

runs from January to January. Appointed seats of the planning group membership, vote on group business and, together with the elected members, are referred to throughout as “voting members of the community planning group”.

In addition to elected members, the planning group has three (3) appointed seats to better represent specific interests or unique stakeholder interests of the community (e.g., businesses). The Chairperson, the Vice-Chairperson, will appoint one seat each and agree to a third seat. All three seats to service a one-year term that runs from January to January. Appointed seats of the planning group membership, vote on group business and, together with the elected members, are referred to throughout as “voting members of the community planning group”.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 1. Maximum Time of Service

Elected members of the planning group shall be elected to serve fixed terms of three (3) years with expiration dates during alternate years to provide continuity. Voting members will not serve their service time for more than nine (9) consecutive years if voting members are elected to three-year terms. planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 2. Waivers of Maximum Time of Service

- (1) Waiving the maximum time of service shall not be permitted for any reason.

## **5. Open and Public Elections**

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate.
- Only one elected planning group voting member per property tax billing.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

## 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

### Planning group operating procedures

- Annual elections will be held in March.
  - ☐ The cut-off date for submitting a candidate nomination is the third Tuesday in February.
  - ☐ The candidate nomination shall be submitted by email to the Planning Board Vice Chairperson by 11:59pm on the third Tuesday in February.
- The Vice Chairperson shall verify each candidate's eligibility per Section 5.1.1 and 5.1.4 of these Operating Procedures prior to the Annual Election.
  - ☐ Candidates failing to meet the eligibility requirement must be notified no later than three weeks prior to the Annual Election.
  - ☐ Notification shall be by email of candidates eligibility.
  - ☐ The Notification shall describe any and all reasons if found ineligible.
  - ☐ The candidate is encouraged to resolve eligibility issues with the Vice Chairperson prior to the Annual Election. Should the issue not be resolved by the second Tuesday in March, the candidate is ineligible and name will not be placed on the ballot.
- Creation of a ballot with all candidates identified by name.
  - ☐ Prior to voting at the Annual Election, the Vice Chairperson shall provide a list of eligible candidates that shall be distributed by email and/or paper ballot to all members present physically or via remote connection (i.e. Zoom or similar).
  - ☐ Paper ballots shall be marked with the voter's first and last name.
  - ☐ Members may vote by paper ballot or email. Ballots with no first or last name shall be discarded. Results will be counted and made public.
  - ☐ The paper ballots and emails shall become part of the CPG's records and shall be maintained for five (5) years or per applicable laws, whichever is longer.
  - ☐ There shall be no write-in candidates and all votes for write-in candidates shall not be counted.

- Annual Election:

- ☐ The Annual Election shall be presided over by the Vice Chairperson.
- ☐ The Vice Chairperson shall welcome the members, remind them of the CPG's purpose, and introduce the candidates.
- ☐ Each candidate shall be given up to three minutes to introduce themselves and describe their vision for Torrey Hills.
- ☐ The Vice Chairperson shall have an assigned timekeeper that notifies each speaker when they have one minute left, when they have ten seconds left, and if necessary stop them from talking.
- ☐ After all candidates have spoken, the Vice Chairperson may decide to invite members to ask questions of the candidates. Questions must be limited to less than 30 seconds and the answer must be less than two minutes. The Vice Chairperson shall enforce time limits.
- ☐ The Vice Chairperson may end the questioning if there are no more questions or any time after the 30 minute point, whichever comes first. If questions are still being asked, the ESC may elect to continue allowing questions.
- ☐ At all times the Vice Chairperson is responsible for reminding members that statements, questions, and answers must be respectful. Failure to do so shall lead to permanent disbarment from serving on future Vice Chairperson.
- ☐ Balloting shall be by email and/or paper ballot. Prior to counting the paper ballots the Vice Chairperson shall verify that the number of received ballots equals the number of ballots cast.
- ☐ The voting shall be secret. That is, for whom a person voted shall not be made public.
- ☐ If a member is removed or resigns from the CPG.
  - ☐ At the monthly meeting immediately following the seat's vacancy the planning board chairperson shall ask if there are any nominations to replace an empty seat.
  - ☐ The remaining planning board members may nominate candidates.
  - ☐ The planning board chairperson shall conduct a public vote.
  - ☐ In the case of a tie, the process shall be repeated at the next monthly meeting.
  - ☐ Note that if two candidates had tied for a seat at a previous election (i.e. there are ten members and nine seats) then there shall be no election to replace the removed member.
- ☐ Should a candidate dispute the election results, that candidate may file a protest describing how the process was violated. At the next meeting this protest will be reviewed by the planning board. If three people on the planning board decide that the protest has merit, then the planning board minus the Chairperson and Vice Chairperson, may vote whether to make the candidate a "Member at large".
  - ☐ Should this member resign or be removed his seat will not be available for a new member.
  - ☐ The member shall serve for a one-year term.

- ☐ The member shall not count towards quorum but they may vote.

### 5.3 Election Timing

The planning board shall host its elections during the month of March each year to be consistent with other CPGs.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

### 6.2 Rules of Procedure

The planning group shall adopt Robert's Rules of Order to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

### 6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in Council Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

### 6.4 Meeting Procedures

It shall be the duty of each elected and appointed member of the planning group to attend all monthly scheduled planning group meetings.

1. REGULAR AGENDA POSTING - At least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be publicly posted in a place freely accessible to the general public physically and on-line. 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 (including information for remote participation) of the meeting. The agenda shall also be emailed to all on the planning group. The listing of the agenda item shall include the intended action of the planning group regarding that item (e.g., information item, action item).
2. PUBLIC COMMENT - Any interested member of the public may comment on agenda items during regular or special planning group meetings during the agenda item "Public Comment". 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.

- (1) Prior to the meeting, a person wishing to make a public comment shall either submit a paper slip or a chat message to the Chairperson with their name, contact info, and the topic they'd like to bring up.
- (2) The planning group may adopt time limits for public comment to ensure operational efficiencies.

3.     **ADJOURNMENTS AND CONTINUANCES** - If the planning group 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.

4.     **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.

5.     **CONSENT AGENDA** - For items to be considered for a "Consent Agenda" all of the following are required:

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

- The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

6.     **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 may be charged a fee for admittance.

7. DEVELOPMENT PROJECT REVIEW - The planning group 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.

- (1) When reviewing development projects, the planning group shall allow participation of affected property owners, residents, and business establishments within proximity to the proposed development.
- (2) 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.

8. ELECTED AND APPOINTED MEMBER VOTING

- (1) Amendments to adopted bylaws require a two-thirds vote of the voting members of the planning group.
- (2) A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the planning group.
- (3) All other planning group actions, including subcommittee votes, only require a simple majority of the voting members of the group in attendance when a quorum is present.
- (4) The planning group 's chair fully participates in planning group discussions and votes on all action items.
- (5) 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.
- (6) Votes taken on agenda items shall reflect the positions taken by the elected or appointed positions on the planning group identified in Council Policy 600-24.

9. COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the planning group 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.

10. SPECIAL MEETINGS - The chair of the planning group, 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.

11.    **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 planning group and are prohibited under these bylaws.
12.    **RIGHT TO RECORD** - Any person attending a meeting of the planning group 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.
13.    **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.

#### 6.5 Planning Group Officers

The officers of the planning group 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. No person may serve in the same planning group office for more than nine (9) consecutive years per the term limits established in Section 4.4. After a period of one (1) year in which that person did not serve as an officer that person shall again be eligible to serve as an officer. The Torrey Hills Community Planning Board officers and representatives to the planning group shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business. 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.

1. Chairperson

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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.

2. Vice Chairperson

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. The Vice Chairperson opens and presides over the Annual Meeting.

3. Secretary

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.

4. Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

**7. Additional Planning Group Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The planning group will follow the ethical standards found in Exhibit Exhibit D.

1. Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

2. Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

3. Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

4. Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

5. Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

6. Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7. Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June

1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

### **8. Planning Group Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Council Policy 600-24 and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of Council Policy 600-24, or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member

knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing SDPlanningGroups@sandiego.gov, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

#### 1. Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with Council Policy 600-24.

In the case of an alleged violation of Council Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or Council Policy 600-24 and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also

prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Council Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

### **10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with Council Policy 600-24 as it may be amended. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COUNCIL POLICY 600-24.

EXHIBIT B: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT C: MAP OF PLANNING GROUP BOUNDARIES. The Torrey Hill Community Planning Board will represent the community of Torrey Hills.

EXHIBIT D: ETHICAL STANDARDS

# TORREY HILLS COMMUNITY PLANNING BOARD BYLAWS

## ARTICLE I Name

- Section 1. The official name of this organization is Torrey Hills Community Planning Board.
- Section 2. All activities of this organization shall be conducted in its official name.
- Section 3. Deleted
- Section 4. Meetings of the Torrey Hills Community Planning Board shall be held within these boundaries, except that when the Torrey Hills Community 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 meeting facility.
- Section 5. The official positions and opinions of the Torrey Hills Community 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.

## ARTICLE II Purpose of the Community Planning Group and General Provisions

- Section 1. The Torrey Hills Community 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 to, the General Plan or a land use plan when a plan relates to the Torrey Hills community boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agency 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 Torrey Hills Community Planning Board should focus such review on conformance with the Land Development Code and 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 choose to provide a subsequent formal recommendation to the City.

Section 3. All activities of the Torrey Hills Community 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 Torrey Hills Community 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 Torrey Hills Community 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 Torrey Hills community 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 Torrey Hills Community 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 Torrey Hills Community 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 Torrey Hills Community Planning Board may propose amendments to these bylaws by two-thirds 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 Torrey Hills Community Planning Board shall consist of 15 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 Torrey Hills Community Planning Board shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the Torrey Hills Community Planning Board, elected seats are filled by distribution of seats among the following interests that represent the community (refer to Article VIII, Section 1 (b) for additional eligibility requirements):

- A. 10 seats for Residents
- B. 2 Business Seats representing retail or commercial business operating in the community.
- C. 1 seat for Property owners owning greater than 2 acres.

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) Resident who is an individual whose primary address of residence is an address in the community planning area, or
- (2) Local businessperson, 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, where only one representative of a particular establishment may hold a seat on the community planning group at one time, or
- (3) Property owner, who is the sole or partial owner of record, or designee, of real property (either developed or undeveloped), within the

community planning area of greater than 2 acres; only one vote per property greater than 2 acres.

An individual may become an eligible member of the community by demonstrating qualifications to be an eligible member of the community to the planning group secretary or election committee prior to the March election or at time of voting.

Once eligibility to vote is established, an individual remains an eligible member of the community until the 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 Torrey Hills Community Planning Board shall require proof of eligibility during elections.

The Torrey Hills Community Planning Board has two appointed seats to better represent specific interests of the community. There is one seat for the SDG&E representative and one seat for the Carmel Valley South Community Planning Area representative. Appointed seats are counted in the 15-member planning group membership and vote on the planning group business.

Appointed seats may be removed by a 2/3 vote of the planning group.

Members of the Torrey Hills Community Planning Board shall be elected to serve for a fixed term of two years with expiration dates during alternate years to provide continuity.

Section 3. Members of the Torrey Hills Community Planning Board shall be elected to serve for fixed terms of two years with half the seats expiring on even numbered years, the other half expiring on odd numbered years.

No person may serve on the planning group for more than 9 consecutive years.

The 9-year limit refers to a 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 9 consecutive years shall again be eligible for election to the planning group.

- Section 4. A member of the Torrey Hills Community Planning Board must retain eligibility during the entire term of service.
- Section 5. A member of the Torrey Hills Community 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. 0-19883 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 Torrey Hills Community 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 Torrey Hills Community 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 the Torrey Hills Community Planning Board 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 Torrey Hills Community 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 seat.

The Torrey Hills Community Planning Board shall fill vacancies at the time the vacancies are declared. Vacancies shall be filled by selection by planning group members at the time the vacancies are declared. Nominations will be considered at the next regular meeting followed by a planning group vote.

Two or more concurrent community planning group vacancies shall be filled by a vote of all eligible members of the community by secret written ballot.

Community members that are ineligible to serve may not fill a vacant seat.

- Section 3. When the Torrey Hills Community Planning Board is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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. 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 the Torrey Hills Community Planning Board members shall be held during the month of March in accordance with the election procedures found in Article VII, Section 1(e) of these bylaws.

The Torrey Hills Community 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 subcommittee shall be established no later than January and shall begin soliciting eligible community members to become candidates. In February, the Election subcommittee 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 must have documented attendance at one meeting of the Torrey Hills Community Planning Boards last 12 meetings prior to the February regular meeting preceding the election.

Section 2. The Torrey Hills Community 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 8 consecutive years to leave the group for at least one year.

The Torrey Hills Community Planning Board holds its election at the March regular meeting. Voting will occur before the beginning of the meeting.

The Torrey Hills Community 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 a 2/3 majority of the vote due to service beyond eight or nine consecutive years of service. Voting may only take place within respective categories.

There are 10 Resident seats. 5 will be up for election in one year and the other 5 in the next year. The Carmel Valley appointed seat will serve a term of 2 years beginning with the appointment cycle in 2016.

The 2 Business seats and 1 Property Owner seats will be for 2-year terms beginning in 2017.

The SDG&E seat is a permanent seat.

The Torrey Hills Community Planning Board does not allow write-in candidates. Any vote cast for a write-in candidate is an invalid vote and will not be counted.

Section 3. Voting to elect new 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 Torrey Hills Community 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 subcommittee 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 additional voting procedures.

## ARTICLE VI Community Planning Group and Planning Group Member Duties

Section 1. It is the duty of the Torrey Hills Community 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, 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 Torrey Hills Community Planning Board to attend all planning group meetings.

(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.

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.

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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 Torrey Hills Community 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.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the Torrey Hills Community Planning Board.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the Torrey Hills Community Planning Board.

All other Torrey Hills Community Planning Board actions, including subcommittee votes, only require a simple majority of the voting members of the group in attendance when a quorum is present.

The Torrey Hills Community Planning Board 's chair 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 agenda items shall reflect the positions taken by the elected or appointed positions 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 Torrey Hills Community 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 Torrey Hills Community 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 Torrey Hills Community Planning Board and are prohibited under these bylaws.

(xii) RIGHT TO RECORD -Any person attending a meeting of the Torrey Hills Community 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) Subcommittees**

at The Torrey Hills Community Planning Board may establish standing and ad hoc subcommittees when their operation contributes to more effective discussions regular planning group meetings.

- (i) STANDING SUBCOMMITTEES -Pursuant to the purpose of the Torrey Hills Community Planning Board as identified in Article II, Section 1, the planning group has established the following standing subcommittees: 1) the Development review subcommittee and 2) the Maintenance Assessment District (MAD) subcommittee and will create, as needed, ad hoc subcommittees to address particular planning or operational matters. The committee must have at least 2 members.
- (ii) AD HOC SUBCOMMITTEES -Ad hoc subcommittees may be established for a finite period of time to review more focused issue areas and shall be disbanded following their review. The committee must have at least 2 members.
- (iii) SUBCOMMITTEE COMPOSITION -Subcommittees shall contain a majority of members who are members of the planning group.
- (iv) Non-members, who are duly appointed by a planning group to serve on a subcommittee, may be indemnified by the City in accordance with

Ordinance No. 0-19883 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

- (v) RECOMMENDATIONS-Subcommittee 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 subcommittee 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 Torrey Hills Community Planning Board with a direct economic interest in any project that comes before the planning group or its subcommittees 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 of the materials requested by an individual or individuals.

- (iii) **MINUTES** -For each planning group meeting, a report of the Torrey Hills Community Planning Board's 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 Torrey Hills Community 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** -The Torrey Hills Community Planning Board's 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 planning group operations and compliance. The planning group 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 Torrey Hills Community 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 Torrey Hills Community 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 Torrey Hills Community 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 made voluntarily, 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 Torrey Hills Community 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. 0-19883 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 0-19883 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 Torrey Hills Community 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. The officers shall be elected at the April meeting following the March election.

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 Chair shall set the agenda and be the point of contact for development applicants.

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.

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 CPC with the same voting rights and privileges as the chair. Designation of a member other than the chair 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 Torrey Hills Community Planning Board officers and representatives to the CPC shall promptly disseminate to all elected 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 Torrey Hills Community 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 Torrey Hills Community Planning Board procedures regarding community participation:

Public comment will be conducted at the beginning of meetings to allow community participation on non-agenda items.

The public will be given ample opportunity to comment on agenda items. However, the Board reserves the right to limit public input (time limit) when many speakers are present.

### **(b) Planning Group Composition**

The following are the Torrey Hills Community Planning Board supplemental procedures pursuant to Article III, Section 2 regarding planning group composition:

- (i.)      Elected Seats. Planning Board members and candidates for membership shall meet the requirements discussed in Article V, Section 1 as well as the following eligibility requirements for their respective seat:

- a. A 'Resident at Large' member shall be an individual whose primary address of residence is within the Torrey Hills community planning area.
  - b. A 'Resident of a Geographic Region' member shall be an individual whose primary address of residence is an address in the Geographic region they seek to represent.
- (ii.) Appointed Seats.
  - a. The 'San Diego Gas and Electric' member shall be appointed by SDG&E and must be filled by a person currently employed by SDG&E. In addition, the SDG&E representative shall also appoint an alternate employee who may attend meetings and have the same authority as the primary SDG&E board member in the primary representative's absence.
  - b. 2) The 'Carmel Valley South Community Planning Area' member shall be nominated by the chair of the Torrey Hills Community Planning Board and appointed by a vote of the Planning Board. The member shall be a resident of Cannel Valley Neighborhoods 8a, 8b, or 8c or within the western portion of Neighborhood 10.

### **(c) Conduct of Meetings**

The following are the Torrey Hills Community Planning Board procedures regarding conduct of planning group meetings:

Meetings shall be noticed at least 72 hours in advance of the meeting, in a public place easily accessed by the community.

Meetings are conducted using the latest version of Robert's Rules of Order. Board members will all times address the public and other members civilly and respectfully. Public comment on non-agenda items will be conducted at the beginning of each meeting. Presentation of agenda items will allow for a reasonable length of public comment; however time should be set aside for the board to deliberate these issues without interruption.

Subcommittees can be composed of both board members and members of the community/public. A board member will always chair such subcommittees and meetings of subcommittees will be noticed publicly.

The New Development subcommittees meet regularly each month. All meetings of this subcommittee shall be publicly noticed.

The Elections Subcommittee is formed at the January meeting and will meet to solicit eligible candidates, advertise the election and determine proper election procedure.

#### **(d) Member and Planning Group Responsibilities**

The following are the Torrey Hills Community Planning Board procedures regarding member and planning group responsibilities:

The planning group's official positions may be represented only by the Chair or their designee.

Bylaw Amendments shall be initiated by the Planning Group, for discussion and review by the By-Laws Sub Committee, then presented for discussion and review to the Planning Group but can only be approved in its entirety at the following Planning Group meeting.

Planning group member's participation on other committees or with other organizations is bound by the Brown Act.

#### **(e) Elections**

The Administrative Guidelines provides general guidance for planning group elections. The following are procedures pertaining to the elections provisions of these bylaws:

Voting takes place prior to the regularly scheduled March meeting and is to be open for a minimum of two- and one-half hours before the meeting's time of 6:30 p.m. All residents of Torrey Hills are eligible to vote. An Election Subcommittee will be established at the January meeting. This subcommittee will meet to solicit eligible candidates and determine proper conduct of the election. Members will be elected based on a plurality of votes.

Residents shall produce proof of residence (driver's license, utility bill, property tax bill or similar documents).

Business owners shall produce proof of business address (letterhead, business card, business license or similar) -Note: Only one vote per business.

Investor Owners shall produce property tax statement, grant deed or similar proof of ownership and showing the fact that the property(s) are greater than 2

acres in size and that they represent that ownership entity. Note only one vote per parcel greater than 2 acres.

## ARTICLE IX Rights and Liabilities of Recognized Community Planning Group

Section 1. Indemnification and Representation. The Torrey Hills Community 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 0-19883 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 Torrey Hills Community 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 Torrey Hills Community Planning Board.**

In cases of alleged violations of the Torrey Hills Community 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 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 planning group may remove a member by a two-thirds vote of the voting members 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. 0-19883 NS, and any future amendments thereto.

Investigation procedures for elected member violations are outlined below:

Any action by the Torrey Hills Community 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 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 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 chair 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 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 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 the remedy.
- If the chair, with assistance from the planning group officers, determines that the situation cannot be remedied and that the interests of the community and Torrey Hills Community 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 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 chair or from the offending planning group member will be made available to the elected planning group members prior to the meeting.
- The matter will be discussed at the planning group's regular meeting with an opportunity given to the planning group member who committed the violation to present their case and/or 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 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 an 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.

as

**(b) Alleged Violations Against the Torrey Hills Community 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 Torrey Hills Community 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 risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. 0-19883 NS, and any future amendments thereto.

## **Guidelines for CPG Ethical Standards**

### **As required for CPG Recognition by Terms and Conditions, Exhibit A**

This document describes recommended ethical standards the Torrey Hills Community Planning Board's bylaws should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

Planning Board voting members with a potential or perceived conflict of interest should recuse themselves from a Planning Board hearing on matter for which an economic interest exists or could appear to exist for them, their family, friends, or employer. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

Exceptions to conflicts of interest may be granted by the Planning Board board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

#### 2) Abstentions for Potential Conflicts of Interest

Planning Board voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The Planning Board's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a Planning Board quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 3) Political Actions

Neither the Planning Board nor voting members in their capacity as such may use their title from or position on a Planning Board for political endorsements of individuals. Planning Board members may not represent themselves in any media as the spokesman for the group without the Planning Board's approval in writing. This approval must be the result of a vote approved by a majority of the Planning Board. Furthermore this approval may be used one time only for the specific circumstances voted upon.

The Planning Board may, upon majority vote, take a position on pending legislation that is within the Planning Board's purview.

#### 4) Donations

Neither the Planning Board nor its voting members may accept donations of any kind from any

entity.

#### 5) Equal Time for Candidates or Ballot Measures

The Planning Board will endeavor to grant equal time for candidates or ballot measures if docketed on their agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 6) Professional Conduct

The Planning Board shall establish standards for voting member professional conduct. Planning Board voting members should treat each other, applicants, city staff, and the public with courtesy and respect at all times.

**Community Participation & Representation Plan**  
**As required for Planning Group Recognition by Terms and Conditions,**  
**Exhibit A of Council Policy 600-24**

The Torrey Hills Community Planning Board (“Planning Board”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Board members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Boards to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

This plan strives to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

**Overarching Goal**

- Educate community members about the role of our Planning Board and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools and government organizations to build relationships and trust with the community. Improving the flow of concerns and proposals from the community to the government in a way that is helpful to the government is our goal.
- Increase and diversify participation in monthly Planning Board meetings and decision-making.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

**Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Meetings will be conducted by the Chairperson who will be responsible for keeping discussions respectful and on track. The Chairperson may at his or her discretion limit a speaker’s time by issuing a three minute notice to complete.

- Ensure a safe, accessible meeting space.

#### **Plan for Community Involvement**

- Create a simple Planning Board flyer to advertise in community hubs such as bulletin boards at the Vons shopping center, Ocean Air and Torrey Hills schools, and the Ocean Air recreation facility. The flyers will include meeting information to help educate the community on the role of the Planning Board, how to get involved, and the benefits of serving on a Planning Board.
- Share meeting information in digital formats including social media pages and a dedicated Planning Board website. A website will be maintained and will include topics of local interest, links to virtual monthly meetings, previous meeting minutes, and the upcoming meeting's agenda when available.
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Park and Rec Building(s)
  - Nextdoor
  - Grocery Stores
  - Coffee shops
  - Schools
  - Hosted web page
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media
- Host a Summer informal event outside of Planning Board meetings to invite the public to learn about the Planning Board and how to participate in monthly meetings. The event will alternate between Ocean Air Park and Torrey Hills Park.
- Organize informal town hall events within Torrey Hills neighborhoods to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Board to attend.
- Work with the council office and the Mayor's Office to amplify outreach.

#### **Measuring Success**

- Data to be collected will include month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, metrics of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Boards. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

### Community Planning Groups

Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| <b>Briefings:</b> A regular meeting to provide an opportunity to inform and educate.  | <b>Share Information:</b> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| <b>Hotline/Dedicated Planning Group phone number:</b> A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <b>Share Information:</b> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| <b>Electronic forums, social media groups, and email:</b> Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <b>Share Information:</b> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| <b>Printed public information materials:</b> Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <b>Share Information:</b> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| <b>Newspaper/Newsletter:</b> Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <b>Share Information:</b> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| <b>Websites:</b> Websites are developed to provide accessible information to the public.  | <b>Share Information:</b> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |



## Community Planning Groups

Engagement Techniques Worksheet

| Technique and Description  | Typical Application   |
|--|---|
| <b>Expert Panels:</b> An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <b>Share Information:</b> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| <b>Comment Forms:</b> Written or email/web-based forms for collecting and documenting input and comments from the public.  | <b>Collect and Compile Input:</b> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| <b>Partnering with Community-Based Organizations:</b> Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <b>Collect and Compile Input:</b> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| <b>Pop-Up Events:</b> These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <b>Bringing people together:</b> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| <b>Open Houses:</b> An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <b>Bringing people together:</b> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| <b>Tours and Field Trips:</b> This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <b>Bringing people together:</b> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| <b>Workshops:</b> An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <b>Bringing people together:</b> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a "community vision". This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |



## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description  | Typical Application  |
|--|--|
| <b>Public Meetings:</b> These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <b>Bringing people together:</b> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| <b>Web-based Meetings:</b> Meetings can also be held online to reach people who are normally unable to participate in person.  | <b>Bringing people together:</b> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

### Community Planning Groups

#### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (Panda) and other survey guides.

#### Types of survey tools to consider:

|                  |  |
|------------------|--|
| <b>In-Person</b> | Conducted in-person, generally in a public place.  |
| <b>Mail</b>      | Surveys that are sent to participants via mail which may include envelopes to return the survey. |
| <b>Email</b>     | Survey is emailed to potential participant via a link.   |
| <b>Online</b>    | A survey that is posted online via link on a webpage.  |
| <b>Telephone</b> | Participants are called by interviewers and asked to answer survey questions.                    |

#### What is the purpose of your survey and who is your target?

|   |   |
|---|---|
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use "recommend."</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use "support."</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>"Are community parks clean and safe?" = wrong</p> <p>"Are community parks clean?" and "Are community parks safe?" = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn't have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don't have an option for both "library and recreation center."</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an "other, please specify" as a fill-in option to capture any responses that are not covered.</p>                         |

### Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.





**Community Planning Groups**

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP

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HOME MEETING AGENDAS MEETING MINUTES OPERATING PROCEDURES GET INVOLVED More

**Welcome!**

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



**Monthly Meetings:**

Occur every 3rd Wednesday of the month.

Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199

Time: 6:00 p.m. to 8:00 p.m.

See Menu Bar above for meeting agenda.

# Torrey Hills

■ Member Count

■ Percent Group

■ Percent Community

| COMMUNITY AFFILIATION               |  |  |  |
|-------------------------------------|--|--|--|
| Homeowner                           |  |  |  |
| Property Owner                      |  |  |  |
| Renter                              |  |  |  |
| Local Business Owner or Operator    |  |  |  |
| Youth Representative (Age Under 25) |  |  |  |
| Other                               |  |  |  |
| Declined                            |  |  |  |

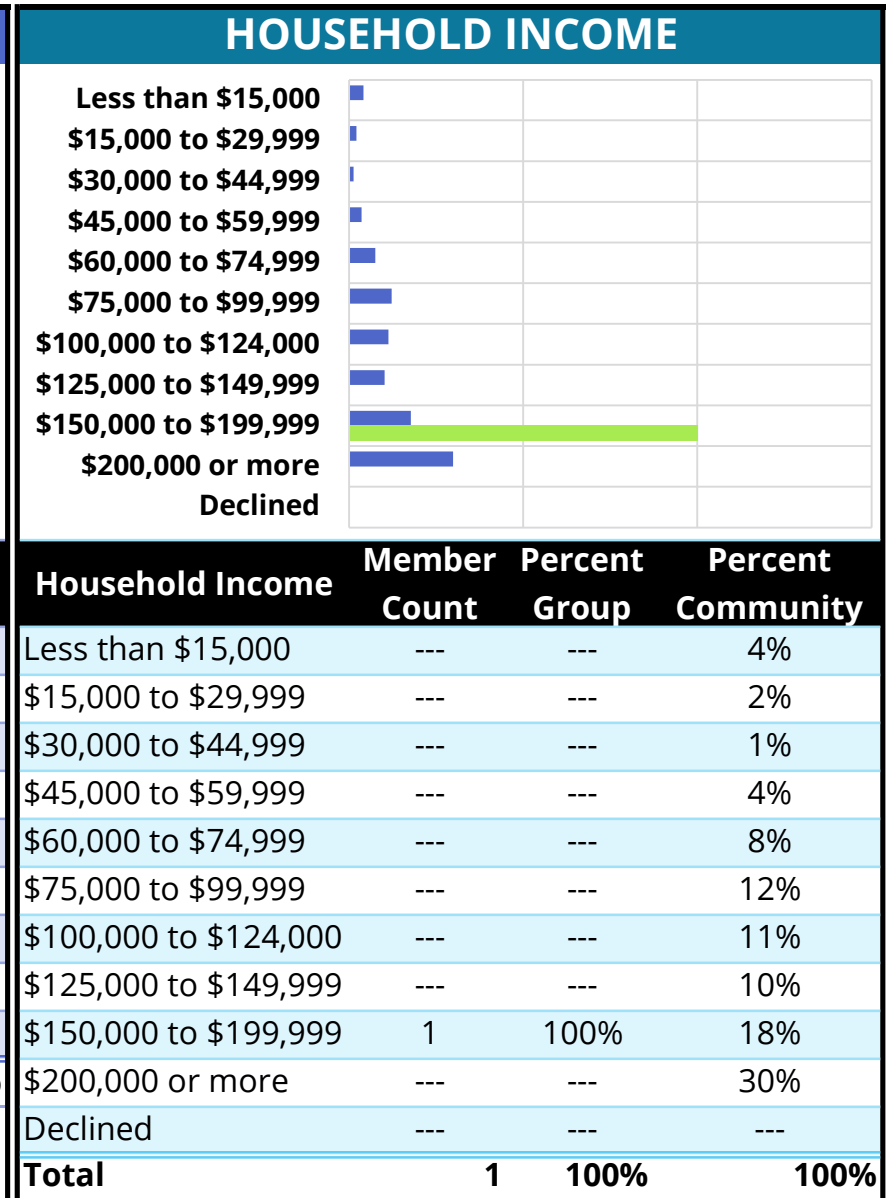
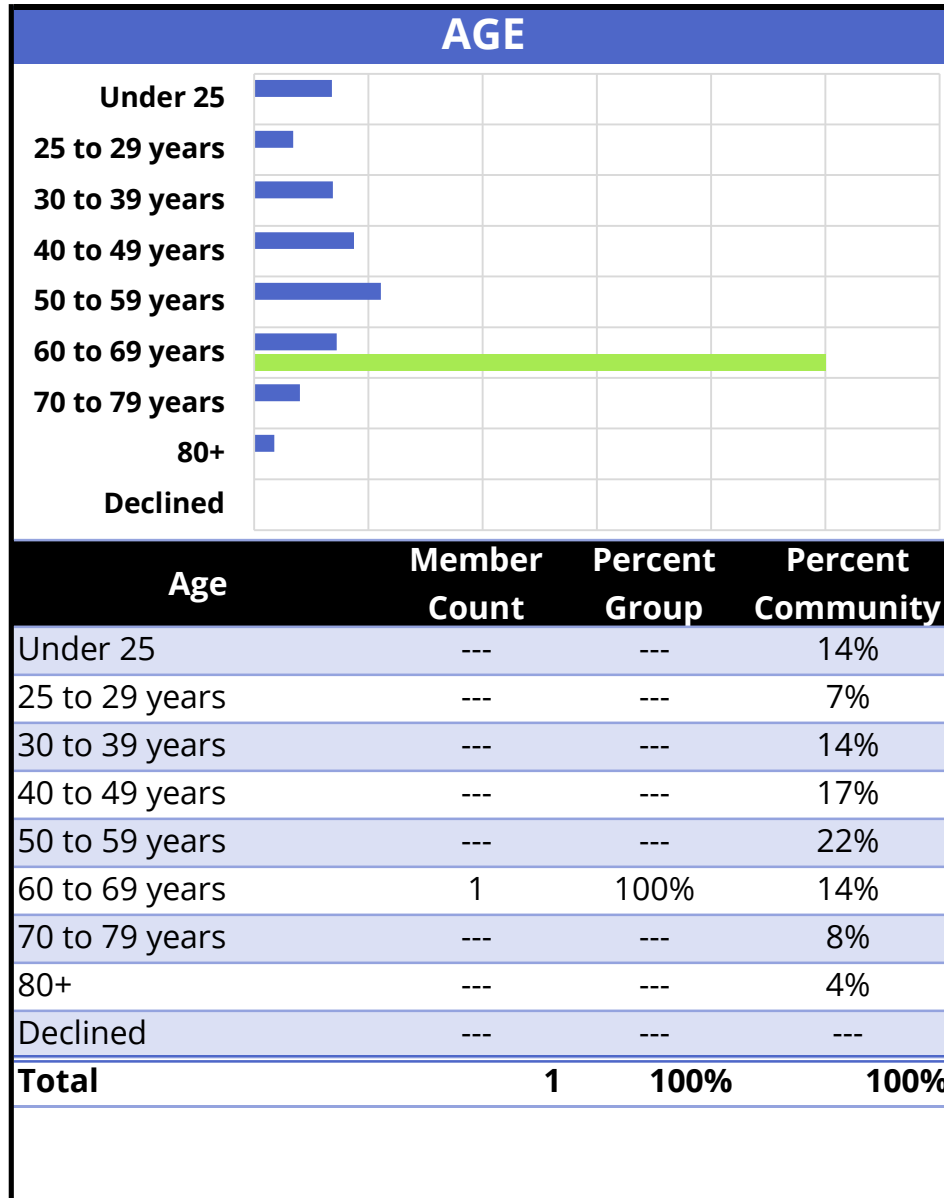
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 1            |
| Property Owner                      | 1            |
| Renter                              | ---          |
| Local Business Owner or Operator    | ---          |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>2</b>     |

| RACE/ETHNICITY   |  |  |  |
|------------------|--|--|--|
| American Indian  |  |  |  |
| Asian            |  |  |  |
| Black            |  |  |  |
| Hispanic         |  |  |  |
| Pacific Islander |  |  |  |
| White            |  |  |  |
| Two or More      |  |  |  |
| Other            |  |  |  |
| Declined         |  |  |  |

| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | ---          | ---           | 30.5%             |
| Black            | ---          | ---           | 2.0%              |
| Hispanic         | ---          | ---           | 9.1%              |
| Pacific Islander | ---          | ---           | 0.3%              |
| White            | 1            | 100.0%        | 53.4%             |
| Two or More      | ---          | ---           | 3.9%              |
| Other            | ---          | ---           | 0.4%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>1</b>     | <b>100.0%</b> | <b>100.0%</b>     |

# Torrey Hills

■ Percent Group ■ Percent Community



## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 20, 2023, 5:47:45 PM

What is the official name of your Planning Group?

**TORREY PINES COMMUNITY PLANNING BOARD**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **Torrey Pines**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **1**

Indicate here if you propose to have more than 20 CPG Members.

**No**

How will your Planning Group be accessible to all members of your community?

**The Torrey Pines Community Planning Group (CPG) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests. We recognize that soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City and make every reasonable effort to do so. For example: 1. We create monthly Agendas containing information about our monthly meetings and offer a Zoom link for community members to attend remotely. These flyers are posted on a community bulletin board located at the Bayside Shopping Center in Del Mar Heights. 2. We maintain a website, [www.torreypinescommunity.org](http://www.torreypinescommunity.org), which publishes Notices for upcoming meetings, contains records of meeting Minutes, information on major projects within the community, and information about our membership and ways of participating. In addition, visitors to our website can access applications for joining the Board, ballots for regular and special elections, and contact information for the Chair & Project Review Committee Chair. The website also provides links to our Bylaws, Community Plan, and useful links to Community Resources. 3. We have a Project Review Subcommittee consisting of licensed land use professionals that meet separately from the regular Board to ensure that the community has ample time to review and understand projects being proposed in the subarea, and to allow more time at our regular Board meetings to address other community issues of importance. 4. We regularly engage with environmental groups, state agencies, and neighboring municipalities, to discuss areas of common interest with the goal of ensuring the interests of the Torrey Pines Community are represented and protected. 5. We regularly engage with the City of San Diego DSD Staff and our City Council office regarding projects affecting our community to ensure compliance with our Adopted Community Plan. 6. We post meeting Agendas regularly on social media (Nextdoor), 7. We also write articles and post Notices in the Del Mar Times periodically to extend our outreach efforts. 8. If the above efforts are deemed insufficient, we will walk a residential neighborhood, and/or our commercial and industrial zoned areas, to distribute Notices, improve our outreach efforts, and/or to solicit representation from those groups on our Board.**

How will your Planning Group fairly represent all members of your community?

**The Torrey Pines Community Planning Group (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. The Goal of our Community Participation & Representation Plan is to ensure that the planning group is representative of the unique demographics and characteristics of our community as reflected on SANDAG’s Data Surfer website. Eleven (11) seats are reserved for residents, property owners, and renters so that residents are fairly represented within the community. In addition to homeowners, property owners, and renters, the 2,600-acre community also encompasses commercial, industrial, and open space land uses. Open space consisting of approximately 1,000-acres of environmentally sensitive coastal resources occupy approximately 39% of the planning area. These areas are managed by both California State Parks, and the Los Penasquitos Lagoon Foundation. Due to the significance of this resource within our subarea, one (1) seat is reserved for a representative of the Los Penasquitos Lagoon Foundation, to ensure these resources are represented and protected in accordance with our Community Plan. Twenty-six acres, or 1% of the community consists of land designated for commercial development: 1) a 12-acre shopping center at the north-west corner of I-5 and Del Mar Heights Road; 2) an approximately ten-acre area at the northern end of the community just south of Via De La Valle; 3) a 2.96-acre shopping center located at the northwest corner of I-5 and Carmel Valley Road, and; 4) a small commercial area located on lots fronting Carmel Valley Road, between Via Donada and just north of Via Aprilia. Industrial development comprises 380-acres of land in Sorrento Valley, or approximately 15% of the community. This includes manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and support commercial and retail uses. To ensure that the Sorrento Valley Industrial area and Commercial Development is fairly represented, one (1) seat is reserved for businesses. Additionally, two elementary schools are located within the community. Outreach with the District is ongoing.**

Applicant Representative

**Adam Gevanthor, rla #3393, Chair, Torrey Pines Community Planning Group**

Email

**Chair@torreypinescommunity.org**

Phone Number

**(858) 793-5450**

Please include the following documents.

- |            |  |
|------------|--|
| <b>PDF</b> | Detailed Application Responses-Attachment B.pdf<br>145KB |
| <b>PDF</b> | DRAFT-TPCPB OPERATING PROCEDURES 12-20-23.pdf<br>145.8KB |
| <b>PDF</b> | TPCPB Member Composition Form-Attachment A.pdf<br>154KB  |

How will your Planning Group be accessible to all members of your community? Please provide five (5) examples of efforts that your organization will employ to broadly share and publicize the opportunity to participate in the Planning Group and engage the overall community about land use-related issues. Examples can include, but are not limited to those found in [Council Policy 600-24 Exhibit A – Planning Group Community Participation and Representation Plan](#) such as maintaining a website, a community bulletin board, partnerships with other community-wide/neighborhood-level organizations, surveys on top concerns and issues in the community, etc. (Maximum 500 Words). You may paste in text from another document here.

The Torrey Pines Community Planning Group (CPG) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests. We recognize that soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City and make every reasonable effort to do so. For example:

1. We create monthly Agendas containing information about our monthly meetings and offer a Zoom link for community members to attend remotely. These flyers are posted on a community bulletin board located at the Bayside Shopping Center in Del Mar Heights.
2. We maintain a website, [www.torreypinescommunity.org](http://www.torreypinescommunity.org), which publishes Notices for upcoming meetings, contains records of meeting Minutes, information on major projects within the community, and information about our membership and ways of participating. In addition, visitors to our website can access applications for joining the Board, ballots for regular and special elections, and contact information for the Chair & Project Review Committee Chair. The website also provides links to our Bylaws, Community Plan, and useful links to Community Resources.
3. We have a Project Review Subcommittee consisting of licensed land use professionals that meet separately from the regular Board to ensure that the community has ample time to review and understand projects being proposed in the subarea, and to allow more time at our regular Board meetings to address other community issues of importance.
4. We regularly engage with environmental groups, state agencies, and neighboring municipalities, to discuss areas of common interest with the goal of ensuring the interests of the Torrey Pines Community are represented and protected.
5. We regularly engage with the City of San Diego DSD Staff and our City Council office regarding projects affecting our community to ensure compliance with our Adopted Community Plan.
6. We post meeting Agendas regularly on social media (Nextdoor),
7. We also write articles and post Notices in the Del Mar Times periodically to extend our outreach efforts.
8. If the above efforts are deemed insufficient, we will walk a residential neighborhood, and/or our commercial and industrial zoned areas, to distribute Notices, improve our outreach efforts, and/or to solicit representation from those groups on our Board.

**How will your Planning Group fairly represent all members of your community?** Please explain how your Planning Group's member composition is representative of the [diverse interests](#) in your community. (Maximum 500 Words). You may paste in text from another document here.

The Torrey Pines Community Planning Group ("Planning Group") is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households.

The Goal of our Community Participation & Representation Plan is to ensure that the planning group is representative of the unique demographics and characteristics of our community as reflected on SANDAG's Data Surfer website. **Most seats of the Planning Group are filled by residents, and property owners, which represent the majority of the unique demographics and characteristics of our community.**

In addition to homeowners, property owners, and renters however, the 2,600-acre community also encompasses commercial, industrial, and open space land uses.

Open space consisting of approximately 1,000-acres of environmentally sensitive coastal resources occupies approximately 39% of the planning area. These areas are managed by both California State Parks, and the Los Penasquitos Lagoon Foundation. Due to the significance of this resource within our subarea, **one (1) seat is reserved for a representative of the Los Penasquitos Lagoon Foundation or other environmental group dedicated to providing oversight and protection of these resources**, to ensure they are represented and protected in accordance with our Community Plan.

Twenty-six acres, or 1% of the community consists of land designated for commercial development: 1) a 12-acre shopping center at the north-west corner of I-5 and Del Mar Heights Road; 2) an approximately ten-acre area at the northern end of the community just south of Via De La Valle; 3) a 2.96-acre shopping center located at the northwest corner of I-5 and Carmel Valley Road, and; 4) a small commercial area located on lots fronting Carmel Valley Road, between Via Donada and just north of Via Aprilia.

Industrial development comprises 380-acres of land in Sorrento Valley, or approximately 15% of the community. This includes manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and support commercial and retail uses.

**To ensure that the Sorrento Valley Industrial area and the community's Commercial Development is fairly represented, one (1) seat is reserved for businesses.**

Additionally, two elementary schools are located within the community. Outreach with the District is ongoing.



OPERATING PROCEDURES FOR CITY COUNCIL RECOGNITION  
OF THE  
**TORREY PINES COMMUNITY PLANNING  
BOARD**  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER  
CITY COUNCIL POLICY 600-24

**Introduction and Background**

Through this document, the **Torrey Pines Community Planning Board** (the the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

**1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **Torrey Pines Community Planning Board (abbreviated as TPCPB)**.

The community planning boundaries of this planning group are the boundaries of the **Torrey**

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**Pines Community**, as shown in Exhibit A.

**2. Responsibilities**

2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible

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location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

**2.5 Maintenance of Open Records**

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

**2.6 Independent Entity**

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

**3. Community Participation and Representation**

**3.1 Membership**

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

**3.2 Community Outreach**

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

**3.3 Collection of Membership Data**

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted

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to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

**4. Planning Group Composition**

4.1 Number of Voting Members

The planning group will have no fewer than ten (10) and no more than twenty (20) voting members, respectively, representing the various community interests set forth in these Operating Procedures. The Council may recognize a planning group with more than 20 voting members if the larger membership is necessary to give better representation to a community. The **TPCPB** shall consist of sixteen (16) elected and appointed members to represent the community. Appointed seats are identified to represent specific interests or unique stakeholder interests present in the community planning area, such as art & culture, local colleges and universities, regional industries, other agencies (e.g military, school district, Port of San Diego, etc.)

4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either 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; (2) homeowner or renter, 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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seat

In addition to elected members, the **TPCPB** will have one (1) appointed seat to be filled by a

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representative of the Los Penasquitos Lagoon Foundation or other environmental group dedicated to providing oversight of coastal open space resources within the planning area. This appointee need not reside in the community. If a representative of the Los Penasquitos Lagoon Foundation or other environmental group is not available to fill this seat, then it shall remain vacant. This seat must be approved by a majority vote of the planning group and their appointment shall be for a three (3) year term. The appointed seats are considered: members of the community planning group membership, able to vote on group business and, together with the elected members, referred to throughout as one of the “voting members.”

4.3.2 Reserved Seats

In addition to the appointed seat, one (1) seat shall be reserved for a local business person, who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

If there is no candidate for such a seat during an election, then a runner-up candidate may be appointed to that seat by a majority of the voting member of the community planning group and serve a term of one year. The appointed seat is considered: a member of the community planning group membership, able to vote on group business and, together with the elected members, referred to throughout as one of the “voting members” of the community planning group.

4.3.3 Youth Seats

Should the planning group establish any youth seats, such members would have the same rights, privileges, duties, and responsibilities as their adult colleagues. They may serve on subcommittees, including the election subcommittee. They may participate in Committee discussions and in voting on matters being heard by the Committee. Their votes shall be tallied as part of the community voting procedure. Prior to beginning their term, youth members that are under the age of 18 shall provide written permission from their legal guardian to serve on the Committee.

4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

Members of the **TPCPB** shall be elected to serve fixed terms of 3 years, with expiration dates during alternate years to provide continuity, when possible. Voting members will not serve their service time for more than nine (9) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote

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of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless it is necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## 5. Open and Public Elections

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.
- (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B)

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bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

**5.1.2 Voter Identification for Community Business Owners**

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

**5.1.3 Voter Identification for Community Non-Profits**

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

**5.1.4 Voter Identification for Community Non-Resident Property Owners**

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

**5.2 Transparency and Inclusion in Operations**

The following provisions govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

**5.2.1 Election Procedures:**

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The TPCPB shall designate a member who is not up for re-election to serve as the election representative (both regular and special elections). This election representative shall be responsible for organizing and overseeing the elections and shall solicit assistance from other planning board members not up for re-election and perhaps from volunteers from the community not running for election, hereafter known as the election subcommittee. The election subcommittee shall be approved by the Board, and shall be responsible for verification of candidate eligibility, creation candidate application, creation and content of ballots, handling of a candidate's absence from a scheduled candidates' forum, location and voting times for polls, management of polls, setting of election date(s) and times, counting of ballots, and enforcement of the following election operating procedures.

- a) Applications for candidacy in the March general election shall be submitted concurrently to the election representative and Chair prior to the February noticed regular or special meeting, and applications for candidacy in a special election shall be submitted one month prior to the regular noticed or special meeting in which the special election will occur.
- b) Candidate eligibility shall be verified prior to printing a ballot and the forms of verification required for eligibility shall be per Section 5.1.1. through 5.1.4 of these operating procedures.
- c) A ballot shall be created with all candidates' identification such as name, community affiliation they are fulfilling per Section 4.2 and 4.3, and what terms or remaining terms they are filling. Ballot shall clearly identify which seats eligible 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 2/3 majority of the vote due to service beyond nine consecutive years of service. Ballot shall indicate that write-in candidates are not allowed.
- d) Handling of a candidate's absence from a scheduled candidates' forum: A proxy representing the candidate may read their statement in their absence or a hybrid meeting can be arranged by the planning group if a candidate can't attend in-person for a particular reason.
- e) Location(s) of polls. Polls shall be located at the location of the noticed regular or special meetings in March or as otherwise approved by the Board. Poll location and times shall be shown on TPCPB website, noticed Agenda, and advertised in local newspaper.
- f) Management of the polls should address what roles volunteers, members of an election subcommittee, or a combination thereof will have in managing the polls or how individuals with disabilities are accommodated.
- g) Verification of voter eligibility shall occur as referenced in Sections 5.1.1 through 5.1.4 in these Operating Procedures.
- h) The election representative shall ensure that the annual election date is the noticed, regular meeting date in March or as otherwise approved by the Board.
- i) The election representative shall ensure that special elections are noticed and approved by the Board, similar to the annual election.
- j) Voting times are either during or just before the noticed, regular March meeting. Special Meeting voting times are either during or just before the noticed, regular

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- meeting, or special meeting, of the month in which the special meeting is held.
- k) Closing the polls, such as indicating when the closing of the polls is announced during a regular meeting, and when a final call for ballots is announced prior to closing, will be announced by the election representative or Chair.
  - l) The election's representative and/or election's subcommittee shall maintain confidentiality of secret written ballots by ensuring that completed ballots are deposited into a sealed container and only opened just before counting. The sealed container will be continually monitored by members of the election committee. The container will only be opened after the polls have closed and only by the election's representative or their assigned member of the election's committee, and only while witnessed by another member of the elections committee, at which time they will commence counting of the ballots.
  - m) A majority is required for a seat to have a declared winner. If there is a tie vote, a coin toss will be used to determine the candidate.
  - n) Ballot record keeping is in accordance with Section 5.3, Maintenance of Open Records
  - o) The TPCPB election results become final at the conclusion of the noticed, regular March meeting or noticed regular meeting on day special election is held. Results are finalized one week after, if no election challenges are filed.
  - p) Election challenge procedures: Any challenges to the election results must be filed with the elections representative and Chair in writing within 24 hours of the counting of the ballots in order to allow enough time to resolve the issue.
  - q) Election challenges shall be reviewed by the elections representative who will make recommendations to Chair as to how to resolve them. Chair will inform Board of these challenges and provide recommendations as to how to resolve at following, noticed regular, or special meeting.
  - r) New members shall be seated at the start of the following month's meeting, after any election challenges are addressed, in order to allow their full participation at that meeting.
  - s) Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election). The election's representative shall assign the responsibility to a planning group member, member of the of the election subcommittee or volunteer, to ensure that electioneering is not taking place in close proximity of polls.
  - t) If a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge, the runner-up candidate will be appointed or if more than one seat remains unfilled, a special election will be held.
  - u) Election representative and Secretary will determine whether a vacancy exists consistent with Section 4.2.2 Minimum Attendance Requirements within a 12-month period from March to April of each year and Section 8.3 Violations of Membership Eligibility.
  - v) Vacancies should be filled no later than 120 days after a vacancy is declared by the planning group. A seat may remain vacant until the next election if the planning group has more than 10 voting members in good standing, and when the planning group is unable to fill a vacancy within 120 days.

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5.3 Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups. Should the need arise, the TPCPB may hold Special Elections in addition to its Annual Elections.

**6. Conduct of Meetings**

6.1 Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

6.2 Rules of Procedure

All planning group meetings shall use the rules of procedure provided in the latest version of Robert's Rules of Order when Council Policy and the planning group's separate bylaws do not address an area of concern or interest.

6.3 Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

Planning group operating procedures in this section will address the following duties, operations and procedures:

- Regular agenda content and posting consistent with the Brown Act, relative to time allotted for non-agenda public comment and individual/group testimony on agenda items, adjournments and continuances, consent agenda, quorum, action items especially as it relates to development project review, collective concurrence, special meetings and emergency meetings, right to record and meeting minutes.
- General meeting procedures and planning group responsibilities such as: Recording attendance and absences of voting members, reports from government officials and neighborhood organizations, how a group represents non-project recommendations, internal operating procedures amendment process or development of procedures and participation with other committees or organizations.
- Subcommittees – relative to the purpose of standing subcommittees and ad-hoc subcommittees, subcommittee composition, recommendations and protocol for triggering a joint meeting of the planning group and the subcommittee if there is potential for a quorum of the planning group to be present at a subcommittee meeting.
- Abstentions and recusals consistent with Section 7.3 Ethical Standards. Operating procedures should indicate that recusals are noted in the meeting minutes and also include a planning group member's reason for abstaining.
- Representative (other than the Chairperson) to the Community Planners Committee (CPC). Operating procedures should address if this duty falls automatically within the

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Vice-Chair's responsibility or if a member of the planning group is appointed.

**6.4 Planning Group Officers**

The officers of the **TPCPB** shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Treasurer. The length of an officer's term shall be one (1) year or until their successors are elected. No person may serve in the same planning group office for more than nine consecutive years per the term limits established in Section 4.4. 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. Officers may be removed from office at the pleasure of the membership by a two-thirds vote of the voting members of the community planning group in accordance with Section 8.3.

**6.4.1 Chairperson**

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. Duties include setting the agenda, being the point of contact for development applicants, acting as the primary representative to the Community Planners Committee (CPC), and City representatives. etc.

**6.4.2 Vice Chairperson**

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson, including filling-in. for the Chair when the Chair is absent or must recuse from a particular situation, acting as the alternate representative to the CPC or reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City Council, Planning Commission, planning staff, community or institutional boards or agencies, or similar organizations on planning group actions and policies.

**6.4.3 Secretary**

Secretary. The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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.

**6.4.4 Treasurer**

The Treasurer shall be responsible for the planning group's finances, banking and checking accounts, issuing reimbursements for planning group expenditures, and requesting reimbursements of planning group expenditures from the city.

**6.4.5 Other Officers**

The planning group may identify additional officers responsible for the effective operation of the planning group such as a parliamentarian who with the Chair manages the meeting and advises on parliamentary meeting procedures or ex-officio members that hold positions in other

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community organizations (e.g. town council).

6.5 Additional planning group Officer Responsibilities

The **TPCPB** officers and representatives to the CPC shall promptly disseminate to all elected planning group members pertinent information that is received by the planning group regarding its official business.

**7. Additional Planning Group Responsibilities**

7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists. The following ethical standards apply:

7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

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7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in- person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

**8. Planning Group Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning

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groups,” (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act Pursuant to provisions required by the Brown Act, including civil remedies (California

Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney’s fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@saniego.gov](mailto:SDPlanningGroups@saniego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney’s Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

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8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

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**8.7 Violations and Remedies for Quorum and Attendance Requirements**

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

**8.8 Violations of City Requests for Input**

The planning group acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

**9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

**10. Term of Operating Procedures**

These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN

EXHIBIT B: MAP OF PLANNING GROUP BOUNDARIES. The TPCPB will represent the community of Torrey Pines.

## **Suggested Strategies – Community Participation & Representation Plan**

### **As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24**

The Torrey Pines Community Planning Board (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

### **Overarching Goal**

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities, and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

### **Guiding Principles for Public Participation**

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods (See Appendix A -Public Participation Tools).
- Make meeting materials available in the languages spoken within the community. Please see Census data for Community Plan Area (CPA) provided by SANDAG’s [Data Surfer](#) website.
- Be respectful of people’s opinions and time. Consider establishing ground rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National](#)

[Conflict Resolution Center.](#)

- Ensure a safe, accessible meeting space.

### **Strategies for Community Involvement**

- Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Group (See Appendix C – Sample flyer).
- Share meeting information in digital formats including social media pages and a dedicated CPG website (See Appendix C – Sample flyer and website).
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local library (ies)
  - Park and Rec Building(s)
  - Public transit hubs
  - Grocery stores
  - Coffee shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media (See Appendix C – on information to include on flyers).
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/other initiatives (See Appendix B – Survey Best Practices).

### **Measuring Success**

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.

## Community Planning Groups

### Engagement Techniques Worksheet

This worksheet aims to build an understanding of public engagement techniques and what to consider when planning for engagement. The toolbox (below) lists the technique description and typical application. \*Adapted from IAP2 - International Association of Public Participation, <https://www.iap2.org>.

| Technique and Description  | Typical Application   |
|--|---|
| Briefings: A regular meeting to provide an opportunity to inform and educate.  | <i>Share Information:</i> An opportunity to reach various individuals by sharing a presentation with a stakeholder group in the community such as a town council, Business Improvement District or community-based organization.  |
| Hotline/Dedicated Planning Group phone number: A phone line for public access to pre-recorded meeting information or to reach the planning group.  | <i>Share Information:</i> A dedicated Planning Group phone number could allow the Planning Group or Subcommittee Chair to serve as the point of contact to respond to questions about upcoming agenda items or how project applicants can schedule their project at an upcoming meeting agenda.   |
| Electronic forums, social media groups, and email: Sharing electronic information to notify stakeholders when new materials are posted, invite them to upcoming meetings, distribute comment and evaluation forms, share meeting summaries, collect comments and input, etc. | <i>Share Information:</i> Inexpensive process to directly reach stakeholders and allows people to share messages with each other.   |
| Printed public information materials: Information materials such as fact sheets, newsletters, brochures, progress reports, etc. that can be printed and distributed.   | <i>Share Information:</i> A mechanism to reach a large target audience through clear and visually engaging information. Planning Groups can share these materials with public places like libraries, community centers, and schools by asking staff if they can place the information in highly visible locations, as well as publicly indicating their availability on their agenda, website, social media, etc. |
| Newspaper/Newsletter: Can contain notices, summarized details on past/future engagement opportunities or comment forms in local newspapers.  | <i>Share Information:</i> Newspapers/Newsletters – both digital and hardcopy – can include notices and summaries to allow wide distribution of information and gather public feedback.  |
| Websites: Websites are developed to provide accessible information to the public.  | <i>Share Information:</i> This online tool helps provide information in a central location about projects, plans, meeting agendas, events, etc. and can allow options for people to join email mailing lists and/or share online comments via a comment form. Websites can also share links to other relevant sites.  |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application   |
|---|---|
| Expert Panels: An educational opportunity through a moderated discussion on important issues with experts from various fields.  | <i>Share Information:</i> Subject matter experts from the public and private sectors are invited to share information in a panel format open to the public.   |
| Comment Forms: Written or email/web-based forms for collecting and documenting input and comments from the public.  | <i>Collect and Compile Input:</i> Comment forms can help collect input from people unlikely to attend meetings or who might feel uncomfortable voicing their input at meetings.   |
| Partnering with Community-Based Organizations: Partnering with qualified local community organizations to help get the word out about Planning Groups or obtain community input.                            | <i>Collect and Compile Input:</i> Helps promote community-based involvement and advocacy. This strategy also makes the most of existing networks that community organizations have developed.   |
| Pop-Up Events: These events offer an opportunity to participate in a large fair or community gathering by setting up a table with information and resources about participating in the Planning Group.      | <i>Bringing people together:</i> These events provide an opportunity to connect with community members on the ground, get feedback, answer questions and share information.   |
| Open Houses: An open house typically includes several informational stations, each addressing a separate issue. A resource guide can assist participants in touring through the exhibits at their own pace. | <i>Bringing people together:</i> This event format helps foster small group or one-on-one communication on multiple land use issues or in coordination with a project applicant on a complex development project.   |
| Tours and Field Trips: This technique offers the Planning Group and community stakeholders an opportunity to visit a particular site or tour an area.   | <i>Bringing people together:</i> This activity allows individuals and small groups to understand existing site conditions firsthand and how these areas could be developed in the future. Planning Groups should ensure that a quorum of their group is not present at one time during these events to avoid any Brown Act issues.  |
| Workshops: An informal public meeting that may include presentations and include opportunities for interaction among participants.  | <i>Bringing people together:</i> An opportunity for discussion on criteria, analysis of alternatives, developing goals and objectives or creating a “community vision”. This activity helps foster small group or one-to-one communication to answer difficult questions or create new concepts. This format builds credibility and maximizes feedback obtained from participants working through a public process to address any issues. |

## Community Planning Groups

### Engagement Techniques Worksheet

| Technique and Description   | Typical Application  |
|---|--|
| Public Meetings: These organized meetings are open to the public at large and are used to provide presentations and allow the public to ask questions and provide comments. | <i>Bringing people together:</i> Participants are able to hear relevant information and have an opportunity to ask questions and make comments and here opinions and perspectives of others.   |
| Web-based Meetings: Meetings can also be held online to reach people who are normally unable to participate in person.  | <i>Bringing people together:</i> Online meetings can be cost- and time-efficient, and people can participate from their home, office, or mobile device via an online application. Please consult <a href="#">In-Person Meeting Guidance</a> when hosting a virtual or hybrid meeting per the <a href="#">Brown Act</a> . |

## Community Planning Groups

### Survey Best Practices

Surveys offer the ability to obtain useful data and feedback to inform recommendations and increase understanding of various issues. The following are survey best practices adapted from the City of San Diego Performance and Analytics Department (PandA) and other survey guides.

| Types of survey tools to consider:  |   |
|---|---|
| <b>In-Person</b>  | Conducted in-person, generally in a public place.   |
| <b>Mail</b>   | Surveys that are sent to participants via mail which may include envelopes to return the survey.  |
| <b>Email</b>  | Survey is emailed to potential participant via a link.  |
| <b>Online</b>   | A survey that is posted online via link on a webpage.   |
| <b>Telephone</b>  | Participants are called by interviewers and asked to answer survey questions.   |
| What is the purpose of your survey and who is your target?                |   |
| <b>What is the purpose of your survey?</b>                                | What information are you missing, and how will this survey fill or inform those gaps? It's best to map out your problems, issues you would like to include, questions, and how each survey question will align to a problem. In the introduction, include any background information and articulate to the participant why the survey is being conducted. |
| <b>Determine how the survey results could influence future decisions.</b> | What decision, course of action or recommendation could you take based on the responses from each question? If you are unsure what action you can take based on a question, omit the question.  |
| <b>Who is taking your survey?</b>   | Consider the demographics of the people you're trying to reach. How might you need to design questions to help your audience best interpret them? Does your survey tool need to be translated into another language?  |
| <b>How will you reach your target audience?</b>                           | Where are your respondents most likely to see the survey (social media, emailed directly to them)? How are they most likely to take the survey (over the phone, online, paper, on a mobile device, other)? How long will the survey be available?   |

## How should you develop your questions?

|   |  |
|---|--|
| <b>Making sure that your questions and responses match.</b>                           | <p>If the focus of your question is about a Planning Group recommendation, then the response should use “recommend.”</p> <p>If the question is asking about the likelihood for someone to support an issue or a concept, then the response should use “support.”</p> |
| <b>Each question should only ask one thing.</b>                                       | <p>Your questions should be direct and seek a specific answer. For example:</p> <p>“Are community parks clean and safe?” = wrong</p> <p>“Are community parks clean?” and “Are community parks safe?” = correct.</p>  |
| <b>Develop clear and concise questions. Avoid technical jargon and abbreviations.</b> | <p>Good survey questions are written at a 5th grade reading level. You can check the reading level and readability of your questions using <a href="#">Microsoft Word</a> or the <a href="#">Hemingway app</a>.</p>  |
| <b>Ask: How can this question be misinterpreted?</b>                                  | <p>Pretest your questions by asking them among others to gain feedback on the clarity of your questions and to evaluate any initial perceptions.</p>   |

## Writing your questions.

|  |   |
|--|---|
| <b>Keep it simple and to the point.</b>                                    | <p>The respondent shouldn’t have to re-read the question for clarity.</p>   |
| <b>Use words with clear meanings.</b>                                      | <p>Avoid words like: most, many and several. Instead use: almost all, a majority of, and almost none.</p>   |
| <b>Limit the number of ranking options.</b>                                | <p>Try not to list more than six items to rank in order of preference or importance. If you have more than six, consider breaking them up into different questions.</p> |
| <b>Multiple choice questions should cover all options but not overlap.</b> | <p>For example, when asking respondents about their favorite community destinations don’t have an option for both “library and recreation center.”</p>                  |
| <b>Avoid offering too few or too many options.</b>                         | <p>Offer the most likely options and then add an “other, please specify” as a fill-in option to capture any responses that are not covered.</p>                         |

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

Flyers can be used for posting on local community bulletin boards, libraries, coffee shops, or other neighborhood organizations' webpages to invite community members to join and be involved with their local Planning Group.

The following flyer was made by using the [Free flyer maker](#) on [Canva](#). Canva is a free, online design and visual communication platform. Additional tools for designing banners, posters, etc. are offered as well.



EXAMPLE FLYER

# Community Plannning Group

### WHY SHOULD YOU JOIN?

1. GET TO KNOW YOUR NEIGHBORS, DIFFERENT/SHARED PERSPECTIVES AND THE ISSUES THAT MATTER IN YOUR COMMUNITY.
2. GAIN A GREATER UNDERSTANDING OF GOVERNMENT FUNCTIONS AND HOW PLANNING GROUPS INFLUENCE PUBLIC POLICY.
3. SHARE YOUR INPUT ON DEVELOPMENT PROJECTS AND PUBLIC IMPROVEMENTS THAT ARE PLANNED IN YOUR NEIGHBORHOOD.
4. HAVE A SAY IN THE LONG-TERM FUTURE OF YOUR COMMUNITY.



Meets every third  
Thursday at 6pm.

1234 Planning Rd  
San Diego, CA  
12345

Get in touch with the  
Planning Group Chair



Chair Name Here  
123-456-7890  
cpgchair@sandiego.gov

For More Information: [www.reallygreatsite.com](http://www.reallygreatsite.com)

## Community Planning Groups

[Sample flyer and Planning Group Webpage](#)

[Wix](#) is one of many online platforms that be used to design a Planning Group website. Wix has a free version where you can explore the basics of web design and have access to various templates and pages. You can start building your website on Wix through their [guided process](#).

# SAMPLE COMMUNITY PLANNING GROUP



HOME   MEETING AGENDAS   MEETING MINUTES   OPERATING PROCEDURES   GET INVOLVED   More

### Welcome!

The Sample Community Planning Group (SCPG) is the City Council-recognized, independent advisory group for the Sample Community. Our responsibilities include providing recommendations to the City of San Diego on the adoption, amendment and implementation of Sample Community Plan, the General Plan and other land use matters. As the planning group for the Sample community, we are committed to engaging a broad and diverse cross-section of our community and representing the diversity of our community and its interests.



### Monthly Meetings:

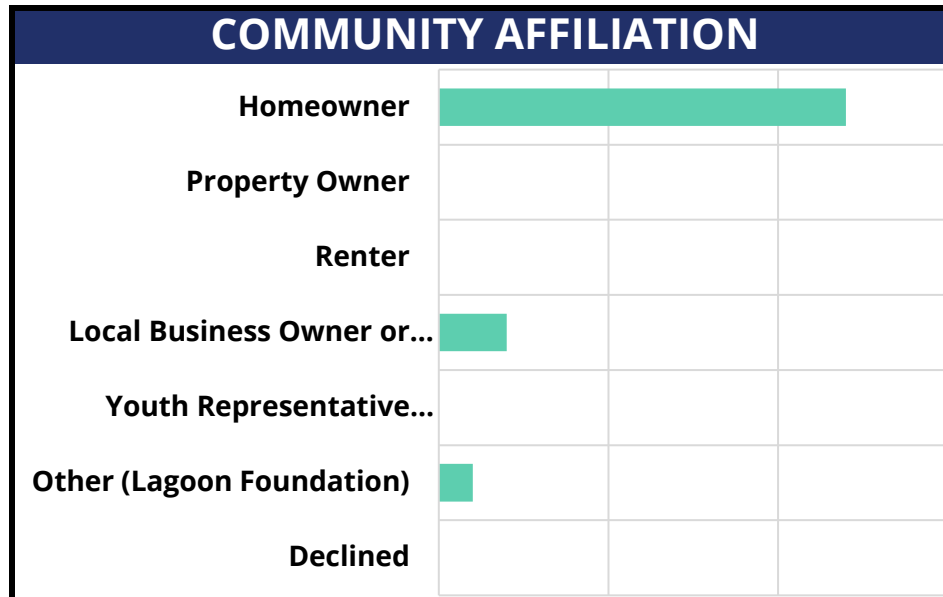
Occur every 3rd Wednesday of the month.  
Location: Community Recreation Center  
1234 Anywhere Avenue, SD CA 92199  
Time: 6:00 p.m. to 8:00 p.m.  
See Menu Bar above for meeting agenda.

# Torrey Pines

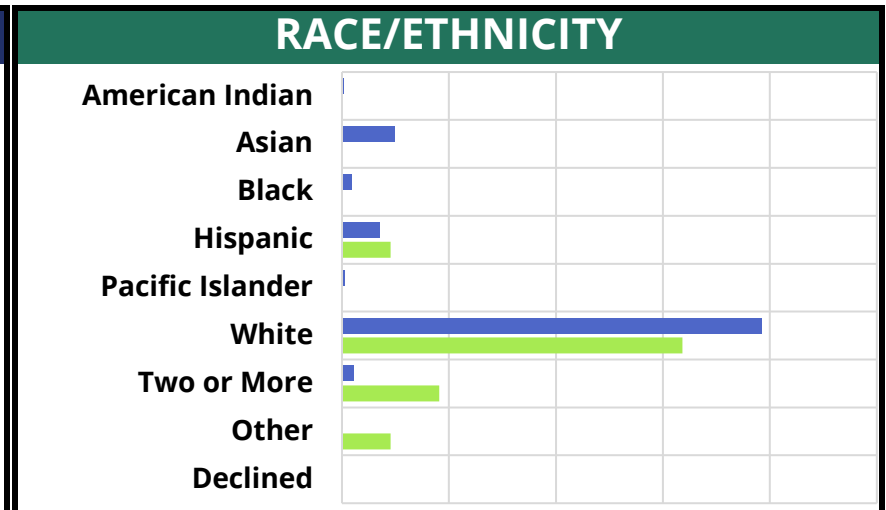
■ Member Count

■ Percent Group

■ Percent Community



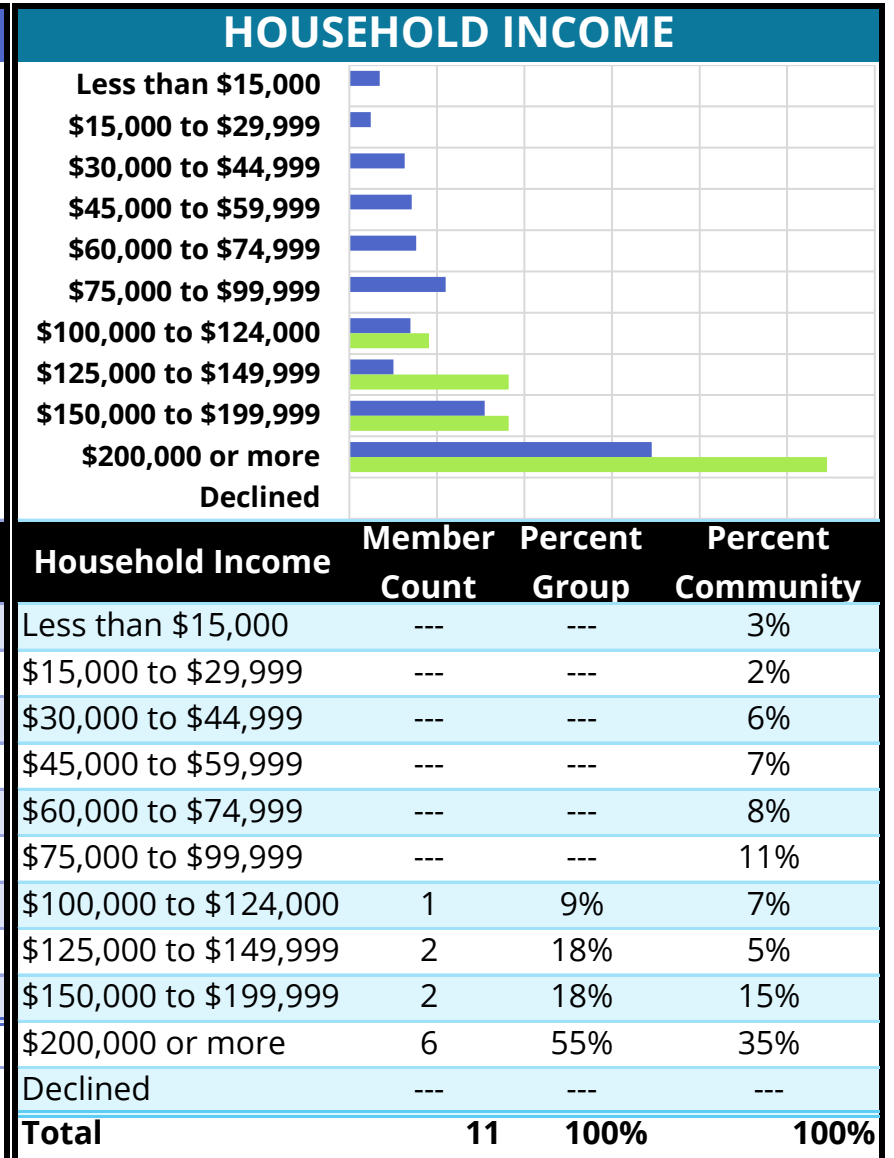
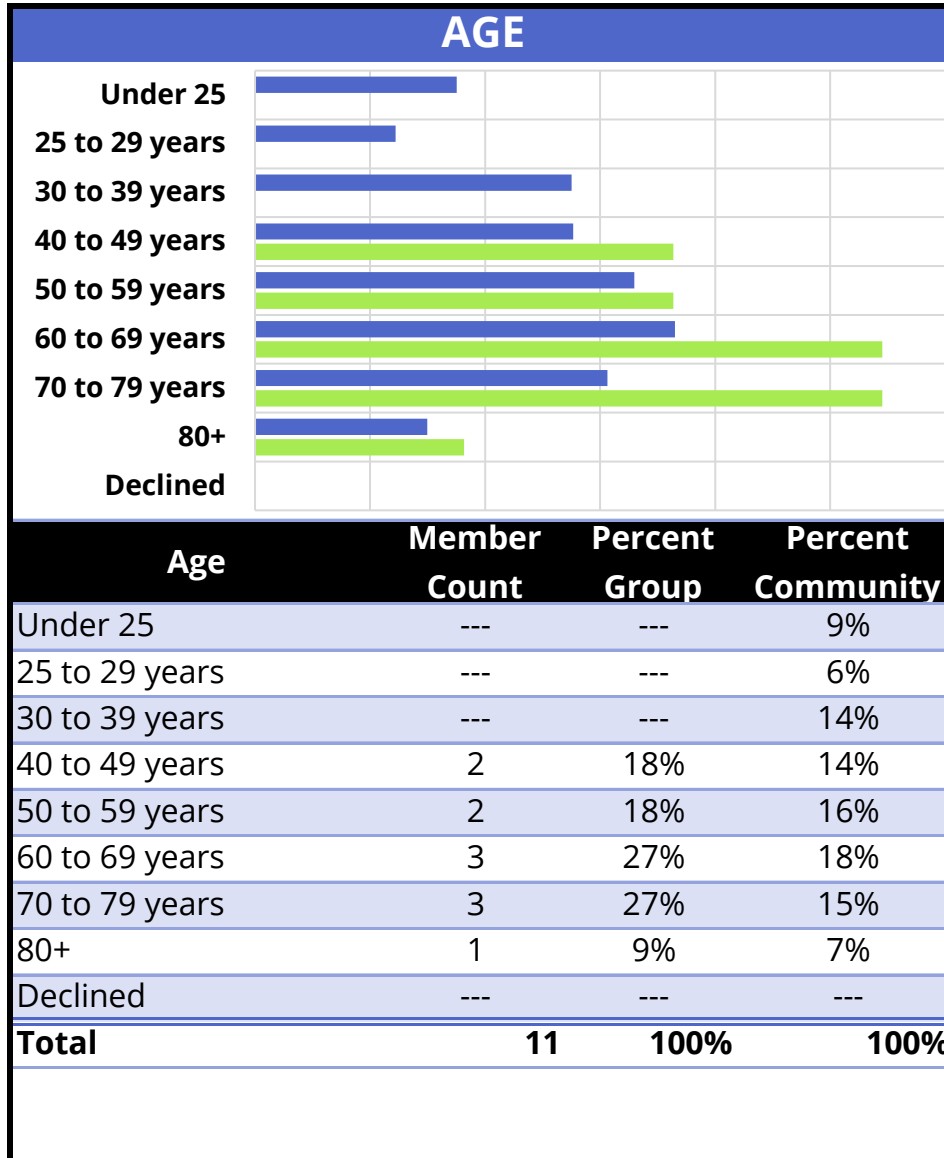
| Community Affiliation               | Member Count |
|-------------------------------------|--------------|
| Homeowner                           | 12           |
| Property Owner                      | ---          |
| Renter                              | ---          |
| Local Business Owner or Operator    | 2            |
| Youth Representative (Age Under 25) | ---          |
| Other (Lagoon Foundation)           | 1            |
| Declined                            | ---          |
| <b>Total</b>                        | <b>15</b>    |



| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
|------------------|--------------|---------------|-------------------|
| American Indian  | ---          | ---           | 0.3%              |
| Asian            | ---          | ---           | 9.8%              |
| Black            | ---          | ---           | 1.8%              |
| Hispanic         | 1            | 9.1%          | 7.0%              |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 7            | 63.6%         | 78.4%             |
| Two or More      | 2            | 18.2%         | 2.2%              |
| Other            | 1            | 9.1%          | 0.2%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>11</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# Torrey Pines

■ Percent Group ■ Percent Community



## Application for Planning Group Recognition

Submitted by: Anonymous user

Submitted time: Dec 19, 2023, 10:27:10 AM

What is the official name of your Planning Group?

**University Community Planning Group**

What community/planning area(s) are you establishing a Planning Group for? [Click here to open the Community Planning Area Map](#)

- **University**

Are you an existing Planning Group that was established prior to September 13, 2022?

**Yes**

What Council District(s) is your Planning Group located in? [Click here to open the Council District Map](#)

- **1**
- **6**

Indicate here if you propose to have more than 20 CPG Members.

**Yes**

How will your Planning Group be accessible to all members of your community?

**UCPG Access and Engagement – Five Key Actions** Here are five examples of efforts that the UCPG will employ to broadly share and publicize the opportunity to participate in the UCPG and engage the overall community about land use-related issues.

1. **Maintain a set of introductory documents for the UCPG, community planning, land use.** This includes our one-page “What is the UCPG?” document for use at meetings, community events, and in media. Also important is a bibliography of important documents to help community members to find information on land use, city policies, and projects: “Where can I find \_\_\_\_?” and navigating the city website are good examples.
2. **Maintain a UCPG website to provide a consistent location for agendas, minutes, and presentations for each meeting, including an archive of information from past meetings.** Ensure meeting information is shared with community and institutional partners, and media. Introductory information (e.g. “What is the UCPG?”) should be prominently featured on the website.
3. **Land use-related issues comprise most of the agenda items considered at the UCPG which are given using DSD written descriptions.** Proper accompanying information written in a straightforward way can be key to understanding land use issues and participating fully in discussions, as is sufficient time for community members to consider and respond. Many residents are renters with a different perspective on land use and development. The UCPG must ensure that these views are represented and respected by its voting members, and that this is communicated to the community.
4. **Discuss how each project recommendation will be communicated to the city, especially when additional conditions accompany recommendations or when a project cannot be recommended.** Participation in the UCPG increases when the community understands how their feedback is incorporated into the city’s decisions.
5. **The UCPG should work with community organizations, city officials, and elected officials to participate in community events to promote the UCPG and its role in the community.** Local community and non-profits organizations can reach many segments of the community, including underrepresented members, that may prove difficult using direct engagement.

How will your Planning Group fairly represent all members of your community?

**UCPG Member Representation Composition. December 2023.** The new UCPG Operational Procedures substantially changes the demographics of the community that will be directly represented by the UCPG. First, under legacy (current) UCPG procedures, the size of the community is 54,000, and excludes residents living at UC San Diego, who are represented by appointed, voting members. Under the new Operational Procedures, the community now includes UCSD residents, making the total community size 72,000 (+18,000 or 33%). Second, all UC San Diego residents are renters, and are expected to remain so when they become residents of other areas in the University Community. Third, almost all UC San Diego residents are under 25, adding a significantly more diverse age demographic. The projected ethnic demographic of the UCPG still shows significant outreach is required to reflect that of the community (see below). The addition of younger voting members outside of UC San Diego will improve both ethnic and income distributions.

**Community data: SANDAG, UCPG Data: Demographic Survey.**

**Age demographics:**

| Age range | Community | UCPG Current | UCPG Projected (new Op. Proc.) |
|-----------|-----------|--------------|--------------------------------|
| 18-29     | 29%       | 9%           | 19%                            |
| 30-39     | 23%       | 14%          | 16%                            |
| 40-49     | 14%       | 23%          | 16%                            |
| 50-59     | 8%        | 23%          | 16%                            |
| 60-69     | 8%        | 23%          | 16%                            |
| 70-79     | 8%        | 23%          | 16%                            |

The largest change between the UCPG now and the UCPG projected occurs in the 18-29 demographic, more closely mirroring the community. We can say this for certain since almost all UC San Diego residents will be under 30. In general, we expect the revised UCPG age demographic distribution to more closely reflect that of our community.

**Income Distribution:**

| Income range    | Community | UCPG Current | UCPG Projected (new Op. Proc.) |
|-----------------|-----------|--------------|--------------------------------|
| 0-30,000        | 23%       | 0%           | 14%                            |
| 30,000-49,999   | 14%       | 15%          | 10%                            |
| 50,000-74,999   | 14%       | 15%          | 10%                            |
| 75,000-100,000  | 14%       | 15%          | 10%                            |
| 100,000-124,999 | 8%        | 23%          | 14%                            |
| 125,000-150,000 | 8%        | 23%          | 14%                            |
| 150,000-200,000 | 8%        | 23%          | 14%                            |
| 200,000+        | 9%        | 38%          | 16%                            |

Again, the largest change occurs in the lowest income ranges, reflecting the addition of student residents from UC San Diego, almost all of whom are estimated to have household income of less than \$30,000. This change shows in a much closer demographic match to the community.

**Ethnic Demographic:**

| Ethnicity | Community | UCPG Current | UCPG Projected (new Op. Proc.) |
|-----------|-----------|--------------|--------------------------------|
| Hispanic  | 16%       | 0%           | 5%                             |
| White     | 49%       | 84%          | 80%                            |
| API       | 28%       | 8%           | 10%                            |
| Other     | 4%        | 8%           | 5%                             |

The addition of UC San Diego residents results in some projected change of voting member ethnic composition. If additional voting members reflect the University’s ethnic demographics, then we expect one API, one white, and one Hispanic voting member to be added under the new Operational Procedures. This table shows it is critical to engage the Hispanic and API communities in the other three UCPG districts outside of UC San Diego.

Applicant Representative

**Chris Nielsen**

Email

**cn@adsc-xray.com**

Phone Number

**858-663-0186**

Please include the following documents.

- PDF

2023\_UCPG\_Operational\_Procedures\_final.pdf  
909.9KB
- PDF

2023\_UCPG\_ethical\_standards\_final.pdf  
80.9KB
- PDF

2023\_UCPG\_part\_and\_rep\_final.pdf  
109.8KB
- PDF

2023\_UCPG\_Member\_Comp\_Worksheet.pdf  
641.7KB
- PDF

2023\_UCPG\_participation\_action.pdf  
110.5KB
- PDF

2023\_UCPG\_representation\_composition.pdf  
77.5KB

# Community Planning Group Recognition

## Member Composition Form - Worksheet

Planning Group Name: University Community

Please provide the member totals for each demographic category in your group (To be completed by the Group's Point-of-Contact and attached to the online application):

### RACE/ETHNICITY

     American Indian

  1   Asian

     Black

     Hispanic

     Pacific Islander

 11  White

     Two or more races

  1  Other: \_\_\_\_\_

### HOUSEHOLD INCOME

     Less than \$15,000

     \$15,000 to \$29,999

     \$30,000 to \$44,999

     \$45,000 to \$59,999

     \$60,000 to \$74,999

  2  \$75,000 to \$99,999

  3  \$100,000 to \$124,999

     \$125,000 to \$149,999

  3  \$150,000 to \$199,999

  5  \$200,000 or more

### COMMUNITY AFFILIATION

  8  Homeowner

     Property Owner

  1  Renter

  4  Local Business Owner or Operator

     Youth Representative (Age Under 25)

     Other : \_\_\_\_\_

### AGE

     Under 25

  1  25 to 29

  2  30 to 39

  5  40 to 49

  1  50 to 59

  1  60 to 69

  3  70 to 79

     80 +

## UCPG Member Representation Composition. December 2023.

The new UCPG Operational Procedures substantially changes the demographics of the community that will be directly represented by the UCPG. First, under legacy (current) UCPG procedures, the size of the community is 54,000, and excludes residents living at UC San Diego, who are represented by appointed, voting members. Under the new Operational Procedures, the community now includes UCSD residents, making the total community size 72,000 (+18,000 or 33%). Second, all UC San Diego residents are renters, and are expected to remain so when they become residents of other areas in the University Community. Third, almost all UC San Diego residents are under 25, adding a significantly more diverse age demographic. The projected ethnic demographic of the UCPG still shows significant outreach is required to reflect that of the community (see below). The addition of younger voting members outside of UC San Diego will improve both ethnic and income distributions. Community data: SANDAG, UCPG Data: Demographic Survey.

### Age demographics:

| Age range | Community | UCPG Current | UCPG Projected (new Op. Proc.) |
|-----------|-----------|--------------|--------------------------------|
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| 70-79     | 8%        | 23%          | 14%                            |

The largest change between the UCPG now and the UCPG projected occurs in the 18-29 demographic, more closely mirroring the community. We can say this for certain since almost all UC San Diego residents will be under 30. In general, we expect the revised UCPG age demographic distribution to more closely reflect that of our community.

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| 75,000-100,000  | 14%       | 15%          | 10%                            |
| 125,000-150,000 | 9%        | 23%          | 14%                            |
| 150,000-200,000 | 8%        | 23%          | 14%                            |
| Over 200,000    | 9%        | 38%          | 16%                            |

Again, the largest change occurs in the lowest income ranges, reflecting the addition of student residents from UC San Diego, almost all of whom are estimated to have household income of less than \$30,000. This change shows in a much closer demographic match to the community.

Ethnic Demographic:

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The addition of UC San Diego residents results in some projected change of voting member ethnic composition. If additional voting members reflect the University's ethnic demographics, then we expect one API, one white, and one Hispanic voting member to be added under the new Operational Procedures. This table shows it is critical to engage the Hispanic and API communities in the other three UCPG districts outside of UC San Diego.

**Attachment to CP 600-24 – Operational Procedures**

**OPERATIONAL PROCEDURES FOR THE  
University Community Planning Group (UCPG)  
AS AN INDEPENDENT COMMUNITY PLANNING GROUP  
PER CITY COUNCIL POLICY 600-24**

**Introduction and Background**

With the Operational Procedures established herein, the City desires to establish minimum standards the University Community Planning Group (UCPG) (the “UCPG”) will adhere to and designated services the UCPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The UCPG, in adopting these Operational Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The UCPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The UCPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The UCPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the UCPG’s founding, operation, or organization.

The UCPG submits the documents listed in Exhibits A - G of these Operational Procedures with its application for Council recognition and will maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Operational Procedures established herein, the UCPG hereby agrees to abide by the following:

**1. Name and Geographical Boundaries**

The name of this City recognized CPG shall be the University Community Planning Group (UCPG).

The community planning boundaries of the UCPG are the boundaries of the University Community, as shown in Exhibit C. The University Community specifically includes residents

living at the University of California San Diego campus.

In addition to the requirements in these Operational Procedures, Section 3, Community Participation and Representation, the UCPG shall represent the various geographic sections of the community to the extent possible. To this end, the UCPG divides the Plan Area into the following districts, described here and shown in Exhibit D.

District 1: That portion of the Plan Area south of the railroad tracks located in Rose Canyon.

District 2: That portion of the Plan Area north of the Rose Canyon railroad tracks; west of Regents Road; and, south of La Jolla Village Drive.

District 3: All portions of the Plan Area not contained within Districts 1 and 2, including Scripps Memorial Hospital and the Salk Institute, but not including the UC San Diego campus.

District 4: The UC San Diego campus.

## **2. Responsibilities**

### **2.1 Collaboration with City Staff**

As a recognized independent body, the UCPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

### **2.2 Advisory CPG Review**

The UCPG may make advisory recommendations to the City and other governmental agencies on land use matters within the UCPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit C, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries. The UCPG may, at the request of UC San Deigo, make advisory recommendations on land use or other planning issues within the UC San Diego campus.

The UCPG may, upon City request or at its own initiative, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The UCPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the UCPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

### 2.3 Timely Submittal of UCPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the UCPG shall submit its recommendation and any conditions to the project proposed by the UCPG, using the Information Bulletin 620 CPG Distribution Form, or reasonable facsimile.

The UCPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations and shall be part of the UCPG's official records.

### 2.4 Adherence to Ralph M. Brown Act

The UCPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the UCPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the UCPG to lose its Council recognition and may subject the UCPG and UCPG voting members to a loss of indemnification by the City.

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. Proper noticing is defined as posting in the two University Community Libraries and at a central location at UC San Diego.

### 2.5 Maintenance of Open Records

The UCPG shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the UCPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the UCPG in accordance with Policy 600-24. The UCPG will submit to the City the rosters of UCPG voting members by May 1<sup>st</sup> of each year and will also submit to the City any changes to rosters as a result of UCPG elections or appointments.

### 2.6 Independent Entity

The UCPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to the UCPG at the discretion of the City Manager and subject to the availability of City resources. In addition, the UCPG may be allocated funds by the City when such funding is approved by the City Council.

### 2.7 Participation in the Community Planners Committee

The UCPG Chair shall be a representative on the Community Planner's Committee (CPC). However, by vote of the UCPG, a planning group member other than the Chair may be designated as an alternate to the CPC. The UCPG shall notify the CPC in writing of any changes to its current representative(s) to CPC.

The UCPG officers and representatives to the CPC shall promptly disseminate to all planning group voting and appointed members pertinent information that is received by the planning group regarding its official business.

## **3. Community Participation and Representation**

### 3.1 Membership

The UCPG will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The UCPG and its voting members should routinely seek robust community participation in the UCPG's planning and implementation process to serve the best long-term interest of the community at large. See Exhibit B, Community Participation and Representation Plan.

### 3.2 Community Outreach

The UCPG and its voting members shall routinely seek community participation in the UCPG's planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the UCPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the UCPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. UCPG Composition**

### 4.1 Number of Voting Members

The UCPG shall have twenty-one (21) voting members and three (3) appointed members. The twenty-one (21) elected seats are filled by distribution of seats among the following interests that

represent the community: twelve (12) seats for residents or residential property owners: (3) from District 1, 2, 3, and 4; nine (9) seats for business representatives or non-residential property owners (3) from each business District 1, 2, and 3.

#### 4.2 Voting Member Eligibility

The UCPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

##### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age.

##### 4.2.2 Minimum Attendance Requirements

The UCPG shall take attendance to ensure that each voting member attends at least two-thirds of the UCPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting members prior to their election or appointment as a voting member are allowed.

#### 4.3 Community Representation

The UCPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

Voting members are elected to represent a given district, as defined above. Each voting member must reside, own residential property, or have a business in the district for which they are elected. Any voting member who uses their residential address to establish their community affiliation may change their address within the UC Plan area without affecting their eligibility to remain a voting member from their elected UCPG District.

##### 4.3.1 Appointed Seats

The appointed members are as follows: one (1) UC San Diego Administration representative (appointed by the Office of the Chancellor), one (1) UC San Diego Faculty representative (appointed by the UC San Diego Academic Senate), and one (1) MCAS Miramar representative (appointed by the MCAS Miramar base commander).

##### 4.3.2 Voting Member Term

Members of the UCPG shall be elected to serve for fixed terms of three (3) years that expire during alternate years to provide continuity. See Exhibit D for UCPG representation by district and positions elected in alternative years.

#### 4.4 Voting Member Term Limits

The UCPG establishes the following term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community.

##### 4.4.1 Maximum Time of Service

No person may serve as a voting member for more than nine (9) consecutive years. The nine-year term limit refers to total maximum consecutive years of service time, not to individual seats held.

After a two-year break in service as a voting member, an individual who had served for nine (9) consecutive years shall again be eligible to become a voting member.

##### 4.4.2 Waivers of Maximum Time of Service

The UCPG establishes the following procedures for waiving the maximum time of service by vote of its voting members if the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so.

- (1) Waivers of Maximum Time of Service shall not be granted unless it is necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the next regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## **5. Open and Public Elections**

Specific policies and procedures are given in Section 5.4, Policies and Procedures for Elections, and are guided by the principles contained in Sections 5.1 through 5.3.

### 5.1 Equal Participation

All members of the public affiliated with the community within the geographical boundary of the UCPG will be allowed to vote in UCPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operational Procedures.

The UCPG establishes the following category of membership from which voting members are selected and from which eligibility to vote in elections may be demonstrated.

Individual members, business members, and non-profits may become eligible members of the community by submitting an Eligible Member of the Community Application demonstrating qualifications to the planning group Membership Secretary. These qualifications are given in Section 5.1. Any submitted Application is subject to review and approval by the Membership Secretary. See Exhibit F attached to these Operational Procedures for the UCPG Eligible Member of the Community Application.

The primary purpose of membership is as a simple demonstration of eligibility for voting in elections. The membership requirement is not intended to be a barrier to participation in elections or to becoming a voting member: *membership may be established at any time, including during elections.*

A business or non-profit organization may not designate nor be represented by more than one elected member regardless of being located in more than one district. The intent shall be only one vote for each business in its own right or as a designee, but not both.

Once eligibility to vote is established, a member remains an eligible member of the community until a determination is made that the member does not meet the planning group's criteria and formal action is taken by the planning group. However, the UCPG shall require proof of eligibility during elections. The intent is that all adults at a residential address may vote for residential voting members, but only one adult per residential address can be a voting member. Businesses may cast one vote and have at most one voting member.

All members of the public affiliated with the community within the geographical boundary of the UCPG will be allowed to vote in UCPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected UCPG voting member per business tax certificate.
- Only one elected UCPG voting member per property tax billing.

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1 of these Terms and Conditions.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

- (1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification

card; (I) insurance plan identification card; or (J) public housing identification card.

- (2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the UCPG boundaries. These requirements should be construed liberally by the UCPG and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Designees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the UCPG boundaries. These requirements should be construed liberally by the UCPG and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by the UCPG and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The UCPG is committed to provisions that provide for a fair and transparent election process, intended to

ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

#### Section 5.2.1 Vacancies

The UCPG 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 fourth absence in any 12-month period of a member(s) from the planning group's regular meetings.

A vacancy may also exist following a vote of a community planning group, as described in Sections 8.5 of these Operational Procedures related to ineligibility or following conclusion of a member-removal process conducted under Article IX of the Policy, or due to adopted bylaws violations.

Vacancies that may occur at the UCPG 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 UCPG shall fill a single vacancy at a noticed regularly scheduled meeting. Vacancies shall be filled by appointment as soon as possible after the vacancy. A vote to fill a vacancy may be by a voice vote of the voting UCPG members, or by a written ballot that is collected and counted. The vote shall be followed by an announcement of which voting members voted for which candidate and recorded in the minutes.

Two or more concurrent UCPG vacancies shall be filled by a vote of eligible members of the community in the Districts where the vacancies occur by secret written ballot in accordance with election procedures in Section 5.4.

If the vacancy occurs within 60 days of the expiration of the term, the elected members may elect to defer the filling of the vacancy to the regularly scheduled election.

When the UCPG is unable to fill a vacancy within 120 days, as specified above, and the planning group has more than twelve members, a 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 twelve (12) members. If a vacancy remains for more than sixty (60) days from the time a vacancy is declared, and there are less than twelve (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 sixty (60) additional days, the planning group membership has not reached twelve (12) members, the planning group will be deemed inactive until it has attained at least twelve (12) members in good standing.

#### 5.3 Election Timing

The UCPG will hold its elections during the month of March each year in conformance with CP-600-24.

Voting by members of the community shall be conducted to elect voting members of the University Community Planning Group.

Beyond policies and procedures in these Operational Procedures, Council Policy 600-24 provides additional general guidance for planning group elections.

#### 5.4 Policies and Procedures for Elections

The policies and procedures for UCPG elections are given here.

Eligible members and voters shall be established in accordance with Section 4.5 of these Operational Procedures. The UCPG Membership Secretary shall announce the membership procedures at each UCPG meeting.

The Membership Secretary shall maintain a roster of all eligible members of the community who have qualified to vote in an election by demonstrating their qualifications prior to the close of the regularly noticed February UCPG meeting. This roster shall be used to verify the eligibility of a candidate for election as a voting member, and to facilitate verification of membership status during an election. A member of the community may still vote in any election by demonstrating eligibility according to sections 5.1 through 5.3.

The roster shall be arranged by district. Within each district, residents and owners of residential property may vote for the Residential candidates; business owners, representatives or designee, and owners of non-residential property may vote for the Business candidates.

The contents of the roster of eligible members of the community shall be held in confidence by the Membership Secretary except that, upon request, the Membership Secretary may disclose the name, membership category, and district of any general or elected members.

Each eligible member of the community shall be provided with one ballot for either residential candidates or business candidates in the appropriate district as registered.

The UCPG's election subcommittee shall be established no later than January of each year and shall begin soliciting eligible community members to become candidates. The deadline to qualify for candidacy in the March general election shall be prior to or not later than midnight of the February noticed regular or special meetings of the full planning group membership preceding the election. In February, the Membership Secretary, Chair of the Election subcommittee, 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.

Prospective candidates shall also submit a written notice of intent to become a candidate to the Membership Secretary prior to or not later than the day of the regular UCPG meeting in February. The notice of intent letter must state the seat for which the candidacy is made and shall contain biographical information about the candidate, as well as any information that the candidate chooses to supply regarding goals and objectives. The candidate must be an eligible community member at the time of submission of intent letter.

Candidate information shall be announced by the Membership Secretary in February and March, and each candidate shall be provided with an opportunity to make a brief statement and/or presentation regarding their candidacy. Candidates should submit statements in writing for posting on community news outlets and other media. If the candidate is unable to attend a candidate forum, the Chair or a designee shall read the candidate's statement during the forum.

The election subcommittee shall be responsible for the distribution of information concerning upcoming elections, including candidacies. Appropriate information shall be made available at UCPG meetings, provided to the UCPG Chairperson to include in the monthly agendas, posted at University City libraries and other community bulletin boards, distributed to area newspapers and newsletters, and made available to community organizations and to any other interested individuals or groups. The Membership Secretary shall report at the January meeting as to a planned election outreach program.

In addition, a notice of elections shall be provided to the City website, electronic mail or any other effective means of distribution available to the UCPG to publicize elections. The Participation and Representation document (Exhibit B) provides additional guidance for UCPG elections.

The Membership Secretary shall be responsible for the preparation of rosters and ballots used in the election. Rosters containing the names and addresses of eligible community members shall be prepared by district.

Ballots shall be prepared for each seat open for election. The ballot shall clearly contain the seat being voted upon, the names(s) of the candidate(s) in last-name alphabetical order, whether the seat is residential or business, the number of seats open for election, and a statement of the maximum number of votes that may be cast. The ballot shall also contain a statement indicating that write-in candidates are not allowed. Color-coded ballots (by seat) are preferable.

Eligible members shall be provided with one (1) ballot.

A ballot box shall be prepared for the deposit of voted ballots which shall allow for the insertion of voted ballots and shall remain otherwise closed until the end of the election and the count of ballots.

Eligible voters in UCPG elections may choose to drop off a ballot at one of three secure locations in the community or vote in person at the time and place of regular March UCPG meeting. In person voting procedures are given in this section, and drop-off ballot procedures are given in Exhibit G. Drop off ballot voting is provided as part of the Participation and Representation Plan of the UCPG to foster greater participation in its elections.

The UCPG general election shall be held annually between 5:00 p.m. and 8 p.m. at or near the location of the regularly scheduled March meeting so as to not cause undue disruption to the progress of the regular meeting. The Membership Secretary shall announce the planned closure of the polls at the UCPG regular meeting in progress when both thirty (30) minutes and fifteen (15) minutes of polling time remain. The polling place must be accessible for persons with disabilities.

The UCPG prohibits electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election) at its election polling place during elections.

Eligible voters shall be required to present one piece of documentation as described in Section

5.1.1 showing the address at which they are registered. Additional types of documentation for non-residential members of the community are described in Sections 5.1.2, 5.1.3, and 5.1.4. Voting shall be by secret, written ballot. Valid votes may be cast only for candidates who are listed on the official ballot. Write-in candidates are not permitted. Voters shall be present in person to vote. Proxy voting for elections is not allowed under any circumstances.

Upon closing of the polls, the Membership Secretary shall ensure that all persons other than the election subcommittee members leave the room or area where the elections have been conducted and/or where the ballot counting will occur. The Membership Secretary shall also immediately close and secure the ballot box. All unused ballots, rosters, and elections supplies shall be separately secured.

A plurality vote shall be the basic method for determining how many votes cast will determine the election of a candidate, except as noted. A plurality vote is the largest number of votes to be given to any candidate and will be declared the winner. New candidates or members seeking reelection who are not termed out after nine (9) years will need only a plurality of votes to win. Candidates seeking a waiver of term limit after serving for nine (9) years must follow procedures in Section 4.4.2 of these Operational Procedures.

If two candidates receive the same plurality of votes, a drawing of lots or a coin toss shall be used to determine the election of a candidate. If three or more candidates receive the same plurality of votes, a drawing of lots will be used to determine the election of a candidate.

The election subcommittee shall first segregate the voted ballots by district. The voted ballots shall be tallied and recorded by one or more members of the subcommittee. Each group of ballots shall be separately counted and tallied in writing by another member or members of the subcommittee. If the two separate tallies are not consistent, the subcommittee shall proceed with a verification count. If the subcommittee members are unable to adequately reconcile the ballot count, that information shall be reported to the UCPG by the Membership Secretary. All tally and record sheets shall be retained as part of the election's official records.

All cast ballots, all unused ballots, all rosters, and all tally and reporting sheets shall be secured after the election by the Membership Secretary and held in a secure location for at least 12 months following the election or as otherwise directed by the City of San Diego. At the end of the required retention period, the Membership Secretary may dispose of the retained materials.

The results of the elections shall be announced by the Chair of UCPG or by the Membership Secretary, at the direction of the Chair, before the conclusion of the regular UCPG meeting prior to which the election occurs. The announced results shall include the number of votes cast for each candidate and the total number of votes cast for each seat.

The UCPG 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 to allow full participation as elected voting members at the April planning group meeting.

Any questions related to the conduct of an election which are not clearly resolved by the

examination of these UCPG Operational Procedures shall be submitted to the Membership Secretary.

Any challenge to the election results must be filed with the Membership Secretary in writing within 24 hours of the counting of the ballots to allow enough time to resolve the challenge. The Elections Subcommittee shall promptly discuss the challenge to determine if any facts to support the challenge were provided by the individual filing the challenge. Facts should be related to actions taken during the election process that are not in accordance with Council Policy 600-24, these Operational Procedures, or with announced or published election procedures or lack thereof. The membership secretary shall either provide a response or consult with the UCPG Chair and/or Vice-Chair and/or a designee of the Mayor. If there is no substance to the challenge and the election results can be certified, newly elected community planning group members shall be seated at the beginning of the April regular meeting. A ratification vote of the Elections Subcommittee's findings should be placed on the April agenda for a majority vote of the voting members of the planning group. If there is substance to the challenge, the Elections Subcommittee should identify, with input from the planning group's officers, the appropriate resolution. The resolution should be placed on the April agenda for a majority vote of the voting members of the planning group. In any case, the Membership Secretary's response shall be promptly reported to the UCPG Chair, Vice-chair, and City staff member assigned to UCPG. All matters related to elections are subject to review by UCPG and a designee of the Mayor.

## **6. Conduct of Meetings**

### 6.1 Professional Conduct

The UCPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the UCPG's agenda. At all times, UCPG voting members should treat each other, applicants, city staff, and the public with courtesy.

### 6.2 Rules of Procedure

The UCPG adopts as its rules of procedure for its meetings Robert's Rules of Order.

### 6.3 Transparency in Operations

The UCPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in UCPG meetings.

### 6.4 UCPG Officers

The officers of the UCPG shall be elected from elected and appointed members. Voting members shall elect the officers. UCPG officers shall consist of a Chairperson, Vice Chairperson, Secretary, and Membership 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 nine (9) consecutive years. After a period of two years in which that person did not serve as an officer that person shall again be eligible to serve as an officer.

#### 6.4.1 Chair

The Chair shall be the principal officer of a recognized community planning group and shall preside over overall planning group and communitywide meetings organized by the planning group.

The Chair shall be responsible for the agenda and its posting prior to the monthly or any other meetings. In February the Chair shall present to members an annual report of the UCPG accomplishments for the past calendar year and anticipated objectives for the coming year.

After approval by the elected members, the Chair shall submit the annual report to the City by the end of March. The Chair shall follow through to the completion of any document that requires the City's approval and shall be the point of contact for development applicants.

Appeals of discretionary decisions to the City shall be made by the Chair 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.

#### 6.4.2 Vice Chair

In the absence of the Chair, the Vice Chair shall perform all the duties and responsibilities of the Chair.

#### 6.4.3 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.

#### 6.4.4 Membership Secretary

The Membership Secretary shall provide and process Eligible Member of the Community Application forms and maintain a current roster of UCPG eligible members. The Membership Secretary shall be responsible for validating the eligibility of members and candidates for election and shall be responsible for conducting the annual elections, providing, however, that the Membership Secretary is either a non-voting member or is not running for a seat in the current election. The Membership Secretary shall also be responsible for maintaining an up-to-date roster of the UCPG members to be provided to the City.

#### 6.5 Meeting Procedures

(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. Proper noticing is defined as posting in the two University Community Libraries and at a central location at UC San Diego.

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.

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

The comments of the subcommittee and those made by interested members of the public should be reflected in the minutes of the subcommittee. 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.

It shall be the duty of each voting member of the UCPG to attend meetings of the UCPG.

(vii) DEVELOPMENT PROJECT REVIEW – The UCPG 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 of the voting members of the UCPG, or every member if less than two-thirds of the voting members of the UCPG 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 vote of the voting members of the UCPG is required to remove an elected community planning group member in accordance with Section 8.5.

Removing a member due to ineligibility in accordance with 8.5 requires a majority vote of the voting members of the UCPG for the purpose of ratifying the findings presented by the Secretary to the group.

Amendments to adopted bylaws require a two-thirds vote of the voting members of the UCPG.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the UCPG in attendance when a quorum is present.

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

The UCPG planning group's chair participates in discussions but does not vote except to make or break a tie.

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, however, a voting member authorized to attend a UCPG meeting remotely under the Brown Act and its amendments may vote on any item before the UCPG at a meeting.

(ix) COLLECTIVE CONCURRENCE - Any attempt to develop a collective concurrence of the members of the UCPG 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 UCPG or a majority of planning group members, may call a special meeting. An agenda for a special meeting shall be specified as such, and it 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 twenty-four (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** – An emergency meeting, requiring no public notice, are called for matters related to public health and safety. These matters are outside of the purview of the UCPG and are prohibited under these Operational Procedures.

(xii) **RIGHT TO RECORD** - Any person attending a meeting of the UCPG 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) Subcommittees**

The UCPG may establish ad hoc subcommittees when their operation contributes to more effective discussions at regular planning group meetings. Standing, or permanent, subcommittees are inconsistent with the purpose of the UCPG and not allowed.

(i) **AD HOC SUBCOMMITTEES** - Ad hoc subcommittees may be established for finite periods of time to review more focused issue areas and shall be disbanded following their review. Ad hoc subcommittees are not subject to the provisions of the Brown Act. However, ad hoc subcommittees should voluntarily comply with the provisions of the Brown Act whenever possible.

(ii) **SUBCOMMITTEE COMPOSITION** – Subcommittees shall strive to contain a majority of members who are voting members of the planning group, whenever possible.

Non-voting members, who are duly appointed by a planning group to

serve on a subcommittee, may be indemnified by the City by completing the same training as a voting member of the UCPG.

(iii) **RECOMMENDATIONS** – Subcommittee 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 or subcommittee 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 UCPG with a direct economic interest in any project that comes before the planning group or its subcommittees must disclose to the planning group that economic interest, and the member must recuse from voting and not participate in any manner as a member of the planning group for that item on the agenda. See Section 7.3, Ethical Standards.

(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 a request is valid for that entire year, but it 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 UCPG member attendance and a copy of approved minutes shall be retained by the planning group, and they 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 fourteen (14) days after approval by the planning group.

The UCPG is not required to make 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.

### Section 3.

## **7. Additional UCPG Responsibilities**

### 7.1 Commitment to Non-Discriminatory Practices

The UCPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

### 7.2 Records Retention

The UCPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

This section describes the ethical standards for the University Community Planning Group. Each provision also appears in the Ethical Guidelines document, Exhibit A. These guidelines

do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 7.3.1 Standards for Conflicts of Interest

UCPG voting members with a potential or perceived conflict of interest should recuse themselves from a UCPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances. However, a direct economic interest would not include holdings of de minimis investments in public companies.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by the UCPG board to other UCPG voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

UCPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that member lacks sufficient information upon which to cast a vote. The UCPG's record of the vote on the item will reflect an abstaining member in the vote and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention. Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

#### 7.3.4 Political Actions

Neither the UCPG nor voting members in their capacity as such may use their title from or position on the UCPG for political endorsements of individuals. The UCPG may, however, upon majority vote, take a position on pending legislation that is within the UCPG's purview.

#### 7.3.5 Donations

Neither the UCPG nor its voting members should accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The UCPG will endeavor to grant equal time for candidates or ballot measures if docketed on the UCPG agenda. Equal time does not apply to individuals speaking during the non-agenda public comment period.

### 7.4 Voting Member Training

The UCPG will require all UCPG voting members to complete the formal education program in-person or on-line offered by the City.

The UCPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the UCPG, and by no later than June 1<sup>st</sup> of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the UCPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

#### 7.5 Collaboration with City Staff

UCPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the UCPG.

### **8. CPG Rights and Liabilities**

#### 8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the UCPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the UCPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Operational Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the UCPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Operational Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

#### 8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the UCPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void UCPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the UCPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the UCPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The UCPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the UCPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The UCPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operational Procedures or San Diego Ordinance O-19883.

### 8.3 Violations of Membership Eligibility

Any UCPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining UCPG voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

The procedure for removing ineligible voting members is given in section 5.2.2.

### 8.4 Violations and Remedies

If the UCPG violates these Operational Procedures, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A UCPG voting member and the UCPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operational Procedures by a UCPG voting member, the UCPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The UCPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The UCPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the UCPG, or may recommend to the City Council that the UCPG's recognition be revoked.

The UCPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Operational Procedures or Policy 600-24 and the UCPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the UCPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be

reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operational Procedures

The UCPG acknowledges that any of its voting members found to be in violation of these Operational Procedures shall only be disciplined or removed by the UCPG at a scheduled UCPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

UCPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the UCPG, which may include expulsion from the board. The UCPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the UCPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the UCPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the UCPG's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The UCPG acknowledges that a consistent 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 plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

### **9. Collective Action of the CPG**

The official positions and opinions of the UCPG will not be established or determined by any organization other than the UCPG, nor by any individual voting member or subcommittee of the CPG.

### **10. Term of the Operational Procedures**

These Operational Procedures will be effective in perpetuity of the life of the UCPG unless recognition of the UCPG is revoked by the City as described in Section 8.4 or the Operational Procedures are updated to be consistent with Policy 600-24 as it may be amended.

Attachment:

EXHIBIT A: ETHICAL GUIDELINES DOCUMENT

## **Guidelines for CPG Ethical Standards**

### **Required for CPG Recognition by Operational Procedures, Exhibit A, of Council Policy 600-24**

This document describes recommended ethical standards the University Community Planning Group's (UCPG) Operational Procedures should address to be eligible for recognition by the San Diego City Council. These guidelines do not affect in any way the requirements of CP 600-24. The standards are outlined based on the City's Ethics Ordinance: Chapter 2, Article 7, Division 35 of the City's Municipal Code.

#### 1) Conflicts of Interest

UCPG voting members with a potential or perceived conflict of interest should recuse themselves from a UCPG hearing on matter for which they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances. However, a direct economic interest would not include holdings of de minimis investments in public companies.

Exceptions to conflicts of interest may be granted by the UCPG board to a voting member who can show that the decision will not have an effect, positive or negative, on their economic interest.

See Section 7 for additional information on Recusals and Abstentions.

#### 2) Abstentions for Potential Conflicts of Interest

UCPG voting members should voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or when that member lacks sufficient information upon which to cast a vote. The UCPG's record of the vote on the item will reflect an abstaining member in the vote, and they are still counted in a CPG quorum for that item, regardless of the point in time they declare their abstention.

Discomfort in publicly disclosing their position on a matter is not sufficient reason to abstain. At the time of the vote, a member shall disclose their reason for abstaining.

See Section 7 for additional information on Recusals and Abstentions.

#### 3) Political Actions

Neither the UCPG nor voting members in their capacity as such should use their title from or position on the UCPG for political endorsements of individuals. The UCPG may, however,

upon majority vote, take a position on pending legislation that is within the UCPG's scope.

4) Donations

Neither the UCPG nor its voting members should accept donations on behalf of any individual running for public office.

5) Equal Time for Candidates or Ballot Measures

The UCPG will endeavor to grant equal time for candidates or ballot measures if docketed on the agenda. Equal time does not apply to individuals speaking during non-agenda public comment periods.

6) Professional Conduct

The UCPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the UCPG's agenda. At all times, UCPG voting members should treat each other, applicants, city staff, and the public with courtesy.

7) Additional Information on Abstentions and Recusals

[Council Policy 600-24 Admin Guidelines \(2015\)](#) maintains consistent direction regarding recusing and abstaining.

Recusals and abstentions are defined as follows by the Admin Guidelines:

- **Recusals** - Mandatory prohibition. Readily identifiable, distinguishable, direct economic interest in any project or matter being considered by the planning group.
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Both terms relate to "conflict of interest," but the important distinction between the two is that one involves economic interest (recusals) and the other does not (abstention).

Attachment:

EXHIBIT B: PARTICIPATION AND REPRESENTATION DOCUMENT

**Community Participation & Representation Plan**  
**As required for Planning Group Recognition under**  
**Operational Procedures, Exhibit B, of Council Policy**  
**600-24**

**Purpose**

The University Community Planning Group (“UCPG”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, students, youth, people raising children, homeowners, individual property owners, businesses, people with disabilities, seniors, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Group as we continue to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate the UCPG’s general goals for engagement, outreach, and participation, with specific actions to achieve these goals, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community, which over time we expect to reflect the demographics of the community as provided by SANDAG’s [Data Surfer](#) website.

**General Goals**

The following are the UCPG’s general goals for public engagement, participation, and representation. The section “Specific Actions” lists the actions the UCPG has taken or will take to achieve these goals.

1. Educate the community regarding the role and activities of the UCPG in community planning as well as the types of issues that come before the planning group.
2. Increase and diversify community participation in UCPG decision making and its recommendations, both at monthly UCPG meetings and through community events.
3. Partner with community organizations, non-profits, schools, UC San Diego, and businesses to establish regular channels

of input on community issues.

4. Communicate the UCPG's work and goals in straightforward, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
5. Obtain meaningful input from a broad range of community members on land use issues, including General Plan Amendments, Community Plan Amendments, Community Plan Updates, updates to the Land Use Code, city policy frameworks, specific project reviews, and other land use matters.
6. Be proactive in communicating community needs and feedback to the city, including how to make effective project recommendations to decision makers.
7. Engage the community to solicit input and views outside of the UCPG monthly meetings.
8. Evaluate the effectiveness of UCPG participation and representation, on an ongoing basis, among other things, by using the UCPG Annual Report to summarize actions and accomplishments, community participation and engagement, voting member demographics, and a detailed report of community members seeking office, including voting results, along with year-to-year comparisons.

## Specific Actions

This section, "Specific Actions", lists the actions the UCPG has taken or will take to achieve the General Goals above. The section numbers below correspond to the General Goal numbering above. Actions currently undertaken by the UCPG are highlighted in green.

1. Educate the community in the role of the UCPG.
  - a. Maintain a one-page "What is the UCPG?" document for use at meetings, community events, and in media.
  - b. Maintain a one-paragraph version of (a) for use in material produced by the UCPG.
  - c. Maintain a bibliography of important documents to help community members to find information on land use, city policies, and projects: "Where can I find

\_\_\_\_\_?”.

- d. Create an informational piece available to new members and those running for election, designed to supplement information in City CPG training that explains detail not adequately covered.
2. Increase the diversity of community participation in the UCPG.
    - a. Identify each agenda item to determine its likely effect on the community. Make sure to engage with affected community members.
    - b. Use the University City News (on-line) and University City Newsletter (print) to identify agenda items of interest to residents of University City.
    - c. Establish a relationship with the UC San Diego Guardian to identify agenda items of interest to students, faculty, and staff at UC San Diego.
    - d. Continue the use of hybrid meetings, in person and on Zoom, to maximize participation at UCPG monthly meetings by members of the community.
  3. Partner with various community organizations.
    - a. Establish a dialog with our local San Diego Unified Trustee to ensure the UCPG accounts for San Diego Unified concerns on land use issues. Joint Use Parks are a specific, common, partnership.
    - b. The Administrative Representative from UC San Diego to the UCPG is the channel for continuing dialog between the University and the UCPG.
    - c. Use local businesses, small and large, for both education and partnership opportunities. Small businesses will also have connections to other business organizations, and their trade generates many contacts with community members. Many of our large businesses are directly involved in issues within the purview of the UCPG.
    - d. Local community and non-profits organizations can reach many segments of the community, including underrepresented members, that may prove difficult

using direct engagement.

4. Communicate simply and effectively with the community.
  - a. Post monthly agendas at the North and South UC libraries and a central location on the UC San Diego Campus.
  - b. Maintain a UCPG website to provide a consistent location for agendas, minutes, and presentations for each meeting, including an archive of information from past meetings. Ensure meeting information is shared with community and institutional partners, and media. Introductory information (e.g. “What is the UCPG?”) should be prominently displayed on the website.
  - c. Descriptions of agenda items for UCPG meetings descriptions contain Development Services Department (DSD) project description language for accuracy and precision. Ensure straightforward accompanying descriptions with a minimum of jargon are available to aid in understanding each agenda item.
  - d. Ensure the accompanying descriptions for each agenda are published in local media containing UCPG information. (**Specific Actions**, Section 2)
  - e. Publish separate articles for local media written in a straightforward style explaining substantial policy and project issues to be considered by the UCPG.
  - f. Maximize the amount of time available for members of the community to consider and for applicants to present on and respond to issues to be discussed at the UCPG.
5. Gather meaningful input from a broad range of community members on land use issues.
  - a. Determine important community constituencies that may be overlooked or have not been addressed. Be sure to specifically encourage these constituencies to participate in UCPG meetings and/or submit comments in writing on agenda items. Renters are a key, large, constituency in the community and have

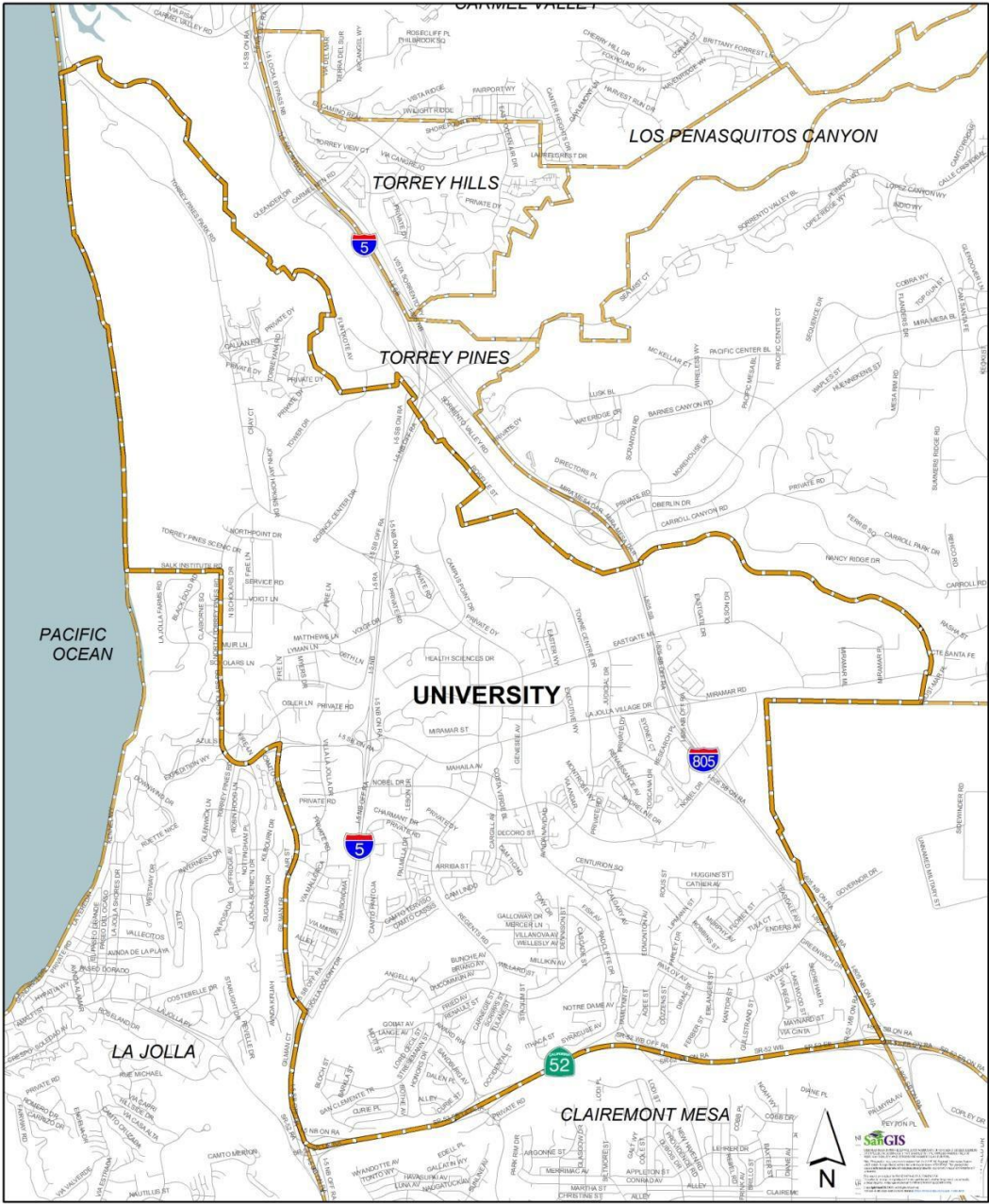
different perspectives on land use and development policy. The voting members of the UCPG must respect these views and actively encourage renters to become voting members throughout the community.

- b. Maintain a summary of email received from community members regarding projects and policies.
- 6. Convey community feedback on projects and policy effectively to decision makers.
  - a. Discuss how each project recommendation will be communicated to the city, especially when additional conditions accompany recommendations or when a project cannot be recommended.
  - b. Ensure that the community is aware of how conditional approvals or rejected projects must be substantiated to decision makers.
  - c. The UCPG Chair should give written and/or oral testimony to decision makers (Planning Commission and City Council) for projects of particular importance to the community, with copies of the testimony included in the monthly minutes.
- 7. Engage the community to solicit input and views outside of the UCPG monthly meetings.
  - a. Use events (4<sup>th</sup> of July, Oktoberfest at Standley Park) to engage the community in an informal setting.
  - b. The UCPG should work with community organizations, city officials, and elected officials to participate in community events to promote the UCPG and its role in the community.
- 8. Participation and Representation Evaluation
  - a. Add periodic UCPG agenda Action Items to discuss and evaluate the effectiveness of UCPG participation efforts.
  - b. Produce the UCPG Annual Report with elements described under **General Goals, Section 8.** The UCPG has Annual Reports for the past 5 years from

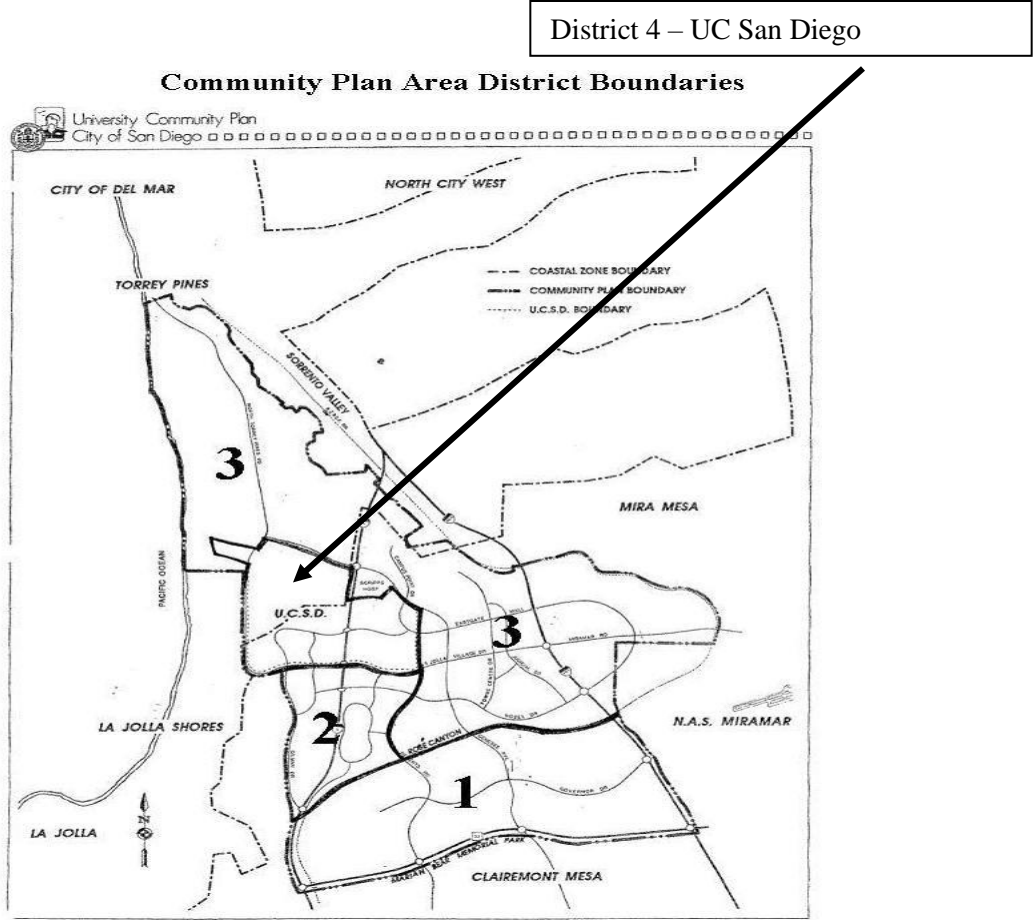
2018-2022.

- c. Determine if there are community members or organizations consistently absent from UCPG monthly meetings or discussions and engage with them.
- d. Compare the participants in UCPG elections to the demographic of the University Community. Add this year-over-year demographic information to the Annual Report.
- e. Make the process of running for election as a voting member as simple and transparent as possible, Communicate filing deadlines well in advance.
- f. Ensure that each candidate in the voting process is accorded the opportunity to give oral and written candidate statements on an equitable basis
- g. Make the voting process itself flexible by considering the possibility of bad weather, the convenience of voting, and limiting the effects of possible communicable disease.

**EXHIBIT C: The University Community Plan Area Map**



**Exhibit A: Boundary Map - University**



**Exhibit D: University Community Plan Area Districts, Rev. 2024**

**Exhibit E**

In accordance with Article III of the UCPG bylaws, members of the UCPG shall be elected to serve for fixed terms of three years with expiration dates during alternate years to provide continuity. The representation by District and the schedule of positions is shown in the table below.

| Year 1     | Year 2     | Year 3           |
|------------|------------|------------------|
| 2023, 2026 | 2024, 2027 | 2025, 2028, 2031 |
| R-1-A      | R-1-B      | R-1-C            |
| R-2-A      | R-2-B      | R-2-C            |
| R-3-A      | R-3-B      | R-3-C            |
| R-4-A      | R-4-B      | R-4-C            |
| B-1-A      | B-1-B      | B-1-C            |
| B-2-A      | B-2-B      | B-2-C            |
| B-3-A      | B-3-B      | B-3-C            |

Revision 2024 for UCPG Operational Procedures.

Attachment:

EXHIBIT F: MEMBER OF THE COMMUNITY APPLICATION FORM.

*This form from UCPG Bylaws is found at <https://www.sandiego.gov/planning/community-plans/cpg/bylaws>*

**UCPG MEMBERSHIP FORM TO REGISTER AS AN ELIGIBLE MEMBER OF THE COMMUNITY**

The University Community Planning Group (UCPG) is the officially recognized organization representing North and South University City in the City of San Diego's planning process. There is no cost to attend meetings, nor is any individual required to sign-in to a meeting or identify themselves to attend.

To be confirmed as an 'Eligible Member of the Community' in accordance with City of San Diego Council Policy 600-24 to vote in UCPG elections or to become a UCPG board candidate, please fill out this application form.

*You need not be a registered voter or a citizen for membership.*

.....

Membership Classification (see definitions below) \* (check one):

DISTRICT (See Exhibit C map (page 3) for district number corresponding to your location.)

- ☐ Resident or owner of residential property in University City      District    1    2    3    4
- ☐ Business owner or owner of non-residential property in University City      District    1    2    3

NAME [Please print all]

ADDRESS

PHONE \_\_\_\_\_ E-MAIL \_\_\_\_\_

BUSINESS NAME (if applying as a business member)

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

**Mail, Email, or Fax completed form to:**

**Name:** Anu Delouri, UCPG Membership Secretary    **E-mail:** [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu)    **Telephone:** 858-610-0376

**Address:** *Contact for mailing address*

- ☐ *Receipt of membership application can be confirmed by checking roster available at UCPG meetings or by email. Fill-in e-mail address above and check box here if you want e-mail confirmation.*

Description of Classifications:

\*RESIDENT OR OWNER OF RESIDENTIAL PROPERTY: Must be 18 years of age and reside in the

Plan Area. Each adult member of a household is eligible for resident membership. Each member must complete a separate application form. A resident member is anyone who rents or may be an owner of a residential property who does not reside in University City.

\*BUSINESS OWNER OR OWNER OF NON-RESIDENTIAL PROPERTY: Must be 18 years of age and shall own

or represent a business or non-profit institution at a non-residential property address located in University City. A business owner may be the owner of undeveloped non-residential property in University City. A business owner does not need to live in University City to qualify for membership.

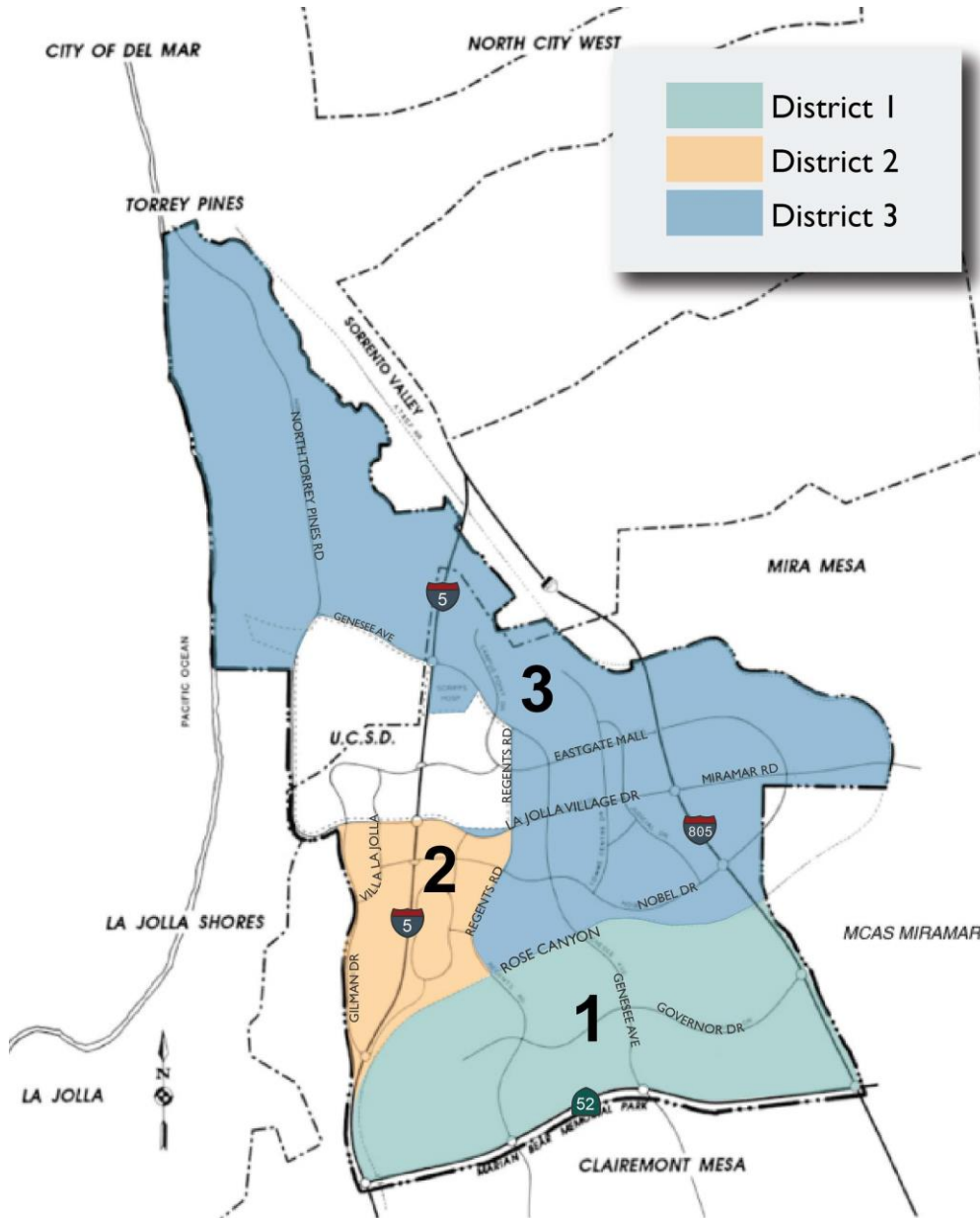
NOTE: A representative other than the Owner, President, or CEO must be designated in writing. A copy of a City of San Diego business tax certificate must be submitted. Eligibility must be verified by the Membership Secretary.

FOR SECRETARY USE ONLY: Demonstrated Resident or Business Owner Eligibility \_\_\_\_\_

**As a University City community member, I am interested in these planning elements:**

- ☐ Housing
- ☐ Homelessness
- ☐ Public Transportation and Access
- ☐ Mobility
- ☐ Traffic and Congestion
- ☐ Bike & Pedestrian Mobility and Safety
- ☐ Land Use
- ☐ Zoning
- ☐ Density
- ☐ Sustainability, Climate Change, Climate Action Plan, Air Pollution
- ☐ Urban Design
- ☐ Utilities and Infrastructure
- ☐ Commercial and Office Space
- ☐ Parks and Recreation
- ☐ Open Space Preservation
- ☐ Tree Canopy
- ☐ Native Plants
- ☐ Institutional Amenities – Libraries, Amenities for Seniors, Childcare, etc.
- ☐ Community Outreach
- ☐ Other (write in)

- \_\_\_\_\_
- \_\_\_\_\_



District 1 is south of Rose Canyon, north of SR-52, and between I-805 and I-5.

District 2 is north of Rose Canyon, west of Regents Road, south of La Jolla Village Drive.

District 3: All portions of the Plan Area not contained within Districts 1 and 2, including Scripps Memorial Hospital and the Salk Institute, but not including the UC San Diego campus.

District 4: The UC San Diego campus.

EXHIBIT G: DROP-OFF BALLOT VOTING PROCEDURES

**EXHIBIT TO BE REVISED FOR EACH UCPG ELECTION AND POSTED  
AS “UCPG Notice of Elections XXXX”**

**University Community Planning Group Notice of Elections for the  
Executive Board  
March 14, 2023**

The University Community Planning Group (UCPG) will hold its annual March 2023 election for three residential and three business seats for terms beginning April 11, 2023.

For this year’s election we’re pleased to offer drop off ballot boxes at the two UC libraries for your convenience. We encourage all UCPG members to take advantage of this and cast your vote. Details are found below.

***Where can I get a ballot?***

Ballots will be available on the UCPG’s City web site beginning in late February here:  
<https://www.sandiego.gov/planning/community/profiles/university/agendas>

***Which ballot do I use? (You may choose only one)***

**Residential Seat Ballots:**

2023\_UCPG\_Ballot\_District\_1\_RESIDENT\_SEAT\_A  
2023\_UCPG\_Ballot\_District\_2\_RESIDENT\_SEAT\_A  
2023\_UCPG\_Ballot\_District\_3\_RESIDENT\_SEAT\_A  
2023\_UCPG\_Ballot\_District\_4\_RESIDENT\_SEAT\_A

**Must include one or more District 4 Resident Seats**

**Business Seat Ballots:**

2023\_UCPG\_Ballot\_District\_1\_BUSINESS\_SEAT\_A  
2023\_UCPG\_Ballot\_District\_2\_BUSINESS\_SEAT\_A  
2023\_UCPG\_Ballot\_District\_3\_BUSINESS\_SEAT\_A

Not sure of your district? See the map on page 3.

***How do I fill out the ballot?***

- Download the correct ballot.
- Print the first page of the ballot.
- Make your vote selection on the TOP half of the ballot.
- Write your name and address LEGIBLY on the bottom half of the ballot.
- Cut the sheet along the indicated line on the ballot.
- Place the TOP half of the ballot into a sealed envelope that you provide.
- Place the BOTTOM half of the ballot and the sealed envelope which includes your vote into a second envelope..
- Place this SECOND envelope which includes your vote and proof of membership into the BALLOT BOX, located INSIDE the South UC Library adjacent to the

circulation desk or INSIDE the North UC Library across from the circulation desk.  
See page 4.

***Where do I drop my ballot?***

Ballots may be dropped off either INSIDE the South UC Library (4155 Governor Dr.) near the circulation desk or INSIDE the North UC Library near the circulation desk (8820 Judicial Dr., Nobel Recreation area) during business hours.

***When can I drop off my ballot?***

The ballot box is available for drop off during library business hours which include:

|                 |                   |                |
|-----------------|-------------------|----------------|
| Monday Mar 6    | 11:30AM – 8:00 PM | DROP OFF ONLY  |
| Tuesday Mar 7   | 11:30AM – 8:00 PM | DROP OFF ONLY  |
| Wednesday Mar 8 | 9:30 AM – 6:00 PM | DROP OFF ONLY  |
| Thursday Mar 9  | 9:30 AM – 6:00 PM | DROP OFF ONLY  |
| Friday Mar 10   | 9:30 AM – 6:00 PM | DROP OFF ONLY  |
| Saturday Mar 11 | 9:30 AM – 6:00 PM | DROP OFF ONLY  |
| Sunday Mar 12   | CLOSED            |                |
| Monday Mar 13   | 11:30AM – 7:00 PM | DROP OFF ONLY. |

Tuesday March 14            from 5PM to 8PM

In person voting ONLY at 10300 Campus Pointe Drive, on the west side of the Alexandria building. Please bring a valid ID for address verification.

***How can I vote In Person?***

In-person voting will ONLY be held on March 14, 2023, from 5PM to 8PM adjacent to the UCPG meeting room on the second floor of the Alexandria building at 10300 Campus Point Drive. Not sure where this is? See the map on page 4.

**Counting the Vote**

All votes, those dropped off at the UC Libraries and those cast in person, will be tabulated on March 14 and reported after the close of the election, shortly after 8PM at the UCPG meeting. The City mandates all results from planning group elections be reported prior to the end of the March 2023 meeting.

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**Required for CPG Recognition by Operational Procedures, Exhibit A,**  
**of Council Policy 600-24**

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6. Be proactive in communicating community needs and feedback to the city, including how to make effective project recommendations to decision makers.
7. Engage the community to solicit input and views outside of the UCPG monthly meetings.
8. Evaluate the effectiveness of UCPG participation and representation, on an ongoing basis, among other things, by using the UCPG Annual Report to summarize actions and accomplishments, community participation and engagement, voting member demographics, and a detailed report of community members seeking office, including voting results, along with year-to-year comparisons.

## **Specific Actions**

This section, “Specific Actions”, lists the actions the UCPG has taken or will take to achieve the General Goals above. The section numbers below correspond to the General Goal numbering above. Actions currently undertaken by the UCPG are highlighted in green.

1. Educate the community in the role of the UCPG.
  - a. Maintain a one-page “What is the UCPG?” document for use at meetings, community events, and in media.
  - b. Maintain a one-paragraph version of (a) for use in material produced by the UCPG.
  - c. Maintain a bibliography of important documents to help community members to find information on land use, city policies, and projects: “Where can I find \_\_\_\_?”.

- d. Create an informational piece available to new members and those running for election, designed to supplement information in City CPG training that explains detail not adequately covered.
- 2. Increase the diversity of community participation in the UCPG.
  - a. Identify each agenda item to determine its likely effect on the community. Make sure to engage with affected community members.
  - b. Use the University City News (on-line) and University City Newsletter (print) to identify agenda items of interest to residents of University City.
  - c. Establish a relationship with the UC San Diego Guardian to identify agenda items of interest to students, faculty, and staff at UC San Diego.
  - d. Continue the use of hybrid meetings, in person and on Zoom, to maximize participation at UCPG monthly meetings by members of the community.
- 3. Partner with various community organizations.
  - a. Establish a dialog with our local San Diego Unified Trustee to ensure the UCPG accounts for San Diego Unified concerns on land use issues. Joint Use Parks are a specific, common, partnership.
  - b. The Administrative Representative from UC San Diego to the UCPG is the channel for continuing dialog between the University and the UCPG.
  - c. Use local businesses, small and large, for both education and partnership opportunities. Small businesses will also have connections to other business organizations, and their trade generates many contacts with community members. Many of our large businesses are directly involved in issues within the purview of the UCPG.
  - d. Local community and non-profits organizations can reach many segments of the community, including underrepresented members, that may prove difficult using direct engagement.

4. Communicate simply and effectively with the community.
  - a. Post monthly agendas at the North and South UC libraries and a central location on the UC San Diego Campus.
  - b. Maintain a UCPG website to provide a consistent location for agendas, minutes, and presentations for each meeting, including an archive of information from past meetings. Ensure meeting information is shared with community and institutional partners, and media. Introductory information (e.g. “What is the UCPG?”) should be prominently displayed on the website.
  - c. Descriptions of agenda items for UCPG meetings descriptions contain Development Services Department (DSD) project description language for accuracy and precision. Ensure straightforward accompanying descriptions with a minimum of jargon are available to aid in understanding each agenda item.
  - d. Ensure the accompanying descriptions for each agenda are published in local media containing UCPG information. (**Specific Actions**, Section 2)
  - e. Publish separate articles for local media written in a straightforward style explaining substantial policy and project issues to be considered by the UCPG.
  - f. Maximize the amount of time available for members of the community to consider and for applicants to present on and respond to issues to be discussed at the UCPG.
5. Gather meaningful input from a broad range of community members on land use issues.
  - a. Determine important community constituencies that may be overlooked or have not been addressed. Be sure to specifically encourage these constituencies to participate in UCPG meetings and/or submit comments in writing on agenda items. Renters are a key, large, constituency in the community and have different perspectives on land use and development policy. The voting members of the UCPG must

respect these views and actively encourage renters to become voting members throughout the community.

- b. Maintain a summary of email received from community members regarding projects and policies.
- 6. Convey community feedback on projects and policy effectively to decision makers.
  - a. Discuss how each project recommendation will be communicated to the city, especially when additional conditions accompany recommendations or when a project cannot be recommended.
  - b. Ensure that the community is aware of how conditional approvals or rejected projects must be substantiated to decision makers.
  - c. The UCPG Chair should give written and/or oral testimony to decision makers (Planning Commission and City Council) for projects of particular importance to the community, with copies of the testimony included in the monthly minutes.
- 7. Engage the community to solicit input and views outside of the UCPG monthly meetings.
  - a. Use events (4<sup>th</sup> of July, Oktoberfest at Standley Park) to engage the community in an informal setting.
  - b. The UCPG should work with community organizations, city officials, and elected officials to participate in community events to promote the UCPG and its role in the community.
- 8. Participation and Representation Evaluation
  - a. Add periodic UCPG agenda Action Items to discuss and evaluate the effectiveness of UCPG participation efforts.
  - b. Produce the UCPG Annual Report with elements described under **General Goals, Section 8.** The UCPG has Annual Reports for the past 5 years from

2018-2022.

- c. Determine if there are community members or organizations consistently absent from UCPG monthly meetings or discussions and engage with them.
- d. Compare the participants in UCPG elections to the demographic of the University Community. Add this year-over-year demographic information to the Annual Report.
- e. Make the process of running for election as a voting member as simple and transparent as possible, Communicate filing deadlines well in advance.
- f. Ensure that each candidate in the voting process is accorded the opportunity to give oral and written candidate statements on an equitable basis
- g. Make the voting process itself flexible by considering the possibility of bad weather, the convenience of voting, and limiting the effects of possible communicable disease.

## UCPG Access and Engagement – Five Key Actions

Here are five examples of efforts that the UCPG will employ to broadly share and publicize the opportunity to participate in the UCPG and engage the overall community about land use-related issues.

1. Maintain a set of introductory documents for the UCPG, community planning, land use. This includes our one-page “What is the UCPG?” document for use at meetings, community events, and in media. Also important is a bibliography of important documents to help community members to find information on land use, city policies, and projects: “Where can I find \_\_\_\_?” and navigating the city website are good examples.
2. Maintain a UCPG website to provide a consistent location for agendas, minutes, and presentations for each meeting, including an archive of information from past meetings. Ensure meeting information is shared with community and institutional partners, and media. Introductory information (e.g. “What is the UCPG?”) should be prominently featured on the website.
3. Land use-related issues comprise most of the agenda items considered at the UCPG which are given using DSD written descriptions. Proper accompanying information written in a straightforward way can be key to understanding land use issues and participating fully in discussions, as is sufficient time for community members to consider and respond. Many residents are renters with a different perspective on land use and development. The UCPG must ensure that these views are represented and respected by its voting members, and that this is communicated to the community.
4. Discuss how each project recommendation will be communicated to the city, especially when additional conditions accompany recommendations or when a project cannot be recommended. Participation in the UCPG increases when the community understands how their feedback is incorporated into the city’s decisions.
5. The UCPG should work with community organizations, city officials, and elected officials to participate in community events to promote the UCPG and its role in the community. Local community and non-profits organizations can reach

many segments of the community, including underrepresented members, that may prove difficult using direct engagement

**UNIVERSITY COMMUNITY PLANNING GROUP**

**Executive Committee** (*updated 03/31/23*)

**Voting Members (20)**

**Karen Martien (R1-A)**

(Nov 2021 / 2023) \*

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**Georgia Kayser (R1-B)**

(2021 / 2024)

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**Andrew Wiese (R1-C)**

(2022 / 2025)

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**CHAIR**

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(2018 / 2023)

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**Joann Selleck (R2-B)**

(2018 / 2024)

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(2023 / 2026)

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**Non-Voting Members (2):**

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**Anu Delouri**

(UCSD Administration) \*\*

UCSD Physical & Community Planning

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**Kristin Camper (MCAS Miramar) \*\***

Col. Thomas M. Bedell (MCAS-Miramar) \*\*

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\* (Start of Exec. Comm. Membership /  
Current Term Ends)

\*\* UCSD & MCAS-M Members serve at  
pleasure of appointing authority

# University

■ Member Count

■ Percent Group

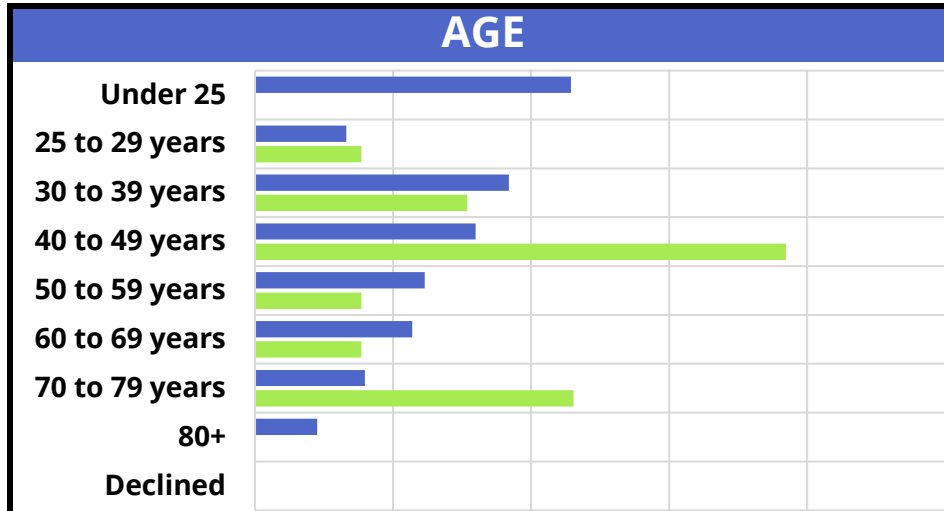
■ Percent Community

| COMMUNITY AFFILIATION               |              |
|-------------------------------------|--------------|
| Homeowner                           |              |
| Property Owner                      |              |
| Renter                              |              |
| Local Business Owner or...          |              |
| Youth Representative...             |              |
| Other                               |              |
| Declined                            |              |
| Community Affiliation               | Member Count |
| Homeowner                           | 8            |
| Property Owner                      | ---          |
| Renter                              | 1            |
| Local Business Owner or Operator    | 4            |
| Youth Representative (Age Under 25) | ---          |
| Other                               | ---          |
| Declined                            | ---          |
| <b>Total</b>                        | <b>13</b>    |

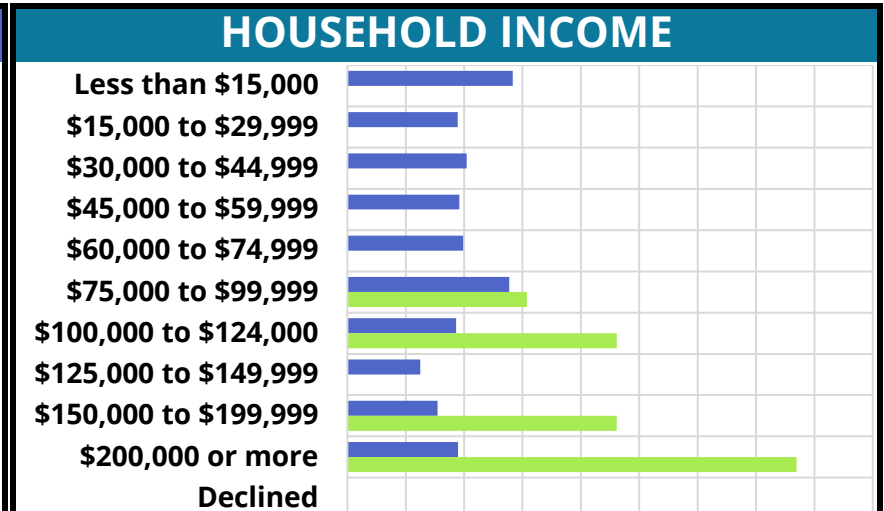
| RACE/ETHNICITY   |              |               |                   |
|------------------|--------------|---------------|-------------------|
| American Indian  |              |               |                   |
| Asian            |              |               |                   |
| Black            |              |               |                   |
| Hispanic         |              |               |                   |
| Pacific Islander |              |               |                   |
| White            |              |               |                   |
| Two or More      |              |               |                   |
| Other            |              |               |                   |
| Declined         |              |               |                   |
| Race/Ethnicity   | Member Count | Percent Group | Percent Community |
| American Indian  | ---          | ---           | 0.4%              |
| Asian            | 1            | 7.7%          | 27.8%             |
| Black            | ---          | ---           | 2.1%              |
| Hispanic         | ---          | ---           | 16.5%             |
| Pacific Islander | ---          | ---           | 0.4%              |
| White            | 11           | 84.6%         | 48.8%             |
| Two or More      | ---          | ---           | 3.7%              |
| Other            | 1            | 7.7%          | 0.3%              |
| Declined         | ---          | ---           | ---               |
| <b>Total</b>     | <b>13</b>    | <b>100.0%</b> | <b>100.0%</b>     |

# University

■ Percent Group ■ Percent Community



| Age            | Member Count | Percent Group | Percent Community |
|----------------|--------------|---------------|-------------------|
| Under 25       | ---          | ---           | 23%               |
| 25 to 29 years | 1            | 8%            | 7%                |
| 30 to 39 years | 2            | 15%           | 18%               |
| 40 to 49 years | 5            | 38%           | 16%               |
| 50 to 59 years | 1            | 8%            | 12%               |
| 60 to 69 years | 1            | 8%            | 11%               |
| 70 to 79 years | 3            | 23%           | 8%                |
| 80+            | ---          | ---           | 4%                |
| Declined       | ---          | ---           | ---               |
| <b>Total</b>   | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |



| Household Income       | Member Count | Percent Group | Percent Community |
|------------------------|--------------|---------------|-------------------|
| Less than \$15,000     | ---          | ---           | 14%               |
| \$15,000 to \$29,999   | ---          | ---           | 9%                |
| \$30,000 to \$44,999   | ---          | ---           | 10%               |
| \$45,000 to \$59,999   | ---          | ---           | 10%               |
| \$60,000 to \$74,999   | ---          | ---           | 10%               |
| \$75,000 to \$99,999   | 2            | 15%           | 14%               |
| \$100,000 to \$124,000 | 3            | 23%           | 9%                |
| \$125,000 to \$149,999 | ---          | ---           | 6%                |
| \$150,000 to \$199,999 | 3            | 23%           | 8%                |
| \$200,000 or more      | 5            | 38%           | 9%                |
| Declined               | ---          | ---           | ---               |
| <b>Total</b>           | <b>13</b>    | <b>100%</b>   | <b>100%</b>       |