



City of San Diego  
Planning Department

ADMINISTRATIVE APPROVAL OF COMMUNITY PLANNING GROUP BYLAW AMENDMENT

Date	12/27/2021
Community Planning Group	North Park Planning Committee (NPPC)
Subject	Administrative Approval of Bylaws Amendment

The following amendment was reviewed by representatives of the Mayor's Office and City Attorney's office pursuant to Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" and determined to conform with the Policy.

The signatures on this form constitute an Administrative Approval of the cited amendments.

**Date of Bylaws being amended:** 23 February, 2017

**Article & Section and Description of Approved Bylaws Amendment:**

**Article III – Section 2.** Proposed changes contemplate the process for demonstrating qualifications.

**Article V –Section 1-5.** Proposed changes revise the composition of the group's election committee and establishes election procedures.

**Articles VI, IX.** Proposed changes are minor and limited to document format and consistency.

**Reviewed and approved for use by the community planning group:** NPPC

Tom Tomlinson 12/27/2021  
 Tom Tomlinson Date  
 Assistant Director, Planning Department  
 Mayor's Office Representative

Noah Brazier 12/27/2021  
 Noah Brazier Date  
 Deputy City Attorney  
 City Attorney Representative

cc: Community Planning Group Chair: Aria Pounaki  
Community Planner: Jeffrey Ryan  
Planning Administration: Hyejin Lee

# NORTH PARK PLANNING COMMITTEE

**Amended December 27, 2021  
(Administrative Approval)**

## **ARTICLE I            Name**

- Section 1.        The official name of this organization is the North Park Planning Committee (NPPC).
- 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 former elected 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.  
Refer to Administrative Guidelines Article 1, Section 4 for further clarification.

## **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 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, Article II: Purpose of Community Planning Groups and General Provisions.

- Section 2. In reviewing individual development projects, the North Park Planning Committee 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 North Park Planning Committee 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 disabled persons.
- Section 4. The North Park Planning Committee 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 North Park Planning Committee'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 North Park 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 North Park Planning Committee 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 North Park Planning Committee, 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 North Park Planning Committee 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.

### **ARTICLE III           Community Planning Group Organizations**

Section 1.       The North Park Planning Committee shall consist of 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.

Section 2.       Council Policy 600-24 requires that elected members of the North Park Planning Committee shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests.

On the North Park Planning Committee 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:

- (1)       a North Park **resident**, who is an individual whose primary address of residence is an address in the North Park community planning area, or,
- (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 per North Park property may vote and/or run for election to the North Park Planning Committee Board; or,
- (3)       a non-resident North Park **business owner**, who must be either the sole or partial owner of a **business or not-for-profit organization** located within the North Park or designee at a non-residential real property address in the community planning area; however, only one non-resident business may hold a seat per North Park property owner or business.

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 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: (1) submit

an application demonstrating eligibility and (2) attend at least one meeting of the North Park Planning Committee (documented by signing in). In order to run in the March general election, these two items must be completed 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 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.

Section 3. Members of the North Park Planning Committee 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 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 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 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 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 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 the majority vote of the North Park Planning Committee.

Two or more concurrent community planning group vacancies shall be filled by a vote of all eligible members in accordance with procedures outlined in Article V.

In the case of a midterm vacancy, once the vacancy is officially declared, a list of eligible candidates shall be submitted at the next regularly scheduled meeting by the Secretary.

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 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 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.

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 one meeting of the North Park Planning Committee's last 12 meetings prior to the February regular meeting 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 various categories of 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 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 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 5.C.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 bylaws:

**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. 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.
  - 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:
    - i. **A resident**, who is an individual whose primary address of residence is an address in the North Park community planning area, shall provide:
      1. A picture ID to establish their identity and residency in North Park. In lieu of driver's license, a bill (such as City Water, SDG&E, AT&T etc.) dated within the previous 60 days with the individual's name and address clearly stated may be substituted.

- ii. **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:
  - 1. 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.
  - 2. 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.
- iii. **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:
  - 1. Business tax certificates to identify ownership or a partnership of owners on the certificate.
  - 2. 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.
- iv. **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:
  - 1. 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.
- v. **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 Article III, Section 4 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.
  - a. These two (2) teams of two (2) will process the ballots as follows:
    - i. Team member one (1) of each team will enter the votes onto a tabulation/spreadsheet.
    - ii. Team member two (2) of each team will observe this tabulation to ensure the vote is entered correctly
    - iii. Votes will be systematically counted and compared at 25 ballot intervals. 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.
    - iv. Counting will proceed in this manner until all ballots are counted.

- v. Each team will tabulate all the subsets to arrive at a final count.
6. 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.
7. 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.
8. It is the responsibility of any potential write-in candidate to verify they meet attendance qualifications prior to the election (i.e., write-in candidates who claim to have registered or attended meetings, but did not verify their qualification with the NPPC Election Chair prior to election, may be deemed ineligible if NPPC registration paperwork does not confirm their eligibility outright).
9. 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.
10. 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.
11. 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.
12. 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.
13. 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
14. Election challenges must be made within 24 hours following the March meeting adjournment. (Refer to Article V, Section 4 to review challenge procedures)
15. 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 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 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.

16. A challenged-induced vacancy will be filled by a vote of the North Park Planning Committee pursuant to Article IV, Section 2.
17. 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 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 North Park Planning Committee 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 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.

(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
  - ii. there are no objections from the public, and
  - iii. there is a unanimous vote of the voting members of the North Park Planning Committee in attendance.

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 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 North Park Planning Committee.

A vote to approve a community plan update or a community plan amendment requires a majority vote of the voting members of the North Park Planning Committee.

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 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 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 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.

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 North Park Planning Committee and are prohibited under these bylaws.

(xii) 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.

(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 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 as identified in Article II, Section 1 the planning group has established the following standing subcommittees 1. Public Facilities/Transportation and 2. Urban Design/Project Review:

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 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 size of the subcommittee and shall appoint the 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.
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 SUBCOMMITTEES - The North Park Planning Committee will also create as needed Ad Hoc Committees to address a particular planning or operational matter (such as the Elections Subcommittee).

(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 North Park Planning Committee 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 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. 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. The North Park Planning Committees 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 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, 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 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, Secretary, and Treasurer. 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. 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 7. 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 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 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 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 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. 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 an agenda item 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.

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 Bylaws shall be proposed by an Ad Hoc Bylaws 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 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 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.     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 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 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:

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 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 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 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.

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 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 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 North Park Planning Committee as a Whole**

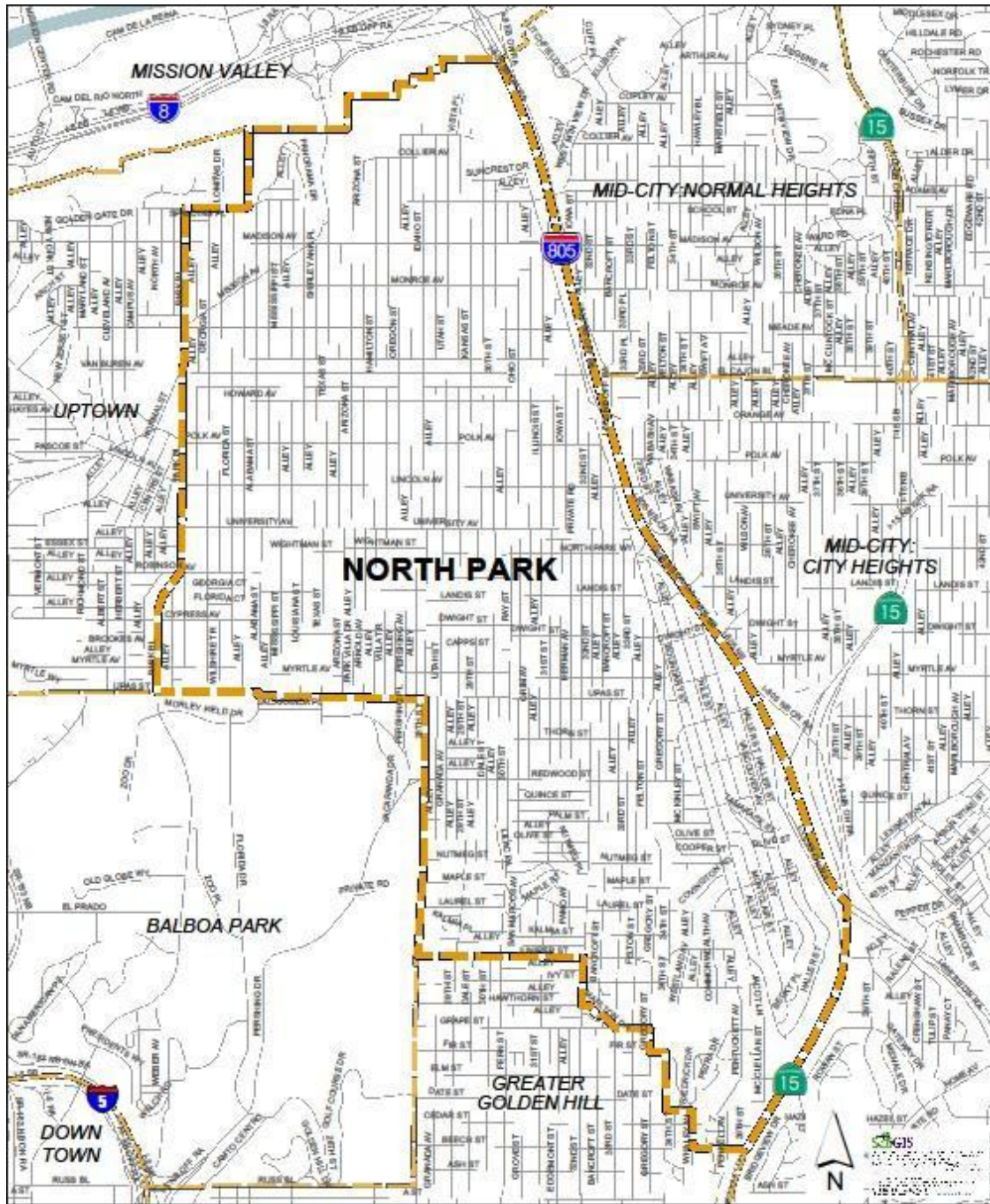
In the case of an alleged violation of the planning group's bylaws or of Council Policy 600-24 by the planning group as a whole or multiple members of the planning group, the violation shall be forwarded in writing to the City. The Mayor's Office will engage in a dialogue with the planning group, determining the validity of the complaint, and seeking resolution of the issue or dispute. The 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 bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-19883 NS, and any future amendments thereto.

- Exhibit A: North Park Planning Committee Boundary Map
- Exhibit B: Eligible Member Registration Form



**Exhibit A: Boundary Map - NorthPark**

**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 a 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-RESIDENT PROPERTY OWNER: ( )
- NORTH PARK RESIDENT BUSINESS OWNER ( )      NON NORTH PARK RESIDENT BUSINESS 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:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_  
\_\_\_\_\_

**DATE:** \_\_\_\_\_

<u>For Planning Committee Use</u> _____	Reviewed by		Date:
	Meets Eligibility Criteria:	YES	NO