

FEB 1 1978

WHEREAS, it is the policy of the City Council upon recommendation of the Planning Commission to authorize community planning and development programs and the commitment of the City Manager and Planning Department personnel necessary to provide comprehensive planning services; and

WHEREAS, the Planning Commission and the City Council have included in the tentative annual budget and work program for 1978-79 a priority for continued community plan implementation and maintenance in the Rancho Bernardo Community; and

WHEREAS, the Rancho Bernardo Planning Board is established as a formal organization which is capable of providing proper coordination and communications with City staff forces; and

WHEREAS, the committee has submitted Bylaws and Operating Rules and Procedures as required by Council Policy No. 600-24, a copy of which is attached hereto as Exhibit "B."

WHEREAS, it is the opinion of the City Council that the Rancho Bernardo Planning Board, composed of a cross section of the civic, social, business and neighborhood organizations, satisfies the criteria set forth in Council Policy Nos. 600-5 and 600-24, policies of The City of San Diego with respect to community plans; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego as follows:

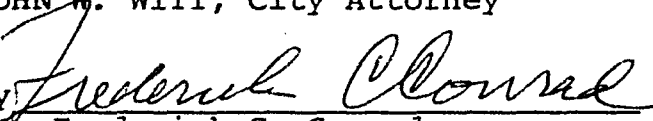
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The Rancho Bernardo Planning Board be, and is hereby authorized to represent the Rancho Bernardo Community consisting of the area included within the area of a map identified as Exhibit "A" attached hereto as a part hereof, and work with the City Manager's office and Planning Department in the development of a long-range community plan, consistent with community goals and objectives, and be responsible for its presentation as well as the coordination of community support for its adoption and effectuation.

APPROVED: JOHN W. WITT, City Attorney

By

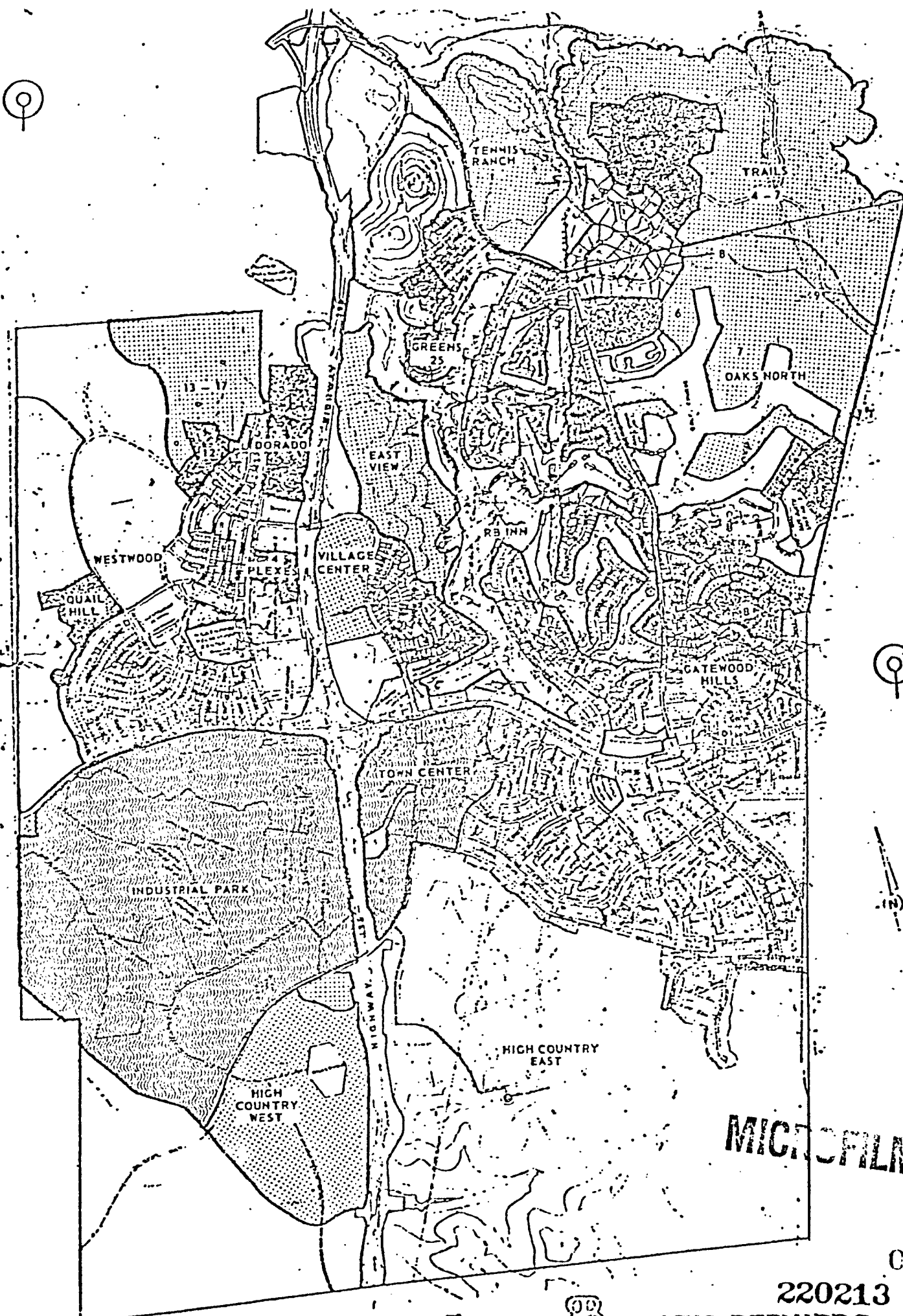

Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
1/19/78
Or.Dept.:Mayor Wilson
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RANCHO BERNARDO

EXHIBIT A

BYLAWS AND OPERATING RULES AND PROCEDURES
OF
RANCHO BERNARDO COMMUNITY PLANNING BOARD

ARTICLE I. NAME

Section 1. The name of this organization is the RANCHO BERNARDO COMMUNITY PLANNING BOARD, hereinafter referred to as the "Planning Board".

Section 2. All activities of this Planning Board shall be conducted in the name of the RANCHO BERNARDO COMMUNITY PLANNING BOARD.

Section 3. The community planning area boundaries which are applicable to this Planning Board are as shown on Exhibit "A", attached hereto and by this reference made a part hereof, and are on file in the Planning Department of the City of San Diego.

Section 4. 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.

ARTICLE II. PURPOSE OF THE PLANNING BOARD AND GENERAL PROVISIONS

Section 1. The primary purpose of this community Planning Board shall be to advise the City Council, Planning Commission, and other governmental agencies as may be appropriate in the initial preparation, adoption of, implementation of, or amendment to the General or Community Plan as it pertains to the area or areas of concern to said Planning Board, hereinafter referred to as the "planning process".

Section 2. Insofar as the efforts of the Planning Board are engaged in the diligent pursuit of the above purpose, professional planning staff assistance, if any, shall be provided from the Planning Department and/or as appropriate by staff under the direction of the City Manager.

Section 3. Insofar as the efforts of the Planning Board are engaged in the diligent pursuit of nonplanning-oriented implementation activities, professional staff assistance, if any, shall be provided by the City Manager from appropriate managerial departments.

Section 4. All Planning Board activities shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, creed, or national origin, nor shall the Planning Board take part, officially or unofficially, or lend its influence in the election of any candidate for political office.

Section 5. Pursuant to the provisions of City Council Policy 600-5, failure of the Planning Board to diligently pursue the initial preparation, adoption, implementation or amendments to

the planning process shall result in the forfeiture of rights to represent its community for these purposes. Such a determination resulting in the forfeiture of right to represent its community for these purposes shall be made only by the City Council upon the recommendation of the Planning Department.

ARTICLE III. PLANNING BOARD ORGANIZATION

Section 1. Upon recognition by the City Council, the members of the Planning Board shall constitute the official group for the purposes set forth in Article II. The initial membership shall consist of twenty-three (23) members and shall be those persons as listed on the attached roster and identified as Exhibit "B".

Section 2. The initial members of the Planning Board identified in Exhibit "B" shall serve until July 1, 1978 or July 1, 1979 as indicated. Each shall be eligible for election for succeeding two (2) year terms but not to exceed eight (8) consecutive years of service.

Section 3. In June of each year, the members of the Planning Board shall be elected from the various geographically determined sub-areas of Rancho Bernardo. Any resident of a sub-area shall be eligible for election, and those 18 years old and over who have been residents in each sub-area for 30 days shall be eligible to vote for the candidate(s) running in their respective areas. (See Article IX and Election Rules and Procedures, Exhibit "C".)

Section 4. The Planning Board shall find a vacancy exists upon receipt of a resignation in writing from one of its members or upon receipt of a written report from its secretary reporting the THIRD consecutive unexcused absence of a member from the regular meetings and meetings with the Planning Department as established under Article IV, Sections 2 and 3 below. An excused absence is defined as one where a member is unable to be present due to illness, either personal or a member of his family, restricting him from attending the meeting, business responsibilities prohibiting his attendance or vacation, but only if the member has notified an officer of the Planning Board at least twenty-four (24) hours prior to the meeting time of his inability to be present and his reasons therefor. Failing these requirements, any other absence shall be determined as an unexcused absence for the purpose of maintaining attendance records relative to the declaration of a vacancy.

Section 5. The Planning Board shall fill such vacancies as may occur in the Planning Board by appointment by the Board not later than the third regular meeting following the determination of the vacancy. Vacancies so filled shall be for the remainder of the unexpired term until the next regular scheduled election. In selecting members to fill vacancies, the same District, industry, commercial and developer representation as in the original selection process shall be maintained.

Section 6. The Planning Board shall report in writing the actions taken in filling vacancies to the City Council in accordance with Article IV, Section 4, of City Council Policy No. 600-24.

ARTICLE IV. PLANNING BOARD DUTIES AND RESPONSIBILITIES

Section 1. The Planning Board shall work cooperatively with the Planning Department and as appropriate, the City Manager, 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. The Board shall take such actions as it deems to be in the best interests of the community regarding planning and plan implementation.

Section 2. It shall be the responsibility of each Planning Board member to attend all Board meetings. Regular meetings of the Board shall be held at least Bi-Monthly. A report of attendance shall be submitted to the Planning Department for each meeting.

Section 3. Periodically the Planning Board shall hold meetings with the Planning Department at a mutually agreed time and location; these meetings to take place during appropriate periods in the planning process. Attendance shall be reported to the Planning Department.

Section 4. A quorum of a majority of members of the Planning Board must be present in order to conduct business and all such meetings shall be open to the public.

Section 5. The Planning Board may hold such other meetings in addition to those established pursuant to Sections 2 and 3 above. Such meetings shall also be open to the public.

Section 6. It shall be the duty of the Planning Board to periodically seek community-wide understanding of and participation in the planning process as specified in Article II, Section 1. The 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 7. It shall be the responsibility of the Planning Board to periodically inform Rancho Bernardo organizations of the activities of the Board, and upon request, to make known to the Town Council, the homeowner, community center and renter groups, and residents of any action of the Board which affects a large segment of Ranch residents, and to allow for sufficient public input on the issue.

Section 8. The Planning Board may serve in an advisory capacity to the Rancho Bernardo Town Council and shall be available to assist the Town Council Architectural Commission, the four community centers and the Developer in the administration of "Conditions, Covenants and Restrictions" (CC & R) in effect in the planning area through the education of the residents in the value and desirability of CC & Rs for the overall benefit to the community.

Section 9. It shall be the responsibility of the Planning Board to conduct all business or activities in such a manner so as not to interfere with the diligent and sustained progress toward accomplishment of its purpose as set forth in Article II, Section 1.

Section 10. It is the responsibility of the Planning Board to strive for consensus among its members. In the absence of which, the majority position of members present at a duly called meeting, at which a quorum is present, shall be considered as the official position of the Board.

Section 11. It shall be the duty of the Planning Board to provide the City Council with a current roster of members and to submit in March of each year a written summary of accomplishments for the past year and anticipated objectives for the coming year related to Article II, Section 1.

Section 12. Special meetings of the Planning Board may be called by the Chairperson or Vice-Chairperson of the Board, or by the Secretary upon a written request of five board members. Notice of the time and place of any special meeting shall be given each Board member, either personally or by mail, at least three (3) days prior to such meeting. The notice shall state the purpose(s) of such meeting and no other business shall be transacted at such meeting. Every effort shall also be made through any available method or media to make known to the public the place, date, time, and purpose of such special meeting.

ARTICLE V. PLANNING BOARD OFFICERS

Section 1. The officers of the Planning Board shall be elected from and by the members of the Board. The officers shall be a Chairperson, Vice-Chairperson, Secretary, and Treasurer, and by policy may include such other officers as the Board may deem necessary.

Section 2. Chairperson. The Chairperson shall be the principal officer of the Planning Board and shall preside over all Planning Board meetings.

Section 3. Vice-Chairperson. In the absence of the Chairperson, the Vice-Chairperson shall perform all the duties and responsibilities of the principal officer.

Section 4. Secretary. The Secretary shall prepare all correspondence and records and maintain minutes of the actions of the Planning Board meetings and provide said information to the group as required. The Secretary shall maintain an attendance record and provide a report of same at each Board meeting pursuant to Article IV, Section 2 above.

Section 5. Treasurer.

(a) The Treasurer shall receive all monies and deposit same in the bank in the name of the Planning Board. He shall pay all bills as directed by the Planning Board. He shall keep an account of all transactions and of the financial condition of the Board.

(b) The Treasurer shall require all members of the Board requesting reimbursement of Board-related expenses to present a written request for such reimbursement to the Board.

(c) All checks or orders for payment of money issued in the name of the Planning Board shall be signed by such officers as shall from time to time be determined by resolution of the Board.

Section 6. The Chairperson shall be the Board's representative to the Community Planners Committee ("CPC"). However, by specific action some other member may be selected as the official representative to CPC with the same voting rights and privileges as the Chairperson.

ARTICLE VI. COMMITTEES

Section 1. To assist in carrying out the duties of the board, as many committees as necessary, may be appointed by the Chairperson; these appointments must be confirmed by the Board.

Section 2. The Chairpersons of Committees shall be appointed from the Planning Board; additional members may be any member of the Rancho Bernardo community (resident, commercial or industry).

Section 3. All Committee meetings shall be open to the public.

ARTICLE VII. GENERAL POLICIES

Section 1. No dues, fees or assessments shall be required in the election process nor as a condition for nomination for the RANCHO BERNARDO PLANNING BOARD. However, the Planning Board may accept financial donations or contributions of goods or services for the purposes of furthering the efforts of the Planning Board to promote understanding and participation in the planning process.

Section 2. Except with respect to altering the basic requirements of these "Bylaws and Operating Rules and Procedures", the Planning Board may establish such additional policies as it deems desirable.

Section 3. Any additional policies established in accordance with the above Section 2 must be presented to the Committee on Rules, Legislation and Intergovernmental Relations of the City Council through the Planning Department.

ARTICLE VIII. MONITORING STATUS

Upon application to or by the Planning Department, the City Council may place the Planning Board on a "monitoring status." "Monitoring status" means that the Board will not be provided with on-going staff assistance, but shall conduct its business in a manner specified by policy of the Board. The Planning Board operating in a "monitoring status" shall be subject to all procedures contained in City Council Policy 600-24 and in these Bylaws and the "Election Rules and Procedures".

ARTICLE IX. ELECTIONS - VOTING AND PROCEDURE

All elections shall be conducted according to the Election Rules and Procedures set forth in Exhibit "C".

ARTICLE X. AMENDMENTS

Section 1. The Election Rules and Procedures may be amended by a majority vote of the Planning Board.

Section 2. These Bylaws may be amended and new Bylaws adopted by a vote of two-thirds of the total membership of the Planning Board at any regularly scheduled Board meeting in person or by absentee ballot. All proposed amendments must be submitted in writing to the Board. They shall be read, discussed and if necessary changed, and a copy of the final proposed amendments shall be delivered to each Board member either personally or by mail at least fourteen (14) days prior to the date of the following regular Board meeting. The amendments shall be read preceding the vote taken at that meeting.

Section 3. Any amendments to either the Election Rules and Procedures or these Bylaws must be presented to the Committee on Rules, Legislation and Intergovernmental Relations of the City Council through the Planning Department.

ARTICLE XI. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Revised, shall be the parliamentary reference for all matters not specified by these Bylaws and Rules and Procedures.

Passed and adopted by the Council of The City of San Diego on FEB 1 1978,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Allyn D. Newitt, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California	
Resolution Number	<u>220213</u>
Adopted	<u>FEB 1 1978</u>