

Peninsula Community Planning Board
By-Laws Ad Hoc Subcommittee Recommendation
June 4, 2011

The PCPB Bylaws Ad Hoc Committee (Suhail Khalil, John Gott, Helen Kinnaird, Nancy Graham and Rebecca Michael) recommends the PCPB Bylaws be amended to address the following areas of concern:

1. PCPB Election Eligibility. To address the confusion over attendance at a regular meeting vs. special meeting and in the spirit of encouraging all those interested in serving on the PCPB, the Ad Hoc Subcommittee recommends that the attendance requirement be deleted and a designee of a local business or not-for-profit be added. [See Article III, Section (3) and (e) and Article V Section 1]
2. Plurality Votes. The Bylaws, in two locations, do not specify a plurality vote. The Ad Hoc Subcommittee recommends the Bylaws be clarified. [See Article IV Section 2 and Article VII Section 1]
3. Voters Log. The Bylaws currently require that voters include their address along with their signature on the voters log. At the last election there were concerns over confidentiality as well as delay caused by requiring the writing of the address in the log. The Ad Hoc Subcommittee recommends that the requirement that a voter write their address in the voters log be deleted. [See Article VIII Section 1(e)(6)]
4. Clarification of Standing Subcommittees. At the May PCPB there may have been some confusion over the make up and/or duties of the Standing Subcommittees. The Ad Hoc Subcommittee recommends that the Standing Subcommittees be broken down into the categories - Agency , Board and Liaison - with each category having its own description of duties. [See Article VI Section 2.(b)(i)(ii)]
5. Board Member Conduct. Concerns have been raised regarding the use of e-mail to discuss/conduct PCPB official business. The Ad Hoc Committee discussed the importance of the board members conducting business in accordance with Article VI Section 1 and the Brown Act, i.e. official business must be conducted in a public setting - “a majority cannot e-mail each other to discuss a matter within the Board’s subject matter jurisdiction” (“Brown Act” Community Orientation Workshop Power Point Presentation May 2, 2009). As to any complaint that the Board or a Board member has violated the Bylaws, the Brown Act or Council Policy 600-24, the proper procedure for addressing such is set forth in Article IX Section 3.

ARTICLE III Community Planning Board Organizations

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

The Peninsula Community Planning Board elected seats are filled by any Eligible Candidate identified below. There are no further restrictions on the distribution of seats among interests in the community.

Planning board members shall be elected by and from Recognized Community Members. To be a Recognized Community Member, an individual must be at least 18 years of age, and shall be affiliated with the community as a:

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

A Recognized Community Member may become an Eligible Candidate by ~~(a) attending one meeting of the Peninsula Community Planning Board's regular meetings occurring during the twelve month period prior to the March General Election, with such attendance acknowledged by the planning board chair or secretary or reflected in minutes, and (b)~~ submitting a completed application to the elections subcommittee.

Once eligibility is established, an individual remains an eligible member of the community until a determination is made that the individual does not meet the planning board's criteria and formal action is taken by the planning board. The Peninsula Community Planning Board shall require proof of eligibility during elections.

ARTICLE IV Vacancies

Section 2. Vacancies that may occur on the Peninsula Community Planning Board shall be filled not later than 120 days following the date of the declaration of the vacancy. The term of office of any member filling a vacancy shall be for the balance of the vacated term.

The Peninsula Community Planning Board shall move to fill vacancies at the time the vacancies are declared. Vacancies will have appropriate noticing in the local paper and on the PCPB website. Applicants for replacement seats will be subject to same qualification requirements as applicants for General Elections. Vacancies shall be filled by a ~~vote~~[Plurality Vote as defined in Article VIII Section 1\(e\)8](#), cast by the seated Planning Board members. Such vote shall be in writing and the vote cast by each Board Member to select a replacement for a vacant seat will not be disclosed until the results of the election are announced. The results of the election for the replacement seat should be announced at the same meeting as that in which the vote was taken. Those seated shall fill the remaining term of the member they are replacing.

ARTICLE V Elections

Section 1. General elections of the Peninsula Community Planning Board members shall be held during the month of March in accordance with the elections procedures found in Article VIII, Section 1(e) of these By Laws.

The Peninsula Community Planning Group's general elections shall be held annually.

The deadline to qualify for candidacy in the March general election shall be on or prior to the Candidate Forum noted below. The planning board's Election Subcommittee shall be established no later than January and shall initiate the search for Recognized Community Members to become candidates. In February, the Election Subcommittee shall present to the planning board a complete list of interested candidates collected up to that point in time. Candidates may be added at the February meeting. A Candidate Forum shall be advertised and shall be held after the February noticed regular meeting and prior to the March Election. The Candidate Forum represents the last opportunity for new candidates to be declared eligible.

~~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 Peninsula Community Planning Board's last 12 meetings prior to the March regular meeting.~~

The Peninsula Community Planning Board will allow write-in candidates. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate will be an invalid vote and will not be counted.

ARTICLE VI Community Planning Board and Planning Board Member Duties

Section 2. (b) Subcommittees

The Peninsula Community Planning Board may establish and create as needed standing and ad hoc subcommittees when their operation contributes to more effective discussions at regular planning board meetings.

(i) STANDING SUBCOMMITTEES - Pursuant to the purpose of the Peninsula Community Planning Board as identified in Article II, Section 1, ~~has established the following~~ may establish standing subcommittees such as: ~~Historical~~

1. Agency Standing Subcommittees maybe, for example, Community Planners Committee, North Bay Redevelopment Project Area Committee, San Diego County Regional Airport Authority, San Diego Association of Governments. The duties of an Agency Standing Subcommittee are to designate the chair or member of the subcommittee as the chair's alternate to attend the agency board and/or committee meetings as the PCPB's designated representative, to discuss related matters, advise the full planning board on items discussed and make recommendations to the full planning board.

2. Board Standing Subcommittees maybe, for example, Long Range Planning, Liberty Station/NTC, Parks and Recreation, Environment/Water, ~~North Bay Planning Development, Traffic/Transportation, North Bay Community Planning; Airport, Arts and Culture/Signage, and Project Review. The duties of a Board Standing Subcommittees are to meet to discuss related matters, advise the full planning board on items discussed and make recommendations to the full planning board.~~

3. Liaison Standing Subcommittees maybe, for example. Point Loma Association, Ocean Beach Planning Board, North Bay Community Planning Group, Sunset Cliffs Recreation Council. The duties of a Liaison Standing Subcommittee are to attend the meetings of the designated group and report back to the full planning board on items of interest to the planning board.

4. Standing Subcommittees will stand for the year and subcommittee Chairs will be voted on by Board. ~~Subcommittees~~ Standing subcommittees will not include a quorum of Board Members. If a quorum or more shows up at a subcommittee meeting, a sufficient number of Board members to eliminate the quorum must recuse themselves and sit away from the proceedings, though they may be in actual attendance. The recused Board members must not participate in the meeting in any way, even through facial expressions. All standing subcommittee meetings are to be noticed except for ~~Ad-Hoc subcommittee~~ meetings attended by Liaison Standing Subcommittee members.

(ii) AD HOC SUBCOMMITTEES - Ad hoc subcommittees may be established for finite period of time to review more focused issue areas and shall be disbanded following their review or purpose. The Election Subcommittee/Nominating Subcommittee and the Bylaws Subcommittee shall be deemed Ad Hoc subcommittees. Ad Hoc subcommittee meetings need not be noticed.

(iii) **SUBCOMMITTEE COMPOSITION** - Subcommittees shall contain a majority of members who are members of the planning board.

Community members must be recommended to the planning board by the subcommittee chair and appointed by the planning board. Community members, who are duly appointed by a planning board to serve on a subcommittee, may be indemnified by the City in accordance with Ordinance No. O-17086 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

(iv) **RECOMMENDATIONS** - subcommittee recommendations must be brought forth to the full planning board for formal vote at a noticed public meeting. In no case may a subcommittee or ad-hoc subcommittee recommendation be forwarded directly to the City as the formal recommendation of the planning board without a formal vote of the full planning board.

ARTICLE VII Planning Board Officers

Section 1. The officers of the Peninsula Community Planning Board shall be elected [by a Plurality Vote as defined in Article VIII Section 1\(e\)8.](#) from and by the members of the planning board. Said officers shall consist of a Chairperson, First Vice Chairperson, Second Vice Chairperson, Treasurer and Secretary. The length of an officer's term shall be one year, except no person may serve in the same planning group office for more than three consecutive years. After a period of one year in which that person did not serve in the same office that person shall again be eligible to serve in the same office. Any person who has served three years in one office may be eligible to serve in other offices.

ARTICLE VIII

Section 1.(ee)

6. Voter Eligibility: An individual is eligible to vote in the Peninsula Planning Board Election if she/he is a Recognized Community Member, as described in Article III, Section 2, and provides proof of such eligibility. Proof of eligibility shall consist of:
 - a. a valid CA driver's license or CA ID with an address located within the Planning Board area, or
 - b. a current utility bill (within the last two months) with the name and address within the Planning Board area (plus some acceptable form of picture identification), or
 - c. a property tax statement with the name and address within the Planning Board area (plus some acceptable form of picture identification), or
 - d. such other identification deemed acceptable by an Election Subcommittee member and a City of San Diego official.

All prospective voters shall sign the voter log which requires name, ~~address~~, and, if applicable, business name. This log shall be kept by the First Vice Chair or in event the First Vice Chair is running for office by the Chair of the Peninsula Community Planning Board as a permanent record of the election proceedings.

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