

# **Mira Mesa Community Planning Group**

## **Bylaws and Operating Rules and Procedures**

### **As Amended on April 17, 1990**

#### **Article I. General**

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**Section 1.** The name of this organization is the Mira mesa Community Planning Group, hereafter referred to as the planning group.

**Section 2.** The activities of this planning group shall be by and in the name of the Mira Mesa Community Planning Group, Executive Committee, hereafter referred to as the executive committee.

**Section 3.** The community planning area boundaries

which are applicable to this group are as shown on Exhibit A, attached hereto and by this reference made a part hereof and are on file in the offices of the City Clerk and Planning Department of the City of San Diego.

**Section 4.** The official positions and opinions of the Mira mesa Community Planning Group shall not be established or determined by any organization other than the executive committee.

#### **Article II. Purpose and Intent of the Planning group**

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**Section 1.** The purpose and intent of this planning group and its executive committee shall be advisory to the City Council, Planning Commission, Planning Department, City Manager 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 planning area, hereafter known as the "planning process".

**Section 2.** In the above activities, the executive shall be nonpartisan and nonsectarian, and shall not discriminate against any person or persons by reason of race, color, sex, creed, national origin, sexual orientation, or physical handicap nor shall it take part, officially, or lend its influence in, the election of

any candidate for political office, nor be guided in its activities by any political influence.

**Section 3.** Pursuant to the provisions of the city Council Policy 600-5, failure of the executive committee to pursue diligently the initial preparation, adoption, implementation, and/or amendments to the planning process shall result in the forfeiture of rights to represent the community for these purposes. The decision that such forfeiture shall have occurred shall be made only by the City Council upon recommendation of the Planning Department.

#### **Article III. Planning Group Organization and Biannual Meeting**

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**Section 1.** Executive membership shall consist of twenty (20) members who are at least eighteen (18) years of age and who shall serve without compensation. The composition of the executive committee shall be four (4) members from business, two (2) developer members, two (2) landowner members, eleven (11) resident members, and one special member representing NAS Miramar. The

member representing NSA Miramar shall be a non-voting member of the executive committee. If the executive committee is reduced or expanded in size by revision of these bylaws, there shall always be three (3) more resident members than members from the other three (3) categories of voting members, combined.

- A. *Business Member*: A business member is a person who is an owner, partner, officer, key employee, or lease holder of a business having a recognizable office in Mira Mesa, who has more than just an incidental business interest in Mira Mesa.
- B. *Developer Member*: A developer member is a person who is actively involved in the development of land in Mira Mesa.
- C. *Landowner Member*: A landowner member is a person who owns land in Mira Mesa with development potential.
- D. *Resident Member*: A resident member is a person who resides in Mira Mesa.
- E. *NAS Miramar Special Member*: A representative designated by the Commanding Officer of NAS Miramar.

**Section 2.** Planning group general membership shall be open to any individual resident, property owner, business or professional person, industrialist or developer within the Mira Mesa Community Planning Area of the City of San Diego who is at least 18 years of age and who has filed an application for membership with the group secretary at least 30 days prior to the general membership meeting.

## Article IV. Vacancies

**Section 1.** The executive committee 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 the member(s) from regular planning group meetings. The executive committee may find a vacancy exists if a member dies or misses 6 meetings, excused or unexcused, within one calendar year. It shall be the policy of the executive committee that an excused absence be defined as one where a member is unable to be present due to illness, either personal or a family

**Section 3.** General membership meeting(s) shall be held at least bi-annually in odd numbered years during the month of March.

**Section 4.** Only members who qualify as general members shall be eligible to serve on the executive committee of the Mira Mesa Community Planning Group. After serving eight years on the executive committee a general member will not be eligible to serve on the committee for a period of one year.

### Exceptions

- A. Any person who has served over eight consecutive years and whose term is complete upon the first general election following adoption of these amended bylaws, may continue on the committee until the end of the term;
- B. A Committee member may serve in excess of eight years if reelected to a new term by a two-thirds majority of the votes cast in a regular election providing, however, that no more than twenty-five percent of the voting members of the executive committee may exceed eight years of service and no one may serve as an officer for more than eight consecutive years; and
- C. The special non-voting member representing NAS Miramar has no time limit on eligibility to serve on the committee.

**Section 5.** At all times, and to the fullest extent possible, executive committee members shall be representatives of the various geographic sections of the community and/or diversified community interests as determined by the City Council and who have filed applications for membership with the executive committee.

member, restricting him from attending the meeting, business responsibilities prohibiting his attendance and vacation, but only if the member has notified an officer of the executive at least twenty-four (24) hours prior to the meeting time of his inability to be present and his reasons therefore. Failing these requirements, any other absence shall be determined an unexcused absence for the purpose of maintaining attendance records relative to the declaration of a vacancy.

**Section 2.** The executive committee shall fill such vacancies as may occur not later than 120 days following the determination of the vacancy. Vacancies so filled shall be for the remainder of the unexpired term. In selecting members to fill vacancies, the same attention shall be given to broad based representation of property owners, non-property owners, business persons, industrialists, and developers as was utilized in the original

selection process and who have filled an application for membership with the secretary.

**Section 3.** The executive committee shall report in writing the actions taken in filling vacancies to the City Council in accordance with Council Policy 600-24. If a vacancy remains for over 120 days, the committee may either request assistance from the City Council or amend these by-laws to reduce the size of the committee.

## **Article V. Elections**

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**Section 1.** The general membership at their regular semi-annual meeting held in March, shall elect by secret written ballot, members to serve on the executive committee for a term of four (4) years.

**Section 2.** Not less than two months prior to the date set for the biannual membership meeting, being conducted for the purpose of electing executive committee members, the chairman of the executive committee shall appoint a nominating committee to:

- A. Two months prior to the election, request the Planning Department to place notices in two newspapers of broad circulation within the community and selected by the nominating committee, announcing the general meeting;
- B. One month prior to the election during the regular executive committee meeting, compile a

list of persons interested in serving on the executive committee;

- C. At general membership meeting, distribute a ballot of eligible candidates for executive committee membership to the general membership; and
- D. After the general election, distribute a ballot of candidates for officers to the executive committee.

**Section 3.** The general membership may nominate candidates from the floor for membership on the executive committee. The person so nominated must be eligible to serve, be present at this meeting and accept the nomination.

## **Article VI. Community Planning Committee Duties**

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**Section 1.** It shall be the responsibility of each executive committee member to attend all planning groups meetings. When an active plan update is underway, regular meetings shall be held by the executive committee to meet with the Planning Department at a mutually agreed time and location during appropriate periods in the planning process.

**Section 2.** A quorum defined as a majority of voting, non-vacant seats of the executive committee must be present in order to conduct business and/or to vote on projects or actions at regular committee meetings. All meetings of the executive committee shall be open to the public and the public will be permitted a time to speak on all items under consideration. A report of attendance and a copy of committee approved

minutes which include the votes taken on each matter acted upon for each meeting shall be available for public distribution and shall be submitted to the Planning Department for each meeting within 14 days after the approval by the committee. Committee Resolutions on specific projects should indicate whether or not the applicant appeared before the planning group, and when and what type of notification the applicant received requesting an appearance and/or presentation at the planning group meeting.

**Section 3.** To the extent deemed necessary, the planning group may hold regular and special meetings in addition to those established pursuant to

Section 5, above, without participation of City staff. All such meetings shall also be open to the public.

**Section 4.** It shall be the duty of the executive committee to periodically seek community-wide understanding of and participation in the community planning process. Committee agendas will be open to input from all committee members and the public. The committee shall encourage and give due consideration to all responsible community attitudes insofar as these are deemed in the best long-range interest of the community at large. The committee, when reviewing development proposals, shall allow participation of affected property owners, residents and business establishments within proximity to the proposed development. The committee shall inform the applicant or representative each time that such a review will take place and provide the applicant with an opportunity to present the project. Announcement of such a review made at the preceding regular planning group meeting and reported to the applicant or City Planner shall be deemed to be adequate notification to the applicant.

**Section 5.** It is the responsibility of the executive committee 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 committee. Individual development projects shall be reviewed with a focus on conformity with the adopted community plan and/or general plan. If possible review should be completed and results sent in writing to the Planning Department during the public review period on the Draft EIR to permit staff and the project proponent an opportunity to respond to committee decisions. However the committee may change its position after further review and vote in accordance with section 8, above.

**Section 6.** It shall be the duty of the executive committee to maintain an up to date roster of executive members and provide the roster to the offices of the City Clerk and the Planning Department; also, to submit to the offices of the City Clerk and Planning Department by February 15 of each year a written summary of accomplishments from the past year and objectives for the coming year related to Article II, Section 1.

**Section 7.** It shall be the duty of each executive committee member to attend an orientation training session administered by the Planning Department.

**Section 8.** It shall be the duty of each executive committee member to abstain from voting on privately initiated projects in which they have a direct financial interest.

**Section 9.** No dues or fees shall be required as a condition of membership in the Mira Mesa Community Planning Group or executive committee. However, the executive committee may seek and accept financial donations or contributions of goods and services for the purpose of furthering the planning process.

**Section 10.** Special meetings of the executive committee may be called by the Chairperson or Vice-Chairperson; or by the Secretary upon written request of the majority of the executive committee members. Notice of the time and place of any special meetings shall be given each committee member, either personally or by mail, at least three (3) days prior to such meeting. The notice shall state the purpose(s) of the meeting and no other business shall be transacted at such meeting. Efforts shall also be made through any available method or media to make known to the public the place, date, time and purpose of each special meeting.

## **Article VII. Executive Committee Officers**

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**Section 1.** The officers of the executive committee shall be elected from and by the voting members of the executive committee for a term of two years. Said officers shall consist of a Chairperson, Vice-Chairperson and Secretary and by policy may include such other officers as the committee may deem necessary. All members of the executive committee are eligible to be officers of the committee. Election

by the executive committee of officers shall occur during the general member's meeting after the general election and after the nominating committee prepares and distributes a ballot containing the names of the nominees. Committee members may serve up to eight consecutive years as an officer. After a one year break in service, a committee member again becomes eligible to serve as an officer.

**Section 2.** Chairperson. The chairperson shall be the principal officer of the executive committee and shall preside over all committee and community-wide meetings and shall be a resident member of the committee.

**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 record and maintain minutes of the actions taken at the planning group meetings and provide said information to the executive committee

as required. The secretary shall maintain an attendance record and provide a report of same at each committee meeting pursuant to Article IV.

**Section 5.** The Chairperson shall be the committee's representative to the Community Planner's 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. The Chairperson may appoint an alternate CPC representative.

## **Article VIII. General Policies**

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**Section 1.** Except with respect to altering the basic requirements of these "Bylaws and Operating Rules and Procedures", the executive committee may establish such additional policies as it deems desirable or as required for compliance with Council Policy 600-24. Including but not limited to:

- A. Method of checking general member eligibility such as requiring a posted and cancelled letter addressed to the member which method may be used if deemed necessary by the committee;
- B. A procedure for noticing regular meetings;
- C. Other such Policies as may be required by the Planning Department.

## **Article IX. Parliamentary Reference**

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**Section 1.** *Robert's Rules of Orders Newly Revised* shall be the parliamentary reference from all matters not specified by these "Bylaws and Operating Rules and Procedures".