

These are based on P&R Board Bylaws & edited for consistency and to reflect the BPC needs. They also include possible additions based on City Doc's for discussion and review by staff.

Color Code:

Yellow- VDG Comments

Green- For Committee/Staff Review & Discussion

Gray- Language from Official Council Doc's



THE CITY OF SAN DIEGO PARK AND RECREATION DEPARTMENT

San Diego Park and Recreation Board Balboa Park Committee Bylaws

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Balboa Park Committee Bylaws

ARTICLE I-NAME

The name of this advisory committee shall be the Balboa Park Committee (Committee).

ARTICLE II-PURPOSE

It is the purpose and intent of the City Council to establish a policy advisory committee on matters relating to Balboa Park recreation, property and facilities and that the Committee will, along with other duties, serve in an advisory capacity to the Parks and Recreation Board, Mayor, and City Council on policy issues relating to the acquisition, development, infrastructure, maintenance and operation of Balboa Park.

The Committee is subject to the Ralph M. Brown Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The City of San Diego shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in City Charter 55.2.

ARTICLE III-DUTIES AND RESPONSIBILITIES

The powers and duties of the Committee shall be as follows:

- (a) Advise the Parks and Recreation Board and City Council through the City of San Diego Mayor on public policy matters relating to the acquisition, development, infrastructure, maintenance, operation, institutions, and recreational and cultural activities of Balboa Park.
- (b) Periodically review the recreational program of Balboa Park in relation to the needs and desires of the citizens.
- (c) Coordinate the work of subcommittees as may be established towards the end of developing integrated and balanced policy recommendations.
- (d) Conduct such investigations, studies, and hearings which, in the judgment of the Committee, will aid in effectuating its general purposes.

ARTICLE IV-MEMBERSHIP

Section 1. Number

The Committee shall consist of twelve (12) members as outlined in the City of San Diego Municipal Code 26.30 (b) Balboa Park Committee (BPC).

Section 2. Appointment and Terms

- (a) The members shall be appointed by the Mayor and confirmed by the City Council.
 - (i) The Mayor shall appoint one member from among the members of the Parks and Recreation Board who shall be designated Chair;
 - (ii) The Mayor shall appoint one member who shall be designated Vice- Chair;
 - (iii) The Mayor shall appoint three members from a list of at least four nominees provided by the Councilmember representing the majority of the area in Balboa Park;
 - (iv) The Mayor shall appoint four members from community planning groups officially recognized by the City pursuant to Council Policy 600-24 as follows:
 - One member from the community planning group representing the Uptown neighborhood;
 - One member from the community planning group representing the Greater North Park neighborhood;
 - One member from the community planning group representing the Greater Golden Hill neighborhood; and
 - One member from the community planning group representing the Centre City neighborhood;
 - (v) The Mayor shall appoint one member from the Balboa Park/Morley Field Recreation Advisory Committee; and
 - (vi) The Mayor shall appoint one member representing a large institution in Balboa Park and one member representing a small or mid-sized institution in Balboa Park.
- (b) The members shall serve two year staggered terms for a maximum of eight consecutive years. An interval of four years must pass before a person who has served eight consecutive years can be reappointed. The expiration date for all terms shall be March 1. Each member shall serve until his or her successor is duly appointed and qualified. The Committee shall adopt rules consistent with the law for the governance of its business and procedures.

Section 3. Qualifications

Each of the members of the Committee should possess expertise, or demonstrated experience or knowledge, in one or more of the following areas: parks and recreation, general finance or municipal finance, general business, planning, biology or environmental science, resource management or protection, construction management, recreation management, tourism, and/or arts and culture.

Section 4. Ethics-Conflicts of Interest

By accepting appointment to the Committee, each member agrees to comply with the City of San Diego's Conflict of Interest Code.

ARTICLE V-MEETINGS

Section 1. Meetings

The Committee meets monthly with the exception of ~~August and December~~, but can meet additionally, if needed. Committee Meetings may be cancelled if there is no business to be conducted. (To specify being dark in August, seems limiting since meetings can be added or cancelled as needed, leading to flexibility.)

Section 2. Special Meetings and Notice

A special meeting of the Committee may be called at any time by the Chair or staff. Standard 72 hour Brown Act noticing will be required. Notice shall specify the time and place of the special meeting and the business to be transacted. The Committee shall consider no other business at the meeting.

(I simplified this section, the City Council code (see gray immediately below) seemed more complicated than what we would need. Also the BPC should not have meetings that are of an emergency nature requiring a 24 hour turnaround.)

Excerpt from Muni Code Article 1, Division 1, 22.0101 Rules of Council 1.5

(a) A special meeting may be called at any time by the Council President or by a majority of the members of the Council. The party calling the special meeting shall deliver written notice, personally or by mail, which may be electronic mail, to each member of the Committee, and to each local newspaper of general circulation, radio, or television station requesting notice in writing. (b) The written notice must be delivered personally or by mail, which may be electronic mail, at least 24 hours before the time of the meeting specified in the notice. (c) The call and notice shall specify the time and place of the special meeting and the business to be transacted. The Council shall consider no other business at the meeting.

Section ~~32~~. Location

Meetings typically will be held at the Balboa Park Club on the first Thursday of the month at 6 pm, but can be held at other times and locations, as long as they are properly noticed in accordance with the Brown Act.

Section ~~43~~. Procedures

All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et. seq.* A majority of the number of Committee members shall constitute a quorum for the transaction of any business, except adjournment.

(Should the following be added? Language is based on City Council rules (see grey highlighted text for actual City Council language))

Section 5. Non-Agenda Public Comment

Every agenda for a regular BPC meeting shall provide a period on the agenda for members of the public to address the BPC on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council.

In order to ensure that the BPC has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

(a) Each speaker must file a written request (speaker slip) with the Chair at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of Non-Agenda Public Comment.

(b) Each speaker will be limited to two minutes (Can we include language that states at the discretion of the Chair this could be reduced to one minute. If so language would need to be added here).

(c) Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled BPC meeting. Non-Agenda Public Comment during the BPC meeting is limited to 30 minutes.

(d) The Chair shall not permit any communication, oral or written, to be made or read where it does not bear on something of interest to the public which is within the subject matter jurisdiction of the BPC. No discussion or action on any matter of Non-Agenda Public Comment shall be permitted. Any matter properly raised under this Rule of the BPC may, if appropriate, be referred by the Chair to the appropriate BPC Committee for consideration.

Section 6. Public Comment

Every agenda item on an Agenda for a regular BPC meeting shall provide for members of the public to address the BPC.

In order to ensure that the BPC has time to consider all agenda items, Public Comment on an agenda item and for each individual speaker will be as follows:

- (a) Each speaker must file a written request (speaker slip) with the Chair at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of Public Comment on an Agenda Item.
- (b) Each speaker will be limited to three minutes but time can be reduced at the discretion of the Chair.
- (c) Speakers who submit a speaker slip may allocate their time to other speakers. There is a maximum of 15 minutes per speaker regardless of the number of individuals allocating time. The order of speaking generally will be determined on a first-come, first-served basis...

The Following is the actual language I used to create the sections on Non-Agenda & Public Comment.

SD Muni Code: Chapter 2
Article 2: Administrative Code
Division 1: The Council 22-0101 Rules of Council

2.6. Non-Agenda Public Comment

2.6.1. Every agenda for a regular Council meeting shall provide a period on the agenda for members of the public to address the Council on items of interest to the public that are not on the agenda but are within the jurisdiction of the Council. Non Agenda Public Comment shall be subject to the exercise of the Council President's discretion for a given agenda.

2.6.2. In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

(a) Each speaker must file a written request (speaker slip) with the City Clerk at the meeting at which the speaker wishes to speak. Speaker slips may not be turned in prior to the meeting date or after completion of Non Agenda Public Comment. Ch. Art. Div. 2 2 1 12 San Diego Municipal Code Chapter 2: Government (7-2017)

(b) Each speaker will be limited to two minutes. Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting.

(c) Non-Agenda Public Comment during the Tuesday Council meeting is limited to 30 minutes during the morning session per Rule 2.2. Any remaining speakers will be given an opportunity to speak after Council concludes the other agenda items for that day.

2.6.3. Each person desiring to address the Council shall approach the podium, state his or her name for the record, state the subject he or she wishes to discuss, and state who he or she is representing if he or she represents an organization or other persons. The Council President shall not permit any communication, oral or written, to be made or read where it does not bear on something of interest to the public which is within the subject matter jurisdiction of the Council.

2.6.4. No discussion or action on any matter of Non-Agenda Public Comment shall be permitted. Any matter properly raised under this Rule of Council may, if appropriate, be referred by the Council President to the Mayor or to the appropriate

Section 7. Consent Items on the Agenda

The following is an excerpt, with some edits, of the City language regarding Consent agenda in the Admin Code Division 1 22-1010; 2.4.

(a) The Committee Chair in consultation with Staff shall identify items that are to be placed on the Consent portion of the Adoption Agenda. (b) Any ~~Councilmember~~ -Committee member or member ~~-of the public~~ may remove any item from the Consent portion of the Agenda by notifying the Committee Chair of his or her desire to address this item.

Items may be referred to the Consent portion of the Agenda as a time-saving device, where they can be disposed of by a single motion when they are sufficiently routine or non-controversial or have had sufficient prior public discussion. (d) Any item considered in committee and reported out with a unanimous affirmative vote of all committee members shall, unless otherwise specified by the ~~Council President~~ Chair, be placed on the Consent portion of the Agenda.

ARTICLE VI-VACANCIES

The Committee shall find that a vacancy exists upon:

- (a) Receipt of a resignation in writing from one of its members or
- (b) The third consecutive absence or
- (c) The fourth absence of a member(s) from a regularly scheduled meeting in the 12-month period of March through February

Upon report to the committee by staff that a vacancy exists; ~~Staff or~~ The Committee Chair will notify the Mayor of the vacancy and shall request, in writing, the Mayor nominate a candidate to fill the vacancy in 60 days, and for City Council to confirm. (City council can appoint & approve if the Mayor does not act? Can we, add such language. The section from Council Policy is included below)

“Except from Council Policy:

Subject: Procedures for mayor & council appointments

Policy No: 000-13

Charter Requirements: Nothing in this Council Policy is intended to contravene the provisions of Charter sections 41 or 43(c), which states that the Council shall make appointments if the Mayor fails to select an appointee within forty-five days after a board or committee is established, or a vacancy occurs. However, the Council acknowledges that the application and background check process for candidates can require additional time, and therefore may consider Mayoral appointments received after the 45-day period. The Council President will provide 10 business days’ written notice to the Mayor if the Council intends to assume the appointment process per Charter sections 41 or 43(c).”

ARTICLE VII-STAFF SUPPORT

Section 1. Staff

- (a) The City shall provide to the Committee necessary technical and administrative assistance as follows:
- (b) Preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the City Council;
- (c) Consult the Committee Chair on items for the agenda
- (d) Conduct a yearly training on the Brown Act for all Committee Members.
- (e) Provision of a meeting room including any necessary audio/visual equipment;
- (f) Preparation and copies of any documentary meeting materials, such as agendas, minutes. and reports;
- (g) Retention of all Board records, and providing public access to such records; and

Section 2. Staff Relationship to the Committee

City of San Diego staff and/or City consultants shall attend all Committee proceedings as appropriate in order to report on the status of projects.

ARTICLE VIII-OFFICERS

Section 1. Designation of Officers

Pursuant to Municipal Code 26.30, the Mayor may designate one (1) member as Chair and one member as Vice Chair by March 1; however, in the absence of such designation the Committee shall select from among their members a Chair and/or Vice Chair within 30 days following the annual appointments on or after March 1. These positions shall continue for two (2) year terms.

Section 2. Duties of Officers

The duties of the officers shall be as follows:

- (a) The Chair shall be the principal officer of the Committee and shall preside over all meetings organized by the Committee. The Chair will be the official representative to speak for the Committee. The Chair may designate another Committee Member if the Chair or Vice Chair is unavailable.
- (b) In the absence of the Chair, the Vice Chair shall perform all the duties and responsibilities of the Chair.

ARTICLE IX-SUBCOMMITTEES

Section 1. Appointments

The Committee Chair, with the advice of the Committee, shall appoint standing and ad-hoc subcommittees concerned with specific problems or areas of interest to the Committee.

- (a) The Committee Chair shall appoint a member to chair/vice chair each subcommittee or ad hoc committee. (Do we need a vice chairs?)

Section 2. Standing Subcommittees

Standing subcommittees are on-going subcommittees tasked with reviewing specific issue areas, such as Land Use and Policy. In accordance with Ralph M. Brown Act section 54952(b), all standing subcommittees are subject to Brown Act public noticing and meeting requirements.

Section 3. Ad-Hoc Subcommittees

Ad-hoc subcommittees are established for a finite period of time to review more focused issue areas and are disbanded following their review. While ad-hoc subcommittees are not subject to Brown Act requirements every effort should be made to hold meetings in conformance with the Brown Act.

Section 4. Procedures

- (a) Following each meeting, the chair of any subcommittee shall make a verbal report at the next scheduled meeting of the Committee and/or submit a written report to staff one week prior to the next scheduled Committee meeting to be read at the meeting if they are unable to attend.
- (b) Subcommittees will be made up exclusively of Committee members and be limited to less than a quorum of the Committee.
- (c) The production of Agendas and Minutes will be the responsibility of the subcommittee chair. Minutes can be delegated to other members at the request of the subcommittee chair.
- (d) Staff may assist in providing a location for subcommittee meetings and distribution of agendas and minutes.
- (e) Staff can attend subcommittee meetings, but will not be required to attend.

ARTICLE X-PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all matters not covered under these Bylaws.

ARTICLE XI-AMENDMENT OF BYLAWS

Any amendment to these Bylaws shall be publically noticed for a minimum of 30 days prior to a Committee action and be approved by a two-thirds vote of the entire Committee. (This needs clarification does it mean: the entire BPC members present or all 12 members? I would suggest members present.)

ARTICLE XII-ADOPTION OF BYLAWS

Immediately upon a favorable vote of no less than two-thirds of the full membership of the Committee and approval by the City of San Diego Parks and Recreation Director and of the San Diego Park and Recreation Board, these Bylaws shall be in full force and effect.