

OPERATING PROCEDURES FOR CITY COUNCIL  
RECOGNITION OF THE

**CARMEL VALLEY COMMUNITY PLANNING BOARD**

AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER CITY COUNCIL POLICY  
600-24

**Introduction and Background**

Through this document, the **CARMEL VALLEY COMMUNITY PLANNING BOARD** (the “planning group”) adopts Council Policy 600-24’s Terms and Conditions attachment. In the Terms and Conditions, the City established minimum standard procedures that the planning group will adhere to and designated services the planning group will provide in order to obtain and maintain official recognition by the City pursuant to [Council Policy 600-24](#). Planning groups are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. The planning group is not City-controlled or managed organization. The City does not direct or recommend the election, appointment, or removal of planning group voting members, or delegate authority to planning groups to act on its behalf.

The planning group, in adopting these Operating Procedures, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The planning group acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a planning group in the City of San Diego. The planning group acknowledges that the City can revoke recognition of any planning group if the City, in its sole discretion, determines these standards are not being met.

The planning group will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the planning group’s founding, operation, or organization.

The planning group will also include with these Operating Procedures, a Community Participation and Representation Plan and Ethical Standards (if not already incorporated in this document) as Exhibit A and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of [Council Policy 600-24](#) and its attached Terms and Conditions, the planning group hereby agrees to abide by the following as part of their Operating Procedures:

**1. Name and Geographical Boundaries**

The name of this City-recognized planning group is the **CARMEL VALLEY COMMUNITY PLANNING BOARD**.

The community planning boundaries of this planning group are the boundaries of the Carmel Valley, Pacific Highlands Ranch, Fairbanks Country Club, Via de la Valle and North City Subarea 2 Communities, as shown in Exhibit A.

**2. Responsibilities**

2.1 Collaboration with City Staff

As a recognized independent body, the planning group may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory Planning Group Review

The planning group may make advisory recommendations to the City and other governmental agencies on land use matters within the planning group's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit A, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The planning group may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The planning group recognizes that City staff and development project applicants are not required by the City to present their project or application before the planning group although the City encourages applicants to conduct robust engagement with all planning groups, the community, and project neighbors.

2.3 Timely Submittal of Planning Group Recommendations to the City

In order to be considered as part of the City's development review process, planning group project review recommendations, if any, shall be submitted to the City within seven calendar days of the planning group taking action.

In addition, the planning group shall submit its recommendation and any conditions to the project proposed by the planning group, using a [Bulletin 620 Distribution Form](#), or a reasonable facsimile of that document (e.g. letter or memo from the chair) indicating the following information: project name/number, community/planning group name, the date of meeting which the project was heard by the planning group, vote results, the planning group's conditions/recommendation, name and signature of chair or designated

representative.

The planning group shall follow a uniform mandatory process for recording planning group project review recommendations through the use of an Annual Report that includes all project recommendations which shall be part of the planning group's official records.

#### 2.4 Adherence to Ralph M. Brown Act

The planning group must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth at California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed in a publicly accessible location 72 hours in advance of the meeting, and in compliance with each of the Brown Act provisions. Failure of the planning group to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the planning group to lose its Council recognition and may subject the planning group and planning group voting members to a loss of indemnification by the City.

#### 2.5 Maintenance of Open Records

The planning group shall maintain its official records, including its rosters, annual reports, meeting agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the planning group by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the planning group in accordance with [Council Policy 600-24](#). The planning group will submit to the City the Annual Roster of planning group voting members by May 1 of each year and will also submit to the City any changes to rosters as a result of planning group elections.

#### 2.6 Independent Entity

The planning group is an independent entity from the City and must be able to operate as such. The City may provide assistance to planning groups at the discretion of the City Manager and subject to the availability of City resources. In addition, planning groups may be allocated funds by the City when such funding is approved by the City Council.

### **3. Community Participation and Representation**

#### 3.1 Membership

The planning group will ensure that its voting members, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The planning group and its voting members should routinely seek robust community

participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.2 Community Outreach

The planning group and its voting members shall routinely seek community participation in the planning group planning and implementation process to serve the best long-term interest of the community at large.

### 3.3 Collection of Membership Data

To measure community representation, the planning group shall gather demographic data of existing and new planning group voting members at the time of elections or other regular periods to measure inclusion and diversity on the planning group. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

## **4. Planning Group Composition**

### 4.1 Number of Voting Members

The Carmel Valley Community Planning Board shall consist of 12 elected and 1 appointed members to represent the community.

Carmel Valley Community Planning Board representation is as follows: 2 seats for property owners in either Carmel Valley or Pacific Highlands Ranch; 6 seats for residents in Carmel Valley elected by District; 2 seats for residents in Pacific Highlands Ranch (1 North and 1 South of Carmel Valley Road); 1 seat for residents and businesses of the combined areas of Fairbanks Country Club, Via de la Valle and North City Subarea 2, 1 seat for a business representative of either Carmel Valley or The Village at Pacific Highlands Ranch's retail commercial area, and 1 seat appointed by the Chair for the Major Developer. (See Exhibit A for District representation.)

A Property Owner or designee must be an eligible member of the communities owning real property of two (2) or more acres (either developed or undeveloped) within the Community Planning Areas.

### 4.2 Voting Member Eligibility

The planning group will ensure that voting members meet the following minimum qualifications throughout their entire term of service.

#### 4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the planning group has an appointed youth representative. Youth members shall be a minimum age of 16 years old, chosen from among the youth who live in the community.

#### 4.2.2 Minimum Attendance Requirements

The planning group shall take attendance to ensure that each voting member attends at least two-thirds of the planning group's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. Minimum attendance requirements shall not apply to voting members relative to their re-election or re-appointment.

#### 4.3 Community Representation

The planning group will ensure that voting members be affiliated with the community as either a: (1) 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 community planning area; (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 non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

#### 4.4 Voting Member Term Limits

The planning group shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

##### 4.4.1 Maximum Time of Service

Members of the **CARMEL VALLEY COMMUNITY PLANNING BOARD** shall be elected to serve fixed terms of 4 years with expiration dates during alternate years to provide continuity. The board will establish the alternate years considering the change from the existing 2-year terms to 4-year terms. Voting members will not serve their service time for more than eight (8) consecutive years. Planning group voting members who accumulate this maximum service time can be eligible to serve again after a one-year break in service.

##### 4.4.2 Waivers of Maximum Time of Service

The planning group may develop procedures for waiving the maximum time of service by vote of its voting members if the planning group cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a planning group choose to exercise this waiver, it will use the following guidelines:

- (1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).
- (2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and
- (3) The term of a voting member elected by a two-thirds vote serving

beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

## 5. Open and Public Elections

### 5.1. Equal Participation

The planning group shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized planning group can serve.

All members of the public affiliated with the community within the geographical boundary of the planning group will be allowed to vote in planning group elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Operating Procedures and comply with the following:

- Only one elected planning group voting member per business tax certificate
- Only one elected planning group voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

#### 5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued

by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

#### 5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community business owner to vote in the election.

#### 5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the planning group boundaries. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

#### 5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by planning groups and any doubt resolved in favor of allowing a community member to vote in the election.

### 5.2 Transparency and Inclusion in Operations

The planning group will adopt provisions within its Operating Procedures that will govern the election or appointment of voting members of the planning group, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in planning group operations.

5.2.1 Board Election Nominations

Nominations for elected positions begins at January's meeting date and closes by the end of February's meeting date.

5.2.2 Candidate's Qualifications

A candidate must complete the Membership Application no later than close of the February meeting date to verify eligibility.

5.2.3 Ballot

All candidates that are eligible for nomination in the specific voting district or membership position shall be placed on the ballot. Only voters who live in the specific voting district may vote for a candidate for that district or position. Write-in candidates must meet the qualifications of that board position if elected in order to serve. Voting and nominations are not by implementation of Write In Candidates. A candidate is not required to attend a schedule candidates' forum to remain on the ballot.

5.2.4 Poll Location and Tabulation

The polling location shall be at the meeting location of the board, prior to the board's March meeting date and time. The poll will be open for a 1-hour duration and shall close 30 minutes prior to the March board meeting. All ballots will be sealed and only opened after the close of election by the Election Committee for tabulation.

The poll will be managed by the board's election subcommittee and the results shall be tabulated immediately after poll closure. During the meeting the chair will ask the subcommittee for the results of the election.

A candidate must achieve a simple majority of the votes casted, but no fewer than 1 vote has been casted. In case of ties, a runoff election will occur in April. Upon any further tie, a coin flip will determine the winner. If there are no challenges, including ties the winner will be seated in the April meeting.

Ballots will be preserved for 30-days for review of any challenges by the board member or public.

The Elections Committee will endeavor to ensure that electioneering does not take place within 100 feet of the poll location.

5.2.4 Vacancy

If a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge, the chair shall appoint to fill that seat. If the inability to fill a vacancy continues to persist within 90 days of an election with a qualified applicant after various efforts have been taken to fill the vacant seat with community members within that specific seat's community or District boundaries, then the vacancy may be filled by the Chair from qualified applicants within the overall boundary of the Carmel Valley Community Planning Board (refer to Exhibit A, Boundary Map) and confirmed by a vote by the planning group members. In such event, preference will be given to qualified applicants from a voting district adjacent to the vacant seat. However, no more than two planning group members from any one voting district can be appointed to the



Board at any given time.

**5.3** Election Timing

The planning group will endeavor to host its elections during the month of March each year to be consistent with other planning groups.

**6. Conduct of Meetings**

**6.1** Professional Conduct

The planning group and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the planning group's agenda.

**6.2** Rules of Procedure

The planning group shall adopt rules of procedure for its meetings, such as [Robert's Rules of Order](#), [Rosenberg's Rules of Order](#), [Democratic Rules of Order](#), or [Simplified Rules of Order](#) to provide a uniform means for the planning group to facilitate public meetings, conduct public business, and resolve disputes.

**6.3** Transparency in Operations

The planning group will maintain transparency in its operating procedures as outlined herein and in [Council Policy 600-24](#) to ensure open meetings with appropriate public notice to invite community participation in planning group meetings.

**6.3.1** Agenda Content and Procedure

The Agenda content will consist of the following Sections. Order of the Sections will be established by the Chairperson. The Agenda will note the name of the planning board, Carmel Valley Community Planning Board, the address, and phone number of the Secretary. Also, the date, time and location of the meeting will be noted. The specific Sections will be Call to Order and Attendance; Approval of Minutes (recent past meeting); Consent Agenda; Public Communications; Announcements; Written Communications; Community Planner Report; Council District 1 Report; Mayor's Report; County Supervisor's Report; State Assembly Report; State Senate Report; US Congress Report; Information Agenda; Action Agenda; Subcommittee Meeting Reports and Announcements; Chair's Report; Old/Ongoing Business; and Adjournment. Public will be allowed 2 minutes or less to speak to items not on the Agenda in the Public Communications section. Reports by the elected officials should strive for succinctness and be given 5 -10 minutes. The Chair will determine the allowed length of time for Information and Action agenda items. Action agenda items must be conducted when both the proponents and opponents are in attendance.

Review of development projects will not be unjustly delayed or continued or for the board to take the opportunity to hinder its progress through the city review process. The Chair may participate in pre-meetings to be introduced to the project and chart a course of

action at the board presentation to reach a recommendation.

#### 6.3.2 General Meeting Procedure

All meetings shall be recorded with Minutes and attendance taken to determine quorum and absence of members. Votes during meetings shall be in person and open to the public. Secret votes shall not be taken.

The project review process will provide for public testimony by the proponent to present the project followed by organized opponents. The agenda item will then be closed to the public to allow the board members to discuss the merits of the project. After board member questioning, the public will be allowed to question either party. Board members, however, will be allowed to ask questions during the presentations by the proponents or opponents, but closed to the public, unless called upon by the board. When a project(s) impacts multiple boards, the board may elect to conduct a joint meeting with other board(s).

#### 6.3.3 Subcommittee(s)

Subcommittees will be formed to discuss in an informal setting detail issues that rises to the community or board. Standing subcommittees are Design and Planning; FBA's; MAD; Bylaws, Policies and Procedures; Open Space; and Livability. The board may establish or terminated subcommittees are needed to conduct the business of the board.

#### 6.3.4 Abstentions and Recusals

Abstentions and recusals shall be consistent Section 7.3 Ethical Standards. Recusals are to be noted in the meeting minutes and members shall indicated the reason for abstaining.

### 6.4 Planning Group Officers

The officers of the **CARMEL VALLEY COMMUNITY PLANNING BOARD** shall be elected from and by the members of the planning group. Said officers shall consist of a Chairperson, Vice Chairperson and Secretary. The length of an officer's term shall be 1 year, and no person may serve in the same planning group office for more than eight or nine consecutive years per the term limits established in Section 4.4. 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.

#### 6.4.1 Chairperson

The Chairperson shall be the principal officer of a recognized planning group and shall preside over all planning group and communitywide meetings organized by the planning group. The Chairperson will be the planning group's representative to the Community Planners Committee (CPC), unless otherwise designated. Further duties include setting the agenda, being the point of contact for development applicants, or other duties as defined by the board necessary to contact the business of the board. Other duties such as reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City Council, Planning Commission, planning staff, community or institutional

boards or agencies, or similar organizations on planning group actions and policies.

#### 6.4.2 Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all the duties and responsibilities of the Chairperson. Further duties include filling for the Chair when the Chair is absent or must recuse from a particular situation, acting as the alternate representative to the CPC or reporting as the delegate to provide a written report and/or verbal testimony, to the Mayor, City Council, Planning Commission, planning staff, community or institutional boards or agencies, or similar organizations on planning group actions and policies.

#### 6.4.3 Secretary

The Secretary shall be responsible for the planning group's correspondence, attendance records, and minutes and actions [including identification of those planning group's 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. Any further duties as defined by planning group.

#### 6.4.4 Other Officers

The planning group may identify additional officers responsible for the effective operation of the planning group.

#### 6.5 Additional planning group Officer Responsibilities

The **CARMEL VALLEY COMMUNITY PLANNING BOARD** 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.

### **7. Additional Planning Group Responsibilities**

#### 7.1 Commitment to Non-Discriminatory Practices

The planning group, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

#### 7.2 Records Retention

The planning group will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five (5) years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

### 7.3 Ethical Standards

The planning group will commit to ethical standards to guard against potential conflicts of interest and undue influence on any recommendation. These standards include how planning group voting members can recuse themselves or abstain from voting on decisions when such a conflict exists.

#### 7.3.1 Direct Economic Interest

Planning group voting members with a potential conflict of interest shall recuse themselves from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

#### 7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a planning group board to other planning group voting members who can show that the decision will not have an effect on their economic interest.

#### 7.3.3 Abstentions for Potential Conflicts of Interest

Planning group voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or a where that voting member lacks sufficient information upon which to cast a vote. The planning group's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

#### 7.3.4 Political Actions

Neither the planning group nor voting members in their capacity as such may use their title from or position on a planning group for political endorsements of individuals. The planning group may, however, upon majority vote, take a position on pending legislation that is within the planning group's purview.

#### 7.3.5 Donations

Neither the planning group nor its voting members shall accept donations on behalf of any individual running for office.

#### 7.3.6 Equal Time for Candidates or Ballot Measures

The planning group will endeavor to grant equal time for candidates or ballot measures if docketed on the planning group agenda. Equal time does not apply to individuals speaking during non-agenda public comment.

#### 7.3.7 Professional Conduct

The planning group voting members shall treat each other, applicants, city staff and the public with courtesy and respect at all times.

7.4 Voting Member Training

Each planning group voting member shall complete the formal education program in-person or on-line offered by the City.

The planning group will require voting members to complete the training each year within sixty (60) days of being initially elected or appointed to the planning group, and by no later than June 1 of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the planning group's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

Planning group voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the planning group.

**8. Planning Group Rights and Liabilities**

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the planning group or its individual voting members, acting in their capacity to the City, under the specified terms set forth in [San Diego Ordinance No. O-19883](#) NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community planning groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the planning group or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these [Council Policy 600-24](#) and these Operating Procedures, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the planning group or one of its individual voting members is found to be out of compliance with the provisions of [Council Policy 600-24](#), or with these Operating Procedures, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act Pursuant to provisions required by the Brown Act, including civil remedies (California

Government Code sections 54960 through 54960.5) and criminal penalties (Government CP-600-24 Planning Group Operating

Code section 54959) for violation of the provisions, the planning group will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void planning group actions. Individual voting members of the recognized planning group, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the planning group and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the planning group may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The planning group, or any of its individual voting members, may seek assistance by contacting their assigned Community Planner or emailing [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov), as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the planning group to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The planning group, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Operating Procedures or [San Diego Ordinance O-19883](#).

### 8.3 Violations of Membership Eligibility

Any planning group voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining planning group voting members as outlined in Section 5.2.

#### 8.3.1 Removal of Ineligible Voting Members

Procedures for removal of voting members for failure to retain eligibility, shall include providing affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

### 8.4 Violations and Remedies

If the planning group violates these Operating Procedures, it may forfeit its status as a recognized planning group and lose its right to indemnification and defense by the City. A planning group voting member and the planning group itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Operating Procedures by a planning group voting member, the planning group will conduct an investigation consistent with [Council Policy 600-24](#).

In the case of an alleged violation of [Council Policy 600-24](#), the violation will be forwarded

in writing to the City for review by the Mayor or their Designee. The planning group will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The planning group acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the planning group, or may recommend to the City Council that the planning group's recognition be revoked.

The planning group acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a planning group has violated their Operating Procedures or [Council Policy 600-24](#) and the planning group has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the planning group's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

#### 8.5 Disciplinary Actions of Individual Voting Members in Violation of Operating Procedures

The planning group acknowledges that any of its voting members found to be in violation of these Operating Procedures shall only be disciplined or removed by the planning group at a scheduled planning group meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within sixty (60) days of the allegation so as to ensure a fair and public process.

#### 8.6 Potential Conflicts of Interest

Planning group voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the planning group, which may include expulsion from the board. The planning group will report in writing instances of disciplinary action to the City within sixty (60) days of any allegation.

#### 8.7 Violations and Remedies for Quorum and Attendance Requirements

If the planning group is unable to meet quorum and attendance requirements for three (3) consecutive months, then City may place the planning group in a temporary inactive status, to allow the planning group to work through its membership issues to return to active status. If the planning group remains unable to meet quorum and attendance requirements for six (6) consecutive months, then the Mayor or their Designee may recommend to the City Council that the planning group's recognition be revoked.

#### 8.8 Violations of City Requests for Input

The planning group acknowledges that a consistent 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 plans may result in revocation of

recognition as referenced in [Council Policy 600-24](#). Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

#### **9. Collective Action of the Planning Group**

The official positions and opinions of the planning group will not be established or determined by any organization other than the recognized planning group, nor by any individual voting member or subcommittee of the planning group.

#### **10. Term of Operating Procedures**

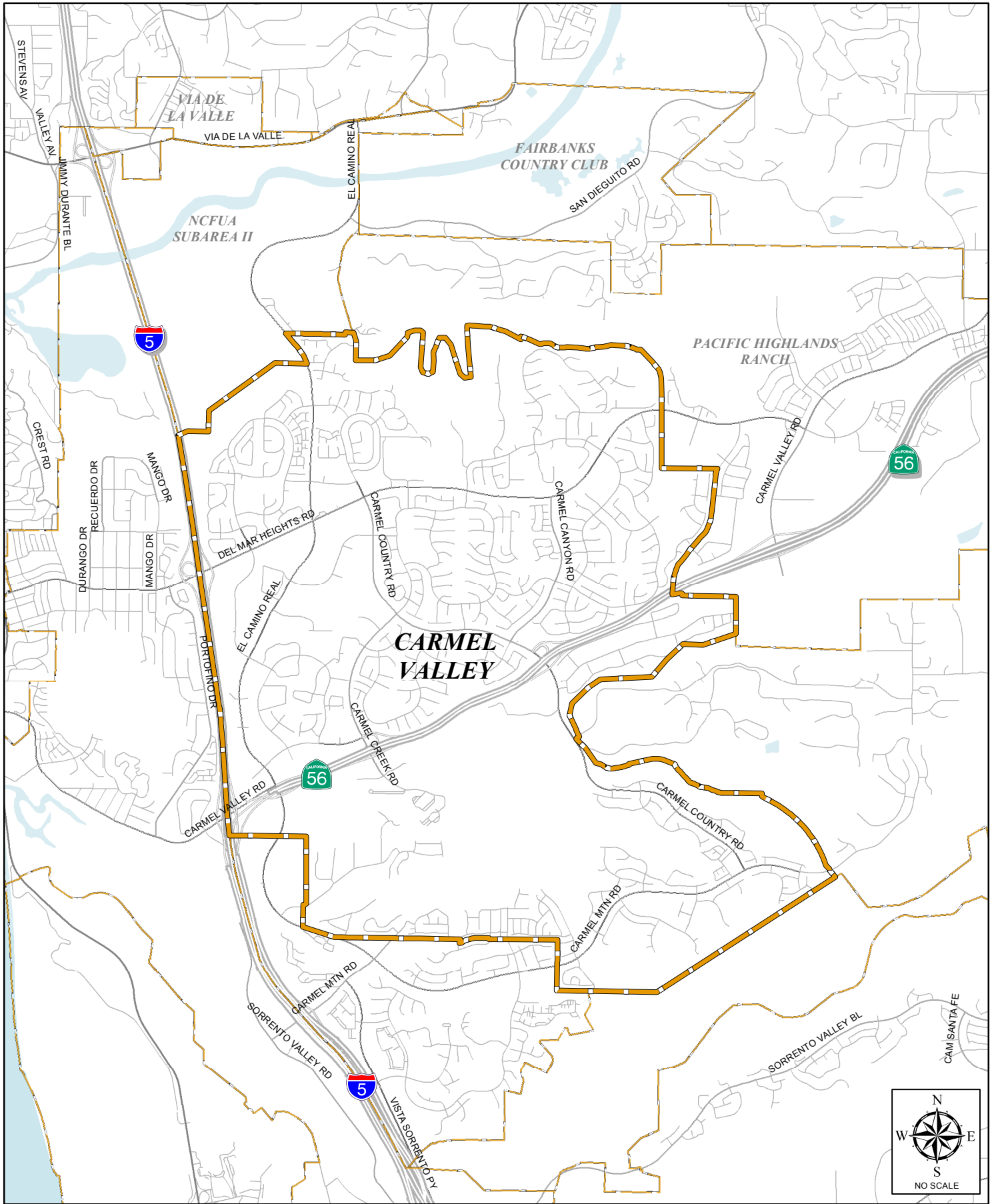
These Operating Procedures will be effective in perpetuity of the life of the planning group unless recognition of the planning group is revoked by the City as described in Section 8.4 or the Operating Procedures are updated to be consistent with [Council Policy 600-24](#) as it may be amended. Proposed 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. Amendments to the Operating Procedures are not valid until approved by the City.

Attachments:

EXHIBIT A: MAP OF PLANNING GROUP BOUNDARIES. (The CARMEL VALLEY COMMUNITY PLANNING BOARD will represent the communities of Carmel Valley, Pacific Highlands Ranch, Fairbanks Country Club, Via de la Valle and NCFUA Subarea II)

EXHIBIT B: COMMUNITY PARTICIPATION AND REPRESENTATION PLAN



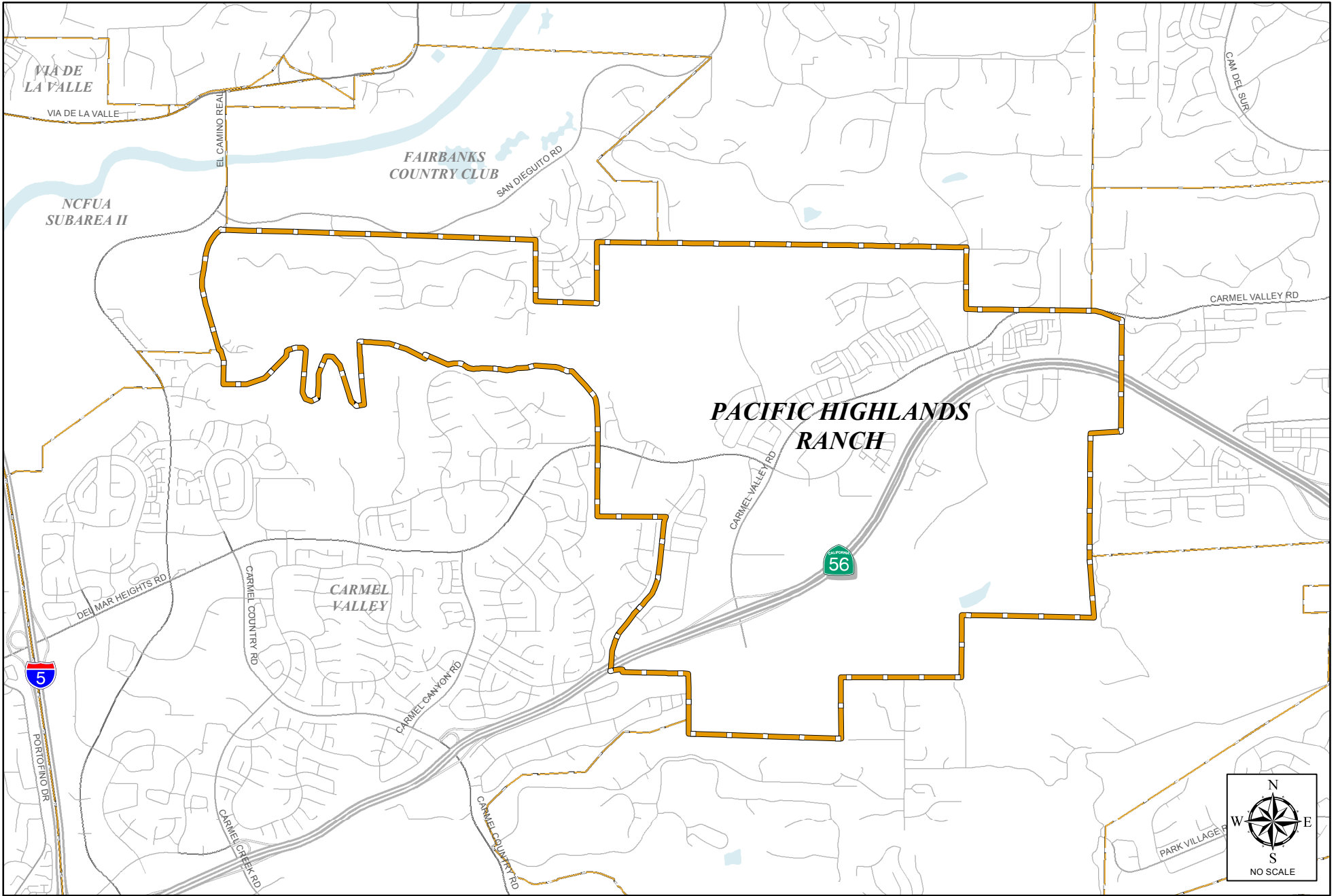


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**CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A**  
**Boundary Map 1 – Carmel Valley**

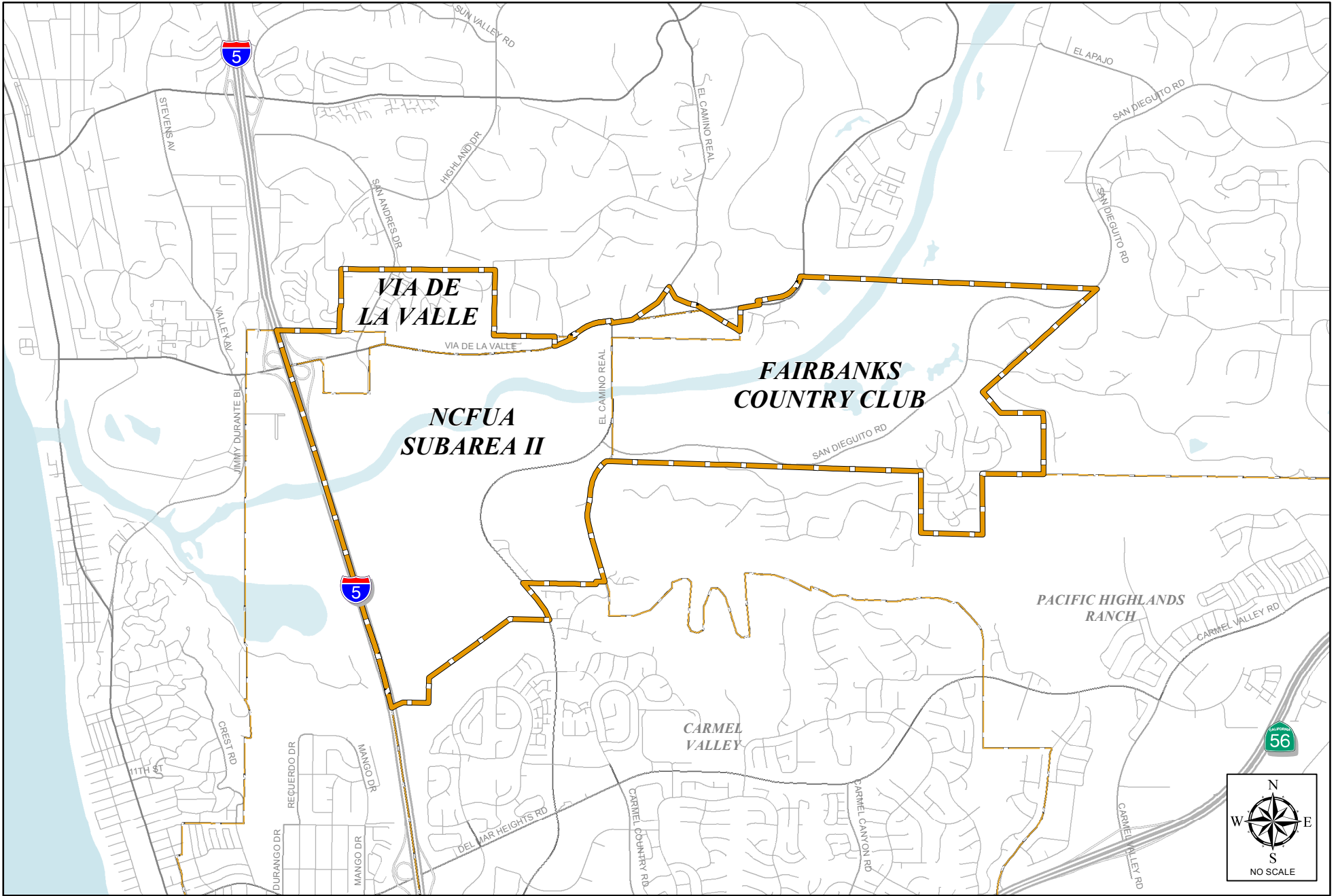
CITY OF SAN DIEGO • PLANNING DEPARTMENT



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Date: 1/15/2015



**CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A**  
**Boundary Map 3 – Pacific Highlands Ranch**  
 CITY OF SAN DIEGO • PLANNING DEPARTMENT



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Date: 1/15/2015



## CARMEL VALLEY COMMUNITY PLANNING BOARD BYLAWS EXHIBIT A

### Boundary Map 2 – San Dieguito Area

CITY OF SAN DIEGO • PLANNING DEPARTMENT

**COMMUNITY PARTICIPATION & REPRESENTATION PLAN  
CARMEL VALLEY COMMUNITY PLANNING BOARD**

**EXHIBIT B**

Council Policy 600-24

**Purpose**

The Carmel Valley Community Planning Board (“Planning Group”) is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Board members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, intergenerational households, businesses, and offices. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Board to serve as a recognized advisory body to the City. The goal of this participation and representation plan is to communicate our PLANNING BOARD’s goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement. Our plan is crafted to reflect the unique demographics and characteristics of our community. Please see Community Plan Area (CPA) demographics provided by SANDAG’s [Data Surfer](#) website.

**Achievement Goals**

The Carmel Valley Community Planning Board will strive to achieve the following goals to provide for a diverse and enlighten board for the communities of Carmel Valley. Our goals are to:

- Educate community members about the role of our Planning Board and opportunities to be involved with the growth and livability of the community.
- Establish partnerships with non-profits, community organizations, businesses, offices, schools/universities, and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Board meetings and decision-making.
- Communicate about our CPG’s work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

## **Guiding Principals**

The Carmel Valley Community Planning Board will strive to implement the following Guiding Principles for greater public participation. Our principles are to:

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent, and respectful.
- Consistently share information with community members using a variety of methods, such as via electronic distribution generated from an email interest list available at all meetings, posting agendas at libraries and recreation centers and through a website.
- Make meeting materials available in the languages spoken within the community by using Census data and/or SANDAG's [Data Surfer](#) website to determine languages spoken in the community.
- Be respectful of people's opinions and time. Consider establishing grounds rules for dialogue or codes of conduct like those from the [American Bar Association](#) and the [National Conflict Resolution Center](#).
- Ensure a safe, accessible meeting space.

## **What are our Strategies for Community Involvement?**

The Carmel Valley Community Planning Board will strive to engage the following strategies, which are:

- To create a simple Planning Board flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get involved, and the benefits of serving on a Planning Board.
- Share meeting information in digital formats including social media pages and a dedicated CPG website.
- Consistently post printed monthly meeting information at local places including, but not limited to:
  - Local Libraries
  - Park and Rec Buildings
  - Public Transit Hubs
  - Grocery Stores
  - Coffee Shops
  - Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profits organizations to introduce and discuss the Planning Board's role and to build relationships.
- Advertise monthly meeting and elections in local community papers/newsletters/social media.
- Host informal events outside of Planning Board meetings to invite the public to learn about the Planning Board and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs regarding planning issues. Select a time/day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Board to attend.

- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community planning needs/other initiatives.

### **How is Success Measured?**

The Carmel Valley Community Planning Board will engage the following to measure our Success:

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: [SDPlanningGroups@sandiego.gov](mailto:SDPlanningGroups@sandiego.gov) within 14 days of the approval of the March minutes.