

**NORTH PARK
MAINTENANCE ASSESSMENT DISTRICT
ADVISORY COMMITTEE**

BYLAWS

ARTICLE I - THE COMMITTEE

Section 1. Name of Committee

The name of the committee shall be the “North Park Maintenance Assessment District Advisory Committee” (hereinafter referred to as the “Committee”).

Section 2. Purpose

The Committee shall provide a means for private citizen advice to the City of San Diego staff (“City”) on matters relating to the North Park Maintenance Assessment District (“District”) landscape projects, lighting and special community improvements as outlined in the annual Engineer’s Report for the North Park Maintenance Assessment District (“Report”) to the City of San Diego.

In order to accomplish the purpose, the Committee shall:

- (1) Meet with the City in January and February of each year for an annual budget presentation by the City,
- (2) Meet on a regular basis, but not less than 6 times per year (including the annual presentation from the City), to review specific projects and recommend priorities to the City.
- (3) Consult with the City on other policy matters that affect the residents of the District as appropriate.
- (4) Gather information and serve as a communication link between the City and District home owners, residents, business owners and community organizations, and to transmit the concerns and suggestions of the home owners, residents, business owners and community organizations to the City.
- (5) Participate in the City decision-making process by reviewing and evaluating District activities and making advisory recommendations as necessary and appropriate.

Section 3. Membership

1. Composition

The Committee shall consist of representatives from the property owners, business owners, residents and community organizations within the District boundaries.

Committee membership shall include North Park Main Street, the North Park Community Association, the Greater North Park Community Planning Committee, the Burlingame Neighborhood Association, the El Cajon Boulevard Business Improvement Association, the North Park Redevelopment Project Area Committee, the Altadena Neighborhood Association and the San Diego County Apartment Association. In addition, a least one at-large resident home owner, not representing any of the above groups, may be on the board.

Additional community organization members may be invited to volunteer for service as indicated by community needs.

The Committee shall consist of not less than 6 persons and not more than 12 persons, including officers, representing the above groups.

2. Qualifications

Only representatives from the above groups shall be members of the Committee. When a person ceases to be the duly appointed representative of an organization he or she may no longer be a member of the Committee. The at large homeowner resident must be a District homeowner resident. Community groups are strongly encouraged to appoint representatives who reside or have businesses within the District.

3. District Boundaries

The boundaries are those which are recognized in the Boundary Map & Assessment Diagram identified as "Exhibit A" in the 2003 Engineer's Report on the District. A copy of that exhibit is attached to these by laws for convenience.

Section 4. Terms of Membership

In January 2004, a citizen's MAD organizing committee was appointed by the 3rd District Council representative.

That organizing committee may appoint initial MAD members to serve for a term of one or two years, with terms to expire in April of each year.

Upon expiration of a term or resignation, new members shall be appointed by their designated community group, or, if there is no group affiliation, by a vote of a majority of the remaining members of the Committee. Persons qualified to

participate are identified in Section 3.1 and 3.2 above.

Officers shall have term limits as outlined in Article II, Section 6 below. There shall be no term limits to Committee membership. The terms of elected or appointed members of the Committee shall, in any event, continue until successors are elected or appointed and in office.

Section 5. Termination of Membership

Membership in the Committee is subject to termination and removal in the event that:

- (1) The member is not, or will no longer be, a duly appointed representative of the community or business organization from which he/she was appointed,
- (2) The member misses three (3) consecutive regular meetings,
- (3) The member shall have acted in violation of these Bylaws, or
- (4) The member fails to meet any of the qualifications specified in Section 3.2 above.

Section 6. Removal of Members

A member may be removed by a majority vote of the total Committee qualified and eligible to vote if, after a public hearing, it is found and determined that any one of the grounds for termination above exists.

Section 7. Resignation

Any Committee member may resign at any time by giving written notice to the Chairperson. Any such resignation will take effect upon receipt or upon any date specified therein. A resignation is effective whether or not it is accepted by the Committee.

Section 8. Filling of Vacancies

The Committee shall vote to fill a non-appointed vacancy occurring on the Committee by reason of death, resignation, termination or removal. Nominees for vacant positions are selected by a majority vote of the Committee and each nominee appointed must meet the qualifications set forth above.

Section 9. Identifying Committee Membership to the City

The initial membership of the MAD advisory committee was created by the Third District Council Representative in January 2004. Hereafter, the membership of the Committee shall be submitted to the City annually as evidence of the representative character of the Committee and for information purposes. Following each change to Committee membership or leadership, that membership list will be updated and the

City shall be advised of the change. Committee membership shall include broad community representation and may be amended in accordance with Section 3.1 by a majority vote of the existing committee.

ARTICLE II - OFFICERS

Section 1. Officers

The officers of the Committee shall consist of a Chairperson, a Vice-Chairperson and a Secretary and shall be elected in the manner set forth in this Article II.

Only Committee members shall have a vote in the election of officers.

Section 2. Chairperson

The Chairperson shall preside at all meetings of the Committee and shall submit such agenda, recommendations and information at such meetings that are reasonable and proper for the conduct of the business affairs and policies of the Committee. The Chairperson may vote on all matters before the Committee. The Chairperson shall sign all recommendations, approved minutes, and other documents generated by the Committee. The Chairperson may prepare and file an annual report on the Committee's activities with the City, after submission of any report to the Committee and adoption of same by a majority of the members..

Section 3. Vice-Chairperson

The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice-Chairperson shall assume the Chairperson's duties until such time as the Committee shall elect a new Chairperson.

Section 4. Secretary

The Secretary shall keep the records of the Committee, shall act as secretary of the meetings of the Committee, shall record all votes, and shall keep a record of the meetings in a journal of proceedings.

Section 5. Additional Duties

The officers of the Committee shall perform such other duties and functions as may from time to time be required by the City.

Section 6. Election

The officers shall be elected in April of each year by the Committee as an item of "New Business." Nominees must be on the Committee at the time of the election. The election shall take place following the annual budget presentation from the City.

Any qualified nominee shall be on the ballot so long as he or she has provided

- 1) Notice to the Committee of his/her intention to run for election by the February 28th prior to the election, and
- 2) Makes a public statement of qualifications, either through a brief verbal presentation or by a written statement just prior to the election.

Such officers of the Committee shall hold office for one year or until their successors are elected and qualified. Such officers shall not be prohibited from succeeding themselves, however no officer shall serve more than two consecutive one year terms in the same office.

Section 7. Vacancies

Should the offices of either the Chairperson, Vice-Chairperson or Secretary become vacant, the Committee shall elect a successor from among the Committee members at the next regular meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III - MEETINGS

Section 1. Annual Budget Presentations

Annual budget presentations shall be held during the months of January and February of each year. Notice of annual budget presentations shall be given in such a manner as to ensure a good faith effort to notify those living and/or working within the District boundaries. Following such presentations, the Committee shall review and make necessary recommendations to the City, and communicate those recommendations to the Third District Council Representative's office.

Section 2. Annual Elections

Annual election meetings shall be held in April of each year as outlined in Article 2.6. At these meetings, names of persons seeking election or reelection as members shall be announced. Notice of annual elections shall be given in such a manner as to ensure a good faith effort to notify those living and/or working within the District boundaries.

Section 2. Regular Meetings

The Committee shall meet regularly on the second Monday of each month, at 6:00 p.m., at a location within the District boundaries as designated by the Committee. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be held on the next Monday thereafter. Notice of the meeting schedule shall be given in such a manner as to ensure a good faith effort to notify those living and/or working within the District boundaries.

Section 3. All Meetings to Be Open and Public

All meetings of the Committee shall be open and public. All persons shall be permitted to attend any such meetings except as otherwise provided by law.

Section 6. Quorum

The Committee can only exercise its advisory powers during a regular meeting at which a quorum of members is present. A majority of the total membership of the advisory Committee qualified and eligible to vote, shall constitute a quorum for purposes of conducting the Committee's business, exercising its powers and for all other purposes. If less than a majority of the Committee is present at any meeting, the Committee will adjourn the meeting until the next regularly scheduled date.

All members are entitled to vote on matters placed before the Committee, unless their vote violates state or local ethics laws and regulations. Each member of the Committee has one vote on each matter. Matters are approved based upon a simple majority vote of the members, unless otherwise provided herein. A vote on a matter that results in a tie is considered a rejection of that matter.

Section 7. Absences

The Committee may vote to remove any member who has been absent from three or more consecutive regular meetings. Advisory members are requested to notify the Chairperson of their intent to be absent, and the reason for the absence. After roll call, the Chairperson shall advise the Committee of the absence.

Section 8. Order of Business

The Chairperson shall have control of the order of business at meetings. Generally, the following shall be the order of business at regular meetings of the Committee:

- (1) Roll call.
- (2) Approval of minutes of previous meeting.
- (3) Chairperson, City and/or MAD reports.
- (4) Communications and Public Comments.
- (5) Action items requiring approval
- (6) Unfinished business
- (7) New business.
- (8) Adjournment.

Section 9. Recommendations

Recommendations to the City may be oral, if at an open meeting, or in writing. If in writing, the recommendation shall be designated by number, reference to which shall be inserted in the minutes of the meetings at which they are approved. Approved recommendations shall be filed in the official book of recommendations of the Committee and sent to the Third District Council Representative.

Section 10. Minutes

Minutes of the Committee shall be in writing. Copies of the draft minutes of each Committee meeting shall be made available to each member of the Committee and the City. Approved minutes shall be filed in the official book of minutes of the Committee.

Copies of draft minutes may be distributed to other interested persons if the copies are noted as "Draft And Subject To Correction."

Copies of Minutes shall be available for review at each open meeting.

Section 11. Rules of Order

Except as provided in these Bylaws, all business and matters before the Committee shall be transacted in conformance with Robert's Rules of Order (Newly Revised).

ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES

Any official representations on behalf of the Committee before the City, the City Council or any other public body shall be made by the Chairperson, the Vice Chairperson in the Chairperson's absence, or a member of the Committee specifically so designated.

ARTICLE V - EXPENSES AND REIMBURSEMENT

The Committee is a voluntary citizen's committee without a budget or funding. There shall be no reimbursement for expenditures voluntarily made by Committee members.

ARTICLE VI- AMENDMENTS

Section 1. Amendment of Bylaws

The Bylaws of the Committee may be amended upon the affirmative vote of at least two-thirds (2/3) of the total membership of the Committee qualified and eligible to vote at a regular meeting. No such amendment shall be adopted unless at least 14 business days' written notice thereof has previously been given to all members of the Committee. Notice of amendment shall identify the section or sections or the Bylaws proposed to be amended and the rationale for amending. At the next regular meeting following an amendment, a copy of the amended Bylaws shall be provided to the Committee membership and City staff.

Reviewed by: Deputy City Attorney Lisa Foster
April 27, 2004
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Amended 3/10/08