

# 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 September and November 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 representatives appointed by North Park Main Street, the North Park Community Association, the North Park Planning Committee, the Burlingame Neighborhood Association, the El Cajon Boulevard Business Improvement Association, and the Southern California Rental Housing Association. In addition to the organization representatives, the Committee shall strive to include three at-large representatives consisting of (1) a resident homeowner, (2) a resident tenant, and (3) a resident of an affordable housing development. Additional community organization members or residents of the District may be invited to volunteer for Committee membership 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 organizations or residents of the District 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. 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 3<sup>rd</sup> 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 be responsible for the Committee's correspondence, attendance records, and minutes and actions [including identification of those Committee members

that constitute a quorum, who vote on an action item, and who may abstain or recuse and the reasons], and shall assure that Committee members and members of the public have access to this information.

#### *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. Nominees must be on the Committee at the time of the election.

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 September and November 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. Any vacancies in Committee membership remaining after the April meeting or arising thereafter may be filled at any regular meeting.

#### *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. The meeting agenda shall be posted in accordance with state law in a publicly accessible location at the office of North Park Main Street, located at 3939 Iowa St., Ste. 2 San Diego, CA 92104 and on the Committee's website.

#### *Section 4. Quorum*

The Committee can only exercise its advisory powers during a 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 5. 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 6. 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 draft minutes of previous meeting.
- (3) Communications and non-agenda public comments.
- (4) Chairperson, city, city council, and/or MAD staff reports.
- (5) Information items
- (6) Action items requiring approval
- (7) Adjournment

#### *Section 7. Recommendations*

Recommendations to the City may be oral, if at an open meeting, or in writing.

#### *Section 8. 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 and posted on the Committee's website.

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 9. 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**

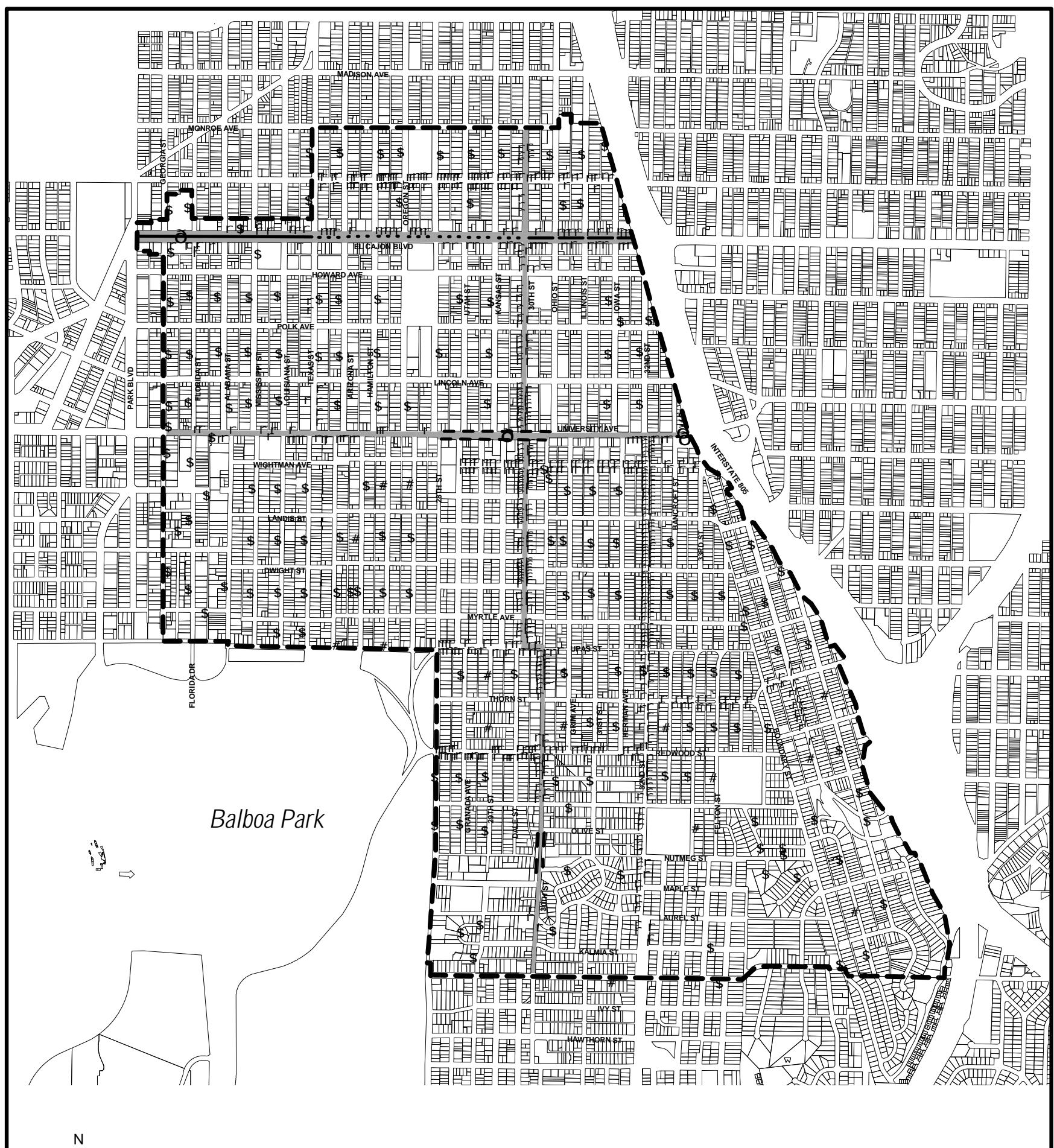
The Committee is a voluntary citizen's committee without a budget or funding. There shall be no reimbursement for expenditures voluntarily made by Committee members.

## **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.

Bylaws, as amended in August 2020.



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## BOUNDARY MAP

NOTE:  
FOR A DETAILED DESCRIPTION OF THE LINES  
AND DIMENSIONS OF LOTS OR PARCELS SHOWN  
ON THIS MAP, REFER TO THE COUNTY ASSESSOR'S  
MAPS WHICH SHALL GOVERN WITH RESPECT TO  
ALL DETAILS CONCERNING THE LINES AND  
DIMENSIONS OF SUCH LOTS OR PARCELS.

FILED IN THE OFFICE OF THE CITY CLERK  
OF THE CITY OF SAN DIEGO, STATE OF  
CALIFORNIA, THIS \_\_\_\_ DAY OF \_\_\_\_,  
1998.

CHARLES G. ABDENOUR, CITY CLERK  
CITY OF SAN DIEGO  
STATE OF CALIFORNIA

PREPARED BY:  
*Bovie Engineering Corporation*  
1007 Camino Court, Suite 200, San Diego, CA 92111 (619) 298-6080

I HEREBY CERTIFY THAT THE WITHIN MAP  
SHOWING PROPOSED BOUNDARIES OF THE  
NORTH PARK LIGHTING & LANDSCAPE  
DISTRICT, CITY OF SAN DIEGO, STATE OF  
CALIFORNIA, WAS APPROVED BY THE CITY  
COUNCIL AT A REGULAR MEETING THEREOF,  
HELD ON THE \_\_\_\_ DAY OF \_\_\_\_, 1998,  
BY ITS RESOLUTION NO. \_\_\_\_.

CHARLES G. ABDENOUR, CITY CLERK  
CITY OF SAN DIEGO  
STATE OF CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY  
COUNCIL OF THE CITY OF SAN DIEGO ON  
THE LOTS, PIECES, AND PARCELS OF LAND  
SHOWN ON THIS ASSESSMENT DIAGRAM.  
SAID ASSESSMENT WAS LEVIED ON THE  
\_\_\_\_ DAY OF \_\_\_\_, 1998; SAID  
ASSESSMENT DIAGRAM AND THE ASSESSMENT  
ROLL WERE RECORDED IN THE OFFICE OF  
THE SUPERINTENDENT OF STREETS OF THE  
CITY OF SAN DIEGO, STATE OF CALIFORNIA,  
ON THE \_\_\_\_ DAY OF \_\_\_\_, 1998.  
REFERENCE IS MADE TO THE ASSESSMENT  
ROLL RECORDED IN THE OFFICE OF THE  
SUPERINTENDENT OF STREETS FOR THE  
EXACT AMOUNT OF EACH ASSESSMENT  
LEVIED AGAINST EACH PARCEL OF LAND  
SHOWN ON THIS ASSESSMENT DIAGRAM.

### LEGEND

-  North Park Lighting & Landscape District
-  Parcel Line
-  Existing Median
-  Proposed Median
-  Gateway Sign
-  Newly Constructed Light
-  Proposed Light
-  Proposed Tree
-  Enhanced Right-of-Way
-  Switzer Creek Artwork
-  Street/Sidewalk Cleaning & Sweeping



CITY OF  
SAN DIEGO

**NORTH PARK**  
LIGHTING & LANDSCAPE DISTRICT

W.O. DATE: REVISIONS:

SHEET 1 OF 34

**EXHIBIT A**