

**CITY OF SAN DIEGO
PARK AND RECREATION DEPARTMENT
STANDARD OPERATING PROCEDURES AND RESPONSIBILITIES
FOR RECREATION COUNCILS ISSUED A SPECIAL USE PERMIT
January, 2008**

ARTICLE I POLICY

- Section 1. This Recreation Council (COUNCIL) shall conduct business under the official name of Mira Mesa Park and Recreation Council after approval by the Park and Recreation Department Director (DIRECTOR). If the Special Use Permit (PERMIT) of the COUNCIL is terminated or not renewed and the incorporated body is not dissolved, the COUNCIL shall change its name to exclude the term "Park and Recreation Council."
- Section 2. All COUNCIL activities shall be conducted in its official name as noted in Article I Section 1 above.
- Section 3. All COUNCIL contracts shall be executed by the COUNCIL in its official name as noted in Article I Section 1 above. Contracts for services shall use the most recently approved Independent Contractor Agreement provided by the Park and Recreation Department (DEPARTMENT), unless another form is specifically authorized by the DEPARTMENT.
- Section 4. The official positions and opinions of the COUNCIL shall be established or determined only by the COUNCIL at a public meeting held in conformance with the Brown Act, and with these procedures.

ARTICLE II PURPOSE OF THE COUNCIL

- Section 1. The purpose of the COUNCIL shall be to promote the recreation programs in the community through planning, administering, publicizing, coordination, and interpretation. The COUNCIL may also make recommendations to the Park and Recreation Department (DEPARTMENT), and to the Park and Recreation Board and the Community Parks Area Committees, on matters in the COUNCIL's jurisdiction, as identified in the PERMIT, related to park and recreation programs and facilities through broad community input and in accordance with Department and Park and Recreation Board policies. The COUNCIL may raise funds and must work with the DEPARTMENT when providing programs, special events, and enhanced services, facilities, equipment, and supplies. The COUNCIL, whether or not incorporated, must operate under the authority of the PERMIT and these procedures. In its role as a program provider, the COUNCIL is responsible for all contractual relationships related to independent contractors.

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- Section 2. All COUNCIL activities shall be non-partisan and non-sectarian, and shall not discriminate against any person or persons in any manner prohibited by law. COUNCIL sponsorship or co-sponsorship of activities must receive the prior written approval of the DIRECTOR or his or her staff designee to enable the DEPARTMENT to assess liability exposure as well as appropriateness of the activity.
- Section 3. The COUNCIL shall not take part, officially or un-officially, or lend its influence in, the election of any candidate for political office. COUNCILS as a whole may endorse non-partisan ballot measures, but are not permitted to take a position on or endorse a political candidate. Ballot measures which directly benefit park and recreation facilities and services, and which have been officially supported by a vote of the San Diego City Council, may be officially endorsed by the COUNCIL when endorsing ballot measures.

ARTICLE III COUNCIL DUTIES

- Section 1. It shall be the duty of each COUNCIL member to attend all COUNCIL meetings. A quorum, defined as the greater of either three (3) members or twenty-five (25%) or of the membership, must be present in order to conduct business and/or vote on projects or actions at regular COUNCIL meetings. Absences shall not reduce the number needed for a quorum. **Proxy or phone votes are not permitted.** A report of attendance and a copy of the draft COUNCIL minutes which include the number of yea, nay, and abstention votes taken on each matter acted upon for each meeting shall be available to the public at a central area within the Recreation Center, on the Mira Mesa web-site, or from the DEPARTMENT representative at least seven (7) calendar days prior to the next regular meeting. Copies of approved minutes shall be available to the public not more than three (3) days after they are approved. COUNCIL actions on specific items shall indicate final voting results. COUNCIL shall adopt written procedures for confirming voting eligibility.

All meetings, as defined by the Brown Act, of COUNCIL, its standing subcommittees, and its officers and executive groups, shall be noticed and open to the public, in accordance with the Brown Act, except for matters related to COUNCIL personnel or litigation, and shall be conducted in accordance with Robert's Rules of Order. COUNCIL shall comply with the Brown Act.

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- Section 2. It shall be the duty of the COUNCIL to maintain a current, up-to-date roster of the names of COUNCIL members and whether each is an at-large member or an organizational representative. This roster shall be maintained by the Recording Secretary unless this duty is performed by the Corresponding Secretary. The roster shall be provided by the COUNCIL to the DEPARTMENT immediately upon change.
- Section 3. It shall be the duty of the COUNCIL to periodically outreach to its community through such methods as local newspapers or community events to further community-wide understanding of and participation in the COUNCIL duties. The COUNCIL shall give due consideration to all responsible community input in order to identify what is in the best long-range interest of the community at large. It shall also be the duty of the COUNCIL, when reviewing development projects, to allow participation of affected property owners, residents, and business establishments with proximity to the proposed development as determined by the DEPARTMENT. The COUNCIL shall inform the project applicant or representative each time such review will take place and provide the applicant with an opportunity to present the project. Any interested member of the public shall be given the opportunity to comment on items during the COUNCIL meetings.
- Section 4. Any member of the COUNCIL with a direct/indirect economic interest in any action that comes before the COUNCIL must disclose to the COUNCIL that interest, and shall not vote or participate in any manner as a member of the COUNCIL on that action.

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ARTICLE IV MEMBERSHIP

Section 1. The COUNCIL shall consist of not less than five (5) members, nor more than twenty-five (25) members, provided, however, when a larger membership would give better representation to a community, the DIRECTOR may approve such larger membership. The membership of the COUNCIL may consist of at-large and organization members. An at-large member is anyone who lives, works, or owns property in the geographic area covered by the COUNCIL's PERMIT (AREA); an organization member is a member who represents an organized or special interest community service or athletic group that conducts primary operations within City facilities, fields, and/or parks under the jurisdiction of the DEPARTMENT within the AREA. The DIRECTOR may also approve membership of less than five (5) members after a COUNCIL has provided written evidence of membership outreach efforts satisfactory to the DIRECTOR. Upon issuance of a PERMIT by the DEPARTMENT, the members of the COUNCIL shall constitute the official COUNCIL for the purposes set forth in ARTICLE II.

In accordance with the above guidelines, the COUNCIL board shall consist of at least 5, but not more than 25 members. The number of at-large members shall be limited to a maximum of 10 or 50% of the membership, whichever is greater.

Section 2. To be eligible as a COUNCIL member, an individual must be at least eighteen (18) years of age. Members must be willing to accept and perform responsibilities delegated by the COUNCIL. Exceptions to eligibility requirements must be approved in writing by the DIRECTOR or his/her staff designee. COUNCIL members shall be, to the extent possible, representative of the AREA.

Section 3. To become a member an individual must first attend (3) consecutive meetings and then submit a letter of intent to the COUNCIL's Recording Secretary. COUNCIL members are confirmed by a vote of the members.

Section 4. A member found to be in willful violation of By-Laws, Articles of Incorporation, or the PERMIT may, by two-thirds vote of the current membership of the COUNCIL, be removed from the COUNCIL upon confirmation by the DIRECTOR. The member shall be informed by the COUNCIL in advance of any potential revocation of membership or privileges.

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Section 5. Upon receipt of resignation in writing from one of its members, the COUNCIL shall affirm a vacancy exists and record it in the minutes. A COUNCIL member shall not have three consecutive absences from regularly scheduled meetings.

Upon receipt of a report from its corresponding secretary that a member has been absent from three consecutive regular meetings, the COUNCIL shall review the information and vote to affirm the accuracy of the absence record and the removal of the member from the COUNCIL. The COUNCIL shall also direct the Corresponding Secretary to notify the member with three consecutive absences of his/her removal from the COUNCIL and the right to appeal for reinstatement at the next regularly scheduled meeting. If no appeal is received or a reinstatement is not granted, the COUNCIL shall vote to affirm a vacancy exists for an organizational or at large member, as applicable.

Section 6. Vacancies that may occur on the COUNCIL shall be filled in a manner specified in Article IV, Section 3. The term of office of any member filling any confirmed vacancy shall be for the balance of the vacated term.

Section 7. If the COUNCIL has fewer than five (5) members in good standing, the DIRECTOR shall determine if the COUNCIL should continue to operate or be placed on inactive status until the COUNCIL has at least five (5) members in good standing. If the COUNCIL is on inactive status, an interim COUNCIL may be appointed by the DIRECTOR.

Section 8. No membership dues shall be required.

Section 9. Any member of the COUNCIL with a direct/indirect economic interest in any action that comes before the COUNCIL must disclose to the COUNCIL that interest, and shall not vote or participate in any manner as a member of the COUNCIL on that action.

ARTICLE V OFFICERS

Section 1. Elections of COUNCIL officers shall be held yearly. A nominating committee shall be selected no later than the October meeting. The nominating committee shall present the slate of officers by the November meeting, with elections by the December meeting. Officers shall begin their terms the first meeting following the elections.

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Section 2. Voting shall be by written ballot. No secret ballot shall be permitted. Ballots shall be available at the noticed COUNCIL meeting at which the election will be held. Completed ballots are to be kept available to the public at each meeting for no less than 30 days.

In the event of a single slate, the election may be held by "voice vote".

Section 3. The officers of the COUNCIL shall be elected from and by the members of the COUNCIL. Said officers shall consist of Chairperson/President, Vice Chairperson/Vice president, Corresponding Secretary and Treasurer/Chief Financial Officer. The COUNCIL may, in an amendment/update of these By-Laws, include such other officers as the COUNCIL may deem necessary. Each office shall consist of a term of one (1) year. No person may serve in the same office for more than four (4) consecutive years.

Section 4. The COUNCIL shall develop written procedures for both disciplinary action and removal of COUNCIL officer(s) and an appropriate appeal process.

ARTICLE VI OFFICER DUTIES

Section 1. Chairperson/President shall be the principal officer of the COUNCIL, shall preside over all the COUNCIL meetings, and review annual COUNCIL financial reports. The Chairperson/President has no voting rights except in the case of ties. The Chairperson/President is the only officer that is not specifically recognized as an at-large or organizational member. The Chairperson/President must sign the approved minutes of COUNCIL meetings.

Section 2. Vice Chairperson/Vice President in the absence of the Chairperson/President shall perform all the duties and responsibilities of the Chairperson/President.

Section 3. Corresponding Secretary shall prepare all COUNCIL correspondence and provide that correspondence to the COUNCIL and general public when requested.

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- Section 4. Treasurer/Chief Financial Officer shall be accountable for overseeing the receipt, deposit, and disbursement of all COUNCIL funds, and shall ensure submission of all necessary returns and/or income reporting forms as required by Federal or State directives. The Treasurer/Chief Financial officer shall review to ensure accuracy of all financial transaction as required by the PERMIT and the Department, and shall submit, at each regular COUNCIL meeting, a financial report covering all transactions since the prior meeting. All disbursements must be approved by the COUNCIL.
- Section 5. Park and Recreation Department staff shall assist the COUNCIL in financial matters by doing such things as collecting and tracking revenues, making bank deposits, and reconciling bank statements while COUNCIL annual gross receipts total less than \$100,000. At such point the COUNCIL's annual gross receipts (this includes monies brought into the COUNCIL by any and all means) equals or are greater than \$100,000, the COUNCIL shall be required to perform the functions of tracking revenues and reconciling bank statements without the assistance of Park and Recreation Department staff.
- Section 6. The COUNCIL shall have a Recording Secretary who is a DEPARTMENT representative and appointed by the DIRECTOR or his/her designee. The Recording Secretary will not be a member of the COUNCIL, but shall maintain an attendance record and membership roster and provide a report of the same at each COUNCIL meeting pursuant to ARTICLE III, Section 2; and record, prepare, and maintain minutes of the actions of the COUNCIL meetings and provide that information to the COUNCIL and general public upon request, unless those duties are performed by the Corresponding Secretary. Any corrections, additions and/or deletions to the minutes must be discussed and adopted by a majority vote of the COUNCIL members who were present at the meeting. The Recording Secretary shall sign the approved minutes of COUNCIL meetings.

Since the COUNCIL's primary purpose includes making recommendations to the DEPARTMENT on matters related to park and recreation programs, the DEPARTMENT, through the Recording Secretary, shall prepare the agenda for the meetings with input from the officers, other members, interested public, and City of San Diego staff. Disagreements regarding the placement of any items on the agenda shall be resolved by the DEPARTMENT. The agenda shall be noticed, in accordance with the Brown Act, no fewer than seventy-two (72) hours prior to the COUNCIL meeting.