

ATTACHMENT B

**STANDARD OPERATING PROCEDURES AND RESPONSIBILITIES
FOR RECREATION COUNCILS**

July 2015

Pursuant to San Diego City Council Policy 700-42, the Park and Recreation Department (DEPARTMENT) of the City of San Diego (CITY) has assumed the responsibility for the organization of recreation councils. The DEPARTMENT has adopted these “Standard Operating Procedures and Responsibilities for Recreation Councils” (SOP) in order to govern the creation and operation of all recreation councils in the City.

Unless expressly otherwise defined herein, all terms and definitions in this SOP shall have the same definition and meaning as provided in the “Special Use Permit, Recreation Council” (PERMIT) issued by the CITY to a recreation council (COUNCIL).

1. POLICY

- 1.1 No COUNCIL shall be entitled to a relationship with and benefit from the CITY absent an effective PERMIT and COUNCIL’s compliance with the PERMIT and these SOP. All COUNCILs shall operate in full compliance with the terms and conditions of the PERMIT with that COUNCIL, and with this SOP. In the event of any conflict between the PERMIT and this SOP, the PERMIT shall control.
- 1.2 COUNCIL shall adopt and operate under an official name, which shall include the respective community or site name followed by “Park and Recreation Council.” All COUNCIL activities shall be conducted in the COUNCIL’s official name.

2. PURPOSE OF THE COUNCIL

- 2.1 The purpose of the COUNCIL shall be to promote recreation programs in the community through planning, administering, publicizing, coordinating, and providing community programs. As provided in the PERMIT, the COUNCIL will have limited jurisdiction over recreational activities at those CITY park facilities within the COUNCIL’s designated geographic area (AREA).
- 2.2 As provided in Council Policies, including Council Policy 600-33, the COUNCIL shall serve as the recognized conduit and sponsor for community input regarding park and recreation programs and facilities and park development projects. Accordingly, the COUNCIL shall provide input and make recommendations for all park development projects planned within the AREA. Additionally, the COUNCIL may also make recommendations to the DEPARTMENT, the Park and Recreation Board,

and other park advisory committees on other matters related to park and recreation programs and facilities. Notwithstanding any of the foregoing, all such input and recommendations by the COUNCIL are advisory only, and are not binding on the CITY or any official or body thereof.

- 2.3 The COUNCIL and each member thereof (MEMBER) shall act in the best interests of the CITY at all times. No MEMBER shall identify affiliation with the COUNCIL in public communications unless that MEMBER is specifically authorized by the COUNCIL to act as its official representative. Public communications include, but are not limited to, written communications, public testimony and newspaper interviews.

3. COUNCIL OPERATION AND STRUCTURE

- 3.1 All COUNCIL recommendations, and official authorizations, positions, and opinions shall be obtained through broad community input by a public meeting of COUNCIL held in compliance with the Ralph M. Brown Act (California Government Code sections 54950-54963) (Brown Act), DEPARTMENT policies, and the requirements of the PERMIT and SOP. All members of the public shall be given the opportunity to comment on items during COUNCIL meetings.
- 3.2 The COUNCIL shall adopt bylaws (Bylaws) that shall be in accordance with the terms and conditions of the PERMIT and these SOP. The COUNCIL's Bylaws shall be subject to review and approval by the DEPARTMENT Director (DIRECTOR), in his or her sole discretion, for compliance with the PERMIT and these SOP. Failure of the Bylaws to comply with applicable laws, the PERMIT, these SOP, or any aspect thereof, shall be cause for not issuing, or revoking, a PERMIT.
- 3.3 The Bylaws shall provide that in the event of a conflict between any provisions of the Bylaws and the PERMIT and these SOP, the terms, conditions and obligations of the PERMIT and these SOP shall control.
- 3.4 The COUNCIL may amend its Bylaws according to the process set forth in the Bylaws. Upon adoption of any amendments to COUNCIL's Bylaws, COUNCIL shall provide the DIRECTOR with a complete copy of the COUNCIL's amended Bylaws within ten (10) days of COUNCIL's adoption of the amendments. The DIRECTOR may review and, in his or her discretion, approve the COUNCIL's amended Bylaws. In the event that the DIRECTOR does not approve adopted amendments to the Bylaws, the DIRECTOR may require the COUNCIL to revise its Bylaws in order to conform to the terms and conditions of the PERMIT and these SOP. COUNCIL's failure to maintain its Bylaws in conformity with the provisions of the PERMIT and these SOP shall be grounds for immediate summary suspension of the PERMIT and for termination of the PERMIT.

- 3.5 It shall be the duty of each MEMBER to attend all COUNCIL meetings. The minimal amount of MEMBERS in attendance at each COUNCIL meeting in order to constitute a quorum shall be stated in the Bylaws, but such quorum shall not be less than the greater of either twenty-five percent (25%) or three (3) MEMBERS. A quorum must be present in order to conduct business and/or to vote on projects or actions at regular COUNCIL meetings. **Proxy or phone votes are strictly prohibited.**
- 3.6 After every COUNCIL meeting, COUNCIL shall prepare a report of attendance and a copy of the draft minutes. The draft minutes shall include final voting results on each matter acted upon at the meeting, including the number of yea, nay, and abstention votes. The draft minutes shall be available to the public at a publicly-accessible area at the location where the COUNCIL regularly conducts its meetings and official business as soon as reasonably possible, and at least 72 hours prior to the next COUNCIL meeting. A copy of the draft minutes shall also be delivered to the DEPARTMENT-designated representative by the same time. Any changes to the draft minutes shall be discussed and adopted by a majority vote of the MEMBERS present at that next COUNCIL meeting. Once approved, copies of approved minutes shall be available to the public within 72 hours of the next scheduled COUNCIL meeting, and shall be kept for a minimum of thirty (30) calendar days at the location where the COUNCIL regularly conducts its meetings and official business.
- 3.7 COUNCIL shall maintain a current, up-to-date roster of the names of each and every MEMBER and whether each MEMBER is an at-large member or an organization member. The roster shall be provided by the COUNCIL to the DEPARTMENT promptly, but no later than within thirty (30) days, upon any change.
- 3.8 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 COUNCIL duties, activities, and decisions. The COUNCIL shall give due consideration to all responsible community input in order to identify what is in the best long-term interest of the community at large.
- 3.9 When considering proposed park development projects for COUNCIL recommendation, COUNCIL shall allow participation of all members of the public, including those from other areas as directed by the DEPARTMENT, and with special emphasis on obtaining participation from property owners, residents, and business establishments in proximity to the proposed development. The COUNCIL shall inform the project applicant or representative each time such review by the COUNCIL will take place, and provide the applicant with an opportunity to present the project.

4. MEMBERSHIP

- 4.1 The COUNCIL shall consist of not less than five (5) current MEMBERS, nor more than fifteen (15) current MEMBERS. The DIRECTOR may, in his or her discretion, approve a larger membership for the COUNCIL, when such membership would give better representation to a community.
- 4.2 The membership of a COUNCIL may consist of at-large and organization MEMBERS. The Bylaws shall state the total number of MEMBERS and the percentage, if any, of at-large MEMBERS of the COUNCIL. An at-large MEMBER shall mean any individual who lives, works, or owns property in the AREA. An organization MEMBER shall mean an individual who represents an organized or special interest community service or athletic group that conducts primary operations within the AREA. Organization members and at-large MEMBERS shall be elected or otherwise confirmed as a MEMBER in compliance with the Bylaws.
- 4.3 To be eligible as a MEMBER an individual must be at least eighteen (18) years of age. MEMBERS shall be, to the extent possible, representative of the AREA. MEMBERS must be willing to accept and perform responsibilities delegated by the COUNCIL. Eligibility may be further defined in the Bylaws, but may not alter the eligibility requirements set forth in these SOP.
- 4.4 COUNCIL shall select MEMBERS as set forth in the Bylaws, which may be determined by an AREA-wide election process or by a confirmation process. If the Bylaws authorize MEMBER selection by the confirmation process, the Bylaws shall require the potential MEMBER to attend three (3) consecutive meetings prior to submitting a letter of intent to the DEPARTMENT representative for the COUNCIL.
- 4.5 Any MEMBER found by the COUNCIL, by a preponderance of evidence, to be in violation of the Bylaws, the COUNCIL's corporate governance documents, the PERMIT, or these SOP, may be removed from the COUNCIL by two-thirds vote and confirmation by the DIRECTOR. A MEMBER may also be removed, pursuant to a two-thirds vote of the COUNCIL and confirmation by the DIRECTOR, after three consecutive unexcused absences or four total unexcused absences in the prior twelve (12) months from the COUNCIL's regular meetings. For any potential removal of a MEMBER, the MEMBER at issue shall be informed by the COUNCIL, in writing, at least thirty (30) calendar days in advance of any action to revoke his or her membership.
- 4.6 A vacancy exists upon receipt of a written resignation from a MEMBER, or upon removal of a MEMBER pursuant to these SOP or the Bylaws. In

the event of a vacancy, new MEMBERS shall be added as provided in the Bylaws. The term of office of a MEMBER filling a vacancy shall be for the balance of the vacated term.

- 4.7 No membership dues may be required.

5. OFFICER ELECTIONS

- 5.1 Elections of COUNCIL officers shall be held in accordance with the Bylaws. Voting on the election of officers 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. COUNCIL shall retain completed ballots and make them available to the public, upon request, at a publically-accessible area at the location where the COUNCIL regularly conducts its meetings and official business, for a minimum of thirty (30) calendar days from the related election. The results of the election shall be reported in the COUNCIL meeting and contained in the minutes as set forth in these SOP.
- 5.2 The COUNCIL officers shall be MEMBERS of the COUNCIL. Officers shall be elected by a majority vote of the MEMBERS present at the meeting, and only after notice of the election was announced and posted at the previous regular meeting of the COUNCIL. Officer positions shall be set forth in the Bylaws; however, the COUNCIL shall have at least the following officers: Chairperson/President; Vice Chairperson/Vice President; Secretary; and Treasurer/Chief Financial Officer. The Bylaws may create additional officers. The Bylaws shall set forth the length of each officer's term; however, no term shall exceed two (2) years. No person may serve in the same office of the COUNCIL for more than four (4) consecutive years, unless authorized by the DIRECTOR in his or her sole discretion.
- 5.3 The Bylaws shall set forth a written procedure for disciplinary action of and removal of COUNCIL officers and shall create an appropriate appeals process.

6. OFFICER DUTIES

- 6.1 The duties of all COUNCIL officers shall be stated in the Bylaws.
- 6.2 The Chairperson/President shall be the principal officer of the COUNCIL, preside over the COUNCIL meetings, sign approved minutes for all meetings he or she attended, and review annual COUNCIL financial reports. The COUNCIL agenda for each meeting shall be prepared in accordance with the desires and priorities expressed by the President/Chairperson.

- 6.3 The Vice Chairperson/Vice President shall perform all of the duties and responsibilities of the Chairperson/President in the absence of the Chairperson/President.
- 6.4 The Secretary shall prepare all correspondence on behalf of the COUNCIL, sign all approved minutes from COUNCIL meetings, and may prepare COUNCIL agenda and minutes. Upon request by the COUNCIL, the DIRECTOR may appoint a DEPARTMENT representative to assist the COUNCIL as a recording secretary. Said DEPARTMENT representative may: (1) maintain an attendance record and membership roster; (2) report on the attendance record and membership roster at each COUNCIL meeting; (3) record, prepare, and maintain minutes of the COUNCIL meetings; (4) make minutes available to the COUNCIL and general public; and (5) compile and post COUNCIL meeting agendas. The appointed DEPARTMENT representative shall not fulfill any other duties that are to be performed by the Secretary. Notwithstanding the foregoing, both the Secretary and COUNCIL Chairperson/President shall sign the approved minutes of COUNCIL meetings as required by this SOP.
- 6.5 The Treasurer shall oversee the receipt, deposit, and disbursement of all COUNCIL funds, and shall submit, or cause to be submitted, all necessary returns and reports required by federal and state directives. The Treasurer shall ensure accuracy of all financial transactions as required by the PERMIT and the DEPARTMENT. The Treasurer shall submit a financial report at each regular COUNCIL meeting covering all transactions since the prior meeting. All disbursements must be approved by a majority vote of the COUNCIL. Any disbursements by the COUNCIL shall require the signatures of at least two COUNCIL officers. In the event that annual gross receipts of the COUNCIL total less than \$100,000, the DEPARTMENT may assist the COUNCIL in financial matters by doing such things as collecting and tracking revenues, making bank deposits, and reconciling bank statements. Notwithstanding the foregoing, the Treasurer shall at all times still remain responsible for all of his or her other duties under the Bylaws and these SOP.
- 6.6 Notwithstanding anything to the contrary in this SOP, upon request by the COUNCIL the DIRECTOR may, in his or her sole discretion, appoint a DEPARTMENT representative to serve the COUNCIL and to perform any of the COUNCIL or COUNCIL officer duties or functions required by the PERMIT or these SOP. In no event shall the foregoing require, or be interpreted as requiring, the DIRECTOR to provide any such personnel or other support to serve or assist the COUNCIL.