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DATE: June 22, 2011  
TO: Honorable Mayor and City Councilmembers  
FROM: City Manager's Office  
SUBJECT: **APPROVAL OF REVISED BYLAWS FOR THE REDEVELOPMENT ADVISORY COMMITTEE**

**SYNOPSIS**

Staff recommends that the City Council approve revised bylaws for the Redevelopment Advisory Committee (attached) to amend *Section 1.2 Purpose* to include design review functions formerly handled by the Redevelopment Design Review Committee (RDRC). Additionally, *Section 4.1 Meetings* is also revised to reflect monthly vs. bimonthly meeting requirements.

**BACKGROUND**

On April 20, 2011, the City Council discussed advisory group consolidations and efficiencies. At that time, Council agreed to fold the functions of various advisory groups into other advisory bodies in order to achieve economies of scale and conserve costs. One of the approved actions was to fold the functions of the RDRC into the Redevelopment Advisory Committee.

On May 18, 2011, the Council adopted a resolution dissolving various advisory groups, including the RDRC.

**ANALYSIS**

The City Council rescinded the enabling resolution that established the RDRC on May 18, 2011. Staff advised the City Council that the bylaws for the Redevelopment Advisory Committee would be revised to reflect the previous functions of the RDRC. Consequently, staff has revised the following bylaws sections:

- *Section 1.2 Purpose* to include design review functions formerly handled by the RDRC.
- *Section 4.1 Meetings* is also revised to reflect monthly vs. bimonthly meeting requirements.

51 12.1.17

**FISCAL IMPACT**

Does not apply.

**COMMISSION OR COMMITTEE REPORT**

The revised bylaws will be shared with the Redevelopment Advisory Committee at its next regularly scheduled meeting.

**CITY ATTORNEYS ANALYSIS**

The revised bylaws have been reviewed and approved as to form.

**RECOMMENDATION**

Staff recommends that the City Council approve revised bylaws for the Redevelopment Advisory Committee (attached) to amend *Section 1.2 Purpose* to include design review functions formerly handled by the RDRC. Additionally, *Section 4.1 Meetings* is also revised to reflect monthly vs. bimonthly meeting requirements.

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REVIEWED BY:

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ATTACHMENTS

Bylaws

BYLAWS OF THE CITY OF OCEANSIDE  
REDEVELOPMENT ADVISORY COMMITTEE

ARTICLE I. THE COMMITTEE

Section 1.1 Redevelopment Advisory Committee

The name of the Committee shall be the City of Oceanside Redevelopment Advisory Committee (hereinafter referred to as Committee).

Section 1.2 Purpose

The purpose of the Committee shall be to consult with and advise the Community Development Commission and its staff on such matters as may from time to time be requested by the Commission, including policy, practice and technical matters, with the objective of facilitating the development process and encouraging the timely redevelopment of the Project Area by providing businesses and developers with proactive, qualified, community based assistance and guidance during the processing of business licenses and development projects. All matters requiring Commission action and relating to the abatement, extension or modification of a non-conforming use or building in the Redevelopment Project Area shall first be considered by the Redevelopment Advisory Committee at a regular meeting thereof. The Committee has also assumed the responsibilities of the former Redevelopment Design Review Committee which include making recommendations on proposed projects within the Redevelopment Project Area.

ARTICLE II. MEMBERSHIP

Section 2.1 Composition

a. The Committee shall hereby be composed of seven members. Two members shall be qualified in the real estate professions such as architecture, real estate development, real estate/land use law, commercial real estate sales, asset management, engineering, land planning, or finance. One member shall be from the cultural arts community. One member shall be a general resident of Oceanside. One member shall be a representative of the Oceanside Chamber of Commerce. One member shall be a representative of MainStreet Oceanside. One member shall be a residential owner-occupant within the Redevelopment Project Area.

b. Two alternate member(s) identified as Alternate I and Alternate II, shall be appointed to attend and vote in place of any absent member.

c. Applications for membership, including alternate membership, shall be encouraged from the City-wide general public, qualified in the above noted categories.

d. The Commission shall seek to appoint members in the above noted categories. However, if the above qualifications cannot be met, the Chairperson of the Commission may nominate general residents to membership instead.

## Section 2.2 Terms of Membership

The initial terms of membership for regular voting members shall be staggered, with the effective date of the Resolution establishing the Committee being the official date on which each term begins. Four (4) members shall serve an initial three (3) year term, four (4) members shall serve an initial two (2) year term, and three (3) members shall serve an initial one (1) year term. The initial term of membership for each committee member shall be determined by a draw of lots at the first regularly scheduled meeting of the committee. Thereafter, regular members shall serve terms of three (3) years.

Alternate members' terms are for two (2) years duration. Alternates are expected to attend all meetings even if they are not filling in for an absent regular voting member.

## Section 2.3 Termination of Membership

All members serve at the pleasure of the Community Development Commission and may be removed during a term. Membership in the committee shall automatically terminate upon any of the following occurrences:

- a. The expiration date of the term of membership;
- b. The member has three unexcused absences per fiscal year from regular committee meetings without cause and/or without notifying the Chairperson or City Staff.
- c. The member has a less than 60% attendance record each fiscal year (includes excused and unexcused absences);
- d. The member fails to attend one committee training each term;
- e. Upon removal by a majority of the Community Development Commission, with or without cause;
- f. The member fails to complete and submit the required financial interest disclosure forms to the City Clerk's Office by the specified due date.

## Section 2.4 Resignation

Any Committee member may resign at any time by giving written notice to the Mayor of the City of Oceanside and the Chairperson of the Committee. Any such resignation shall be effective upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

## Section 2.5 Vacancy

When a vacancy occurs, the Mayor shall appoint an applicant to fill the vacancy, subject to the provisions and appointment procedures outline in Chapter 2, article 2.1 of the City code. All

alternates will be considered for open regular voting member positions. Vacancies will be filled as expeditiously as is feasible.

## **ARTICLE III. OFFICERS**

### **Section 3.1 Officers**

The officers of the Committee shall consist of a Chairperson and a Vice-Chairperson, who each must be a regular voting Committee member.

### **Section 3.2 Chairperson**

The Chairperson shall preside at all meetings of the Committee. The Chairperson shall appoint subcommittees as approved by the Committee and represent the Committee at public functions as designated by the Committee or Community Development Commission. The Chairperson and the City Manager appointed staff member will jointly share the responsibility of setting items for the agenda. In case of disagreement, the disputed item will be placed on the agenda and the Committee will decide by majority vote if the item will be heard.

### **Section 3.3 Vice-Chairperson**

The Vice-Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson. In the event of the resignation, death 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, pursuant to Section 3.6 concerning vacancies.

### **Section 3.4 Additional Duties**

At times, officers of the Committee shall perform duties and functions at the request of the Committee or staff, incidental to the offices held by such officers.

### **Section 3.5 Election**

The Chairperson and Vice-Chairperson shall be elected by the Committee at one of its initial meetings and annually thereafter at a designated regular meeting from among the Committee members, who shall each hold office for a term of one (1) year or until their successors are elected and qualified. An officer may serve successive terms of office.

### **Section 3.6 Vacancies**

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

## **ARTICLE IV. MEETINGS**

### **Section 4.1 Regular Meetings**

Regular meetings shall be held ~~twice a month~~ly on a specified day and time as approved by the Committee. However, it is understood that additional meetings may be necessary in order to accomplish the Committee's business. In the event that the regular meeting date is a legal holiday of the City, then any such regular meeting shall be held on the next business day or as agreed upon by the Committee members at a prior meeting.

#### Section 4.2 Special Meetings

Special meetings may be held upon call of the Chairperson or the Vice-Chairperson acting on the behalf of the Chairperson or of the majority of the membership of the Committee, for the purpose of transacting any business designated in the call, after notification of all members of the Committee by written notice personally delivered or mailed at least 24 hours before the time specified in the notice of the meeting. At such special meeting, no business other than that designated in the call should be considered.

#### Section 4.3 Adjourned Meetings

Any meeting of the committee may be adjourned to another meeting providing the adjournment indicates the date, time, and place of the adjourned meeting. Committee members absent from the meeting at which adjourned decision is made shall be notified by the Chairperson of the continued meeting.

#### Section 4.4 Meetings to be Open and Public

All meetings of the Committee and its standing committees shall be open and public to the extent required by the California State Brown Act. All persons shall be permitted to attend any such meetings, except as otherwise provided by law.

#### Section 4.5 Quorum

A majority of the Committee membership, including any seated alternate(s), shall constitute a quorum for the purpose of conducting the Committee business, exercising its powers and all other purposes, but less than a majority of the Committee membership may adjourn the meeting from time to time until a quorum is obtained.

#### Section 4.6 Attendance at Meetings

All members of the Committee, regular voting and alternates, shall be required to attend all Committee meetings unless such member has been excused from participation.

#### Section 4.7 Voting

A simple majority of those Committee members present shall be required for approval or denial of any action brought before the Committee.

#### Section 4.8 Excused Absences

A member's absence from a meeting shall be excused if, prior to the meeting from which a member will be absent, the member notifies the Chairperson or City staff of his/her intent to be absent. At each meeting, after the meeting has been called to order the Chairperson shall report

to the committee the name of any member who has so notified the Chairperson or staff of his or her intent to be absent.

#### **Section 4.9 Absence of Regular Member**

When a regular voting member is absent from a meeting, an alternate shall be seated and will participate in the Committee proceedings in place of the absent regular voting member. Alternate members will take turns filling in for an absent regular voting member. An alternate member shall have voting privileges only when acting in the stead of an absent regular member.

#### **Section 4.10 Order of Business**

The order of business shall be established by the Committee. Agendas shall be published and posted in compliance with applicable state and local laws and rules. Provisions will be made for citizens with disabilities by contacting City staff.

#### **Section 4.11 Rules of Order**

All business and matters before the Committee shall be transacted in conformance with Article I of Chapter 2 of the Oceanside City Code to the extent applicable to the business of this committee.

#### **Section 4.12 Off-Agenda Items**

No off-agenda items shall be acted upon or discussed by the committee. Committee members, staff and/or public may announce off-agenda matters of concern. Each off-agenda matter shall be automatically referred to staff for resolution or placed on the next available Committee agenda.

### **ARTICLE V. RECORDS, REPORTS, AND ANNUAL WORKPLAN**

#### **Section 5.1 Meeting Records**

The Committee shall keep minutes of all meetings, which shall be open for inspection by any member of the public. Minutes should contain detailed voting records by Member, and by specific action. Upon approval of meeting minutes by the Committee, copies of such minutes shall be distributed to the Executive Director and the Community Development Commission.

#### **Section 5.2 Reports Submitted to Community Development Commission**

The Committee shall submit copies of all written reports, studies, and correspondence sent to public agencies to the Executive Director and Community Development Commission upon distribution of the original document.

#### **Section 5.3 Presentation of Annual Workplan**

The Committee shall submit to the Community Development Commission, no later than three months after the initial seating of the committee members, and no later than June 30 of each following year, a comprehensive workplan indicating specific goals and objectives proposed for the fiscal year to support the purpose and scope of responsibilities as described in Section 1.2. The Committee will have an annual workshop with the Community Development Commission to discuss the proposed fiscal year workplan.

## ARTICLE VI. REPRESENTATION BEFORE PUBLIC BODIES

### Section 6.1 Representation

Any official representations on behalf of the committee before the Community Development Commission, or any public body, shall be made by the Chairperson, the Vice-Chairperson in the Chairperson's absence, or a member of the Committee specifically designated by the Committee.

### Section 6.2 Statement of Minority Views

All reports by City staff and all official representation on behalf of the Committee pursuant to Section 4.1 and 4.2 on matters that have been approved or disapproved by the Committee shall, in addition to a statement of majority vote, include a brief statement of any minority opinions on the matter, as incorporated in the Official Minutes of the Committee.

## ARTICLE VII. COMMITTEES AND APPOINTMENTS

### Section 7.1 Establishment

The Committee shall have the authority to and may establish standing or ad-hoc committees as necessary to accomplish the purposes set forth in Section 1.2 herein. Committees may meet to discuss specific issues within the scope of responsibility for the Committee and to make recommendations for action by the Committee. Membership composition and terms shall be determined by the Committee for any committee created; however, no committee shall consist of more than four (4) Committee members, as not to cause a majority of Committee members to serve on one (1) committee.

### Section 7.2 Appointment of Committee Members

Members on a standing or ad-hoc committee shall be appointed by the Chairperson with the approval of a majority of the Committee members.

### Section 7.3 Appointments to the Redevelopment Design Review Committee

During the Committee's first meeting of July of each year, the Committee shall elect three of its members to serve concurrently as members of the Redevelopment Design Review Committee for a period of one year. One alternate shall also be elected by the Committee to serve in the event of an absence of one of the regular members or a conflict of interest.

### Section 7.4 Appointments to the Relocation Appeals Board

The Mayor shall appoint two members of the Committee to serve concurrently as members of the Relocation Appeals Board, with the approval of the City Council.

**Section 7.5 Committee Reports**

Committee(s) shall from time to time make reports, written or verbal, to the Committee.

**ARTICLE VIII. MISCELLANEOUS**

**Section 8.1 Commission Member Liaisons to Committee**

The Chairperson of the Community Development Commission shall appoint to the Committee, subject to approval of the Community Development Commission, one (1) member of the Community Development Commission to serve as a non-voting ex-officio member of the Committee. Said ex-officio member shall serve as an liaison between the Community Development Commission and the Committee, shall from time-to-time inform the Community Development Commission of the activities and issues addressed by the Committee, and shall assist the Committee in promoting recommendations made to the Community Development Commission. Council liaisons will make every effort to attend all committee meetings.

**Section 8.2 City Assistance to Officers and Committee**

The City Manager shall appoint staff to assist the Committee officers and members, as necessary in such activities as setting and conducting meetings, preparing meeting agendas and minutes and responding to requests for assistance from Committee members.

**Section 8.3 Procedural Situations Not Addressed**

In procedural situations not addressed in the body of the Committee bylaws, the determination of the situation shall be subject to the jurisdiction of the City Attorney's Office.

