

Resolved:

That the Rancho Bernardo Community Council does not favor combining the Community Council with the Rancho Bernardo Community Planning Board, nor does it favor the Planning Board taking over the advisory function with respect to the Maintenance Assessment District (MAD).

As to combining the two organizations, the functions of the two organizations are different and unrelated. The Community Council deals with issues relating to the quality of life in Rancho Bernardo. The Planning Board deals with land use issues. The organizations have successfully performed their separate functions for a many years. No reason is apparent for their combination, and the Community Council believes that combining it with the Planning Board would be detrimental to the Community Council's ability to function effectively.

The fact that the Planning Board is "recognized" by the City of San Diego has been advanced as a reason for a combination, but this "recognition" is not relevant. The City's "recognition" of the Planning Board relates to the Planning Board's land use function. The Community Council needs no such recognition because it has no land use function. Also irrelevant is the argument that Planning Board members have a right to indemnification. Community Council members have no need for indemnification.

As to the MAD advisory function, the Community Council has long been and is now recognized by the City of San Deigo as the advisor with respect to the MAD. In a letter to the chairperson of the Planning Board and the president of the Community Council dated February 19, 2009, Andrew Field, Assistant Deputy Director of the Park and Recreation Department, states:

"The Rancho Bernardo Community Council (RBCC) provided a leadership roll in creating the MAD and has functioned as the advisory committee to the MAD since [1983]. * * * Park and Recreation Department staff have determined the RBCC to be an appropriate advisory committee. . ."

Mr. Field also states that:

"Out of 48 Maintenance Assessment Districts in the City of San Diego, approximately 11 are advised by a planning committee or a subcommittee of a planning committee. The remaining districts are advised by Community Councils, Town Councils, Business Improvement Associations, or standalone advisory committees that are nor affiliated with any other organization. In fact, some districts have no advisory committee at all, and city representatives meet with interested property owners once annually."

The Community Council does not consider the result of the vote on the "Advisory Propositions" presented to the voters in the recent community election to be a true reflection of the community's will. Only a very small fraction of the electorate voted in the election. That fact alone makes the vote ineffectual. However, for several reasons the presentation and wording

of the “Advisory Propositions” made it impossible for even the few people who voted to cast informed votes.

The fact that “Advisory Propositions” appeared to be a part of the ballot for the joint community elections created an impression that both the Planning Board and the Community Council are interested in exploring the possibility of combining. It also made it appear that the Community Council would consider turning over the MAD advisory function to the Planning Board. Voters were not advised that the Community Council has expressed no interest in either combining with the Planning Board or in relinquishing the MAD advisory function. Neither were voters apprized of the facts set out in Mr. Field’s letter of Feb. 19, 2009.

Moreover, the wording of the “Advisory Propositions’ is argumentative. Proposition 1 asked if the two organizations should be combined “to create one community group that would be recognized by the City of San Diego.” As pointed out above, the Planning Board’s “recognition” by the city for land use matters is not relevant to the Community Council and is not a reason why the two organizations should combine. Similarly, Proposition 2 asked whether, “as a recognized Planning Board for the City of San Diego,” the Planning Board should take over the MAD advisory function. Again, the Planning Board’s “recognition” has nothing to do with the MAD. The Community Council’s MAD advisory function has been recognized by the city for twenty six years. Finally, the reference in Proposition 2 to the representation of “property owners with regard to tax expenditures” may have given the impression that one organization would be a better steward of tax money than the other, when, in fact, both are equally devoted to the effective use of tax dollars.