

Article 23

Community Benefit Program

Sec. 23.1 Purpose.

The purpose of this Section is to define the rules and regulations that govern the District's functions of parks and recreation, street lighting and roads and streets, as activated by the San Diego Local Agency Formation Commission in 2022 as defined in Section 1.2 below. Administration of these functions are combined under the District's Community Benefit Program. The goal of this program is to promote, coordinate and oversee community projects in the District's service area that benefit the District's residents.

Sec. 23.2 Definition of Services Provided

The District may provide services of parks and recreation, street lighting and roads and streets as defined in more detail below:

Parks and Recreation Function:

Public parks, public playgrounds, public recreation buildings, buildings to be used for public purposes (to supplement existing service powers exercised by the County of San Diego and County Service Area (CSA) No. 81 as well as volunteer activities by non-profit organizations).

Street Lighting Function:

Street lighting systems (to supplement existing service powers exercised by the County of San Diego and County Service Area (CSA) No. 81 as well as volunteer activities by non-profit organizations).

Roads and Streets Function:

Works to provide for the drainage of roads, streets, and public places, including, but not limited to, curbs, gutters, sidewalks, and pavement of streets (to supplement existing service powers exercised by the County of San Diego and County Service Area (CSA) No. 81 as well as volunteer activities by non-profit organizations).

Sec. 23.3 Source of Funds

The District shall allocate \$546,000 of unrestricted property tax revenue each fiscal year, as part of the District's budget adoption process, to the Community Benefit Program.

Sec 23.4 Procurement of Services

All services and projects procured under the Community Benefit Program must comply with the District's procurement procedures set forth in Article 5 of the District's Administrative Code. Any use of funds to provide services and projects must

meet the limitations of Section 1.2 above, and benefit public spaces. Any District Community Benefit Program funds shall be used to benefit public spaces and shall not be used to benefit any specific organization(s).

Sec 23.5 Program Administration

The Community Benefit Program will be administered by the Community Benefit Program Committee (Committee). The members of the Committee shall be appointed by the District Board of Directors. Committee meetings will be noticed pursuant to the Ralph M. Brown Act, Government Code section 54950 et seq., as it may be amended from time to time. Meetings of the Committee shall be conducted similar to meetings of Board Standing Committees.

Sec 23.5.1 Committee Member Selection Criteria:

1. All Committee Members shall serve in a voluntary capacity and shall receive no compensation.
2. Committee Members shall be solicited by posting an application to be a Committee member on the District website and advertised in the local newspaper. The Committee Members will be selected by the District's Board of Directors.
3. Committee Members must either reside within the FPUD service area, or be a FPUD ratepayer, in order to be eligible to serve on the Committee.
4. The Committee shall consist of seven (7) members and will include representatives from nonprofits, residents and business owners.
5. Committee Members shall serve staggered three (3) year terms with staggered terms to start the process. There shall be a three term limit (total of nine years), with a one-year break after serving three consecutive terms. The one-year break may be waived by majority vote of the FPUD Board.

Sec 23.5.2 Committee Guidelines:

1. The Committee shall meet no less than once a quarter on a set date and time as established by the District.
2. The Committee Chair shall be elected by the Committee Members for a one-year term and shall conduct the meetings. A Vice Chair and Secretary shall be elected for one-year terms. The Vice Chair shall act in the absence of the Chair. The Secretary shall take minutes for the Committee.
3. If a Committee Member serves on the Board of Directors of an organization whose project is under consideration, the Committee member must recuse themselves and leave the room during discussion of the project.
4. Committee Members shall be required to Statements of Economic Interests (FPPC Form 700) and otherwise comply with applicable provisions of the Districts Conflict of Interest Code and applicable provisions of the Political Reform Act.
5. If services or projects under consideration by the Committee involves an organization on which a Committee Member serves on the Board of Directors, the Committee member must recuse themselves from participating in any way in the

making of the decision regarding the services or projects and must leave the room during discussion of the services or projects.

6. The Committee will recommend which community projects should be funded for approval by the District Board of Directors.

Sec 23.5.3 Project Selection Process for Services and Projects Funded by the Community Benefit Program

1. The intent of the Community Benefit Program is that the Committee will be responsible for determining the criteria for the selection of services and projects, making recommendations for services and projects to the Board for approval, and overseeing and administering the selected projects/services with limited support from the District staff.
2. The Committee shall provide regular reports to the Board on the progress of the selected/awarded services and projects and on the expenditure of allocated funds.
3. The Committee shall develop criteria and process for requesting or soliciting, and for selecting and awarding services and projects for presentation to the Board for the Board's approval.
4. Priorities on allocation of funding should include determining the broadest community benefit as determined by the Committee. It is the intent that 50% of the funds allocated to the Community Benefit Program be allocated for maintenance and 50% for capital projects. Funds for larger capital projects can be accumulated over fiscal years. The Committee may determine to fully fund or partially fund services and projects it recommends selecting/awarding.

ARTICLE 23

Adopted in its Entirety – 8/22
