

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING COUNCIL POLICY 600-24, ENTITLED “STANDARD OPERATING PROCEDURES AND RESPONSIBILITIES OF RECOGNIZED COMMUNITY PLANNING GROUPS” RELATED TO COMMUNITY PLANNING GROUP REFORM AND MAINTAINING THEIR INDEPENDENCE FROM THE CITY.

WHEREAS, the City Council recognizes the importance of receiving community input into land use decisions and considers this input an integral component of the planning process; and

WHEREAS, Community Planning Groups (CPGs) provide formal mechanisms independent of the City for community input in land use decision-making processes; and

WHEREAS, in 1976 the City Council adopted Council Policy 600-24, entitled “Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups,” to identify the responsibilities and establish the minimum operating procedures for CPGs to be officially recognized by the City of San Diego; and

WHEREAS, the City currently recognizes 42 CPGs made up of more than 500 volunteer members who devote countless hours of their time and private resources; and

WHEREAS, CPGs are recognized as independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives; and

WHEREAS, the City does not direct or recommend the election, appointment, or removal of voting members to CPGs, or delegate authority to CPGs to act on its behalf; and

WHEREAS, a recognized CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's planning area boundaries, particularly matters related to the General Plan or other relevant land use plans; and

WHEREAS, over the past five decades, CPGs have become forums for community input; and

WHEREAS, numerous CPG responsibilities have been included in the City's Municipal Code; and

WHEREAS, on July 28, 2009, the City Council adopted Ordinance O-19883 providing for the defense and indemnification of CPGs; and

WHEREAS, Council Policy 600-24 was amended in 2005, 2007, 2012, and 2014; and

WHEREAS, on April 18, 2018, the San Diego County Grand Jury (Grand Jury) investigated CPG actions, policies, and procedures and made five recommendations for the City to consider in reforming CPGs after a complaint was filed claiming CPGs tend to delay decision making as a method of restricting growth in their communities; and

WHEREAS, in December 2018, San Diego's Office of the City Auditor issued a performance audit of CPGs to determine whether CPGs have an effective control environment, whether they are in compliance with key elements of Council Policy 600-24, and whether they are a contributing factor to permit approval delays, and made relevant recommendations related to the City's oversight of CPGs and their compliance with Council Policy 600-24 and the Ralph M. Brown Act; and

WHEREAS, on December 3, 2019, San Diego's Office of the City Attorney issued a report (City Attorney Report) to the Land Use & Housing (LU&H) Committee outlining an

overview of legal issues associated with CPGs and suggestions to amend Council Policy 600-24 to better reflect the independent legal status of CPGs; and

WHEREAS, community feedback that is truly representative of the diverse demographics of the communities is critical to equitably informing City land use decisions; and

WHEREAS, on December 5, 2019, the LU&H Committee discussed the City Attorney Report and relevant proposed revisions to Council Policy 600-24 and subsequently recommended to the City Council that they make amendments to Council Policy 600-24; and

WHEREAS, on November 23, 2021, a package of formal recommendations to amend Council Policy 600-24 was presented to the City's Community Planners Committee (CPC); and

WHEREAS, on March 10, 2022, amendments to Council Policy 600-24, consistent with the City Attorney Report, were presented to the Land Use & Housing Committee (LU&H Committee) for discussion; and

WHEREAS, on June 16, 2022, the proposed amendments to Council Policy 600-24 were presented to the LU&H Committee for review, and approval of the amendments were recommended to Council; and

WHEREAS, the proposed amendments reflect input from the City's Community Planners Committee and members of the public; and

WHEREAS, the proposed amendments will preserve CPGs' ability to be recognized by the City as independent advisory bodies, consistent with the City Charter; and

WHEREAS, the proposed amendments will update criteria and processes by which CPGs must adhere to seek and gain City recognition; and

WHEREAS, the proposed amendments will also allow CPGs to retain their ability to provide organized feedback on General Plan related issues, private and public development projects, and infrastructure priorities; and

WHEREAS, the proposed amendments institute changes to CPG operations, including but not limited to that CPGs will be required to (a) proactively seek Council recognition, (b) update individual governing bylaws and create new advisory documents such as Ethical Standards and a Community Participation and Representation Plan, (c) take ownership of their own official documents and records, (d) prohibit attendance requirements for annual election vote or candidacy, and (e) collect demographic data of existing and new CPG voting members; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that Council Policy 600-24 is amended as set forth in the Council Policy on file with the City Clerk as Document No.

RR-_____.

BE IT FURTHER RESOLVED, that the City Council directs the City Clerk to update the Council Policy Manual to reflect the amended Council Policy.

BE IT FURTHER RESOLVED, that:

1) Currently recognized CPGs or any other newly-formed potential CPG must apply for new City Council recognition under this revised policy by December 31, 2023. CPGs that apply for City Council recognition that demonstrate a commitment to diversity and inclusion shall be given priority for recognition;

2) The Mayor or their designee is authorized to implement the updated policy consistent with the policy's intended goals; and

3) The City will continue to support CPGs, including through the following:

(a) Allocating funds when such funding is approved by the City Council,

(b) Maintaining a webpage outlining information and links to internal and external resources helpful to CPGs, and

(c) The City shall make ongoing efforts to provide staffing to liaise with CPGs and to identify and engage with non-City support groups to be resources for CPGs.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Noah J. Brazier
Deputy City Attorney

NJB:nja
08/22/2022
09/09/2022 Cor. Copy
Or. Dept: Council District – 1
Doc. No. 3068263_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor