

Original Questions by David Moty, Wally Wulfeck and Sandy Wetzel-Smith

Meeting notes by Chris Nielsen, responses in red by Joe LaCava.

INITIAL DISCUSSION AND ANSWERS FROM PREPARED QUESTIONS

600-9: (CPC policies)

Pg. 1, Para 2. Can / should city employees be involved with a CPG. in their private capacity? **Yes, up to the community. Conflict of interest rules still apply.**

Pg. 1, Para 4. "It is not a City-controlled or managed organization." Does this mean that the city will no longer provide Planning Department staff and resources (tape recording and minutes) to support the CPC? Will the City continue to provide meeting space? **Planning department will support CPC as current.**

Pg. 2, Policy, Point #2 states that the CPC is independent of CPGs and not dependent on their guidance, presumably to allow CPC members to vote independently of their CPG, but 600-24 says that no single individual may establish the position of the CPG board. Do we need to be more explicit and create a CPC exception to this rule for CPG members? **CPC members are taking a new role at CPC. It's up to the individual to decide how to represent their groups at CPC. CPC members should represent their community. There is a separation between CPGs and CPC.**

Some changes need to be in 600-24 for this.

600-24:

Pg. 1. Background: Will the City continue to support conducting CPG meetings in City-owned buildings (e.g., libraries)...and not charge rental fees or other charges/requirements? **We don't know. City won't indemnify. No funds will be available for support.**

Pg. 3, C: Records: Will the City still publish agendas and minutes for CPGs? Will the City webpages for CPGs still be maintained? Those pages currently hold agendas and minutes for many CPGs. **No. Part of**

the separation, no web pages. Won't be updated. The city will maintain community planning group web page with links to the (new) CPG web pages.

Pg. 4 and ff: Recommend changing "Voting Members" to "Voting Board Members" or "Voting CPG. Members" so as to avoid confusion with members of the community who vote. Wally will be work with Kathleen Ferrier on this.

Pg. 5: The top paragraph says "no personal identifying information" but the next paragraph says that demographic data must be collected, such as "professional background or expertise". Which is it? This is so the city can test the representation in the CPGs.

Pg. 6: mentions a "required break in service" but then does not specify it in this section. It's two years. Rely on Terms and Conditions.

Pg. 6: III.A: The CPGs must work with the City, but the City is not required to work with the CPGs. Suggest rewording this as: "As requested by the City, the CPG. and City Staff must work together throughout..." OK, will change.

Pg. 7, para D: The required bank account is an unreasonable burden and expense for most CPGs. No cash flow, no account needed. Standard requirement by the city.

Pg. 7, Para E: Training required each year is excessive. Upon election or appointment is sufficient. We disagree, the eCOW makes this reasonable.

Pg. 7, Para F: When it comes to our ethical, equitable, and inclusive standards, is what is written in our current bylaws acceptable, or alternatively will a template be suggested? If you reframe it as in Terms & Conditions, this may be adequate. Still hoping for templates, but don't have these now.

Pg. 8: Scope: Add paragraph concerning review of MAD budgets. Will look into it. Would like to see this in writing, need to say it's within the purview of CPGs. No intent to exclude it.

Pg. 9, Para VI 600-9 says that the CPC member may represent the CPG, but this paragraph requires that individuals cannot represent the CPG. At present, many members of CPC abstain because there is

insufficient time for their CPG. to determine their position on an issue. What is the Chairperson supposed to do at CPC? **Already answered.**

Pg. 8, Para VIII.A. Will there be physical indemnification for CPGs that meet in a non-city-owned location? Some CPGs have no suitable city facility in which to meet, but other venues often require liability insurance. **City is not willing to do this, so we should discuss this (later).**

TERMS and CONDITIONS:

Pg. 1, Para 2. Can / should city employees be involved with a CPG. in their private capacity? **Answered.**

Pg. 2. Para 2.1: The CPG. and the City should work collaboratively throughout the City's planning process. **OK.**

Pg. 2. Para 2.5. Since the City develops and administers the training, it can record who completed it, and provide that information to the CPG. Otherwise there is no way for the CPG. to maintain evidence of completion of training. **Can work with the city to transmit this information.**

Pg. 3. Para 3.1 What is a "Community Participation and Representation Plan"? The requirement for the plan needs to be described. **We'll get back to you on this. Don't need 42 different versions of this. The question is how you get outside the planning group structure. In UC, there is UCCA to promote PGs. In other areas, this will be different. Going to be unique to PGs. "Robust", we know it when we see it. No one expects a call to every household. Needs some explicit guidelines.**

Pg. 3. Para 3.2: This needs specificity as to what constitutes "robust community participation". **See above.**

Pg. 3. Para 3.3: Why "City Clerk"? Why not submit to sdplanninggroups@sandiego.gov? **Will work with the City Clerk to get this correct.**

Pg. 4, para 4.3: Please add "non-profit organization" back in to clause 3, for inclusion in "local business owner" **We will look at this.**

Pg. 4, Para 4.3: No quota for renters should be required. Will seats go vacant if not enough renters volunteer? Will the City provide demographic data so that “pro-rata” share can be determined? **Will be PG specific. Will know it by looking at participation.**

Pg. 4, para 4.4.1 prescribes a “Two-Year” break in services. Ms. Ferrier has stated “one year”. Which is it? **Got it.**

Pg. 4. Para 4.4.2: This whole section is new and has never previously been considered by either LU&H or the CPC. It effectively eliminates over-term members from most CPGs. What is the reason for its inclusion? **Wanted criteria, so we provided it.** This is a real problem, never voted on.

Pg. 5. Para 5.1: The restriction to “only one voting member per residential household” is new. What is the reason for this change? This may be a violation of California election law. Discussing voter eligibility in the same section as candidate eligibility where the candidates are described as a “voting member” leads to confusion. **We will check into this to make sure we have it right.**

Pg. 5, Para 5.2: The “profession, employer, and qualifications” are irrelevant and should not be required on the ballot, since there is no reason for this to be included. The only required information is prescribed above, namely age over 18 and residential, ownership, or business-representative status. **Fuller disclosure for a more informed vote was the reason. We’ll investigate more fully.**

Pg. 8, para 7.4. Since the City develops and administers the required training it should provide to the CPG. records of completion of training. **already addressed.**

Pg. 8, Para 8.1: Will there be physical indemnification for CPGs that meet in a non-city-owned location? Many CPGS have no suitable city facility in which to meet, but other venues often require liability insurance. **Already addressed.**

Pg. 10, Para 9: 600-9 says that the CPC member may represent the CPG, but this paragraph requires that individuals cannot represent the CPG. At present, many members of CPC abstain because there is insufficient time for their CPG. to determine their position on an issue. What is the Chairperson supposed to do at CPC? **Already addressed.**

Pg. 11, Exhibit A. Please define what is required in a “Community Participation and Representation Plan” and the criteria that must be met for recognition by the City. **Already addressed above.**

GENERAL DISCUSSION FOLLOWING PREPARED QUESTIONS

David Smith – Navajo. There is an issue with community participation rules at this meeting due to zoom limits.

WW: -- CPG groups not part of the city. State law disallows more than 5 reviews, so this is a way around this. We understand the city attorney's reasoning.

Robin RB -- Voting issue on 5.1 is an issue. Two-year break not necessary. Other city commissions have a one-year break after termed out. Many groups don't have their own web site, so this a problem. How to afford the place to store the public documents? Ballots: no problem asking for info as we ask for 50 words from each candidate. When it gets down to 10 board members, then gets complicated. Parks & Rec is watching 600-24 and they will probably adopt. **Good example of outreach. Agrees with Parks & Rec comment. If you've done the outreach, you've satisfied the policy.**

Kathleen Neel (LJ) – Agrees about outreach. Very challenging to provide personal information. How to verify if there are no rosters? Just add red tape. **Verification is something that we will look at more fully. We are making it harder. The kind of outreach you're describing is what we're looking for. At the end of the day, those that show up show up.**

Mat Wahlstrom – Uptown – I'm a renter. Best as I can tell, CPGs don't violate the charter. We need to have the City Attorney to go on the record as to whether the changes are necessary.

Howard Wayne - Brown act questions. I need to know what's required to comply with Brown Act. **No for city posting, but will be able to post the agenda if you use a city facility.** Have any lawyers looked at this document? **Don't know.** If the council had its own legal advisor you'd be able to answer this. **This is a can of worms but we don't disagree. Mara Elliot has reviewed our draft but we don't want to speak for her.**

Russ Connelly -- Commend Robin for her comment. Want to go back to training. It is excessive. It seems right that when people are elected or appointed it's right to require training. It's the interaction with the planning department that is the problem. This may be a deal breaker for many who are involved. **Got it. Heard it every year (but not convinced).** Determining renter or other details is burdensome for many group like City Heights. Ethical standards at CPC: Setting us up to fail. Many immigrants will not answer questions at all. Two year break: Always been one year. Wondering why two years? Bottom line is two points brought up. Supporting CPC but not CPGs. No money. Didn't ask to be thrown to the wild. **I understand the problem. You won't find it satisfactory at this point but it's a long-term project and want to see what works and doesn't. Want to raise the bar high.**

Jeff Stevens (MM) - In the effort to promote diversity and inclusion can get people with just axes to grind. Should not be a limit on people coming back to the group after a two-year hiatus. Need experience. Removal of attendance requirements – most of the time we encourage people to come onto the planning group boards but get a group of people that are upset and have single issues. One meeting helps a lot with this. **Can come back after two years. Understand where you are coming from.**

Deborah Watkins – Thinks this is a cynical attempt to get rid of PGs. With project review, it's not clear that developers have to come before the groups. Not well thought out. Don't understand the purpose.

What will we be doing? Applicants aren't required to go before the PGs today, so no real change there. I've rebutted the misconceptions. Did not want to put getting rid of PGs on the table. Appeals cost \$1000, so not effective.

Korla Esquinta Peninsula – Our biggest complaint is about ministerial review. Discretionary projects still go to DSD. Slates were an issue; how protected will we be? Indemnification ordinance will not change as long as the T&C are followed. Brown act is conforming, so the city won't step up.

DK – Saw an article in OB rag that Circulate is behind CPG review. Mike Hansen recently resigned and has set up his own land use firm and can work within a year. Mike had a robust LU business before, but the ethics are still a problem.

Matt Stucky – North Park – Why should people want recognition? Rosters still need looking into. Voices in the community still matter, the city still wants input. CPGs respond to much more than development and are the eyes and ears for councilmembers and the mayor's office.

Mark Lindshield - Comment about the make-up of the board. This is OK until one person wants to make an issue of it. CPGs are liked until they aren't, as it were.

Tom Mullaney – Robust outreach is good. Specific pro-rata or required number of seats isn't a good idea. The bylaw template is used to describe multiple kinds of things. Need to be careful. Under the current system, applicants are asked to contact the CPGs. Changed? You can review projects without the applicant showing up.

Naveen waney – Clairemont – We work in partnerships, and I think this degrades the process. I see the city as lowering the bar. I've been chair of a very active PG. Who will help with our plans? Will we get some assistance from the city? You will not have staff always showing up, but when there are important projects where you will have a staff member available. In some ways you'll be asked to do more heavy lifting.

David Moty – Tom Mullaney is right – the T&C should clarify who is a "voter". We are a MAD advisory board. Agree that training is mostly about the Brown act. Specifically, providing the demographic data is voluntary. Sounds more like a gotcha. See this as motivation. Policy and T&C need to be reconciled. If someone refuses to share demographic data, mark as "refused to share". But we will ensure that when you do best efforts, you'll be OK.

Andrea Schlageter – OB – Poorest neighborhoods need the city support and undercut the equity goals in the city. Disappointing this is going away.

Russ Connelly - Exhibit A - how to you vet this? Need to figure out what that means. Now we deal with the City Clerk. What does that mean? Do we have to get a hold of the City Clerk? Don't understand this. You are not interacting with the City Clerk.

Philomena Marino – will there be a transition period? Goes to City Council, then there will be a transition period. Not before the elections in March, but there will be several months to do this.

Eduardo Savigliano – Don't know where we are going as CPG. <Gave extended comment that was very difficult to record.>

WW – Trying not to be insulting, but agrees with Eduardo’s extended statement. The policy revision is a disaster. Very disappointing. Will bring it back in January and we’ll see where we are. A charter amendment is a better idea.

RC – Are we continuing the item so the PGs can weigh in?

WW – Yes, take it to the PGs.

RC – If we oppose then what happens?

WW – We should vote on a substitute policy.

Eduardo – What about the other council members?

JLC – Brown act prohibits consultation with other councilmembers.

Marc Lindshield – We have to bring it back due to lack of access at this meeting. Need to have Mara clean up the legal opinion.

Mat Whalstrom – need to have real opinions.

Deborah Watkins – For January, this is too radical.

Howard Wayne – are you consulting or advising us? **Both. A number of points we did not consider. We will discuss and modify the proposal as appropriate.** We should form a subcommittee then bring it back in January and February. **However, we’re pretty locked into this rewrite so we can discuss some things.** We should discuss a list of concerns.

Tom Mullaney - We need something in writing, and it will have to be publicly noticed. Look forward to the meeting. Encourage us to look at the philosophy of the language and see if there is a way to dovetail the policies.