



The City of San Diego

Staff Report

DATE ISSUED: 4/6/2020
TO: City Council
FROM: Planning
SUBJECT: Temporary amendment of Council Policy 600-24 in response to the COVID-19 Emergency

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Council District(s): Citywide

OVERVIEW: Temporary amendment of Council Policy 600-24 and Community Planning Group Bylaws regarding annual elections and Brown Act meeting requirements for Community Planning Groups, in response to the Coronavirus COVID-19 Pandemic Emergency.

PROPOSED ACTIONS: Adopt a resolution to temporarily suspend Article V – Elections, Sections 1-4; Article VI – Community Planning Group and Member Duties, Sections 2 (a) Meeting Procedures, (1) Regular Agenda Posting, (2) Public Comment and (3) Adjournments and Continuances; Section 4 – Rosters and Section 6 – Orientation Training (Community Orientation Workshop) and the inclusion of temporary provisions for Article V; and Article VI, Section 2, Section 4 and Section 6 within Council Policy 600-24 and Community Planning Group Bylaws, in response to the Coronavirus COVID-19 Pandemic Emergency.

DISCUSSION OF ITEM:

This item proposes the temporary suspension of Article V – Elections, Sections 1-4; Article VI – Community Planning Group and Member Duties, Sections 2 (a) Meeting Procedures, (1) Regular Agenda Posting, (2) Public Comment and (3) Adjournments and Continuances; Section 4 – Rosters and Section 6 – Orientation Training (Community Orientation Workshop) and the inclusion of temporary provisions for Article V; and Article VI, Section 2, Section 4 and Section 6 within Council Policy 600-24 and Community Planning Group Bylaws, in response to the Coronavirus COVID-19 Pandemic Emergency.

On March 4, 2020, the Governor of California declared a state of emergency as a result of the threat of the novel coronavirus, COVID-19. On March 12, 2020, the Mayor of the City of San Diego proclaimed the existence of a local emergency related to the COVID-19 threat, which was ratified by the San Diego City Council on March 17, 2020. Since that time, the California Governor, the County of San Diego Public Health Official, and the Mayor have all issued directives and guidance to state and local residents to stay home or at their place of residence, except as needed to maintain continuity of operations of the federal critical infrastructure sectors. The California Governor's Executive Orders N-25-20 and N-29-20, issued on March 12 and 17, 2020, respectively, suspended provisions of the Brown Act related to teleconferencing

of meetings to permit local jurisdictions to hold public meetings meeting via teleconferencing and allow members of the public to observe and address the meeting telephonically or otherwise electronically.

Council Policy 600-24 outlines the standard operating procedures and responsibilities of recognized Community Planning Groups (CPGs). CPGs must adhere to Council Policy 600-24 as well as their City-approved bylaws. Within the Council Policy, there are aspects of the annual March elections process and Brown Act Meeting requirements that are now impacted, or changed due to the Governor's Executive Orders. The temporary suspension and provisions propose the following:

Article V – Elections, Sections 1 – 4: Given the timeline of the Governor's directive and guidance to state and local residents to stay home, the annual March election process for many of the City's CPGs have been impacted. Approximately 50 percent of the CPGs were not able to perform their annual election process in the month of March. The Council Policy is silent on how to perform elections if they are unable to be held during the month of March. Additionally, a few of the CPGs would have held their elections during their standing meeting during the month, but it landed on March 3, 2020 during the Primary Elections. These groups moved their meetings to later in March to hold elections, but then subsequently had to cancel those meetings due to the COVID-19 emergency.

Temporary Provisions for Article V - Elections:

- For CPGs that have not held March Elections, they will not be able to hold elections until the State of emergency has been lifted. Eligibility for candidates for the election after the State of Emergency will be as specified in Article V, Section 1.
- For CPGs that have not held March Elections, but have fewer candidates than vacancies, the election will become final and seating of new members will occur at their next meeting, or after the State of Emergency has been lifted for CPGs that opt to not meet during the State of Emergency.
- For CPGs that have held March Elections, the election will become final and seating of new members will occur at their next meeting, or after the state of emergency has been lifted for CPGs that opt to not meet during the State of Emergency.

Article VI – Community Planning Group and Member Duties, Section 2 (a) (1) - (3): Section 2 (a) is titled Meeting Procedures with subsections (1) – (3) providing specific meeting topics or requirements, including aspects of the Brown Act. The Governor's Executive Orders N-25-20 and N-29-20, issued on March 12 and 17, 2020, respectively, suspended provisions of the Brown Act related to teleconferencing of meetings to permit local jurisdictions to hold public meetings meeting via teleconferencing and allow members of the public to observe and address the meeting telephonically or otherwise electronically.

In response to the Governor's Orders, the Planning Department provided letters on March 13 and 25, 2020 with information and resources to the Community Planning Groups on how to consider continued operations via email and on the Department's [website](#). Individual Community Planning Groups are deciding how they will continue to meet during this emergency. Some have chosen to adjourn their regularly scheduled meetings, as they have no urgent business to discuss, and others have chosen to virtually meet to continue to review/discuss private development projects in order to provide their recommendation on a project to the City.

Temporary Provisions for Article VI – Community Planning Group and Member Duties, Section 2 (a) (1) - (3): Section 2 (a), subsections (1) – (3):

- Groups shall post a public notice of the meeting and the meeting agenda at least 72 hours before the date of the meeting. The notice with the agenda should provide information regarding how to join the teleconference or videoconference. This notice with the agenda shall be posted on the Group's website, if one exists. If a CPG does not have a website, they need to email the notice to sdplanninggroups@sandiego.gov and it will be posted on Planning Department's CPG webpage.
- Adjournment notices shall be posted on the Group's website, if one exists. If a CPG does not have a website, they need to email the notice to sdplanninggroups@sandiego.gov and it will be posted on Planning Department's CPG webpage.

Section 4 – Rosters: Given that not all Community Planning Groups have been able to hold their annual elections, they cannot provide the City with their updated roster information. Once elections can be held by all the Community Planning Groups, then it will be expected that updated rosters are provided to the Planning Department for current contact information for each group.

Temporary Provisions for Article VI – Community Planning Group and Member Duties, Section 4:

- For CPGs that have held their March Elections or have more vacancies than candidates as specified in the Temporary Provisions for Article V, shall provide their updated roster information to the Planning Department.

Section 6 – Orientation Training (Community Orientation Workshop): Given that not all Community Planning Groups have been able to hold their annual elections, potential new board members cannot participate in orientation training within 60 days of being elected. The Planning Department provides an annual Community Orientation Workshop (COW) that fulfills this provision of the Council Policy. The COW is typically held in the month of May. Once elections can be held by all Community Planning Groups and all newly elected board members identified, the Planning Department will provide orientation training.

Temporary Provisions for Article VI – Community Planning Group and Member Duties, Section 6:

- For CPGs that have held their March Elections or have more vacancies than candidates as specified in the Temporary Provisions for Article V, shall take the online training session (E-COW) within 60 days of being elected and are encouraged to attend the next in person training session made available once the State of Emergency has been lifted.

The proposed temporary suspension and provisions of the above listed portions of Council Policy 600-24 and Community Planning Group Bylaws would remain for the duration of the Governor’s Orders pursuant to the State of Emergency. The Council Policy and Community Planning Group Bylaws would automatically revert to standard operations once the State of Emergency has been lifted.

Fiscal Considerations: N/A

City Strategic Plan Goal(s)/Objective(s):

Goal #3: Create and sustain a resilient and economically prosperous City with opportunity in every community.

Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.

Charter Section 225 Disclosure of Business Interests: N/A; there is no contract associated with this item.

Environmental Impact: This action is exempt pursuant to CEQA Guidelines Section 15269(c) (Emergency Project) and 15359 (Emergency). This action is necessary to prevent or mitigate an emergency, and is also necessary to address a sudden and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services related to the novel coronavirus - COVID-19 pandemic. The COVID-19 pandemic, if left unaddressed, will result in an immediate short-term public health crisis, and this action is necessary to prevent or mitigate loss of life, health, and essential public services.

Equal Opportunity Contracting Information (if applicable): N/A

Previous Council and/or Committee Actions: N/A

Key Stakeholders and Community Outreach Efforts: Community Planning Groups

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