

City of San Diego
MEMORANDUM

Date: November 17, 2014
To: Community Planners Committee
From: Betsy McCullough, Planning Department
Subject: Bylaws Changes Pursuant to Council Policy 600-24 Amendments

Attached for your information is the summary of changes that the City Council approved to Council Policy 600-24 and its attached Bylaws Shell on October 28, 2014.

Part of the Council's approval of the amendments to the Policy & Bylaws Shell was acknowledgement of the amendments that were being made to the Policy only (the first column on the table below), and indication of which amendments were also made in the Bylaws shell with the intent that the corresponding sections in community planning groups' bylaws would also be amended (the second column).

At the CPC meeting of November 25 I will discuss the process staff anticipates for updating the bylaws of all community planning groups starting in December.

If you have any questions, feel free to email me at bmccullough@saniego.gov.

Betsy McCullough

Betsy McCullough AICP
Assistant to the Director
Planning Department

2014 Council Policy 600-24 Amendments/Bylaws Compliance

7 October 2014 Revised

The following table represents the City Council direction with respect to the revisions in the 2014 CP600-24 amendment as follows:

- **Council Policy Change Only:** applicable to all community planning groups
- **Council Policy & Bylaws Shell Changes:** the revision is being included in both CP600-24 and the Bylaws shell; changes are required in adopted community planning group bylaws to address this topic if intent of the revision is not currently present

| Council Policy 600-24 Article/Section | Revised Provisions | Council Policy Change Only | Council Policy & Bylaws Shell Changes |
|---------------------------------------|---|----------------------------|---------------------------------------|
| BACKGROUND | Adds paragraph about Community Planners Committee; emphasizes planning group compliance with bylaws unless deviations granted; general editing | ✓ | |
| PURPOSE | Clarifies who are members of the community planning group for CP600-24 purposes | ✓ | |
| POLICY | Changes bylaws amendments vote to a two-thirds vote | | ✓ |
| POLICY | Discusses CP600-24 revisions in relation to adopted bylaws | ✓ | |
| POLICY | General editing | ✓ | |
| Article I, Section 3 | Adds statement about how a community planning group's area of authority may change | ✓ | |
| Article II, Section 1 | Clarifies that roles of community planning groups are based in General and community plans, and as requested | ✓ | |
| Article II, Section 2 | Adds that a community planning group reviewing a development project can consider the Land Development Code | | ✓ |
| Article II, Section 7 | Clarifies that a 2/3 vote is of voting members of the community planning group | | ✓ |
| Article III, Section 1 | Adds enabling language and purpose of appointed seats on a community planning group | ✓ | |
| Article III, Section 3 | Limits business representation to one community planning group seat per establishment with a non-residential real property address in the planning area | | ✓ |
| Article III, Section 4 | Clarifies that an over-term member may continue to serve if there are fewer new candidates than vacant seats; over-term members cannot exceed twenty-five percent of elected members of the community planning group | ✓ | |
| Article III, Section 5 | Clarification that majority vote is of voting members of the community planning group | | ✓ |
| Article III, Section 5 | Changes type of vote by community planning group to remove a member who lost eligibility to be a ratification vote | ✓ | |
| Article IV, Section 1 | Adds list to clearly state all the reasons that a vacancy may be declared | | ✓ |
| Article IV, Section 2 | States that a vacancy 'should' – not 'shall' – be filled within 120 days | | ✓ |
| Article IV, Section 3 | States that a community planning group 'may' – not 'shall' – leave a seat vacant until the next election if a candidate is not found within 120 days | | ✓ |
| Article V, Section 1 | Clarifies that the number of documented meeting attendances varies by community planning group | ✓ | |
| Article V, Section 3 | Clarifies that secret written ballot use is limited to the election of new community planning group members in an annual election | ✓ | |
| Article VI, Section 2(a) (1) | Adds that if a community planning group maintains a website, an agenda should be posted there 72 hours in advance of a meeting Adds that a community planning group shall offer its agenda to the City for posting on the City website | | ✓ |
| Article VI, Section 2(a)(8)(a) | Clarifies that two-thirds vote cited is two-thirds of the voting members of the community planning group | | ✓ |
| Article VI, Section 2(a)(8)(b)1-4 | Adds comprehensive list of the action items that could be taken by a community planning group and that a two-thirds or majority vote cited | | ✓ |

| | | | |
|---------------------------------|--|---|---|
| | is two-thirds or majority of the voting members of the community planning group | | |
| Article VI, Section 2(a)(8)(b)5 | Identifies voting for types not specified in 1-4 above as a majority of voting members of the community planning group in attendance at a meeting when they constitute a quorum | | ✓ |
| Article VI, Section 2(a)(8)(b) | Rewrites statements about actions of a community planning group must be taken in public and that positions on agenda items are established by those votes | ✓ | |
| Article VI, Section 2(b)(3) | Rewrites existing statement saying that the majority membership of any committee or subcommittee shall be community planning group members | ✓ | |
| Article VI, Section 2(c) | Adds statements to Recusals and Abstentions referring to the Administrative Guidelines for relevant examples of each situation | ✓ | |
| Article VI, Section 2(d)(3) | Adds specific timeframes for availability of draft minutes and detailing Brown Act requirement for content of minutes | | ✓ |
| Article VI, Section 2(d)(3) | Adds requirement of posting of approved minutes on a community planning group's website | ✓ | |
| Article VI, Section 2(d)(4) | Replaces 'holding language' about records retention requirements of community planning groups with substantive information and referral to Administrative Guidelines for categories of material | | ✓ |
| Article VI, Section 4 | Changes annual reporting period to past 12 months rather than past calendar year | | ✓ |
| Article VI, Section 6 | Changes requirement that a new community planning group member complete online orientation training if attending a Community Orientation Workshop is not possible within 60 days of becoming a member [previously 12 months to attend] | | ✓ |
| Article VI, Section 6 | Adds City responsibility to maintain availability of online training session for those unable to attend a Community Orientation Workshop within 60 days of becoming a member | ✓ | |
| Article VII, Section 2 | Clarifies that the Chair will be the community planning group member to appeal a discretionary decision unless they are prohibited by absence or direct economic interest | | ✓ |
| Article VIII, Section 5 | Deletes this Section from this Article; it is covered in Article V | | ✓ |
| Article IX, Section 3 | Rewording of statement about community planning group member's failure to comply with governing documents | ✓ | |
| | | | |