

Community Planners Committee

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CPC DRAFT MINUTES FOR MEETING OF JANUARY 28, 2020

MEMBERS PRESENT:

Barry Schultz, Carmel Valley (CV)	Andrea Schlageter, Ocean Beach (OB)
Karina Velazquez, Chollas/Encanto (CHE)	Ann Dahlkamp, Old Town (OT)
Nicholas Reed, Clairemont (CLMT)	Mark Freed, Otay Mesa (OM)
Jose Reynoso, College Area (COL)	Jason Legros, Pacific Beach (PB)
Linda Godoy, Eastern Area (EAS)	Vicki Touchstone, Rancho Bernardo (RB)
Deborah Sharpe, Ken/Tal (KT)	Randy Steffler, Rancho Penasquitos (RP)
Michael Nazarinia, Greater Golden Hill (GH)	Marc Lindshield, San Pasqual/Lake Hodges (SP/LH)
David Gordon, La Jolla (LJ)	Wally Wulfeck, Scripps Ranch (SR)
Howard Wayne, Linda Vista (LV)	Bryce Niceswanger, Serra Mesa (SM)
Dike Anyiwo, Midway (MW)	Guy Preuss, Skyline/Paradise Hills (S/PH)
Wayne Cox, Mira Mesa (MM)	Myron Taylor, Southeastern (SE)
Lorayne Burley, Miramar Ranch North (MRN)	Mike Ogilvie, Tierrasanta (TIRSN)
Debbie Watkins, Mission Beach (MB)	Brad Remy, Torrey Pines (TP)
Michele Addington, Mission Valley (MV)	Chris Nielsen, University (UN)
Daniel Smith, Navajo (NAV)	Clint Daniels, Uptown (UT)
Jim Baross, Normal Heights (NH)	

VOTING INELIGIBILITY/RECUSALS: Barrio Logan, Carmel Mountain Ranch, Del Mar Mesa, Downtown, Kearny Mesa, Navajo, Normal Heights, Otay Mesa Nestor, Peninsula, San Ysidro, Torrey Hills, Uptown.

Guests: Mara Elliott, Matthew Vasilakis, Sandy Wetzel-Smith, Clarissa Falcon, Kathy Lippitt, Vanessa Mapula Garcia, Warren Ruis, Jack Christensen, H.C. Powell, Mark Hughes

City Staff/Representatives: Tony Kempton,

NOTE: *The sign-in sheets provided at the entrance to the meeting are used to list CPC Representatives, guest speakers, and staff present at the meeting.*

1. CALL TO ORDER/INTRODUCTIONS:

Chair Wally Wulfeck called the meeting to order at 6:30 pm.

2. NON-AGENDA PUBLIC COMMENT: 2 minutes per issue.

Kathy Lippitt spoke on marijuana businesses. She said the public did not have equal the legal representation that the applicants for marijuana facilities had resulting in changes to the Municipal Code that benefit the marijuana industry. Lippitt said the facilities are a nuisance and distraction but, moreover, they normalize marijuana use for youth. Guy Preuss said the Code Monitoring Team was disestablished as being in violation of the City's charter. However, members will continue to meet on an ad hoc basis. Jim Baross said he has returned as a representative to the CPC. Dike Anyiwo read comments from Cathy Kenton expressing concern

over the lack of involvement of the Midway planning group in the redevelopment of the former SPAWAR site in Midway.

3. MODIFICATIONS AND APPROVAL OF AGENDA:

Chair Wulfeck approved agenda without modification.

4. APPROVAL OF THE MINUTES OF NOVEMBER 26 AND DECEMBER 10, 2019.

November minutes previously approved. Michael Nazarinia asked that his name be recorded as a representative for December instead of as a guest, and that Wayne Cox be associated with Mira Mesa instead of Jeff Stevens. Andrea Schlageter said, under Enhanced Quality of Life, motion was, “identify opportunities to enforce legal uses in residential zones.” Motion to approve CLMT, OB seconded. Ayes: CLMT, COL, EAS, KT, GH, MW, MM, OB, OM, RB, SR, TIRSN, TP, UN. Nays: 0, Abstaining; S/PH, MRN, LV, CV, MB, RP, OT, PB, NH, LJ, CHE.

5. ROLL CALL

Chair Wulfeck took roll call at 6:35 pm. Roll Call:, CHE, CV, CLMT, COL, EAS, GH, KT, LJ, LV, MW, MM, MV, NAV, NH, OB, OM, OT, PB, RB, RP, SP/LH, SR, SM, SPH, SE, TIRSN, TP, UN, UT.

6. PRELIMINARY LEGAL ANALYSIS OF CITY COUNCIL POLICY 600-24 RELATED TO COMMUNITY PLANNING GROUPS. Mara Elliott, San Diego City Attorney – Information Item.

Elliott described the structure of planning groups and the possible amendments to Council Policy 600-24 to clarify independence and avoid employment, agency or servant relationship with the City. Elliott listed options for amending Council Policy 600-24 including to ensure independence by providing general guidelines for transparency and public participation rather than detailed operational requirements and clarifying indemnification provisions; possibly repeal CP 600-24 and create new bodies under Charter 43; amend the City charter to expressly create CPG’s with formalized organizational structure and governance. Elliott said legal review of the 31 recommendations from LU&H is underway to determine which recommendations can be implemented under the current legal structure and legal advice to preserve independence of the planning groups and which recommendations would require new legal structure or Charter amendment.

Public Comment:

Comment ranged from requesting help to get CPG trainings on-line to what the focus of the office of City Attorney would be regarding preserving the independence of CPG’s versus converting them to advisory bodies under the City Charter or revising Council Policy 600-24. Conversion would create onerous financial disclosure and other requirements for members, many of whom already feel overburdened by the requirements of Council Policy 600-24. Elliott requested a list of trainings the CPG’s would like to see brought on-line and said the City Attorney’s focus would be to help the City Council achieve its goals and that much of the work would be done in Council Committee. Elliott said changing the Charter to make CPG’s advisory bodies would require a Citywide ballot measure. When asked if the City Attorney would look at what other cities are doing, Elliott replied that would be looked at but cautioned that the San Diego City Charter is unique.

7. SDG&E FRANCHISE AGREEMENT RENEWAL. Warren Ruis, Vanessa Mapula Garcia, SDG&E Regional Public Affairs– Information Item.

Ruis and Garcia, presented an update and overview of the process regarding the upcoming Franchise Agreement renewal with the City of San Diego, which will sunset in January 2021. . The agreement is for SDG&E to do business in the City’s right-of-way. San Diego receives \$130

M on average annually from its franchise agreement with SDG&E, which has enabled acceleration of the utility undergrounding program. The City Charter requires that the agreement be reached through an open and competitive process. The City has undergrounded 74% of its system to date. Ruis and Garcia described how SDG&E has pioneered wildfire safety innovations and is recognized as a role model in wildfire prevention and wildfire risk mitigation. In December, 2018 the City and SDG&E committed to approximately 97 miles of undergrounding by June 2022. SDG&E is available to present Franchise Agreement Information to each Community Planning Groups and has contacted each Planning Group chair individually.

Board Comment:

Comment centered on how SDG&E has managed its utility program and also that it managed projects more efficiently than the City. A matrix was offered to the presenters as part of an undergrounding advisory committee that listed unresolved issues regarding alley lighting, ownership and maintenance, utilities in the public right-of-way related to sidewalks and walkability. It was suggested that a Manual of Administrative Practices, which coordinates how City and SDG&E crews work together, was out of date. Garcia said the City will hold stakeholder sessions to receive input on updating the Manual. The switch to steel utility poles was cited as a safety concern for its location at the apex of a sharp curve in one community. Ruis said the switch was made to withstand high winds but that SDG&E would investigate this situation. The franchise fee was restated as funds generated through taxes on rate payers.

Public Comment:

Comment centered on how to get SDG&E to hold information sessions for CPG's. Ruis responded that SDG&E has emailed all CPG chairs. The Franchise Fee was clarified – 3% for gas and electric.

8. SAN DIEGO ENERGY FRANCHISE AGREEMENTS-LET'S GET A BETTER DEAL FOR SAN DIEGO . – Information Item

Mark Hughes Climate Action Campaign, described his background as having undergone a transformation from working to start up coal mines in the south and two investor-owned utilities (IOS's) to presently owning two electric vehicles and solar roof panels. He said franchise agreements are important because they give the ability to determine how the energy system is going to be designed, used and what the cost will be. Currently SDG&E doesn't pay the City anything to use its right-of-way. Hughes said the IOU business model requires raising rates on customers as high as possible, and SDG&E, (an IOU), has the highest energy rates in California. Hughes said what matters for the climate is greenhouse gas free power. He cited Silicon Valley Clean Power as an example of a 100% greenhouse gas free power utility, which Hughes said, also proves there is no connection between the amount of green power supplied and the price of electricity. Hughes advocated solar for all but said incentives are needed for SDG&E to accomplish that. Shorter agreements were also advocated, as technology is changing rapidly and must be adjusted to. Also, the fee should be paid by the utility shareholders, not the rate payer. The task of the coalition is working with community members on the franchise agreement through a transparent and public process to help lower rates, protect customers and workers, and build lasting partnerships to build a safe and resilient energy system for all San Diegans.

Public Comment:

Members questioned what percentage of profit went to shareholders. Hughes said the average rate of return was 11% on investment. Shorter agreements between municipalities and utilities are now occurring in Salt Lake City, Utah, Lexington, Kentucky and Los Angeles. One member defended SDG&E's business practices.

9. PLANNING DEPARTMENT SURVEY ON CPG'S. Tait Galloway, Planning Dept. – Information Item

Galloway urged members to respond to the survey to increase input into community planning beyond community planning group membership. A member said that, though the survey was supposedly anonymous, if a member had been on the board for a while it was easy to determine their identity. Galloway said he would forward the concern. Galloway said the results should be available by the next CPC meeting and that the results could be used in any future direction by City Council regarding planning group operations plus any revisions to Council Policy 600-24. Galloway said he would forward the suggestion to management on how to better market the volunteer commitment on planning groups.

10. DISCUSSION OF CA SENATE BILL 50

As this bill is coming to a vote on January 31, 2020 chair Wulfeck asked whether the membership wished to comment. If the bill clears the senate on January 31 the CPC will have an opportunity to agendaize it as a future information/vote item, as it could go before the assembly as late as August, 2020. If it doesn't clear the senate it dies for the year. One member suggested agendaizing the bill for consideration at a future CPC. SB 50 would supersede other provisions not in accordance with it, such as the City's Complete Communities program

11. REPORTS TO CPC

- Chair Report - Chair Wulfeck advised CPG's to adhere to their bylaws at the coming March elections so as not to violate any provisions of Council Policy 600-24. Also, elections for CPC officers will occur at the March, 2020 meeting.
- Staff Report – None.
- CPC Member Comments – Nicholas Reed announced the plan amendment for Mt. Etna was going to Planning Commission on Thursday, January 30. Reed said the Clairemont CPG voted to deny the amendment initiation.. Chair Wulfeck and Reed explored possible venues for future CPC meetings. Reed said he would not enter any City building containing asbestos for health reasons. Wulfeck suggested holding meetings in different areas of the City to attract local interest.
- Subcommittee Reports - None.

ADJOURNMENT TO NEXT REGULAR MEETING: FEBRUARY 25, 2020: The meeting was adjourned by Chair Wally Wulfeck at 8:51 PM.