
NEWS RELEASE



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Settlement of Lawsuit Against CivicSD and the City of San Diego Brings Greater Transparency and a Voice to All San Diegans

SAN DIEGO, CA – In a victory for all San Diegans, the lawsuit brought by Dr. Murtaza Baxamusa and the San Diego County Building & Construction Trades Council against Civic San Diego and the City of San Diego came to positive settlement which will bring transparency to development in San Diego’s ever-growing downtown area and give San Diego residents a voice in the decisions which impact the landscape of the City.

The lawsuit attacked the City’s improper delegation of its Constitutional “police power” to permit and plan in the downtown area to Civic San Diego, a non-profit corporation cozy with big developers and their counsel. When redevelopment ended in late 2011, the City chose to delegate its permitting authority in the downtown area to Civic. This delegation made San Diego the only city in the State of California where a non-government entity had permitting authority and therefore control over the city’s development. The lawsuit asked for a meaningful appeals process and controls over the City’s oversight of Civic.

The lack of transparency and oversight of Civic by the City enabled Civic to make land use decisions which benefited developers and their lawyers, some of whom sat as Civic’s officers and directors, instead of benefitting the City as a whole. When Civic was created, the City called it “streamlined development.” This “streamlining” was unfortunately at the cost of any significant consideration of infrastructure, transportation, affordable housing, fair wages, and good jobs. Developers were able to get approval for their projects without substantive and meaningful oversight by the City. The City had essentially given away its municipal function for the sake of expediency.

This settlement ends Civic’s control of development downtown and in other communities to which it had extended its reach in past years. Civic will no longer be an agent of the City and will no longer have planning and permitting authority in San Diego. Under the settlement, Civic will be tasked with winding down successor agency redevelopment projects within 5 years, with one 5-year option to renew by City Council vote only in the event of unforeseen delays, and will otherwise sever all ties between the City and Civic. Civic will only be permitted to continue regular non-profit activities not connected to the government. There will be no further municipal functions at Civic.

This settlement represents a full and total victory for Petitioners in this case, as it completely pulls back all municipal functions and permitting and planning that Civic had been doing since 2012 and severs ties between the City and Civic. “We are gratified to finally bring this case to such a successful resolution,” said Tom Lemmon, Business Manager of the San Diego County Building & Construction Trades Council. “It’s taken a long time but there’s finally an ability to weigh in with elected officials on developments in our communities, and that is what the people of San Diego need and deserve.”

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