

**College Area Community Council (CACC) and
College Area Community Planning Board (CACPB)**

Approved Minutes

From the Regular Meeting held on: April 11, 2018, 7:00PM

Held in: College Rolando Library, 6600 Montezuma Road San Diego, CA 92115

Gary Campbell	Chair	P	Saul Amerling	P	Robert Montana	P	
Jim Jennings	Vice-Chair	P	Ellen Bevier	P	Troy Murphree	A(1)	
Ann Cottrell	Secretary	P	David Cook	P	B.J. Nystrom	P	
John Putman	Treasurer	P	Michael D'Ambrosia	P	Jerry Pollock	P	
Rachel Gregg	SDSU Rep	P	Keith Henderson	P	Jose Reynoso	P	
Carmel Alon	AS Rep	A(1)	Robert Higdon	P	Jason Wills	P	
Jim Schneider	BID Rep	P	Jean Hoeger	P			
						TOTALS	20

P =Present L=Late A=Absent; (1), (2), (3), (4)= 1st, 2nd, 3rd, 4th absence TOTALS 20

CP600-24, Art. IV, Sec. 1: "a vacancy exists upon the 3rd consecutive absence or the 4th absence in 12 months (April through March)

M/S/C = Moved/Seconded/Carried

The College Area Community Council (CACC) and the College Area Community Planning Board (CACPB) are two separate entities with a common board and officers and joint meetings. The items highlighted below with asterisks are CACPB business items, subject to City Council Policy 600-24 governing community planning groups. Items are reported in agenda outline order, although some items may have been considered in a different sequence.

I. Call to Order/ Pledge of Allegiance: 7:00 p.m.

II. Approval of Agenda

Delete Items 6, 7, 8

Moved: Jennings

Second: Nystrom

Ayes 17 Nays 0 Abstain 0

Motion Passes

III. Approval of Minutes: Wednesday March 14, 2018

Montana & Hoeger: Move statement that Cook feels there is not enough diversity on the board from the discussion of Web funding to the comments section under the Circulate SD motion.

Move to accept minutes as amended: Pollock

Second: Nystrom

Ayes 13 Nays 0 Abstention 4

(Cottrell, D'Ambrosia, Gregg, Schneider missed all or most of meeting)

Motion Passes

IV. Public Comments on Non-agenda items

A. Schneider: I want to address divisive board behavior. The reason for 20 board members is to have diversity of opinions and to discuss matters rationally. There is talking out of turn, talking louder and louder. A member of the board contacted a BID board member saying I should not be seated. We need rules of decorum including censure or removal for violations.

V. Governmental and University Liaison Reports

A. Anna Medina for Roberto Torres Council District 9:

1. Tubman Joint Use agreement approval by School District staff expected May 15 or 29. City Staff will try to go to committee in June. Torres will push for earlier date.
2. April 24 Town Hall Meeting, with new Police Chief.
May 17 Budget Town Hall meeting.
3. Gomez has office hours at City Heights Recreation Center Fridays 2:30-6:00.
4. CD9 Website lists district events. (www.sandiego.gov/cd9)

B. Mark Peterson, Community Relations SDSUPD

1. Ofo Bike Share is now on campus. Information is on the SDSU Parking web page.
If there are any issues contact Peterson.
2. Graduation is May 11-13; expect heavier traffic
3. There is new web site for SDSU alert: sdsu.edu/sdsualert

C. Rachel Gregg, SDSU Community Liaison

1. June 28 is first day for new President Dr. de la Torre
2. A new program with CACC offers presentations to campus groups e.g. Greeks, Residence Hall students, about moving off campus and how to be a better neighbor. It includes information on consequences such as CAPP(not affected by the RHOP suit)
Hopps-Tatum: They need to know that recycling is only every other week and all items must fit in the bin.
3. Associated Students is holding a clothing drive for inexpensive clothing to sell, especially items appropriate for job interviews etc.

VI. Old Business None

Vii. New Business.

A. *Vote on Elections Committee & Officers' recommendation to certify the election results of the March 14, 2018 election despite a properly filed challenge, due to insufficient evidence of a Bylaws violation.

Campbell: CACC/PB Officers and Election Committee felt there was evidence of a by-laws violation due to encouraging voters to support a slate of candidates. Without the actual email supporting the slate there was insufficient proof to invalidate the election.

Campbell: The bylaws make clear there can be no electioneering, no slates. Distributed CACPB Bylaws shows language regarding prohibition of slates, electioneering and collective concurrence and requirement that discussions be only at noticed public meetings. The relevant sections are:

- Article V, Elections, Section 3
- Article VIII, Planning Board Policies and Procedures Section 1, e, iii
- Article VI, Community Planning Board Member Duties, Section 1
- Article VI Community Planning Board Member Duties, Section 2, ix

Hoeger: What is meant by time of election, just at the meeting? If someone asks you on the street about the election you can tell them who is running but you can't tell them how to vote.

Move to certify the March 14 election results: Nystrom

Second: Cook

Ayes 10 Nays 0 Abstain 7

(Cottrell, D'Ambrosia absent; Schneider not on board: Putnam running; Pollock, don't know enough about the issue; Montana, don't know consequence of not certifying, Hoeger brought the challenge.)

Motion Passes

- B. Report of Brown Act violation ruling requested from the City related to four Board Members meeting with a developer on a project that is likely to come before this Board in the future.

Campbell: A possible Brown Act violation was reported due to some board members meeting outside of an official meeting with a developer on a project likely to come before the board. Campbell asked the City if this was a violation. He was told it is not a violation unless a majority of the board is present. Campbell cautioned board members to consider how badly it looks if they meet with developers outside of a public meeting of the Board or a Board Committee on something likely to come before the board.

Reynoso: It is a violation if a majority of a quorum (6) meets this way.

- C. Jim Schneider is returning to the CACPB/CACC Board, having been appointed as BID representative by Paul Russo, BID Board President March 15, 2018.

- D. CACPB/CACC Board Election for one seat expiring in 2019.

1. Candidate speeches / community forum questions

- a. Susan Hopps Tatum: served on board for three years, College Area resident since childhood, business own (child care), rental property owner. I want more diversity in community, more young families. A young board member quit because of time constraints with job and family, but also moved from the area because of negative impact of increased minidorms on his street.

Hoeger: did you run for the board last month? SHT: yes. JH: do you know the vote? SHT No. JH Over 50% voted for her; we should honor last month's vote.

Beauparlant: Spoke in support of Hopps-Tatum

Henderson: challenged Beuparlant and Hoeger for electioneering.

Campbell ruled that an audience member advocating for a candidate is probably in violation of the no electioneering bylaws, however, according to Prinz (City staff) Board members can discuss candidate qualifications and why they think a particular candidate should be appointed when they are appointing a candidate to the Board..

- b. Keith Henderson: Started at SDSU in 2003, served on the board for three years, own four College Area properties. I want to work on community plan update.

2. Board Vote

Henderson 9: Amerling, Cook, D'Ambrosia, Gregg, Higdon, Nystrom, Reynoso, Schneider, Wills

Hopps-Tatum 8: Bevier, Campbell, Cottrell, Hoeger, Jennings, Montana, Pollock, Putnam,

Henderson is elected

- E. *Report of Project Review Committee on 6213 Montezuma Road project proposal to seek special "site specific ordinance" City Council approval to build a Student Housing/Dormitory structure with 128 rooms in a RM-3-9 zone. Special approval of City Council would be required as the project cannot meet all the regulations to be considered a dormitory, cannot provide required parking on site, cannot get a parking agreement with SDSU and SDSU is not willing to officially recognize the facility.
Campbell: The Project Review Committee originally approved this on the condition they meet all these conditions. They have not.

Moved The board should hold to the original vote and send a letter to the city saying we stand by the original vote recommending against the project if it can't provide parking:
Jennings

Second: Putnam

Montana: do we know what city staff recommends? They may bypass staff and go directly to City Council. I recommend not voting for the motion but create a second motion.

Pollock: point of information. How did we miss this parking. PR committee approved project if it meets city parking requirements. They have not, so city staff has not approved. They are appealing to the city; they want consideration to waive parking because theirs doesn't meet density use unit count.

D'Ambrosia: The committee approved it pending resolution of issues, 1) meeting the parking requirements. 2) that it be recognized as a dorm affiliated with SDSU

Montana: I don't like approving this as stated, it is misleading. Here is a friendly amendment.

Moved we rescind the original recommendation and recommend denial of the project because it does not meet several City Code requirements: Montana

Second: Jennings.

Ayes 15 Nays 0 Abstain 3 (Gregg, Hoeger, Nystrom missed discussion)

Motion passes

F. Alvarado Trunk Sewer Project. Removed from agenda

G. Consideration of dividing a parcel into two parcels on Pembroke Drive in a RS1-7 zone.
Removed from agenda.

H. Consideration of Map Waiver for Condominium Conversion of two houses at 5025 67th St.
and 6704 Mohawk Street in RM 1-1 zone. Removed from agenda.

I. Presentation by Juan M. Andrade from Social Advocated for Youth (SAY) San Diego on
smoke-shops, hookah lounges and vape shop legislative regulation. (Possible Action Item)

1. SAY's aims to reduce smoking and related activities. Data supports dangers of smoking in any form. SAY wants to prohibit smoke shops, hookah lounges, vape retailers 1,000 feet from schools and other places catering to young people. We would like to hear your recommendations before taking issue to City Council.

Moved that board support prohibition of smoke related places within 1,000 feet of schools and other youth centers: Campbell

Second: Putnam

Higdon: add limit hours they are open

Schneider: 1) don't condemn all hookah lounges, some are responsible. 2) I ask SAY to make a request in writing; we can vote on it next month.

2. The motion is to endorse a law preventing such facilities within 1,000 feet of schools and youth oriented locations.

Ayes 12 Nays 3 Abstain 3 (Jennings, Putman, Wills insufficient information)

Motion Passes

J. Campbell: Board members who have not done so must take COW Training Saturday May 5, 2018 8:30 a.m. - noon 12th floor City Administration Building 202 C St. Or Take eCOW on line. Registration deadline is April 20, 2018. The city will not indemnify you if you don't complete COW training.

New board members, remember to send the chair your biography and photo for the website by the next meeting.

K. Appointment of Audit Committee Chair.

Move Wills as chair: Higdon

Second: Reynoso

Ayes: 18 Nays 0 Abstain 0

Wills is Audit Committee Chair

L. Officer Elections

1. President

Nominations: Jennings (by Hoeger) Reynoso (by Schneider) Montana (by Bevier)

Montana: I am willing to be VP, not president. I support Jennings. I am nervous selecting someone who may have been involved in the apparent election fraud.

Pollock: Is this a public vote? If so I will abstain

Campbell: Brown Act regulations require that all Board member votes be recorded by name.

Hopps-Tatum: I mirror Montana's concerns about challenges to past general elections. A question for Jose. When you ran the last election you did not announce the count though you were asked to. This resulted in the person with the fewest votes being seated over someone who had more.

Reynoso & Hopps-Tatum disagreed about whether votes have been announced in past elections.

Hopps-Tatum: You, as CACC/PB President, were also quoted in a news report as favoring the student dorm/apartment project at 5030 College Ave. which was contrary to the position the board had taken.

Reynoso. I told the reporter that this was my opinion.

Reynoso & Hopps-Tatum disagreed about whose fault this was not made clear

Board Vote

Reynoso 9: Amerling, Cook, Gregg, Henderson, Higdon, Nystrom, Reynoso, Schneider, Wills

Jennings 8: Bevier, Campbell, Cottrell, D'Ambrosia, Hoeger, Jennings, Montana, Putman

Abstain 1: Pollock (doesn't feel it is right to have to make a public vote)

Reynoso is elected President.

2. Vice President

Nominations: Jennings (by Henderson) Montana (by Bevier)

Move to elect Jennings by acclamation: Montana

Ayes 17 Nays 0 Abstain 1 (Pollock does not want to make a public vote)

Jennings is elected Vice President

3. Treasurer

Nomination: Putman (by Jennings)

Move to elect Putman: Schneider

Ayes 16 Nays 0 Abstain 2 (Pollock no public vote, Putman as candidate)

Putman is elected Treasurer

4. Secretary

Nomination: Cottrell: (by Schneider)

Second: Nystrom

Ayes 17 Nays 0 Abstain 1 Pollock (Pollock does not want to make a public vote)

Cottrell is elected secretary

M. Campbell: Board retreat will be in April or May. Reynoso will send a poll for time preferences.

N. Consideration of sending a letter of concern about San Diego's failure to enforce existing codes that are important to communities. Letter in support of a letter from City Heights Area Planning Committee (CHAPC)

Hoeger: The city's four levels of code enforcement priority has been reduced to three: one day for health and safety issues, five days for list of important violations and a third category which only gets a letter reporting the offense and then closing the case. CHAPC, in a presentation to the Community Planners Committee, asks other community groups to support their request to divide the third response category in two: Third priority – respond in 30 days- would include code violations important to communities e.g. converting garages, frequent garage sales, parking on the lawn. Fourth category would remain violations that effectively are not enforced.

Move that as this is not time sensitive it be tabled until the next meeting: Gregg

Second: Jennings

Ayes 18 Nays 0 Abstain 0

Motion passes.

O. Approval of Dollar Per Ticket (DPT) project recommendations: 1) \$15,000 to coordinate traffic signals at I-8 and College. 2) \$400,000 for traffic signal repair along Montezuma Rd. and College Ave. 3) \$100,000 for Montezuma wall mural 4) \$275,000 for electronic parking availability signs.

Putman: We're frustrated that DPT has not been spent. In November Gregg, Rhea Kuhlman and I met to discuss how to move it forward. We disagreed with findings of the study because it didn't represent the community. We tried to recommend both what SDSU and the community think are important and came up with this list.

Move we approve this list of projects with amendment to include Montezuma Wall or another beautification project and that the traffic signal item include bike lane and median improvement: Pollock

Second: Jennings

D'Ambrosia: The Montezuma wall has gone on for many years with lots of issues blocking it so we tried to find other beautification projects if the wall doesn't go through. Recently, a community member asked Councilwoman Gomez to remove parking on Montezuma between Campanile and 55th to permit a new bike lane. If this is done, it would remove the problem of Montezuma not being wide enough to implement another project that SDSU had suggested, but was initially not considered because the city had said the street was not wide enough. If this doesn't happen, we could revert back to the traffic signal project.

Henderson: I'd like to postpone this to next month. \$4,000 for a traffic signal? That is something the city should pay for not DPT.

Pollock: I agree with Henderson, why is the traffic signal our responsibility? Figures are skewed. It is a three-way agreement: SDSU/CACC/Alvarado Estates. Why should SDSU project get all the money?

Campbell: This isn't a repair but would synchronize signals. That would mean replacing them. The cost is based on a city estimate.

Reynoso: The first item is not doable. Emerald proposed synchronizing College Ave signals at I-8 but didn't work because those are owned by CALTRANS which has different priorities from the city which has lights on College; CALTRANS wouldn't cooperate. I am also bothered that most of the benefit of DPT is to SDSU when the purpose was to benefit the community in compensation for impact of the arena.

Moved to postpone vote: Schneider

Second: Henderson

Gregg: SDSU has not taken a position. The list was brought to us from the community

Montana: There is motion on the table. The intent of DPT was arena mitigation to benefit the community. We are falling into a zero sum game. Anything that benefits SDSU (e.g. traffic signal improvement) benefits the community as well. I oppose the motion to table.

Jennings: If tabling ends the discussion we must vote on the motion.

Motion to table the discussion of DPT

Ayes 10 Oppose 5 Abstain 3 (Campbell wants more info on the Cal-Trans issue and to see if the Montezuma improvement with bikeway can now be considered, Gregg recused self, Wills not present)

Motion passes

P. Move to extend meeting 15 minutes: Nystrom

Second: Schneider

Ayes 18 Nays 0 Abstain 0

Motion passes

Q. Request CACC letter of support for College Area Art Street event June 23, 2018

Move to write letter of support:

Second:

Ayes 18, Nays 0 Abstain 0

Motion Passes

R. Request from Mesa Colony for \$250 for outreach to larger community near La Mesa boundary to defray cost of circulars to distribute in that area inviting new residents to join the community.

Amerling: People east of Mesa Colony have issues but aren't involved in community groups; they need help organizing. We want to help but don't have money for informational material. CACC has made other donations in the past

Move to support request: Schneider

Second: Gregg

Putman: shouldn't support funds for one sub community

Montana: It is not in the budget

Henderson: Would support if you ask recipients to join CACC as well

Schneider: what line item would it fall under. We have funds under membership it would be better to discuss this at the board retreat. 2nd this is not prudent if not in the budget 3rd I support the idea, maybe College Neighborhood Foundation is better source.

Reynoso: we have had donations in the past. The line item has been reduced

Move to table discussion to the retreat: Montana
Second: Schneider
Ayes 18 Nays 0 Abstain 0
Motion passes

- S. Request from BID Executive Director Schneider for letter of support to create a coworking and workshop space in the BID office building to house up to 10 entrepreneurs who are recent SDSU graduates and/or home-based from within the immediate neighborhoods.

Move to write a letter in support of the BID proposal: Gregg
Second: Nystrom

Putman: why do you need letter of support

Schneider: to improve the building (modifying interior, upgrading wifi etc). and for funding

Move to provide letter of support to help with funding: Jennings
Second: Cottrell
Ayes 17 Nays 0 Abstain 1 (Schneider, recused)
Motion passes

VIII. Treasurer's Report

A February Report:

Income \$254., Expense \$ 75.62

March 1, 2018 Total Balance: \$ 25,067.91 DPT approximately \$790,000

B. Move to accept Treasurer's report: Pollock

Second: Schneider

Ayes 18 Nays 0 Abstain 0

Treasurer's Report accepted.

IX Committee Annual Reports

A, Project Review Committee: Jennings

1. We approved a lot of things, disapproved some, I will post list

B. Dollar Per Ticket Ad Hoc Committee – No annual report required

C. Neighborhood Enforcement Assistance Committee: Nystrom

1. Activity reduced with invalidation of RHOP

2. City's Code Enforcement Volunteers have taken over work formerly done by SDSU Enforcement person—violations visible from the street.

3. We continue to serve as a community information resource

4. We now meet bi-monthly

D. Long Range Planning and Beautification: D'Ambrosia

1. We need an affordable project to show we are doing something. Have talked about a MAD for something to identify and beautify the Aztec triangle (of major streets) It all comes down to lack of funds.

E. Outreach Committee: Amerling

1. I am no longer chairing the committee. I work on the College Area News.

X. Delegate Reports

A. Community Planners Committee: D'Ambrosia
no report, did not attend

B. College Area Public Safety (CARPUS): Gregg

1. SDPD Dispatch representative spoke. We have been told dispatch is fully staffed but were told at CARPUS they are understaffed by 20.

XI Adjournment 9:15 p.m.

Minutes submitted by Ann Cottrell