

**MISSION BEACH PRECISE PLANNING BOARD (“MBPPB”)
Tuesday, April 17, 2018 @ 7 PM
Belmont Park Coaster Terrace--Community Room
Minutes of Meeting**

Board Members Present:

Michelle Baron	Josh Geller	Carole Havlat	Dave Kvederis
Dennis Lynch	Brian McCarthy	Mike Meyer	John Ready
Brandon Soule	Gernot Trolf	Debbie Watkins	Gary Wonacott

Absent: Jenine Whittecar

OPENING FUNCTIONS

Meeting was called to order by Acting Chair Debbie Watkins at approximately 7:10 PM.

Acting Chair Watkins commented that the four (4) new incoming Board Members will be seated after the *Approval of the Minutes*.

- **Approval of Minutes** for March, 2018
Copies of the draft March 20, 2018 Minutes of Meeting were distributed and reviewed. There being no changes, the Minutes were approved by unanimous consent.

Acting Chair Watkins welcomed new Board Members as follows: Area 1 Representatives Josh Geller and Gary Wonacott; Area 3 Representative Michelle Baron; and Area 4 Representative Dave Kvederis.

- **Revisions to Agenda**
Copies of the April 17, 2018 Agenda were distributed and reviewed.

Motion 1 was made by Brandon Soule and seconded by John Ready to revise the Agenda moving Alston Duplex Action Item ahead of Public Comment.

**VOTE For: 11 Against: 0 Abstain: 0
Motion passed.**

- **Acting Chair’s Report**
 1. Acting Chair Watkins announced that Board Member Brandon Soule is now one of the Board’s Project Reviewers along with Dennis Lynch and Mike Meyer. She pointed out that Brandon has been on the Board for almost a year and was elected in March to a 3-year term representing Area 4. Brandon not only has a firm grasp of the MB Planned District Ordinance, he has a working knowledge as well. He has designed and developed many projects in San Diego and Mission Beach - his most recent project was on Island Court on the Ocean side. His creative architectural designs add to the unique mix of housing in the Mission Beach community.
 2. Mission Duplex at 2695 Mission Boulevard and San Luis Rey Place – Acting Chair Watkins reported that on behalf of the MBPPB, she filed an Appeal on April 19, 2018 of the *Hearing Officers’ Hearing* of April 4, 2018 to the Planning Commission. The Board denied the

project at its October 2017 Meeting because of the Board's objection to the City allowing parking in the front yard of a new development in violation of the PDO regulations, which is located within the public view corridor that extends from Mission Bay to the Pacific Ocean. The Planning Commission hearing will be scheduled sometime in June.

3. Community Orientation Workshop – Acting Chair Watkins reminded the four (4) new incoming Board members they are required to attend pursuant to Council Policy 600-24 “Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups.” This year's workshop is scheduled for Saturday, May 5th 9 am – 12:30 pm. RSVP's are required by Friday, April 20, 2018.

Acting Secretary's Report

Acting Secretary Debbie Watkins reminded Board Members that their attendance records from April 2017 through March 2018 are wiped clean and the new record begins at this April 17th Meeting. She reminded the Board Members they are allowed four (4) absences before the seat is declared vacant, and after three (3) consecutive absences the seat will be declared vacant.

2018 Board Election of Officers

• Nominations for Chair:

Gary Wonacott – Nominated himself; Seconded by Josh Geller

Debbie Watkins – Nominated by Dennis Lynch; Seconded by Gernot Trolf

The public in attendance were given an opportunity to comment.

Vote Count:

Gary Wonacott – 2 votes

Debbie Watkins – 9 votes

Debbie Watkins elected Chair.

• Nominations for Vice Chair:

Brandon Soule – Nominated by Gary Wonacott; Seconded by John Ready

Gernot Trolf – Nominated by Debbie Watkins; Seconded by Brandon Soule

The public in attendance were given an opportunity to comment.

Vote Count:

Brandon Soule – 4 votes

Gernot Trolf – 6 votes

Gernot Trolf elected Vice Chair.

• Nominations for Secretary:

Debbie Watkins – Nominated by Gernot Trolf and seconded.

John Ready – Nominated himself and seconded by Brian McCarthy.

The public in attendance were given an opportunity to comment.

Vote Count:

Debbie Watkins – 4 votes

John Ready – 5 votes
John Ready elected Secretary.

BUILDING PLAN REVIEW

Action Item:

- **Alston Duplex CDP/TM (3816 Bayside Walk); Project No. 556840 Process 2)** – Coastal Development Permit and Tentative Map for the demolition of an existing residence for the creation of two 3-story residential condominium units with a combined total of 5,526 sq. feet; Presenter: Applicant/Architect Daniel Linn

Applicant/Architect Daniel Linn represented the property owners Nicholas and Tony Alston.

Architect Linn presented the proposed project plans for consideration.

Project Reviewers Dennis Lynch, Mike Meyer and Brandon Soule reviewed the proposed project plans for the Board. Project Reviewer Mike Meyer made his findings. Board Member Dave Kvederis Mr. Dave Kvederis made further comments of clarification.

The public in attendance were given an opportunity to comment. In answer to Scott Morrison’s question, Mr. Linn said the trash cans would be kept in the garage. There were concerns that almost no one follows such procedure and instead leaves them in the alley.

After further discussion the following motion was duly made:

Motion 2 was made by Mike Meyer and seconded by Gernot Trolf to DENY the Alston Duplex CDP/TM (3816 Bayside Walk) project for the following PDO violations:

1. **Section 1513.0304 (d)(2)(A) (i) - The building does not use the required vertical offset on structure along Salem Court that must extend the full height of the building;**
2. **Section 1513.0403 (b) (7) – Bay front parking on north side of building is not allowed; and**
3. **Section 1513.0403 (b) (4) (D) – Unenclosed tandem parking is not allowed past 36 feet into the interior yard.**

VOTE For: 9 Against: 0 Abstain: 2

Motion Passed. [Abstain: 1) John Ready because owner is a friend and neighbor giving the appearance of impropriety if he votes in favor of his friend. 2) Gary Wonacott – wants plans ahead of time to review].

Mr. Linn was offered and accepted the option of correcting the deficits and return for our May meeting.

PUBLIC COMMENT (limited to 3 minutes per speaker regarding Mission Beach matters NOT listed on the Agenda)

- a. Bob Simonson suggested that the board should begin making long range plans by updating the Mission Beach Precise Plan and PDO.
- b. Sarah Mattison suggested that the Chair should make an effort to prepare a younger member to take over the duties of Chair.

- c. Adam Huntington suggested that we install parking meters to pay for repairs to streets and sidewalks in Mission Beach.

REPORTS FROM GOVERNMENT OFFICIALS

- **Bruce Williams, Community Representative for Councilmember (“CM”) Lori Zapf, San Diego City Council District 2 (Mission Beach & Midway Districts)**

Bruce Williams distributed the March/April 2018 *District 2 Update*. He also reported the following:

- a. STVR issue may come before council May 24th
- b. A new law is being considered for motorized scooters
- c. There is a beach cleanup May 12th at 8:00 am
- d. There is a large item cleanup June 16th
- e. Mayor’s budget includes a second trash pickup for MB

BOARD COMMUNICATIONS

Information Item:

- Airport Noise Advisory Committee (“ANAC”) Update

Acting Chair Watkins gave the following update of the action taken at the last Airport Authority meeting. Changes had been made for selecting members of the ANAC Committee beginning June 20, 2018. Under a new policy, three community Planning groups outside of the 65 decibel contour will be determined by communities with the highest number of households submitting noise concerns from the previous calendar year. Mission Beach has one of the highest numbers of noise complaints of communities below the 65 decibel level of noise so it has been invited to sit on the newly-constituted ANAC. The term is limited to a two-year appointment and the representative is appointed by the chair of the planning groups. As Chair, Ms. Watkins commented she will continue to represent the MBPPB on ANAC for the new term.

Ms. Watkins further explained the Part 150 study has to do with noise exposure patterns. Both the Technical Advisory Committee (“TAC”) and the Citizens Advisory Committee (“CAC”) are analyzing Nighttime Noise Abatement Procedures and possible flight procedure change, among others. Ms. Watkins noted that Mr. Trolf is the Mission Beach resident representative on the CAC and Ms. Watkins is the TAC Representative for ANAC. In concluding, she passed out information on website links to register aircraft noise complaints and to follow Airport Authority committee meetings.

Mr. Wonacott made the claim that the Chair was not originally lawfully elected to the ANAC, and that retired commercial airline pilot and Mission Beach resident, Alan Bark, should be appointed instead of Mr. Trolf on the Citizen’s Advisory Committee.

Public comment was made by Mr. Schussel saying that Ms. Watkins was not effectively representing Mission Beach on ANAC or TAC.

ACTION ITEM

- Violation of Brown Act: Discuss Board Member Gary Wonacott's potential violations of City Council Policy 600-24 and MBPPB Bylaws relating to the Brown Act seeking "collective concurrence" on future Agenda items coming before the MBPPB specifically ANAC issues after being advised by City Staff to cease these emails; recommend corrective action to remedy, if not feasible, MBPPB may vote to remove the Board Member by two-thirds of the voting members

Before beginning on this agenda item, the City's Senior Planner Leslie Henegar said that both Ms. Watkins and Mr. Wonacott should not participate in the discussion and abstain from voting on the matter. They both participated in the discussion but neither voted on the motion.

Acting Chair Watkins asked Board Member and recently elected secretary, John Ready, to recuse himself because he had represented Mr. Wonacott in the past and could have a financial interest in the outcome of this item. Mr. Ready declined to recuse himself since he represented Mr. Wonacott in some estate planning matters many years ago and no longer represents him. Ms. Henegar, at the request of Ms. Watkins, said that Mr. Ready did not need to recuse himself in this matter.

Then Acting Chair Watkins read the *Documentation of Violations of the Brown Act By Board Member Gary Wonacott* that was distributed detailing Mr. Wonacott's potential violations of the MBPPB's Bylaws, Council Policy 600-24, and Government Code sections 54950 – 54963, commonly referred to as the Brown Act. Ms. Watkins pointed out Board Members will discuss this matter and recommend corrective action to remedy Mr. Wonacott's behavior. She noted possible corrective action could include that Mr. Wonacott could remain on the Board but have to cease from sending such emails and cooperate with the rules of the Board or be removed by a 2/3 majority of the Board.

The main evidence was that, after recently elected to the Board, Mr. Wonacott emailed some of the members on the Board seeking to develop a "collective concurrence" concerning issues regarding the ANAC and other issues he wanted discussed or addressed at upcoming Board Meetings. After being advised not to send these types of emails by Senior Planner Henegar, he continued to do so. These emails and posts on "Next Door," an internet public forum, continued through April 14, 2018.

Before she could finish her written statement concerning the evidence she had compiled, she was interrupted by members of the audience. She then asked for comments from the Board on this topic.

Speaking first, Mr. Wonacott gave his defense stating that he was newly elected to the board, had not attended the required COW that meets in May and did not agree that he was violating the Brown Act. Since he has reviewed the bylaws, Council Policy 600-24, and portions of the Brown Act, he agreed that he would send no further emails to members or to "Next Door" concerning the Chair.

Board members gave pro's and con's about the item.

The public in attendance were given an opportunity to comment. Many persons in the audience commented that they were very disappointed in the contentious nature of the board and the rudeness of some of its members and officers.

Mr. Wonacott assured the board that he would follow the bylaws, not send emails to board members nor comment about Ms. Watkins on “Next Door” and agreed to cooperate with board members and the Chair.

After further discussion, the following motion was duly made:

Motion 3 was made by Dave Kvederis with addition by Dennis Lynch and seconded by Gernot Trolf that the board sanction Gary Wonacott for his actions, but that he be permitted to remain on the board given his promise to follow the letter and spirit of the board’s By-Laws, Council Policy 600-24 and the Brown Act and his commitment to be a constructive and cooperative member of the board and his agreement that he will not send emails to board members nor comment about Debbie Watkins on “Next Door”.

VOTE For: 10 Against: 0 Abstain: 1
Motion Passed. [Abstain: Gary Wonacott because he was the subject of the motion]

BOARD COMMUNICATIONS

Acting Chair Watkins asked if the Board was interested in adding “New Business” to future agendas as was recommended at the Board’s March Meeting.

Motion 4 was made by Dave Kvederis and seconded to add an item on the agenda entitled “New Business.”

VOTE For: 11 Against: 0 Abstain: 0
Motion Passes.

There being no further business, Acting Chair Watkins noted Agenda Items must be submitted to the Chair in writing **10 days PRIOR** to the scheduled Board meeting. **The next meeting will be held on Tuesday, May 15, 2018 at 7 PM in the Belmont Park Community Room.**

ADJOURNMENT

Motion 5 was made by Dave Kvederis and seconded by Gernot Trolf TO ADJOURN the meeting at 10:10 p.m.

VOTE For: 11 Against: 0 Abstain: 0
Motion passed.

Submitted by: Debbie Watkins, Acting Secretary and John Ready, Secretary