



NORTH PARK PLANNING COMMITTEE
Corrected Minutes: May 15, 2012 – 6:30 PM
<http://www.northparkplanning.org>
2901 NORTH PARK WAY, 2ND FLOOR

I. Called to order: 6:35 p.m.

II. Members in attendance (14): Rene Vidales, Cheryl Dye, Vicki Granowitz, Carl Moczydlowsky, Lucky Morrison, Dang Nguyen, Brandon Hilpert (A), Peter Hill, Rick Pyles, David Cohen, Dionne Carlson, Robert Barry, Roger Lewis, Omar Passons, Steven Williamson

III. Modifications to & Adoption of the 01/17/12 Agenda.

- No Modifications

MOTION TO ADOPT: Carlson/Barry 14-0-0

IV. Third District Councilmember Todd Gloria – Designation of Harvey Milk, Approval of the Bike Corrals, and Approval of the permit for the Pride Flag, all happened this month. Jefferson Elementary joint use – looking towards McKinley as well. City budget now has a surplus of \$16.5M, adding 5 hours to libraries and rec centers, credit rating increased, pension is fully paid. 291 miles of road repair – 10 % of the road inventory. Looking to fund the Neil Good Day homeless facility (\$.5M) and \$400K for redevelopment staff for a year transition, and tree trimming at up to \$2.5M expense, probably won't be that number.

V. Chair's Report/CPC

- **CPC Report** – Affordable housing parking study was not supported. Additionally, Betsy McCullough reviewing council policies, ad-hoc CPC committee reviewed the 600 series and voted to support the recommendations.
- Money is running out on website, transition to Brandon Hilpert as website administrator.
- Foreclosure issue will be at LU&H committee, NPPC member or Stephen Witburn will represent NPPC to the Council Committee.
- **Plaza de Panama, Circulation & Parking Structure Project Update** - National Park Service, the keeper of the National Historic Landmark designation for Balboa Park releases a letter critical of the plan. Letter is attached or at <http://sohosandiego.org/main/plazacommentnsnps.htm>
 - Balboa Park Committee voted to approve 7-4-1, no votes Stepkke, Singleton, Strickland & Dilno
 - P&R Board May 17, 2012 2 pm @ the Balboa Park Club in Balboa Park
www.sandiego.gov/parkandrecboard/index.shtml
 - Historic Resource Board May 18 2012 1 pm 202 C St 12th Flr
www.sandiego.gov/planning/programs/historical/agendas/index.shtml
 - Planning Commission June 7, 2012 1 pm 202 C St 12th Flr
planningcommission@sandiego.gov
- **Mini Park Update** – Rec council approved and passed design review committee. Will be agendized by the Parks and Rec Board in July or August.
 - Rec Council approved
 - P&R Board May 17, 2012

VI. Approval of Previous NPPC Minutes:

- Minutes will be approved at the next meeting

VII. Treasurer's Report.

- Balance \$647.02

VIII. Planner's Report - Marlon Pangilinan 619.235.5293; mpangilinan@sandiego.gov

- Status of Community Plan Update - action items

IX. Announcements & Non Agenda Public Comment

- **Utility Box/Undergrounding at Land Use & Housing City Council Committee June 13, 2012, 2 pm**
- **North Park Main Street – festival of the Arts is Sunday May 20th. Angie Landsberg** – University is closed from 30th-32nd. Many arts and music festivities as well as 2 craft beer gardens. Farmers market thursdays 3:30 – 7:00 rain or shine. Casa de Luz is having grand opening on Thursday at 6:30 with raffles and food samples. Bike corral is being installed at North Park Way and 30th in front of the Linkery.
- **NPCA – Bird Park Concerts – first concert is the 16th of June.** Details at www.northparksd.org
- **Rene Vidales – “There Goes the Neighborhood”** UCSD workshops in North Park, details at theregoes.org spearheaded by David White.
- **Omar Passons** – the NPCA meeting will not be a meeting this month at the Lafayette
- **Rick Pyles – May 23rd 8:30 PM** Hearing for Fat Boys deli liquor license.
- **Bertha – What is happening with the Post Office?** Building is being sold, private owner is marketing it.
- **Katherine Hon NPHS** – walking tour of Burlingame flyer, centennial celebration and open houses. – see flyers. NPHS is receiving awards for the Dryden district project.

X. Elected Official Reports

- **Katherine Fortner, Hon. Susan Davis, US Congressional District 53,** Katherine.Fortner@mail.house.gov - Participated at event at the Zoo with Sec Salazar to publicize tourism executive order. Presented law on refinance for military members overseas.
- **Lindsey Masukawa, Hon. Toni Atkins, State Assembly District 76,** Lindsey.Masukawa@asm.ca.gov - no update
- **Anthony Bernal, Hon. Todd Gloria, Councilmember District 3** ABernal@sandiego.gov
 - See Todd Gloria's update above
 - Working with SDG&E on El Cajon Blvd. Building

XI. Subcommittee Reports

- **Urban Design/Project Review, Robert Barry, Cheryl Dye - NP Adult Community Center, 6:00pm 1st Monday.** Did not meet, potentially no meeting in June either.
- **Public Facilities/Public Art, Dionne Carlson, Rene Vidales – NP Adult Community Center, 6:00 pm, 2nd Wednesday. Next meeting June 13, 2012** ☐ Update on Traffic Signal Modification at the intersection of University Ave. & 32nd St. Did not meet timeline for University Avenue mobility plan, therefore it will go on the City's unfunded needs list. Proposal for a sign for the bottom of Texas Street welcoming to North Park and University of Heights.
- **Utility Boxes, Cheryl Dye, Dang Nguyen - meetings on an as needed basis** – see action items below

XII. Liaisons Reports

- **Balboa Park Committee Rob Steppke** – Could not attend, Plaza de Panama project was approved. Video of the meeting is posted on YouTube and Soho's website.

- **Maintenance Assessment District Lucky Morrison** – sidewalk between 28th street and Ohio is in need of repair. Queen Palm trimming is proceeding. Urban Core has 500 free trees to give away. Yesco has agreed to do nighttime inspections of signage. Bike corrals and protections were discussed. Additional street lights are proposed – 9 new locations will be proposed. Solar lights are being repaired. Contract with Aztec is under review.
- **University Ave Mobility Plan Rene Vidales** – Draft EIR will be out for public review at the end of the month. Schedule needs to be updated.
- **Sustainable NPMS Rene Vidales** – Marlon to participate in order to have synergy with the Community Plan update. NPMS is working on grant applications.

XIII. Action Items

A. **By-law Violation Challenge Re an Action by NPPC Board Member Rick Pyles on March 20, 2012:**

Report & Possible Remedies

- a. **Marlon Pangilinan** – Letter in question distributed as well as appropriate bylaws. Letter and issues were presented to Marlon. City looked into potential violation with the City Attorney. City found that it was indeed a violation in the bylaws. Presented options for remedies:
 - i. Redo the election
 - ii. If redoing the election is not feasible the planning group may vote to remove the member by a 2/3 vote.
- b. **Public Comment**
 - i. **Katherine Morrison** – did not receive the flyer at the election. Feels that Rick is an honorable person that represents residential issues with the bars. Feels that previous election had similar issues. Would like the board to consider allocation of seats.
 - ii. **Judy O’Boyle** – served as the chair of the election committee. Painfully tried to abide to the bylaws. Saw no flyers distributed on the premises.
 - iii. **Dave Gamboa** – as a business owner (non-bar) in the community, he objects to Rick Pyles’ actions.
- c. **Board Comments**
 - i. Steven Williamson – feels defamed on the letter as being pro-bar. Was never contact by Rick Pyles regarding his opinions on the issue.
 - ii. Peter Hill – was the bylaw issue regarding trying to keep the planning committee member considered as an option. **A:** Yes
 - iii. Roger Lewis – What is the specific council policy violation? **A:** development and promotion of slates and candidates is not allowed. Coalitions cannot be created at all? That is how things are done to a certain extent. Selective enforcement is difficult. The issue lies in that the slate was promoted and identified as a member and advocated on behalf of.
 - iv. Dang Ngyuen – is there precedence? **A:** Yes but it hasn’t proceeded this far before.
 - v. David Cohen – found it to be a violation by the city planner as approved by the city attorney’s office. Rules are in effect to protect the integrity of the NPPC. Threatens upheaval in the community towards the board. Having it in writing and documentable is the issue and a blatant violation.
 - vi. Barry – agrees that it is indeed a violation. The important thing is the remedy. The letter did not effect the election and thus redoing the election is not a remedy. The bylaws need to be stressed in advance of the election. Does not support removing Rick from the board.

- vii. Vidales – does not support removing Rick. Believes that slates have happened in the past and maybe multiple slates were present at the election. Thinks the COW should address the issue.
- viii. Moczydlowsky – blatant violation of the rules is hard to get passed.
- ix. Dye – uncomfortable with the brazen violation, feels that members need better information about joining the board. Thinks the diversity on the board is important.
- x. Carlson – spoke with Leo Wilson (former chair of CPC and Uptown Planners) – believes that a slate is a board provided slate and disagrees with the City. Not a Brown Act issue. Agrees with Cheryl.
- xi. Pyles – would like to apologize, did not intend to break the rules. Letter was written in response to questions from neighbors and friends. Thinks that the statement about the 5 incumbents indicates that he was not running a slate. Doesn't think it is brazen or blatant. Was speaking for himself and not the committee and refutes the premise that he has done so in the neighborhood or previously. The prescribed methodologies for such a violation was not followed properly. Was shocked that he was up for removal.
- xii. Morrison – understands the interpretation but doesn't believe that this is an infraction.
- xiii. Passons – is a rule follower, did happen during the meeting. Issue is not Rick but the blatancy and brazen. Believes that the remedies are appropriate.

MOTION: Vote to accept the City Attorney second recommendation to vote on removing Rick Pyles by a 2/3 vote of the committee. Cohen/Passons. 5-9-0 (Passons, Moczydlowsky, Cohen, Ngyuen, Williamson voting yes)

- xiv. Alternative motion
- xv. Lewis – thinks censor is appropriate. Doesn't support the unwitting – *friendly amendment*.
- xvi. Ngyuen – doesn't think that the education is a remedy
- xvii. Cohen – sets the precedence that we don't consider the rules serious
- xviii. Barry – doesn't like the motion, thinks that threats to the next election is not helpful
- xix. Vidales – wants to work together
- xx. Moczydlowsky – *friendly amendments*
- xxi. Dye – doesn't necessarily agree that there was a violation. *Friendly amendment – not accepted.*
- xxii. Carlson – thinks electioneering and running a slate are different.
- xxiii. Pyles – clarify that he did not wittingly violate
- xxiv. Carlson – would not support the removal
- xxv. Cohen – issue is that there is a violation and ignorance is not an excuse.
DISAGREEMENT AS TO WHAT WAS SAID, ADDITIONAL MINUTES HAVE BEEN STRIKEN
- xxvi. Dye – Does not think that the election was changed
- xxvii. Williamson – never had a chance or opportunity to defend himself
- xxviii. Passons – thinks that Roger's point about electioneering is a fair point, wants to be above reproach.
- xxix. Moczydlowsky – violation without penalty suggests that is ok in the future
- xxx. Morrison – city opinion differs from his. Doesn't believe that it is a violation

- xxxi. Barry – have not exhausted options for remedy. Thinks there are other possible remedies.
- xxxii. Granowitz – thinks that there is something to be said for censoring Mr. Pyles

MOTION: We the board members of the North Park Planning Committee, do not consider the elections rules violation committed by NPPC Board Member Rick Pyles to be of sufficient significance as to warrant any action by this board as to Mr. Pyles membership thereof. It is our view that an effort to improve our Board members’ education and awareness of NPPC rules and regulations constitutes sufficient remedy for the rules violation in this case. Carlson/Morrison 10-4-0 (Passons, Cohen, Ngyuen, Williamson voting no)

- B. **General Issues Re Elections/NPPC Bylaws & CP600-24** ☐ Statements by Candidate who are unable to attend election ☐ Individuals Identifying themselves as NPPC Board members & non-official communications ☐ Fliers ☐ Slates ☐ Electioneering ☐ Other **DEFERRED Moczydlowsky/Passons 14-0-0**
- C. **Presentation/discussion of Greater North Park Community Plan Update Draft Planned Land Use Map and response to community plan update format questions.** Marlon Pangilinan
 - a. Presenting maps and recommendations, vote doesn’t need to occur tonight. Would like feedback and comments. See attached NPPC Community Plan Update handout (NPCPUQuestions_051512.docx)
 - b. Public Comment
 - i. Emily – small lot ordinance, how does that effect the Community Plan Updates.
 - ii. Adam Cook – is there another charrette coming up? **A:** Probably not due to budget
 - c. Board Comment
 - i. Moczydlowsky – need to have granny flats and companion units. Can we get the actual GIS data?
 - ii. Carlson – is this on the cities website? Yes. You can still contact the board and Marlon directly. Where does lot size correlate – footnotes.
 - iii. Dye – wants to point out the questions and correspondence.
 - iv. Vidales – are the higher densities in line with SanDAG’s smart growth?
 - v. Barry – will talk about this in Urban Design subcommittee. Categories are designed to be inline with the 1988 plan. Impacts cumulatively to changes need to be presented.
 - vi. Cohen – how would individuals change their designation – plan
 - vii. Lewis – schedule concern is paramount #4 on Cheryl’s list.
- D. **Board Responsibilities Vicki Granowitz** ☐ **Updating NPPC Standing Rules** ☐ **Documenting Board Attendance on Minutes DEFERRED D.E.F until next month. Moczydlowsky/Ngyuen 14-0-**
- E. **Boundary Adjustment Next Steps CPC/Uptown Planners/UHCA/NPCA DEFERRED D.E.F until next month. Moczydlowsky/Ngyuen 14-0-0**
- F. **Utility Box Update Cheryl Dye DEFERRED D.E.F until next month. Moczydlowsky/Ngyuen 14-0-0**

XIV. Unfinished, & Future Agenda Items

- Potential presentation on Lewis plan is an alternative to the Plaza de Panama.

XV. Next Meeting Date: June 19, 2012

XVI. MOTION to ADJOURN: Vidales/Passon 14-0-0. Meeting adjourned at 9:42 p.m.

Submitted by: Carl Moczydlowsky