

MISSION BEACH PRECISE PLANNING BOARD (“MBPPB”)

AGENDA: Tuesday, January 15, 2019 @ 6:45 PM

**Place: Santa Clara Recreation Center, 1008 Santa Clara Place, Mission Beach
(Bay Room)**

[<http://www.sandiego.gov/planning/community/profiles/missionbeach/agendas.shtml>]

Opening Functions

Call to Order
Approval of November 2018 Minutes

Administrative Items

Revisions to Agenda
Chair’s Report
Secretary’s Report

Public Comment (Time allotted to each speaker is determined by the Chair and, in general, is limited to 3 minutes/per speaker for non-Agenda Items within the purview of the Board.)

Reports from Government Officials

Building Plan Review

None

Board Communication

Action Items:

- **Vote to Retake Vote to Remove Sanctioned Board Member Gary Wonacott for Cause**
(Note: *Sanction Motion and Documentation of 14 Violations from April – September 2018* is included with the Agenda)
- **Vote to Remove Sanctioned Board Member Gary Wonacott for Cause**
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New Business

Adjournment

Our next meeting will be held on **Tuesday, February 19, 2019 at 6:45 PM** at the Santa Clara Recreation Center (Bay View Room). Submit Agenda Items to Chair Debbie Watkins 10 days PRIOR to the scheduled Board meeting at dkwatks@aol.com. **The Board is dark in August and December.**

**Mission Beach Precise Planning Board (“MBPPB”)
January 15, 2019 Agenda Action Item:
Vote to Remove Sanctioned Board Member Gary Wonacott for Cause**

**SANCTION MOTION AND DOCUMENTATION OF 14 VIOLATIONS
FROM APRIL – SEPTEMBER 2018 OF SANCTIONED BOARD MEMBER
GARY WONACOTT**

At the MBPPB meeting of April 17, 2018 the following motion was duly made and passed by the Board:

“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]

Since April 17, 2018, Mr. Wonacott has:

1. On May 15, 2018 at the MBPPB Meeting during *Public Comment of Non-Agenda Items*, Mr. Wonacott handed out a copy of a document posted on the Mission Beach Town Council Website titled “Current Mission Beach Key Issues – May 2018.” The document shows that “D. Watkins has attempted to have MB carved out of the City of SD STR regulations without approval of the MBPPB Board which are forthcoming....someday.”

The document and posting alleges impropriety by Chairwoman Watkins and violates Mr. Wonacott’s promise to be constructive and cooperative.

2. On May 16, 2018, Mr. Wonacott sent an email to the Chairwoman questioning an item brought up at the May 15th MBPPB meeting regarding Mr. Wonacott’s “potential violation of the Brown Act....” He concluded the email by writing “Please send me a copy of the final minutes and I will decide what to do, but several members of the audience saw last night’s show for what it is, an inquisition.”

This email violates Mr. Wonacott’s promise to not send emails to board members. Further, referring to a MBPPB meeting as in “inquisition” violates the promised spirit of being constructive and cooperative.

3. On June 19th at the MBPPB meeting, Chairwoman Watkins was absent and the meeting was chaired by Vice-Chairman Gernot Trolf. Following the meeting, Mr. Trolf documented behavior by Mr. Wonacott during the meeting:
 - a. “At about halfway through Gary Wonacott...started disrupting the meeting by asking questions out of turn and continuing to argue when asked to stand down.”
 - b. “He (Mr. Wonacott) would not listen to the Vice Chair....”
 - c. “He (Mr. Wonacott) continued to interrupt any and all agenda points and would not stop talking when asked to by the Vice Chair or other Board members.”
 - d. “At one point it became so bad that the Vice Chair had to stop the agenda to tell Mr. Wonacott to quit talking but he would not until several other Board Members told him to behave and listen to the Vice Chair trying to conduct the meeting.”

- e. He (Mr. Wonacott) succeeded in inviting the audience to participate in adding new resolutions to the next Board Meeting in July against the express wishes of the Vice Chair.
- f. “His (Mr. Wonacott) disruptive behavior and ongoing talking caused several Board Members again to tell him to ‘shut up’ which he finally did....”

Mr. Wonacott’s behavior at the meeting violates Council Policy 600-24 Article VI, Section 1: “No member shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the planning group’s agenda.”

- 4. Regarding the June 19, 2018 MBPPB Meeting, Chairwoman Watkins received an email from Board Member “A” on 7/21/18 documenting a statement made by Mr. Wonacott to Board Member “A” after Board Member “A” pointed out a procedural issue to Mr. Wonacott during *Public Comment of Non-Agenda Items* clarifying that board members “are not suppose to comment on statement made during public comment except to clarify a minor point that it (sic) not part of the major subject comment.” Mr. Wonacott made the statement “Let’s go outside” to Board Member “A,” which was heard by 3-4 Board Members sitting by Board Member “A”. Board Member “A” wrote – “I did not know if that was to go outside and get in a fight or he [Mr. Wonacott] wanted to talk.”

This comment by Mr. Wonacott violates his promise to be a constructive and cooperative member of the Board.

- 5. On June 28, 2018, Mr. Wonacott sent an email to board Chairwoman Watkins regarding the STRO proposal. In the email, he states “You have no authority to represent the board position on this issue. In fact, your meeting on the 12th is about six months too late....There is much more going on, but based on your past history, I don’t think I can trust you with the information.”

Chairwoman Watkins replied in an email to Mr. Wonacott later that day, defending herself, to which Mr. Wonacott responded “...except it is my opinion that when you forwarded all of the email from the ANAC Subcommittee and other members of the public working on the recommendations to Sjohnna Knack, you violated your trust to the Subcommittee, you (sic) duty to the MB community and to the MBPPB....Your actions were unethical.”

These emails violate Mr. Wonacott’s promise to not send emails to board members. Further, the email’s contentious tone and allegations of misconduct by the Chairwoman violate Mr. Wonacott’s promise to be constructive and cooperative.

- 6. On June 29, 2018, Mr. Wonacott sent a lengthy email to Chairwoman Watkins regarding the “MBPPB STR Special Meeting” along with numerous copies to a host of government officials including Mayor Faulconer, the entire City Council and numerous others.

In the email, Mr. Wonacott alleges misconduct by the Chairwoman – “We [MBTC] have requested you to add these [multiple resolutions] to your agenda, which you have repeatedly rejected in favor of a 2015 position, which has been outdated since 2015.”

Later in the same email, Mr. Wonacott alleges impropriety by the Chair – “In addition, at a recent gathering of representative from town councils and planning boards called by Councilmember Zapf, without authorization of your board, you promoted the carve out of Mission Beach from the STRO proposal, much to the disdain of residents of Mission Beach who attended the meeting. Clearly, you have in mind an approach that uses the PDO to implement restrictions unique to Mission Beach, but not only must the PDO proposal pass a council vote (unlikely), but must also pass review by the California Coastal Commission. Members of your MBPPB who have attended the MBTC meeting continue to promote a 7-day minimum for Mission Beach, which has been rejected by the coastal commission, repeatedly.”

Later in the email, Mr. Wonacott disparages the MBPPB's position on STVR's – "The town council does not believe the PDO is in play at this point, and therefore, there is no more reason to consider the MBPPB vote of its board any more binding than a vote of the MBTC membership"

Later in the email, Mr. Wonacott seeks collective concurrence against the mayor's then proposed STRO proposal saying in part – ". . . that the mayor's primary plus one is nothing more than a PR campaign" And that "the MBTC believe that there should be ample opportunity to educate our constituents about the potential negative impact of the ordinance"

This email violates Mr. Wonacott's promise to follow the letter and spirit of the Board's By-laws, Council Policy 600-24 and the Brown Act seeking collective concurrence on an upcoming MBPPB agenda item. It violates his promise to not send emails to board members. Further, the email's contentious tone violates Mr. Wonacott's promise to be constructive and cooperative.

7. On June 30, 2018, Mr. Wonacott posted on Next Door regarding "Short Term Rentals" – "The Mission Beach Precise Planning Board will conduct a special (sic) on the Subject on July 9th. Please come out and express your opinion on the carve out of MB from the mayor's STRO, promoted by the MBPPB Chair without her board approval...."

The same post goes on to make arguments about why the "...carve out is really bade (sic) for MB, but then so is the plus one...."

This post alleges misconduct by the Chair and violates Mr. Wonacott's promise to follow the letter and spirit of the Board's By-Laws, Council Policy 600-24 and the Brown Act seeking collective concurrence on an Agenda Item ahead of a MBPPB meeting. The post violates his promise to be constructive and cooperative and not post on Next Door.

8. On July 2, 2018, MBPPB Chairwoman sent an email to board members with the July 9th *Special Meeting* Agenda regarding the Mayor's STRO Proposal. The email also advised that a public notice of the Agenda would be posted on NextDoor to inform the community about the meeting. In the email, Chairwoman Watkins emphasized (in bold font) that board members should "...refrain from posting your comments on my post as this can be construed as a violation of our Bylaws and the Brown Act..."

Later on July 2nd, Mr. Wonacott posted two (2) comments within hours of the Next Door posting by Chairwoman Watkins.

The postings on Next Door violate his promise to be a cooperative member of the board.

9. (a) On July 2, 2018, Mr. Wonacott sent an email to Chairwoman Watkins regarding the STRO Proposal and the July 9th *Special Meeting*. He wrote "OK, fine, we can spend the meeting talking about your comments below about your unauthorized contact with the mayor's office. Carve out or no contact, I don't think this is good for you. We can spend the whole meeting discussing your ethics not only on STRs, but also on the airport issue."

The email alleges misconduct by the Chairwoman and violates Mr. Wonacott's promise to not send emails to board members. Further the e-mail's contentious tone violates Mr. Wonacott's promise to be constructive and cooperative.

- (b) On July 3, 2018, the Chairwoman sent an email response to Mr. Wonacott informing him that his July 2nd email is a violation of the MBPPB Bylaws and the Brown Act relating to seeking a collective concurrence on future Agenda Items, and the April 17th Sanction Motion he agreed to. In addition, Mr. Wonacott was advised that if he continues the current level of email activity, this activity will result in an agenda item requesting his removal from the Board.

10. On July 11, 2018, Chairwoman Watkins received an email from Board Member “Z” documenting a conversation Board Member “Z” had with Mr. Wonacott following the Special Meeting of the MBPPB on July 9th. Board Member “Z” reported that the conversation about an item that had come up at the board meeting deteriorated when Mr. Wonacott told Board Member “Z” to “f... off”. Board Member “Z” replied “Really, I can’t believe you just said than (sic)” to which Mr. Wonacott replied “Well I did”.

The inflammatory language violates his promise to be a constructive and cooperative member of the board.

11. On July 28, 2018, Mr. Wonacott made a post on Next Door complaining that “Our representatives to the airport noise committees were hand picked by the AA, and are not asking the questions that will potentially protect us.”

Later in the same post in response to a reply, Mr. Wonacott posted “...I sat with Gernot for over an hour about this issue. I asked him some fundamental questions. No Answers. He should be removed from the CAC.”

Later in the same post, Mr. Wonacott posted “Using FLightracker (sic), I measured a horizontal distance at the closest point from those aircraft on PADRZ to Gernot’s house address at 1 mile. This compares with a distance for these same aircraft over our houses at about 2,000 feet. I am planning a FLightracker demonstration at the next MBPPB meeting, or perhaps Gernot shows us how this works.”

Later in the same post in response to a reply, Mr. Wonacott posted “I have spoken with both Ms. Watkins and Mr. Trolf. Neither is technically qualified to sit on these committees....they have contributed nothing to the conversation, little lone (sic) the defense of Mission Beach...”

Later in the same post in response to a reply, Mr. Wonacott posted “...So, either Debbie and Gernot cannot understand this recommendation by the ANAC Subcommittee from last year, or they are simply responding to AA people who want to move more aircraft over you (meaning north MB)”

Together, these posts on Next Door violate his promise to be constructive and cooperative and not post on Next Door and specifically not post about Ms. Watkins.

12. On or about August 1, 2018, Mr. Wonacott posted on Next Door “...The AA has handpicked the representatives from MB to ensure that the residents will have little chance to get our concerns voiced. While other communities have real experts on these committees, pilot and or engineers, MB has two people with virtually no knowledge of aircraft noise related issues, and therefore, they rarely speak little (sic) lone (sic) speak up about our concerns. If the residents of MB want to stop the increase in aircraft over us, then the first step is to replace these two individuals. I have a petition that I will be circulating to collect names to replace these two representatives....”

The post violates Mr. Wonacott’s promise to follow the letter and spirit of the board’s By-Laws, Council Policy 600-24 and the Brown Act seeking collective concurrence to have a board matter overturned. Further, the post violates his promise to be constructive and cooperative and not post on Next Door.

13. On August 2, 2018, Mr. Wonacott posted on Next Door “...Since our representative to the ANAC has acted as such an obstructionist to Mission Beach residents, we have had to work with others....I believe it is time for Ms. Watkins to step down and appoint a new representative to the Airport Noise Advisory Committee (ANAC) with the technical credentials and commitment to our community....”

This post on Next Door falsely alleges misconduct by the MBPPB’s ANAC Representative (Debbie Watkins) and violates Mr. Wonacott’s promise to be constructive and cooperative and specifically not post comments about Debbie Watkins on Next Door. The post also seeks collective concurrence to pressure Ms. Watkins to step down.

14. On September 20, 2018, Mr. Wonacott sent an email to Chairwoman Watkins regarding “Appointment of ANAC Representatives” saying – “Effectively you either intentionally or unintentionally misrepresented the changes in the by-laws as shown in the April MBPPB Minutes copied below. I like to think that it was unintentional.”

Later in the same e-mail Mr. Wonacott went on to say – “ I would request then that you immediately notify the Airport Authority that you are resigning your position and that the MBPPB at our October meeting will pick the MB ANAC representative...If I do not hear back from you within five days that you are taking the actions I have outlined above, then I will be forced to elevate this issue.”

The e-mail violates Mr. Wonacott’s promise to not send e-mails to board members and the threatening tone violates the promised spirit of construction and cooperation.