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More on the Dark Side of Balboa Park



On Sunday Mayor Todd Gloria dodged a question about the troubled 2015 Balboa Park Celebration during a *UT-San Diego* interview by essentially blaming his predecessor for the mess.

Yesterday I [explored](#) the failure of the city-created non-profit to actually accomplish much in the way of concrete plans while spending millions of dollars in taxpayer dollars. The group has burned through three CEO's, two events planning companies and has the audacity to claim its records are not subject to public scrutiny.

Today I'll share a little history about the upcoming centennial challenging the essential "truthiness" of Gloria's statement.

George Mullen wrote a whole series of op-eds and letters to the editor at *Voice of San Diego* prior to and in the early months of the Filner administration, repeatedly warning about impending troubles with the 2015 Balboa Park Celebration. One might have thought at the time that his essays amounted to sour grapes, because his efforts to get involved with the centennial were rebuffed at every turn.

But now, Mullen's insights look remarkably prescient.

From *Voice of San Diego* (March 5, 2013):

The state of San Diego's 2015 centennial celebration, or, rather, lack thereof, is the direct result of a hotelier power grab. Let me explain; I authored three op-eds (two in U-T San Diego and one in VOSD) outlining a visionary approach for our centennial. The articles prompted many civic

leaders and Balboa Park aficionados to give the ideas significant attention, and many encouraged me to be a participant in the planning. Simultaneously, however, the TMD gave \$300,000 as seed capital to the centennial organization. In reality, this donation was the hoteliers buying the centennial on the cheap (ironically, with taxpayer money), and stacking its board with their people....

...In December 2011, Mark Germyn *resigned as CEO* of the centennial. Bill Havaluk and I saw that the centennial was in deep trouble, and we promptly put our hat in the ring to apply for the position....

...Astonishingly, the centennial board leadership never responded to our multiple inquiries. *Havaluk, one of the most experienced theme park operators in America with an expertise in attracting large numbers of people and accommodating them in event settings, didn't even warrant a call back? We even had esteemed civic leader Malin Burnham listed as our main reference, with his permission to do so. Instead, hotelier lobbyist and front man Mike McDowell (with no experience in this realm) was suddenly *hired as CEO* of the centennial, with hotelier Terry Brown (chairman of the TMD) signing on to pay half of McDowell's \$200,000 salary and benefits package. An audacious conflict of interest to be sure, but who would dare question the hotelier's motives in "their" town? Clearly, the event was no longer a San Diego or Balboa Park centennial; it was now a "hotelier centennial," where filling hotel rooms, especially in the difficult off-season, would be the priority.

(*Havaluk is the retired CEO of LEGOLand)

In a [follow up article](#) on March 19th, he raised even more questions, asking about who was on the board of the organization, what their relationships were with "San Diego's hoteliers, the Tourism Marketing District, the Tourism Authority (formerly ConVis) and the Convention Center — past and present, direct and indirect."



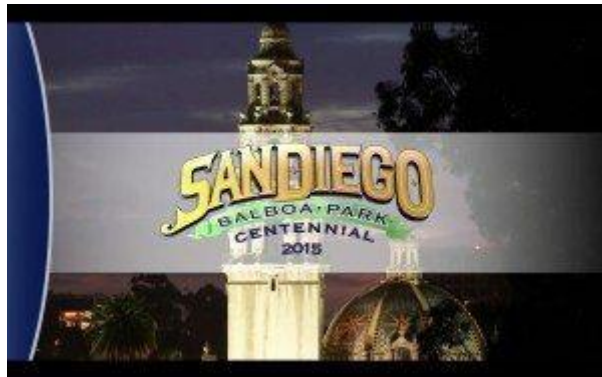
And then there was [this](#):

The hoteliers put on a full-court press to push at least three hotelier-benefiting measures through the City Council before then-Mayor-elect Bob Filner's inauguration on Dec. 3. First, a "\$445,916 increase in funding for the hotelier's centennial (approved by council on Nov. 13); second, a *TMD extension of 40 years* whereby the hoteliers would have control over a 2-percent tax levied on visitors to most San Diego hotels (approved by council on Nov. 26); and third, a *Bahia Resort Hotel 40-year lease extension* on prime city-owned land along Mission Bay (approved by council on Nov. 26). The common thread in each case was a rapid transfer of significantly more taxpayer and city

treasure to the hotelier's control. Alarm bells, anyone? If these hotelier measures were truly in the best interests of San Diego, why the mad rush? Or was this the hoteliers self-dealing again, desperately trying to set themselves up for another "40 years" before their grip on the mayor's seat and power went kaput?

Of course, history here has been re-written by the victors now that Bob Filner has been vanquished, and all San Diegans are supposed to believe the ex-mayor's actions towards the hotelier cabal were irrational, anti-business and probably triggered by a lust for sex and power...

Calling the Fox to Guard the Hen House



This morning's edition of *UT-San Diego* has mayor-elect Kevin Faulconer calling for the centennial group to open up its books and promising "a celebration that San Diegans deserve."

Anybody care to bet who he'll put in charge of cleaning up the centennial plans? If you've guessed somebody connected with the Tourism Marketing District you're probably a winner.

Citizen activist David Lundin, whose requests for information had much to do with current whiff of scandal surrounding the Balboa Park group, sent me a copy yesterday of [an opinion](#) released by the City Attorney's office in March 2012, concerning the Conservancy, a parallel organization charged with longer term fundraising and management of Balboa Park. In form and substance it shares nearly all the attributes of the Balboa Park Celebration, Inc.

The opinion was requested by none other than Gerry Braun, then Director of Special Projects for Mayor Sanders, and now ensconced as the public relations guru at the Balboa Park Celebration, Inc.

After 14 pages of hemming and hawing over whether the Conservancy was covered under the Ralph M. Brown Act (Brown Act) and the California Public Records Act (PRA), Jan Goldsmith concluded:

Although it is not entirely clear under available case law, based on the totality of the facts at hand and the proposed relationship between the City and the Conservancy, a court would likely find that the City played a role in bringing the conservancy into existence, that the Conservancy was created to take a role in the funding, management, and governance of Balboa Park including the exercise of authority to be delegated by the City, and that as such, the board of the Conservancy is a legislative

body under the Act. As a legislative body under the Brown Act, the Conservancy is also a local agency subject to the California Public Records Act.

The Brown Act, the State Constitution, and the City Charter mandate government decision making that is open to the public. Consistent with the spirit and intent of these laws and with City policy, we recommend that the City treat the Conservancy as a Brown Act entity and require, as part of the Proposed Agreement, compliance with the Brown Act and the Public Records Act.

Combining what we've gleaned from both George Mullen and David Lundin it's not a stretch to conclude that more than vague promises are in order when it comes to cleaning up the Balboa Park mess.

Here's the text of an email from Lundin to me with his suggestions on how to proceed:

I suggest a full investigation, an immediate cessation of funding to BPCI and a demand that any funds on hand be returned, and that the 100th be changed from the Disney on Parade style crap, to perhaps 4 large, 3- day weekend Events during 2015. The Arts, Science & Technology, other broad themes.

AND that the City of SD, County, Cities within the County and private donors fund an endowment for the Park, and also target the reconstruction of one of the original 1915 buildings that have been demolished over the years. Perhaps the Science and Education building that was where the West Wing of the SDMA [Garden Cafe and Copley Auditorium] is now. The new building has potentially fatal soils and engineering issues. The old facade could house a new interior to serve the museum's needs, \$20-30 million perhaps.

Let the Centennial be a celebration of the Park, its history and a gift to its future.

That just sounds waaay too logical. It's much more likely that Bob Filner will get the blame. The fact that the centennial celebration group was created by former mayor Jerry Sanders and is/has been staffed with his cronies will be ignored.