May 8, 2012

Mr. Whitney,

Mary Wright asked me to respond to your recent inquiries regarding actions of the La Jolla Community Planning Association (LJCPA) and the Post Office meeting notice, projects within La Jolla and your inquiries regarding proposed LJCPA bylaw changes.

1. Post Office

Your letter dated April 22, 2012, raised the issue of proper noticing of agenda items. The LJCPA posted on their March agenda, item 8D, President’s Report “Save the La Jolla Post Office” with a brief description as follows, “whether to support the La Jolla Historical Society’s efforts to save the La Jolla Post Office”. The final minutes reflect that the motion carried 11-1-1 to send a letter to support the La Jolla Historic Society’s effort to save the Post Office. It did not appear that there was a violation of the Brown Act with the March agenda.

In regards to the perceived Council Policy 600-24 and Brown Act violations regarding the email for the “Save the Post Office Task Force”, staff inquired with the LJCPA President Tony Crisafi regarding the recent email to members. It was confirmed by staff with Council District 1 and Tony that the email was sent out in response to a request from the Council Office to ensure that members of the community were aware of the upcoming meeting regarding the Post Office. Staff agrees that seeking a collective concurrence on an upcoming issue to be brought before the La Jolla CPA board should be avoided and would constitute a violation. The title of the Task Force could be construed to represent an opinion and had there been an upcoming LJCPA agenda item scheduled in the foreseeable future regarding the Post Office then sending out information with an opinion could be construed as an attempt to develop a collective concurrence.

Future concerns over alleged violations by a member of the La Jolla Community Planning Association should be directed to the President of the LJCPA, pursuant to the Administrative Guidelines, Article IX (a) Alleged Violations by a Member of the Planning Group. If the complaint is about the President, it may be presented to any other officer of the planning group. Council Policy states:

“It is the responsibility of the planning group, not the City, to address alleged violations of CP 600-24 by individual members. CP 600-24 does not contemplate either CPCI (Development Services) or the City Attorney taking decisive action against planning group members for violations of CP 600-24, although CPCI may, upon request by a planning group, offer advice on how to proceed, based on experience with how other planning groups have addressed similar situations.”

Consistent with this policy, the President of the La Jolla Community Planning Association should vet perceived allegations with the full board for a review of the details and provide a remedy if there is need for one.

2. El Paseo Grande

In regard to your questions regarding the two projects on El Paseo Grande, please contact Gary Geiler at (619) 446-5366 or GGeiler@sandiego.gov with the Entitlements Division of the Development Services Department. He is familiar with both projects and could best answer your questions.

3. LJCPA Bylaw Amendment

Please see the attached City comments sent to the LJCPA regarding the proposed LJCPA bylaw amendment. These are combined comments from the Planning Division and the City Attorney’s office. The LJCPA will be reviewing and revising the bylaws in response to these comments for resubmittal to the City. Please note that on the issue of planning group appeals, the Administrative Guidelines for Council Policy 600-24 (see Article VI, Section 2.a.viii) permit planning groups to automatically file appeals on projects that have been recommended for denial by the planning group.

Please feel free to contact me at (619) 235-5208 or at lhenegar@sandiego.gov if you have further questions.

Lesley Henegar