



## THE CITY OF SAN DIEGO

August 27, 2014

Mr. La Cava  
President, La Jolla Community Planning Association  
P.O. Box 889  
La Jolla, California 92037

Re: La Jolla Community Planning Association's March 2014 Trustee Election.

Dear Mr. La Cava:

The Planning Department and City Attorney's Office recently met with you and the officers of the La Jolla Community Planning Association (LJCPA) regarding the LJCPA March 2014 Trustee Elections. At issue was the lack of compliance with the LJCPA Bylaws regarding the seating of a newly elected candidate, Mr. Michael Morton. As a result of the LJCPA's position to not seat Mr. Morton, an election challenge was brought forth by Mr. Whitney. The City recommends that the LJCPA complies with its currently adopted bylaws and City Council Policy 600-24, as described below, and seats the newly elected candidate, Mr. Michael Morton. Unless this occurs, City staff will proceed with the process to recommend that the City Council remove the LJCPA's status as a recognized community planning group.

What follows is a brief summary of the issues related to the election challenge, including references to the relevant portions of the LJCPA Bylaws and Council Policy 600-24.

At the end of the voting at the March 2014 LJCPA elections, there were six candidates on the election ballot combined with three write-in candidates. All candidates received votes and the two termed-out candidates received more than 2/3 votes of the general membership. The LJCPA Bylaws state in several places (see below) that new candidates should be sought, that write-in candidates are allowed, and that if enough new candidates are forthcoming, they should be seated first, only then may a termed out candidate receiving more than a 2/3 vote be seated. Following the direction of the LJCPA Bylaws would have meant that Michael Morton, a new candidate, would have been seated. However, Mr. Morton was not announced as winning a seat on the Board of Trustees that evening.

Following that meeting, the officers and city staff discussed options for compliance with the LJCPA Bylaws and City Council Policy 600-24. Long Range Planning staff has consulted with the City Attorney's office further and recommends that the LJCPA abide by the LJCPA Bylaws and Council Policy 600-24, relevant portions of which state:

**LJCPA Bylaws, Article III, Section 3:**

"No person may serve on the LJCPA for more than six consecutive years." "The LJCPA will



actively seek new members to the extent feasible.” “Trustee terms shall otherwise conform to Council Policy 600-24, Article III, Section 3.”

**LJCPA Bylaws, Article V, Section 3:**

“In the election process, the LJCPA shall seek enough new Trustee candidates to exceed the number of Trustee seats open for election in order to allow those who have served for six consecutive years to leave the group for at least one year.”

**LJCPA Bylaws, Article V, Section 4:**

“Write-in candidates are allowed.”

**LJCPA Bylaws, Article V, Section 6:**

“The annual election becomes final one week after announcing the validated election ... if no challenge to the election results has been filed.”

**Council Policy 600-24, Article III, Section 4:**

“A planning group member who has served eight or nine consecutive years may appear on the ballot with new candidates. After open seats are filled with qualified new members, and if open seats still remain, the following provisions may be utilized: a member may serve in excess of eight or nine (6 years in La Jolla) consecutive years if that person is reelected to a remaining open seat by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election.”

An election challenge was lodged by Mr. Whitney within the prescribed time frame after the March election. Because of that, the election was not finalized at that time. City staff sent a letter to the LJCPA dated June 26, 2014, recommending that the LJCPA take action to seat Mr. Michael Morton. The LJCPA considered the letter, but voted 7-5-1 to not follow the City’s recommendation to seat Mr. Michael Morton at the August 7, 2014 meeting.

The following LJCPA bylaw provisions apply:

**LJCAP Bylaws, Article IX, Section 4E:**

“Alleged violations by the LJCPA as a whole:

“If a violation against the LJCPA as a whole is proven and there is failure of the LJCPA to take corrective action, the LJCPA will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated group’s rights to represent its community shall be based on a recommendation by the Mayor’s Office to the City Council. The LJCPA shall not forfeit its recognized status until there is an action by the City Council to remove its status. The City Council may also prescribe conditions under which official recognition will be reinstated.”

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Letter to Mr. La Cava

Therefore, based upon the above provision, the next step would be for City staff to schedule this item for City Council as an action item to remove the LJCPA as the recognized group as outlined in Council Policy 600-24, unless the LJCPA chooses to remedy the election challenge by seating Mr. Michael Morton.

Please feel free to contact Brian Schoenfisch if you have any further questions at (619) 533-6457.

Sincerely,



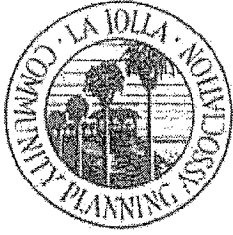
William Fulton  
Director, Planning Department

WF: lhh

Attachments:

1. Meeting minutes from La Jolla Community Planning Association, April 3, 2014
2. La Jolla CPA General Election Final Results

cc: Lesley Henegar, Senior Planner, Planning Department  
Brian Schoenfisch, Program Manager, Planning Department  
Nancy Bragado, Deputy Director, Planning Department  
Shannon Thomas, Deputy City Attorney, City Attorney's Office



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Voicemail: 858.456.7900  
info@LaJollaCPA.org

## La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month  
La Jolla Recreation Center, 615 Prospect Street

President: Joe LaCava  
First Vice President: Bob Steck  
Second Vice President: Patrick Ahern  
Secretary: Helen Boyden  
Treasurer: Nancy Manno

**Thursday, 3 April 2014**

### FINAL MINUTES – REGULAR MEETING

Trustees Present: Patrick Ahern, Cynthia Bond, Helen Boyden, Bob Collins, Dan Courtney, Janie Emerson, Jim Fitzgerald, Nancy Manno, Robert Mapes, Phil Merten, Alex Outwater, Jim Ragsdale, Ray Weiss, Rob Whittemore, Frances O'Neill Zimmerman.  
Absent: Gail Forbes, Joe LaCava, Bob Steck.

1. **Welcome and Call To Order:** Patrick Ahern, Second Vice-President, at 6:05 PM
2. **Adopt the Agenda**

**Approved Motion: Motion to modify the posted draft Agenda to remove item 15 and postpone it for 30 days. (Collins, Whittemore: 11-0-1)**

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore  
Abstain: Ahern (Chair)

### 3. Elections

- A. Ratification of Election Committee – Action Item  
Member Bob Whitney commented.

**Approved Motion: To ratify the Election Committee as appointed in January: Janie Emerson, Helen Boyden, Tom Brady, Jim Fitzgerald and Gail Forbes with Mr. Fitzgerald later withdrawing as he became a candidate. (Manno, Merten: 11-0-1)**

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore  
Abstain: Ahern (Chair)

### B. Officers' Response to the Election Challenge- Information Only

The La Jolla Association's (represented by Member Bob Whitney) and Trustee LaCava's responses to the Officers' Response have been posted in the Public Document and will be considered a part of the minutes. Also included in the Public Documents as well, are the original challenge, the Officers' Response and a response from the City Attorney.

Outgoing President Crisafi reported that the LJCPA election was held on March 6, 2014. On March 11, a challenge to the election was received from the La Jolla Association. On March 19, the officers met to discuss the challenge and issued a response on March 25. On March 31, a response to the Officers' Response was received from The La Jolla Association. These documents are on file and on the table in the back of the room. Mr. Crisafi had been in contact with Lesley Henegar, Community Planner for La Jolla, and had provided her with all the relevant information and documents. Responses received from Ms. Henegar and the City Attorney's office indicate they are taking no exception to the Officer's Response at this time.

### C. Certify Election

Trustee Boyden read the vote count for the election as presented by the Election Committee Chair, Trustee Emerson. Seventy-nine (79) members cast ballots. Candidates on the ballot in alphabetical order: Bob Collins, 66 votes; Jim Fitzgerald, 68 votes; Joe LaCava, 68 votes; Michael Morton, 14 votes; Alex Outwater, 67 votes; Peter Ovanessoff, 26 votes. Write-in votes: Robert Mapes, 49 votes; Jim Ragsdale, 54 votes; Rob Whittemore, 58 votes. Candidates elected to three-year terms were: Bob Collins, Jim Fitzgerald, Joe LaCava, Alex Outwater; Jim Ragsdale, Rob Whittemore. Candidate elected to a one-year term: Robert Mapes.

**Approved Motion: To elect Helen Boyden as Secretary of the LJCPA (Manno, Whittemore 12-0-2)**

In favor: Bond, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman  
Abstain: Ahern (Chair), Boyden

**E. Treasurer**

Trustee Whittemore nominated Trustee Manno for Treasurer of the LJCPA.

**Approved Motion: To elect Nancy Manno as Treasurer of the LJCPA (Whittemore, Merten: 12-0-2)**

In favor: Bond, Boyden, Collins, Courtney, Emerson, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman  
Abstain: Ahern (Chair), Manno

Member Tim Lucas rose to a point of information: Was there now a vacancy on the Board of Trustees? The Chair stated yes and Trustee Whittemore stated that there would be an election within 120 days with an Election Committee to be appointed, likely next month.

Given the absence of newly-elected President LaCava and First Vice President Steck, Second Vice President Ahern continued to chair the meeting.

**5. Meeting Minutes Review and Approval – 6 March 2014**

**Approved Motion: To approve the Minutes of the LJCPA Membership meeting of March 6, 2014 (Whittemore, Emerson: 12-0-2)**

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Whittemore, Zimmerman  
Abstain: Ahern (Chair), Weiss (Absent)

**Approved Motion: To approve the Minutes of the LJCPA Regular meeting of March 6, 2014 (Emerson, Collins: 8-0-5)**

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Merten, Zimmerman.  
Abstain: Ahern (Chair), Weiss (absent). Mapes, Outwater, Ragsdale, Whittemore (the four not being trustees then)

**6. Elected Officials Report - Information Only**

- A. **Council District 1** – City Council President Pro Tem Sherri Lightner  
Rep: Justin Garver, 619.236.7762, [jgarver@sandiego.gov](mailto:jgarver@sandiego.gov) was not present
- B. **39th District, California State Senate** - State Senator Marty Block  
Rep: Allison Don, 619.645.3133, [allison.don@sen.ca.gov](mailto:allison.don@sen.ca.gov) was not present
- C. **78th Assembly District** - Majority Leader Toni Atkins  
Rep: TONI Duran, 619-645-3090, [Toni.Duran@asm.ca.gov](mailto:Toni.Duran@asm.ca.gov) was not present.

**7. Non-Agenda Public Comment - Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.**

- A. **UCSD - Planner: Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://physicalplanning.ucsd.edu>  
She was welcomed back. She stated that a 30-day scoping period for an Environmental Impact Report on the Center for Novel Therapeutics would end on April 28, 2014. A 120,000 gsf 3-story building is proposed for the 30-acre Science Research Park on the UCSD East Campus. It is anticipated to achieve a Platinum LEED rating. Information is available from a flyer in the back of the room and at <http://physicalplanning.ucsd.edu/projects/index/html>
- B. **General Public Comment**  
Member Bob Whitney asked that the election material be kept. Trustee Emerson said it has been under seal since the election and would remain under seal.  
Member Tim Lucas praised and thanked the poll workers at the election. He announced the Wednesday, April 9, meeting of the La Jolla Shores Association. The agenda includes discussion of a George Hauer-proposed Mexican restaurant at the site of the former La Jolla Shores Market, a proposed cell tower (see item 14 on today's LJCPA agenda) and undergrounding issues on Ave. de la Playa.

Reference was made to the attendance/membership material on the LJCPA website. Explanation was given on how to interpret it.

**B. Treasurer**

**Outgoing Treasurer Fitzgerald** presented the financial report for the past month: March Beginning Balance: \$5.27 plus income from donations and CD sales of \$310.00 less Expenses for agenda printing and telephone of \$111.18, leaving a balance as of March 31<sup>st</sup> of \$203.45.

He commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations are in cash to preserve anonymity.

**Mr. Fitzgerald** stated that he had valued his service of the LJCPA and those present thanked him for his service.

**Trustee Whittemore** asked if we could investigate whether the LJCPA would be eligible to apply for a monthly grant from the LJ Community Foundation to defray LJCPA expenses.

**10. President's Report**

**A. Report from Stakeholders Ad Hoc Committee on Short-term Vacation Rentals**—Committee Chair, **Trustee Boyden** reported that the committee minutes from the March 26<sup>th</sup> meeting were included in the packet. Presentations had been made by the Vacation Rental Industry and a group of affected homeowners. Several solutions were proposed. The next meeting will be held on April 23<sup>rd</sup> at 5 PM; possible solutions will be discussed.

**B. City Council Update- Children's Pool Seasonal Closure** – to be closed from December 15<sup>th</sup> through May 15.

**C. Volunteers for LJCPA positions on subcommittees (DPR, PDO, PRC, T&T)** – All appointments are for one year. The LJCPA President will be making appointments which will be presented for ratification at the May LJCPA meeting. Please contact [info@lajollacpa.org](mailto:info@lajollacpa.org) if you are interested. **Member Tony Crisafi** stated that LJCPA appointees need to be LJCPA members.

**D. Upcoming item: Movement of the restrooms at La Jolla Cove/Scripps Park** under consideration by La Jolla Parks and Beaches.

**E. Improvements at Whale View Point** are going through an implementation process.

**F. There will be a Special Election** to fill the vacancy within 120 days from today (April 3, 2014) to fill the trustee vacancy as prescribed by the bylaws.

**11. Consent Agenda – Ratify or Reconsider Committee Action**

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

**No PDO and PRC meetings in March – No action from DPR in March**

**A. So Fine on Kline Festival Street Closure – September 20, 2014**

T&T Motion: To approve street closure Friday at 7pm to Saturday at 8pm 6-0

**B. La Jolla Half Marathon Street Closure on Sunday April 27th 2014**

T&T Motion: To approve street closure 6-0

**\*C. Valet Parking in front of La Plaza La Jolla 7863-7877 Girard Ave pulled by Trustee Zimmerman**

T&T Motion: to approve 4 white loading zones. 11am – 2am 7 days a week 5-1

\*Consent items pulled: C. Valet Parking in front of La Plaza La Jolla 7863-7877 Girard Ave – pulled by Trustee Zimmerman

**Approved Motion: To accept the recommendations of the T&T Committee approving (A) So Fine on Kline Festival Street Closure – September 20, 2014 from Friday at 7PM to Saturday at 8pm (6-0) and (B) La Jolla Half Marathon Street Closure on Sunday April 27th 2014. (6-0) and forward the recommendations to the City. (Collins, Courtney: 13-0-1)**

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman

**Trustee Emerson** is concerned about the size and the 360-degree-array and the precedent it will set. **Trustee Weiss** cited the inverse square law with respect to drop-off of radiation, but was concerned about field damage. **Trustee Zimmerman** said that allowing AT&T to build a cell tower there is an unwarranted commercial intrusion on La Jolla's limited park greenspace, in this case rented by La Jolla Youth Sports, and unjustifiable as it presents an unknowable health risk to children and teachers at adjacent Torre Pines Elementary School. In response to a query from **Trustee Outwater**, **Tim Hinyon**, construction manager, said the field would have to be accessed, but they would use lightweight pickups to bring in the tree in pieces and the building would be made from individual cinder blocks. They would use plywood to avoid creating tire ruts in the field. **Trustee Courtney** said customers had other choices than AT&T.

**Approved motion: To call the question on the subsequent motion (2/3 required) (Emerson, Boyden: 12-0-1)**

In favor: Bond, Boyden, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman  
Abstain: Ahern (Chair)

**Failed Motion: Findings cannot be made for a CUP for this project; and that AT&T seek a location further away from playgrounds and schools. (Courtney, Zimmerman: 7-7-0)**

In favor: Collins, Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman  
Opposed: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss

**Note:** The Chair had stated at the beginning of the meeting that he would only vote to break a tie. Initially he abstained in consonance with his initial pronouncement. However, after hearing the statement of Robert's Rules 11<sup>th</sup> edition, page 50-51 "When the chair votes when his vote makes a difference . . ." [Also covered in detail on pp 53-54] the Chair stated that he was going to vote "no," because he wanted a motion that would have more specificity to preserve the integrity of the LJCPA.

**Failed Motion: Findings cannot be made for a CUP for this project, citing in particular, the project size and scale compared to adjacent towers, the potential to expand, its proximity to schools and playgrounds, the potential damage to leased playgrounds for which the current tenant is responsible; and that AT&T seek a location further away from playgrounds and schools. (Courtney, Zimmerman: 6-7-0)**

In favor: Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman  
Opposed: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss

**Approved Motion: Findings can be made for a CUP, in support of the vote of the subcommittee, and that the project be constructed in a manner least destructive to the surrounding playing fields. (Weiss, Bond: 7-6-0)**

In favor: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss  
Opposed: Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman

**Member Don Schmidt** stated, following the above sequence of actions, that the LJCPA should consider the use of a certified parliamentarian to assist in procedural matters.

#### **15. Coastal Access & Parking Board- Action Item (Removed per Agenda Modification)**

#### **16. Exchange Place Pipe Replacement – Action Item**

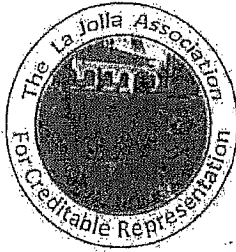
Suggested replacement of a small portion of water pipe, 900 feet, on Exchange Place, just south of Prospect Place from Cave Street to Torrey Pines Road during the summer moratorium. The process will take 2 to 3 weeks. Please note that the requested portion of the work is located in a residential area. TC construction will provide a brief presentation.

Presented by **Vic Salazar of Vic Salazar Communications and Foreman Brian Wilson**

**Mr. Salazar** commented on the progress of this project and is requesting permission to extend two to three weeks into the summer moratorium for a portion of Exchange Place, west of Torrey Pines Road. They will be working at the same time on a portion of Exchange Place to the east of Torrey Pines Road that will not be affected by the moratorium. The firm feels it would be beneficial not to have to move equipment out of the area and then back again. The entire project is not expected to be finished until 2015.

**Member Don Schmidt** expressed concern the work might take more than 3 weeks into the July peak summer month. July.





March 11, 2014

Mr. Tony Crisafi  
La Jolla Community Planning Association  
PO Box 889  
La Jolla, CA 92038

VIA Email: [info@lajollacpa.org](mailto:info@lajollacpa.org)

Re: Challenge of the March 6, 2014 La Jolla Community Planning Association Trustee Elections results.

Mr. Crisafi:

The annual election of the La Jolla Community Planning Association (LJCPA) was held on March 6, 2014 at the La Jolla Recreation Center. The polls reportedly opened at 3:00 pm and closed at 7:00 pm. Ballots were collected and counted. The tally was presented to the LJCPA President during the monthly meeting, and the results were announced. As outlined in the LJCPA bylaws, if a challenge is not filed within seven days of the election, the results become final. The La Jolla Associations (LJA) members voted to challenge the election results. The appeal is based on the following facts:

1. Article V Section 6 of the LJCPA bylaws states if a challenge of the election results is filed, it must be filed in writing within seven days of the election results and be filed with the Chair of the Elections Committee. Agendas for November and December 2013, January and February 2014 (Exhibit 1), reveal the LJCPA President never publicly appointed nor did the LJCPA Board of Trustees publicly ratify the 4-7 member Election Committee or a Chairperson as required by Article V-Section 5 (A) of the LJCPA bylaws. Given the appointment or ratification never publicly transpired, in lieu of sending this written challenge to a Chairperson of a non-ratified Election Committee this challenge is being emailed to [info@lajollacpa.org](mailto:info@lajollacpa.org).

2. Pursuant to Article V Section 2 of the LJCPA bylaws, an Election Committee is to be established no later than the first week of January. Among other tasks the Election Committee is required to make a good faith effort to; (a) solicit Members to become candidates, (b) utilize all appropriate means to publicize the LJCPA's eligibility requirements for candidacy and the date of the upcoming election, (c) seek enough potential new candidates to exceed the number of Trustee seats open for the election, thereby allowing those who have served six consecutive years to leave the group for at least one year.

Since an official Election Committee was never publicly selected or ratified by the Board of Trustees at a publicly noticed meeting and the above agendas do not reflect any official election updates were presented at the LJCPA's monthly meetings, by an Election Committee Chair, it is apparent an official good faith effort to seek new candidates never happened. The fact that three write-in candidates filed their intentions to seek office the night of the election is further evidence an official good faith effort did not occur.

8070 La Jolla Shores Drive, PO Box 424, La Jolla California 92037  
Email: [thelajollaassociation@gmail.com](mailto:thelajollaassociation@gmail.com) Website: <http://www.lajollaassociation.com/>





## La Jolla Community Planning Association

March 25, 2014

Bob Whitney  
Founding Committee Member  
The La Jolla Association  
PO Box 424  
La Jolla CA 92037  
Email: thejollaassociation@gmail.com

Re: Election Challenge

Dear Mr. Whitney,

I am in receipt of your letter dated March 11, 2014 challenging the election results of March 6, 2014 on behalf of The La Jolla Association. Your interest in the La Jolla community and your taking the time to bring forward and document your concerns regarding to adherence the provisions of the LJCPA's Bylaws is truly appreciated.

ARTICLE IX Section 3. Council Policy Violations and Remedies of the Bylaws states:

- A. In cases of alleged violations of the LJCPA Bylaws or Council Policy 600-24 by a Trustee, the Board of Trustees shall conduct an investigation consistent with the Administrative Guidelines and these Bylaws.
- B. A complaint that a that a Trustee violated one or more provisions of the LJCPA's Bylaws or Council policy 600-24 may be submitted to the LJCPA President by any individual, including another Trustee. The complaint should be filed within 90 days of knowledge of the alleged violation.
- C. If, after a thorough investigation by the President and at least two other Officers, the Board of Trustees determines that a Trustee has violated a provision of these Bylaws or Council Policy 600-24, the Board of Trustees shall, where feasible, seek a remedy that corrects the violation and allows the Trustee to remain on the Board of Trustees.
- D. If corrective action or measures are not feasible, the Board of Trustees may remove a Trustee by a two-thirds vote of the Board; except for specific cases outlined in Article III, Section 4 where a majority vote is sufficient for removal.

In accordance with these provisions the LJCPA officers have conducted a thorough investigation regarding your challenge. The results of this investigation will be reported to the Board of Trustees and at the meeting scheduled for April 3, 2014.

intentions to seek office the night of the election is further evidence that an official good faith effort did not occur. To the contrary, the fact that three write-in candidates filed their intentions to seek office is a direct result of the Election Committees' efforts and shows that those efforts were effective. Further, as you know, the three meeting requirement for being a candidate to serve as a trustee is stated by the Secretary at each regularly scheduled meeting of the LJCPA. In addition, a press release announcing the elections was prepared, sent to the appropriate media and was, in fact, published. The LJCPA website gave notice of the upcoming election and the minutes of the LJCPA January and February meetings contain statements referring to the March 2014 election. Thus the Officers will report to the Board of Trustees that your second allegation is without merit and that no corrective action need be taken.

**3. Third Allegation:** The LJCPA Bylaws, Council Policy 600-24 and the Administrative Guidelines to Council Policy 600-24 require Mr. La Cava and Mr. Fitzgerald be termed out and not be granted another three-year term. You assert that election policy requires two new qualified candidates that ran for office be seated as LJCPA Trustees.

**Response to Third Allegation: Article III Section 3 of the LJCPA Bylaws states:**

Trustee Terms

Trustees of the LJCPA shall be elected to serve for the fixed terms of 3 years with expiration dates during successive years to provide continuity. Except as noted in this Section, no person may serve on the LJCPA for more than six consecutive years. After a one-year break in service as an LJCPA Trustee, an individual who has served for six consecutive years shall again be eligible for the election to the LJCPA Board of Trustees.

The LJCPA will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats on the LJCPA Board of Trustees, the LJCPA may retain some Trustees who have already served for a six consecutive years to continue on the Board of Trustees without a break in service. Such Trustees must receive a 2/3 majority of the votes cast in order to serve more than six consecutive years.

**Council Policy 600-24 ARTICLE III, Section 4 states:**

"Members of a recognized community planning group shall be elected to serve for fixed terms of two to four years with expiration dates during alternate years to provide continuity. This can vary for the purpose of the selection of initial group members for new groups. No person may serve on a planning group for more than eight consecutive years if members are elected to two or four-year terms, or nine consecutive years if members are elected to three-year terms. The eight or nine year limit refers to total service time, not to individual seats held. After a one-year break in service as a planning group member, an individual who had served for eight or nine consecutive years shall again be eligible for election to the committee.

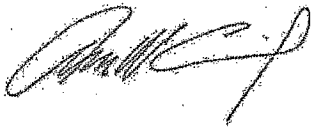
This Policy provides an exception for a planning group to retain some members who have already served for eight or nine consecutive years to continue on the planning group without a break in service if not enough new members are found to fill all vacant seats' as follows:

*A planning group member who has served eight or nine consecutive years may appear on the ballot with new candidates. After open seats are filled with qualified new members, and if open*

an eligible write-in candidate. Thus the Officers will report to the Board of Trustees that your fourth allegation is without merit and do find that Mr. Whittemore be seated at the April 2014 meeting.

I hope that this response to your allegations will suffice to satisfy your challenge of the March election. Of course, the Board of Trustees will make the final determination. As you know, I have termed out and will no longer be serving as a Trustee or as President. Please forgive any perceived shortcomings on my part. This is a volunteer organization and I believe that, as a whole, this board contributes a valuable service to La Jolla and to the City of San Diego.

Very truly yours,



Tony Crisafi, President  
La Jolla Community Planning Association

cc: LJCPA Trustees  
Lesley Henegar, Planning Department  
Council President Pro Tem Sherri Lightner  
Council Rep Erin Demorest  
Council Rep Justin Garver  
Candidates for Election

La Jolla CPA General Election Final results

Alphabetical order: <sup>79 total votes</sup> Jane

Candidate	Individual Tally Sheet Totals	Total Votes
Candidate 1	Bob Collins	66
Candidate 2	Jim Fitzgerald	68
Candidate 3	Joe La Cava	68
Candidate 4	Michael Maerten	14
Candidate 5	Alex Oretwiter	67
Candidate 6	Peter Ouanessoff	26
Candidate 7		
Candidate 8		
Candidate 9		
Write-ins	Robert Mapes	49
Write-ins	J. Ragsdale	54
"	Rob Whittemore	58

Candidates winning seats:

Rank	Term	Candidate	Total Votes
1	3 year	Jim Fitzgerald	68
2	3 year	Joe La Cava	68
3	3 year	Alex Oretwiter	67
4	3 year	Bob Collins	66
5	3 year	Rob Whittemore	58
6	3 year	Jim Ragsdale	54
7	1 1/2 year	Robert Mapes	49
<del>8</del>	<del>2 year</del>		

Certified by: Janice Newson Date: 3/6/14

Counted by: Michael ~~Cart~~ Wm Zoller Amy Hejwemann  
Cullen

Poll workers: Gabbi, Tom, Jean, Debbie, Janie