



La Jolla Community Planning Association

Regular Meetings: 1st Thursdays | La Jolla Recreation Center, 615 Prospect Street

Contact Us

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President: Joe LaCava

Vice President: Bob Steck

2nd Vice President: Patrick Ahern

Secretary: Helen Boyden

Treasurer: Nancy Manno

FINAL MINUTES

Special Trustee Meeting – Wednesday 29 October 2014 to convene after member meeting of same date.

Trustees present: Patrick Ahern, Cynthia Bond, Helen Boyden, Bob Collins, Mike Costello, Janie Emerson, Joe LaCava, Nancy Manno, Robert Mapes, Phil Merten, Alex Outwater, Jim Ragsdale, Bob Steck, Ray Weiss, Rob Whittemore, Fran Zimmerman

Trustees absent: Dan Courtney, Cindy Greatrex

1. **Call to Order: Joe LaCava, President** called the meeting to order at 7:21 pm after the conclusion of the special member meeting.

2. Adopt the Agenda

Approved Motion: To adopt the agenda as distributed and proceed to the discussion (Steck, Boyden: 15-0-1)

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

Abstain: LaCava (Chair)

3. ~~Non-Agenda~~ Public Comment

Comments on items not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

Member Tim Lucas, LJSA Chair, announced the ribbon-cutting ceremony for the North Comfort Station at Kellogg Park on Thursday, October 30.

4. Resolution of Dispute with City of San Diego – Action Item

In order to resolve a dispute with the City of San Diego pursuant to IX.4.D of the bylaws and in response to the Office of the Mayor’s compromise solution, it is proposed to seat Michael Morton as the “19th Trustee” pending City of San Diego’s approval of the bylaws as amended by the Membership.

In order to resolve the dispute with the City shall the LJCPA accept the City’s compromise solution and seat Michael Morton as the “19 Trustee” pending City approval of the amended bylaws?

President LaCava stated that the issue here was not to have the trustees elect or appoint Mr. Morton as that would be counter to the bylaws. The City feels that Mr. Morton was properly elected according to the bylaws and that the 19th seat was created so that he could slip into it with no one admitting fault.

In response to **Trustee Whittemore’s** desire to postpone this item until November 6th until the City could approve the bylaws change, **President LaCava** stated that since this was not a deviation to Policy 600-24, this could and would be approved by the City staff prior to November 6th. In response to **Trustee Whittemore’s** query as to whether we would not be undoing all the Trustee actions from March to September 2014, **President LaCava** said that if the Trustees felt this was inappropriate, they could vote the resolution down.

Trustee Emerson asked that the phrase “without admitting wrongdoing” be added to the resolution.

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City’s Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

Trustee Weiss asked that we add a requirement that the City also do something and wished to add that this was contingent on the LJCPA receiving City assurances that we would be indemnified against any future actions with respect to the March election.

To **Trustee Outwater's** query as to whether if we accept this, the City will not proceed to decertification, **CPPT Lightner** stated that this was part of a package that included future bylaws changes, City supervision of the March 2015 election and correct behavior on the part of the trustees. **Planning Department Rep Karen Bucey** stated that this was a cure to resolve all errors made with respect to the March elections by anyone and acceptance will leave the LJCPA in good standing and eligible for indemnification. In response to a query from **Trustee Costello**, she stated that the future bylaws amendments would be compared to requirements of Policy 600-24 and if deviations were required, the amendments would be referred to the City Council and that any other matters were a subject of internal review by the LJCPA.

The makers of the motion agreed to the changes suggested by **Trustees Emerson** and **Weiss**, as reflected in the final motion.

Trustee Whittemore commented on the reasoned response of the Officers to the original complaint filed in March. He noted that the City had repudiated this in four separate communications and been rebuffed by the trustees.

Member Tim Lucas stated that this was strictly a remedy for errors that occurred in the election process and that the Mayor has approved it.

CPPT Lightner assured **Trustee Weiss** of the City's intent.

Trustee Outwater read from Policy 600-24 in refutation of **Member Bob Whitney's** thought that this might not be a land use matter that the City would indemnify against.

Approved Motion: To close debate on the below motion (Boyden, Manno 12-1-0) [2/3 of 16 required and obtained].

In favor: Bond, Boyden, Emerson, LaCava, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Zimmerman

Opposed: Costello

Not voting: Ahern, Collins, Whittemore

Approved Motion: To adopt the resolution as amended: In order to resolve the dispute with the City shall the LJCPA accept the City's compromise solution and seat Michael Morton as the "19th Trustee" pending City approval of the amended bylaws, with no admission of wrongdoing and pending the City dropping the complaint and assuring indemnification and defense consistent with the ordinance. (Steck, Weiss: 11-4-1)

In favor: Ahern, Boyden, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Zimmerman

Opposed: Bond, Collins, Costello, Whittemore

Adjourned at 7:48 pm