



La Jolla Community Planning Association

Bylaws

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Article I GENERAL PROVISIONS

Item I.1 Definitions

Unless specified otherwise in these **Bylaws** or associated documents or defined by law, the following terms are to be interpreted as follows:

- **“Board of Trustees”**, abbreviated **“Trustees”**, is the governing body of **LJCPA**, and comprises the **Members** elected and serving as provided in Item III.1 of these **Bylaws**.
- **“Bylaws”** refers to this document, as amended from time to time.
- **“City”** means the City of San Diego, including the various agencies whose work is relevant to **LJCPA’s** purposes.
- **“Development Community”** means Individuals or families who benefit directly from the approval of development permits, such as developers, building contractors, architects, and real-estate brokers.
- **“Eligible Individual”** means a **Resident, Property Owner, Local Businessperson**, or other person who is at least eighteen years old and is associated with **La Jolla** according to Item II.1 “Eligibility”.
- **“La Jolla”** refers to the neighborhood in the **City** defined in Item I.4 “Boundaries & Meeting Places”.
- **“LJCPA”** means the La Jolla Community Planning Association.
- **“Local Businessperson”** means the owner of a business or non-profit organization located within the **La Jolla** boundaries, but not a business or nonprofit whose sole presence in La Jolla is a post-office box (or similar facility) or a residence.
- **“Majority”** or **“Two Thirds”**, in reference to the number of votes required to take action, are calculated as fractions of **Members** or **Trustees** who attend a meeting or participate in an election or poll.
- **“Member”** means an **Eligible Individual** who has satisfied the requirements in Item II.2 of these **Bylaws**.
- **“Officer”** means a **Trustee** serving as provided in Item III.2 “Officers”.
- **“Operating Procedures”**, abbreviated **“OP”**, refers to the documented set of policies and procedures defined in Item V.1 “Operating Procedures”, as amended from time to time.
- **“Property Owner”** means the owner of record for real property (either developed or undeveloped) within the **La Jolla** boundaries.
- **“Resident”** means an individual whose primary address (for example, where the individual is or could be registered to vote, or as a driver) is within the **La Jolla** boundaries.
- **“State”** means the State of California, including the various agencies whose work is relevant to **LJCPA’s** purposes.
- **“Trustee”** means a **Member** elected or appointed as provided in Item III.1 of these **Bylaws**.

Item I.2 Name

The official name of this corporation is La Jolla Community Planning Association, abbreviated as “**LJCPA**”. All activities of this corporation shall be conducted in its official name as registered with the Secretary of the State of California in the corporation’s Articles of Incorporation.

Item I.3 Purposes

The purposes of **LJCPA**, as set forth in its Articles of Incorporation, are to protect, improve, beautify, and develop the areas of the Community of La Jolla. **LJCPA** seeks to ensure that development projects within and policies that affect **La Jolla** are consistent with the goals and principles set forth in the La Jolla Community Plan, the Local Coastal Program, the La Jolla Planned District Ordinance, and the La Jolla Shores Planned District Ordinance.

To this end, **LJCPA** may make recommendations to the **City**, to the California Coastal Commission, and/or to other **City** and **State** entities, staff, or officials whose general policies and specific decisions concerning individual development projects that affect **La Jolla**.

LJCPA recommendations focus on land use matters, including development projects or policies, **their environmental impact**, and the preparation of, adoption of, implementation of, or amendment to the General Plan or a land use plan when that plan might have effects within the **La Jolla** boundaries. **LJCPA** also may make recommendations on other land use matters, including code updates, as requested by the **City** or another governmental agency.

Item I.4 Boundaries & Meeting Places

The boundaries for **LJCPA** are the boundaries of the La Jolla Community Plan, as shown on Exhibit A and on file at the **City**.

Meetings of **LJCPA** shall be held within these boundaries, except that when **LJCPA** does not have a meeting facility within its boundaries that is accessible to all members of the public, **LJCPA** may meet at the closest suitable meeting facility not within its boundaries.

Article II MEMBERSHIP

Item II.1 Eligibility

A person is an **Eligible Individual** if the person is at least 18 years of age and is affiliated with the **La Jolla** community as a **Resident, Property Owner, or Local Businessperson** as defined in Item I.1 “Definitions”, or as the designee of a **Property Owner, or Local Businessperson**.

Only one non-resident individual can be an **Eligible Individual** in connection with a particular business, non-profit organization, or real property, including designees, even if there are multiple owners.

Item II.2 Membership Requirements

An **Eligible Individual** as defined in Item II.1 becomes a **Member** 28 days after

- the individual submits a membership application to the Membership Committee and
- the individual also submits acceptable documentation of the individual's eligibility requested by the Membership Committee.

Documentation may include documents the **City** or **State** accept as adequate evidence of identity, residence, property ownership, and/or business ownership, or other documents the Membership Committee deems sufficiently authoritative.

Item II.3 Membership Term

Provided the **Member** remains an **Eligible Individual**, membership continues automatically from year to year with no attendance or reapplication requirement.

Item II.4 Membership Rights

A **Member** shall be entitled to vote at any meeting or poll of the **Members**, may be appointed by **Trustees** to any Committee or Board, and is eligible for election as a **Trustee**, regardless of the **Member's** attendance, and no voting requirement will be stricter than allowed by the California Elections Code.

Item II.5 Loss of Membership Due to Lack of Eligibility

Any individual who ceases to be an **Eligible Individual** shall cease to be a **Member**, effective immediately. Such an individual should notify the Secretary to ensure records of **LJCPA** are current.

If the Membership Committee learns that a **Member** may no longer be an **Eligible Individual**, then that **Member** shall be notified and given the opportunity to present evidence of eligibility. If the individual does not provide satisfactory evidence of eligibility, then the Membership Committee shall terminate the individual's membership and note its action in the membership records.

Upon becoming an **Eligible Individual** again, the person can reapply for membership pursuant to the procedures in Item II.1.

Article III TRUSTEES, OFFICERS, & COMMITTEES

Item III.1 Trustees

The **Board of Trustees** comprises eighteen **Trustees** elected by the **Members**. It may also include no more than two non-voting **Trustees** appointed by the President and confirmed by a two-thirds vote of the elected **Trustees** to ensure representation of key **La Jolla** constituencies.

Alternative

Omit option for appointed Trustees

Trustees shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests, including, but not limited to, residents, property owners, local businesspersons, and substantial demographic groups. A **Trustee** must be at least 18 years of age unless the **Trustees** choose to appoint a youth representative.

Trustees are elected at large to serve the La Jolla community, rather than to represent any district, neighborhood, or constituency. **Trustees** shall perform their duties in the public trust.

Alternative

Add paragraph reading “To prevent overrepresentation by Members of the Development Community, no more than 10 percent of the Voting Members of the planning group or of the members of a project review committee may be Members of the Development Community.”

§III.1.A Elections

Annual elections of **Trustees** shall be held during March as specified in **Operating Procedures**.

Special elections shall be called as specified in **Operating Procedures**. Election and voting policies and procedures for special elections shall be the same as for annual elections, except for dates and times.

§III.1.B Terms

Trustees of LJCPA shall be elected or re-elected to terms whose length and limits are as prescribed in **Operating Procedures**.

Each **Trustee** must retain eligibility during the entire term of service. Failure to retain eligibility shall be grounds for disqualification of the **Trustee** pursuant to §III.1.C.

§III.1.C Removal for Lack of Eligibility

A **Trustee** shall cease to serve upon a majority vote of the **Trustees** if, during a regularly scheduled public meeting, the Secretary presents documentation and has notified the **Trustee** in question that the **Trustee**

- no longer qualifies as a **Member**,
- has not met the attendance requirements in Item IV.5 “Attendance”, and/or
- has failed to meet other requirements in the **Operating Procedures**.

Alternative text

Trustees are expected to attend regularly scheduled and special meetings of LJCPA. To retain eligibility to serve as Trustees, individual Trustees must attend at least two thirds of the regular meetings during each twelve-month period during their terms. Special meetings shall not be counted in the tally of absences.

A Trustee shall cease to serve upon a majority vote of the Voting Members if, during a regularly scheduled public meeting, the Secretary presents documentation and has notified the Trustee in question that the Trustee has not met this attendance requirement.

§III.1.D Removal for Violations of Bylaws or Operating Procedures

In cases of alleged violations of **Bylaws** or **Operating Procedures** by a **Trustee**, the **Trustees** shall investigate as specified in **Operating Procedures**.

A complaint that a **Trustee** violated one or more provisions of **Bylaws** or **Operating Procedures** may be submitted to the **LJCPA** President by any individual. The complaint should be filed within ninety days of knowledge of the alleged violation.

A complaint shall be thoroughly investigated by the President and at least two other **Officers**, or, if the complaint is against the President, a Vice President and two other **Officers**. If based on that investigation the **Trustees** determine that the **Trustee** has violated one or more provisions of **Bylaws** or **Operating Procedures**, the **Trustees** shall, where feasible, seek a remedy that corrects the violation and allows the **Trustee** to continue serving.

If corrective action or measures are not feasible, the **Trustees** may remove a **Trustee** by a two-thirds vote, except for specific cases outlined in §III.1.C where a majority vote is sufficient for removal.

§III.1.E Oath of Office

Each **Trustee** shall be sworn in by an oath of office, as follows: "I (Trustee name) do solemnly swear, that I will uphold the highest standards of community service, that I will fairly and impartially consider all points of view, that I will refrain from self-interest, that I will respect all those with whom and for whom I serve, that I will comply with the **Bylaws** and **Operating Procedures**, and that I will dedicate my service towards the betterment of the community of La Jolla."

Item III.2

Officers

Officers shall be a President, one or more Vice Presidents, a Secretary, and a Treasurer. They shall be elected from and by **Trustees** no earlier than the regular April **Trustee** meeting.

The length of each **Officer's** term shall be one year. No person may serve in the same **LJCPA** office for more than three consecutive years. If one or more offices become vacant, **Trustees** will elect a **Trustee** to fill each vacancy for the remainder of the vacated term.

Alternative

Remove term limit: "The length of each **Officer's** term shall be one year. If one or more of offices becomes vacant, **Trustees** will elect a **Trustee** to fill the vacancy for the remainder of the vacated term."

§III.2.A President

The President shall be the principal **Officer** of **LJCPA** and, if present, shall preside over all **LJCPA** meetings. The President is responsible for all committee appointments subject to ratification by a majority vote by Trustees, represents **LJCPA** to outside organizations, and coordinates **LJCPA** activities.

§III.2.B Vice Presidents

In the absence of or as requested by the President, the Vice President(s) shall perform all the duties and responsibilities of the President.

§III.2.C Secretary

The Secretary shall be responsible for **LJCPA**'s correspondence, minutes, records of attendance, and actions as required by **State** law, **Operating Procedures**, or outside agreements. The Secretary shall ensure that **Trustees**, **Members** and the public have access to this information. The Secretary may take on these responsibilities personally or may designate or engage others to assist in these duties.

§III.2.D Treasurer

The Treasurer shall be responsible for the financial affairs of **LJCPA** and shall make regular financial reports to **Trustees** and **Members**. The Treasurer shall also be responsible for filing financial reports.

Item III.3 Committees

LJCPA may establish and/or appoint **Members** to its own or otherwise chartered community Committees and Boards when doing so contributes to more effective discussions at and actions by **LJCPA**. **LJCPA** may request, accept, adopt, reject, modify, refer, comment on, and/or endorse recommendations from Committees and Boards.

Every member of a Committee or Board that conducts business on behalf of **LJCPA** must be an **Eligible Individual** as defined in Item II.1 "Eligibility".

LJCPA will ensure that the bylaws and operating procedures of each **LJCPA** committee conform to those of **LJCPA**.

Operating Procedures define the Committees and Boards covered by this Section. The Secretary shall maintain a list of the individuals appointed to Committees and Boards, and shall ensure that it is posted on the **LJCPA** website.

Article IV MEETINGS

Item IV.1 Regular Trustee and Member Meetings

LJCPA shall hold regularly scheduled monthly **Trustee** meetings, organizing, posting, and conducting them as specified in **Operating Procedures**.

Annual meetings of the **Members** shall be held in March each year at such places in **La Jolla** the **Trustees** may designate. Notice of annual **Member** meetings shall be given from fifteen to ninety days prior to the meeting.

LJCPA Meetings shall be held in La Jolla, unless LJCPA does not have a meeting facility in La Jolla that is accessible to all members of the public. In that case, LJCPA may meet at the closest suitable meeting facility not in La Jolla.

Item IV.2 ***Special Trustee Meetings***

Special meetings of **Trustees** may be called at any time by the President. The President must call a special meeting of **Trustees** within fourteen days of a written request by a majority of **Trustees**.

The agenda for a special meeting of **Trustees** shall be prepared as specified in **Operating Procedures** and posted at least one week before the special meeting.

Trustees shall be sent notice of the special meeting by electronic or other means at least one week before the time of the meeting.

Item IV.3 ***Special Member Meetings***

Special meetings of the **Members** may be called at any time by the President. The President must do so within thirty days of a written request endorsed by a majority of **Trustees**.

The Agenda for a special meeting of **Members** shall be prepared in conformance with **Operating Procedures**, identifying the business to be transacted or discussed at the meeting. No other business may be considered at this meeting. Public testimony on agenda items must be allowed; however, the non-agenda public comment period may be waived with a majority vote of the **Trustees**.

The Agenda shall be posted and sent to **Trustees** each local newspaper of general circulation by electronic or other means from fifteen to ninety days before the special meeting.

Item IV.4 ***Emergency Meetings***

Emergency meetings, which require no public notice and are called for matters related to public health and safety, are outside the purview of **LJCPA** and are prohibited under these **Bylaws**.

Alternative

Add new section headed "Officers Meetings" and reading as follows: "Officers may meet jointly and privately to oversee administrative business such as the assembling of the draft agenda in preparation for public discussions. However, the Officers shall not discuss the merits of projects or policies subject to LJCPA review at such meetings."

Item IV.5 ***Attendance***

Trustees are expected to attend regularly scheduled and special meetings of **LJCPA**. The Secretary shall record in the minutes of each meeting the **Trustees** in attendance. **To retain eligibility to serve as Trustees, individual Trustees must attend at least two thirds**

of the regular meetings during each twelve-month period during their terms. Special meetings shall not be counted in the tally of absences.

Upon receipt of a written report from the Secretary that a **Trustee’s** attendance has fallen short of this requirement, **LJCPA** shall disqualify the **Trustee** pursuant to §III.1.C “Removal for Lack of Eligibility”.

Article V OPERATIONS

Item V.1 Operating Procedures

Procedures for implementing the requirements of these **Bylaws**, and for managing the business of the **LJCPA**, shall be summarized in a written document entitled “**Operating Procedures**”, which must be approved and may be amended by a majority vote of the **Members** or a two-thirds vote of the **Trustees** at a duly noticed regular or special meeting, or by a poll of the **Members**.

Unless specified otherwise, terms in **Operating Procedures** have the same meanings as set forth in Item I.1 “Definitions”.

The current version of the **Operating Procedures** shall be posted publicly on the **LJCPA** website along with these **Bylaws**.

Item V.2 Project Review

In reviewing individual development projects, **LJCPA** shall focus on conformance with the San Diego Land Development Code, the La Jolla Community Plan and Local Coastal Program Land Use Plan, the La Jolla Planned District Ordinance, the La Jolla Shores Planned District Ordinance, and/or the San Diego General Plan.

Alternative

Add “...Plan, and LJCPA shall not recommend approval of an individual development project if there is not sufficient information to determine it conforms with each.

LJCPA may submit preliminary comments on projects to the **City** during the project review process. Whenever possible, **LJCPA** recommendations shall be submitted no later than the end of the public review period offered by the environmental review process, or by such other deadline as the **City** may specify.

Alternative

Add “...specify. When two or more project review committees review a specific project, LJCPA will take advantage of the area of expertise and purpose of each committee to make its recommendation and comments to the City.”

Item V.3 **Community Input**

It shall be the duty of **LJCPA** and its **Trustees** periodically to seek communitywide understanding of and participation in the planning and implementation process as specified in Item I.3 “Purposes”. **Trustees** shall give due consideration to all responsible community attitudes insofar as these are deemed to serve long-range interests of the **La Jolla** community at large.

Regularly scheduled meetings and annual elections shall be publicized in local neighborhood newspapers as well as on the **LJCPA** website.

Announcements shall be sent electronically to all organizations, including but not limited to the La Jolla Town Council, The La Jolla Shores Association, the Bird Rock Community Council, and the managers and/or advisory boards of maintenance assessment districts and similar entities in **La Jolla**, as well as to individuals who have added their email addresses to the **LJCPA** electronic mailing list.

During all discussions, the President shall solicit testimony from the public attending each meeting.

Item V.4 **Annual Report**

The President, or a designee, shall prepare an annual report of accomplishments for the past twelve months and anticipated objectives for the coming year and submit it to **Members** at the annual meeting and to other entities as required or desirable.

Item V.5 **Non-Discrimination**

LJCPA shall not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic attributes, medical condition, or physical or mental disability. All activities of **LJCPA** shall be nonpartisan and nonsectarian.

Item V.6 **Non-Participation in Candidate Elections for Public Office**

LJCPA shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Trustees shall not identify affiliation with **LJCPA** when endorsing candidates for public office.

Item V.7 **Ballot Measures**

LJCPA may take a position on a ballot measure likely to affect **La Jolla**.

Item V.8 **Involvement with Outside Entities**

LJCPA may choose to assume a formal role in the activities of **City, State, or other entities** whose work is relevant to **LJCPA's** purposes.

If that role requires **LJCPA** to enter into a formal agreement, or otherwise to accept terms and conditions specified by a governmental or other outside entity, that agreement or acceptance shall take effect once approved by a majority vote of **Members** or a two-thirds vote of **Trustees** at a duly noticed regular or special meeting or via an electronic poll, and shall be enforced as though its terms and conditions were part of **Operating Procedures**.

Item V.9 Authority to Represent LJCPA

The official positions and opinions of **LJCPA** shall not be established or determined by any organization other than the **LJCPA**, nor by any elected **Trustee**, other than one authorized to do so by a vote taken at a noticed **Trustee** or **Member** meeting.

Item V.10 Dues and Contributions

LJCPA may solicit and accept financial contributions from **Members** or other individuals or entities to further the efforts of **LJCPA** to promote understanding and participation in the planning process. However, no membership dues shall be required, and no fee may be charged as a condition of attendance at any **LJCPA** meeting. All contributions must be voluntary, and no official **LJCPA** action may be taken, and no correspondence may be withheld, based on any individual's desire not to make a voluntary contribution.

Article VI AMENDMENTS

Item VI.1 Bylaws

Bylaws may be repealed or modified or new **Bylaws** may be adopted by

- a majority vote of **Members** attending any annual meeting of **Members** or any special meeting of **Members** called for that purpose, or
- a majority vote of **Members** who participate in a poll of the membership conducted by the Elections Committee following a two-thirds vote of **Trustees** at a duly noticed regular or special meeting.

Item VI.2 Operating Procedures

Operating Procedures may be repealed or amended or new **Operating Procedures** may be adopted by

- a majority vote of **Members** attending any annual meeting of **Members** or a special meeting of **Members** called for that purpose;
- a majority vote of **Members** who participate in a poll of the membership conducted by the Elections Committee; or
- a two-thirds vote of **Trustees** at a duly noticed regular or special meeting.

Item VI.3 **Posting**

Proposed amendments to these **Bylaws** or the Operating Procedures must be posted publicly and distributed to **Members** no fewer than 14 days prior to the meeting or poll where they are to be voted on.