

From: Betsy McCullough
To: Heumann, Karen
Date: 2/27/2007 9:08:55 AM
Subject: La Jolla CPA

Hi Karen:

There are several questions requiring your immediate attention. They relate to planning group matters and you are the one who seems to be in a pivotal point on these issues.

1. Is Mr Aguirre attending the CPC meeting tonight? I was told that he would attend to address indemnification ordinance revisions. This is an action item at CPC this evening. He had stated at a meeting of the La Jolla planning board that he was working on amendments to the ordinance in direct contrast to Ms Wolfsheimer's statement at CPC in January that your office was not involved and would take direction from the City Council. Please clarify his attendance.

2. There appears to be confusion surrounding the City's direction to the La Jolla CPA regarding immediate use of their recently-voted upon bylaws. While several interested parties in La Jolla are very publicly citing Mr Aguirre's direction to go ahead and use bylaws that the planning group has adopted but that are not yet approved by the city, I read your City Council docketing request memos and your Executive Summary sheet [report to City Council] as indicating that the provision the planning group adopted to immediately use their bylaws is NOT consistent with Council Policy 600-24 and must be approved by City Council in order to go into effect.

Jim Waring and staff have been consistently telling the LJCPA and interested parties that their approved bylaws are NOT in effect until the City approves them. We have been willing to separate out the two consistent provisions related to meeting attendance and proxies and approve them separate. A draft resolution is actually attached to this email for your signature and return to me for my signature before the LJCPA meeting this Thursday night. However, parties are citing Mr Aguirre's statements to them that they can use the unapproved bylaws. It appears that the inconsistency is within your office's statements [the report to City Council vs quoting Mr Aguirre] and I would ask that your office clarify for the benefit of the public that has sought your direction.

We intend to reiterate to the LJCPA chair what appears to be a consistent interpretation between you, in your report to City Council, and our written responses to them about not using bylaws that have not been adopted by the City. We will talk to the chair today, or, at latest, I expect to see him at the CPC meeting this evening.

Please advise on the above matters.
Thanks, Betsy

Betsy McCullough, AICP
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CC: Anderson, William; Dave Potter; Potter, David; Sachs, Alex; Waring, Jim; Williams, Cecilia

MAYOR'S OFFICE/CITY ATTORNEY RESOLUTION NO. _____

**APPROVING AMENDMENTS TO THE LA JOLLA COMMUNITY PLANNING
ASSOCIATION BYLAWS**

WHEREAS, it is the policy of the Council of the City of San Diego to require each community planning committee, as a condition of official recognition by the City of San Diego, to write and submit bylaws to the Mayor's Office and City Attorney; and

WHEREAS, the La Jolla Community Planning Committee has submitted amended bylaws voted upon by the planning committee membership on February 1, 2007 to the Mayor's Office and the City Attorney; and

WHEREAS, selective portions of the bylaw amendments that reduce the number of meetings required to be eligible to be a member and vote in an election from three meetings to one, and that eliminate proxy voting meet the requirements of Council Policy 600-24; and

WHEREAS, the Mayor and City Attorney have determined that the remainder of the bylaws deviate from Council Policy 600-24 and must be presented to the City Council for approval; and

WHEREAS, it is the policy of the Council of the City of San Diego to authorize the Mayor and the City Attorney to approve amendments to bylaws that are in conformance with Council Policy 600-24; **NOW THEREFORE**,

BE IT RESOLVED, by the Mayor and City Attorney of the City of San Diego, that the limited revisions, as stated above, to the bylaws of the La Jolla Community Planning Committee, dated December 30, 1991, are hereby approved.

APPROVED: MICHAEL J. AGUIRRE, CITY ATTORNEY
 JERRY SANDERS, MAYOR

By: _____ Date: _____
 Betsy McCullough
 Deputy Director
 City Planning & Community Investment

By: _____ Date: _____
 Karen Heumann
 Assistant City Attorney