

# La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us:

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President: Tony Crisafi

Vice President: Matt Mangano

2<sup>nd</sup> Vice President: Dave Gordon

Secretary: Suzanne Weissman

Treasurer: Mike Costell

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## FINAL Minutes –

Regular Meeting | Thursday, 1 August 2019 – 6 p.m.

### 1.0 Welcome and Call to Order: 6:06 p.m. Tony Crisafi, President

This is a full agenda, recorded meeting therefore, the following rules will be enforced:

- Mobile devices off or on silent mode.
- All public and trustee comment will be addressed to the chair.
- Public and trustee comment will be limited to 2 minutes
- Comments will be directed to the project or matter using third person, singular or plural when they are addressed to the chair.
- Chair may ask for member votes. Please keep hands raised until the vote tally is announced.
- Upon consensus, Chair will close discussion and call for a motion
- Chair will switch order of trustee comment as per July, 2019 meeting request
- Please notify chair of any organized public presentation requests prior to meeting

Quorum Present: Brady, Costello, Crisafi, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

### 2.0 Adopt the Agenda

**Neil:** Modify Item 10.4 ,it should be DPR motion, not LJPRC

**Motion:** Adopt the agenda with modifications: (Brady/Mangano) **Vote:** 13-0-1: **Motion carries.**

**In Favor:** Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** 0

**Abstain:** 1 (chair)

### 3.0 Meeting Minutes Review and Approval:

**3.1** 18 July 2019 – Regular meeting minutes:

**Neil:** Item 2, add Neil to In Favor vote, Item 11.0 add Neil to In Favor vote, remove Little, Item 11.1 add Neil to In Favor vote, remove Ish.

**Motion:** Approve minutes as corrected: (Gordon/Fitzgerald) **Vote:** 13-0-1: **Motion carries**

**In Favor:** Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** 0

**Abstain:** 1 (chair)

## 4.0 Officer Reports:

### 4.1 Treasurer - Mike Costello's report

Beginning Balance as of 7/18/19		\$444.27
Income		
Collections	\$ 141.00	
CD Sales	<u>\$ 0</u>	
Total Income	\$ 141.00	
Expenses		
Agenda printing	\$ 92.49	
Total Expenses	<u>\$ 92.49</u>	
Net Income/(Loss)	\$ 58.51	
Ending Balance of 7/31/19		\$ 492.78

### 4.2 Secretary- Weissman

If you want your attendance recorded today, you should sign in at the back of the room. LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: [www.lajollacpa.org/](http://www.lajollacpa.org/). We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March. You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. If you do not attend one meeting per year, your membership will expire. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at **three** LJCPA meetings in the preceding 12-month period. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a Trustee.

## 5.0 Elected Officials – Information Only

### 5.1 Council District 1: Councilmember Barbara Bry.

Rep: **Mauricio Medina**, 619-236-6611, [mauriciom@sandiego.gov](mailto:mauriciom@sandiego.gov)

**Mauricio:** With the passage of SB 946, the City of San Diego had to rescind its sidewalk vending and pushcart regulations. The sidewalk vending and pushcart ordinances were heard at the Economic Development and Intergovernmental Relations Committee last week. At that meeting there was discussion about district requirements vendors will have to adhere to in order to operate on city streets. For example, one can't be within 15 ft. of a scooter, bike rack, tree wells, the encroachment permit areas of the La Jolla Shores Boardwalk and the space between. Sidewalk vendors will be prohibited from the Cove to 200 Coast Blvd. We are still taking suggestions until the issue is heard before the entire Council in Sept. or Oct.

**Kane:** Does this include the Children's Pool? Yes.

**Little:** Why does the state need to address vendors and pushcarts; are the merchants associations fighting this? **Reply:** Some people at staff meetings expressed desire to recognize people who were relying economically on sidewalk vending, to decriminalize it and bring it out of the shadows. Vendors will be required to take out permits. We are working with merchant's associations to reconcile and accommodate them.

**Kane:** Give us an update on City's response to our scooter proposal. **Reply:** City staff reviewed and will start installing 40 corrals. A sheet showing locations was passed around. Get it Done App is slow to update like controlling an oil tanker. They are working on it. For now, make your requests as "other." Other questions have not been answered.

**Weiss:** What is the argument from the other council members who oppose Barbara Bry's proposal to ban the scooters until they can sort it out. I ask the LJCPA to do what the Shores Association did with the Deco Bikes and say NO. Get it Done App is great example of why we shouldn't do it now. I have seen scooters even in the disabled ramps which is so wrong; there is no way to enforce. Put it on the agenda for next month. The CPA did not *want* 40 corrals, they just have to live with them. What we're seeing is that no one is complying, enforcement has been difficult. **Reply:** Barbara Bry is calling for a moratorium to sort it out and see how to move forward. It has not come before the whole council yet; I can't speak for the others. It would be beneficial for this board to make recommendations to the other council districts and the Mayor's office. The experience and impacts in the beach communities are different than in other communities so it is important for other districts to hear it from a recognized community group.

**Other comments:** Scooters are stacked up in corrals, dumped all over, scooters are put there by companies, but there is no requirement for users to leave them there.

**5.2** 78<sup>th</sup> Assembly District: Assembly member Todd Gloria

Rep: **Mathew Gordon**, 645--3090 [mathew.gordon@asm.ca.gov](mailto:mathew.gordon@asm.ca.gov) not present

**5.3** 39<sup>th</sup> Senate District: State Senator Toni Atkins, Senate President pro Tempore

Rep: **Chevelle Newell Tate**, 619-645-3133, [Chevelle.Tate@sen.ca.gov](mailto:Chevelle.Tate@sen.ca.gov) - not present

## 6.0 President's Report – Information only unless otherwise noted

6.1 The Children's Pool SCR (PTS627990) appeal to City Council docketed for Sept 17, 2019 @ 2:00 PM

Costello: Will we have someone there?: **Crisafi:** I will be there; there will be others

6.2 Hershfield environmental appeal docketed for Sept 17, 2019

On agenda later.

## 7.0 Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

7.1 City of San Diego – Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov not present

7.2 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> or Robert Brown - not present

7.3 General Public - none

## 8.0 Non-Agenda Trustee Comment

Opportunity for trustees to speak on matters not on the agenda

Little:

1. Confirmed that two motions can be on floor at the same time, but they must be handled in the order they were entered.
2. For years we have allowed conditions on a motion and DSD said that was OK. But the experience is that the conditions are ignored by staff. We're fooling ourselves. When the project is built without the conditions included no one is happy and the CPA is criticized.
3. We need to clarify with the City about the situation of private meetings between trustees and applicants complying with the Brown act.

**Crisafi:** It takes a lot of coordination and communication to get information on the agenda. The Hershfield communications were documented through the mailbox. The information that was included in this month's and last month's packet would not have been available without communication with the applicant. The meetings with the Hershfields and their reps were approved by Marlon and he confirmed that the communications were proper. It is difficult to communicate at the full trustee level when there is a deadline set because of an appeal to decide whether to withdraw that appeal or continue to attend the appeal and produce arguments for the appeal representing the community.

**Little:** We need a ruling from Marlon. **Reply:** This information would not have been on the agenda if there were no way to communicate. It has been well documented through the mailbox.

**Crisafi:** There is no requirement to not allow conditions at the Shores PRC, but the problem is that they get ignored. DPR also does not prohibit conditions in their bylaws. A continuous cycle of review at the subcommittee level would be ideal, but that doesn't happen now.

**Little:** The issue is attaching a condition to the final motion to approve or not approve.

**Crisafi:** New forms for community groups to submit to DSD about votes on discretionary projects include a section on conditions both at subcommittee level and group level allowing communication with the planner and acknowledgment that changes are understood.

**Mangano:** Let's return to this when Marlon is present.

**Fitzgerald:** When we add conditions we put ourselves in the position of managing or modifying the project. Our role is to vote whether a project conforms or doesn't conform to the appropriate code. This was our policy adopted many years ago and it has served us well. We don't want to redesign projects from the floor.

**Crisafi:** We are dealing with individuals at DSD. Some planners communicate with the community groups better than others. No judgement intended here.

**Costello:** The Hearing Officer has no way to implement the conditions; they only consider the approval. The opportunity to deny a project is a bargaining chip that can be employed during the approval process; then the conditions become a part of the final approval.

**Gordon:** No requirement to not include conditions in the bylaws. Conditional approvals should be used judiciously but should not be ruled out as they can be useful at times.

**Courtney:** Code enforcement people have been dealing with people operating unlicensed board and care facilities that squeeze people into single family residential homes, often neglecting them. Please report if you see something like this in your neighborhood. Also I don't want to see Code Compliance charging permit fees for banners on overpasses. This could turn into another revenue generator for the City. Banners should be illegal to protect and preserve the natural beauty of La Jolla.

**Ish:** Trustee Rasmussen has had a heart transplant; he is now in ICU doing well, coming home Friday.

**Neil:** Costello, please clarify that you prefer to negotiate a change to a project during review and are opposed to attaching conditions. **Reply:** Yes

## **9.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.**

### **9.1 Community Planners Committee**

<http://www.sandiego.gov/planning/community/cpc/index.shtml>- Dave Gordon

**Mangano:** This meeting was dominated by capital improvement plans which we prioritized and did right the first time several months ago. A city planner discussed a plan to create a grid for give and take policies for low income housing and higher density development to come before City Council 7/30.

**Kane:** Was there any discussion about scooters? We are hit here with issues that don't seem to be showing up in other communities.

**Mangano:** This was not discussed. This could be a useful tool to move our issues up the ladder and garner support so we are not alone as resisting entities.

**Shannon:** There is not a lot of acceptance for issues in the beach areas. Some of the others think of the beach communities as privileged or as play areas.

**Gordon:** There was overwhelming support against SB 50 and 330.

## **9.2 Coastal Access & Parking Board**

**Brady:** This Board will meet this month. Last year when Costello made a presentation against short term rentals there was overwhelming support.

## **9.3 UC San Diego advisory Committee - no report**

## **9.4 Hillside Drive Ad Hoc Committee – Diane Kane, Chair.**

**Kane:** We met again shortly after our last meeting. We passed a number of issues to our council office because they will be meeting with city staff to come to some resolution. I don't know what happened but will meet with Barabra Bry in a few weeks to see where these issues stand. In the works are additional signage at the dip at Torrey Pines Road and Hillside Dr. Officer Christine Garcia did opine after a meeting with the City Attorney that trucks that get stuck there can be issued a ticket. Call 691-531-2000 to report stuck trucks and someone will come out and cite the driver.

## **9.5 Airport Noise Advisory Committee – Matthew Price – no meeting**

## **9.6 Playa Del Norte Stanchion Committee no meeting**

# **10.0 Consent Agenda – 10.1 – 10.4**

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may comment on consent items.

**10.1 – La Jolla Wine & Art Festival** - Request for Temporary Street Closures on portions of Girard Ave, Wall Street, and Silverado Street for the 11<sup>th</sup> annual fundraiser event benefiting La Jolla Public Schools on Saturday and Sunday October 12-13, 2019

T&T Motion to approve Temporary Street Closures 8-0-0

**10.2 – Manoogian Wedding Procession** - Request for Temporary Street Closures on portions of Ivanhoe Ave and Prospect Street for brief wedding procession from Congressional Church to La Valencia Hotel the afternoon of Saturday September 14, 2019 (Claire Manoogian)

T&T Motion to approve Temporary Street Closures 7-1-0

**10.3 – 2677 Brookmead Lane CDP Project No. 630967 (Process 3)** Coastal Development Permit for the construction of a new single dwelling unit and attached garage for a total of 11,100 square feet of construction on a vacant lot located at 2677 Brookmead Lane. The 1.28 acre project site is located in the RS-1-2 zone and the Coastal (Appealable) Overlay Zone within the La Jolla Community Plan area and Council District 1.

DPR Motion: Findings can be made to approve and motion passes 6-0-1

**10.4 – Bird Rock Condos – 5656 La Jolla Blvd CDP/TM Project No. 595139 (Process 3)** Coastal Development Permit & Tentative Map for the creation of four residential condominium units under construction at 5656 La Jolla Boulevard. The 0.17 acre site is in Zone 4 of the La Jolla Planned District, Coastal (Non-Appealable) overlay zone within the La Jolla Community Plan Area. Council District 1.

DPR Motion: Findings can be made to approve and motion passes 4-1-1

See Committee minutes and/or agenda for description of projects, deliberations, and votes. Anyone may request a consent item be pulled for full discussion by the LJCPA.

**Courtney:** Pull item 10.2, doesn't think public streets should be closed for private groups.

**Motion:** Approve consent agenda with exception of item 10.2: (Mangano/Gordon) **Vote:** 14-0-1:

Motion Carries.

**In Favor:** Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

Opposed: 0

**Abstain:** 1 (chair)

The following agenda items are ACTION ITEMS unless otherwise noted, and may be de novo considerations. Prior actions by committees/boards are listed for information only.

## **11.0 – 11.3 LJCPA Review and Action Matters**

### **11.0 – Proposed changes to be on the list for the SDMC 13th Code Revision re: Serial Permitting & Garage to Carport conversions. See attached information.**

DPR Motion: Findings can be made to approve and motion passes 5-0-1 for the following:

Recommend to CPA the following code edits to SDMC 126.0704(a): Improvements to existing structures are exempt, except. (to add a new number following item number 5). "The demolition or removal of 50% or less of the exterior walls of the existing structures if the proposed application is received within 5 years of final inspection of a previous

50% exempt remodel on the same structure. An exemption will be allowed within the 5 year time frame if 50% of the exterior walls of the original structure (as it existed 5 years ago) will still remain.”

Draft #2 prepared by Dave Ish handed out: “Suggested additions to the San Diego Municipal Code: ‘Combination’ or ‘Serial’ Permitting.

**Jackson:** DPR motion is correct in the agenda, but not in your document.

**Ish:** Recommended two additions to the above DPR Motion:

1. 4<sup>th</sup> line after ‘inspection’ *and receipt of an occupancy permit for the entire house.*
2. Add to last line *but is subject to community review and the CDP process.*

**Shannon:** Are there other loopholes in this same issue that are not covered in this recommendation?

**Ish:** The original intent was to help homeowners remodel, but some developers have taken advantage by expanding the footprint of house with 1 permit and then go back and get a 2nd permit within a matter of months making a much larger house.

**Little:** Will DSD really check the records back 5 years when granting a new permit?

**Crisafi:** Require the applicant have records of prior remodels as part of proposed new application. DSD doesn’t typically retain floor plans or demolition plans with matrix of walls being demolished. Documentation of walls is not on the permit.

**Ish:** The walls are not reviewed; 2<sup>nd</sup> permit uses prior expanded walls as existing 50%.

**Kane:** How to enforce? City does not keep records. Brian Will at DPR wanted to make time frame between issuance of permits long enough so someone wouldn’t be encouraged to continue the process.

**Jackson:** Is what Dave is proposing a good idea? If it is a good idea, then we should approve it. Then make recommendations for enforcement. We shouldn't turn down a good idea because we haven't solved the enforcement problem.

**Motion:** LJCPA recommends the Code changes in the DPR motion with the two additions recommended by Dave Ish above. The recommendation is as follows:

*“Improvements to existing structures are exempt, except the demolition or removal of 50% or less of the exterior walls of the existing structures if the proposed application is received within 5 years of final inspection and receipt of an occupancy permit for the entire house of a previous 50% exempt remodel on the same structure. An exemption will be allowed within the 5 year time frame if 50% of the exterior walls of the original structure (as it existed 5 years ago) will still remain but it is subject to community review and the CDP process.”*

**Mangano:** This is a good idea, but we should refine the wording. We need to be careful with wording and how it will be received throughout the process.

**Ish:** This is going to be placed on the list for the 13<sup>th</sup> code update that will happen in the future. There is plenty of time for discussion and questions as this works its way through the update process.

(Neil/Costello) **Vote:** 14-0-1: **Motion carries:**



**In Favor:** Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** 0

**Abstain:** 1 (chair)

**Ish: DPR motion Garage to Carport:** Recommend to CPA the following code edits to SDMC 113.0234(a)(6).

*“The intent of this FAR exemption is to provide relief from FAR restrictions for a simple structure that provides overhead shelter for automobiles where the visual impact to the neighborhood is at a minimum. Carports shall be exempt from FAR if they are composed of a roof and posts only with a maximum 4 posts (up to 8”x8” each) and no walls or doors/gates, the carport may be attached on one side only to the main house, any other “open parking structure” is countable as FAR.”* (Kane/Costello) Approved 5-0-1

**Motion:** Approve DPR recommended Code edits above. (Kane/Mangano) **Vote:** 14-0-1  
**Motion carries.**

**In Favor:** Brady, Costello, Courtney, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** 0

**Abstain:** 1 (chair)

## **11.1 – Micro Mobility Parking Corrals for La Jolla – City proposal for placement of numerous defined spaces within the public street for parking of dockless scooters and bicycles.**

<https://www.latimes.com/opinion/story/2019-07-18/scooters-bird-uber-airbnb-tech-public-space>

T&T Motion to recommend to city installed micro-mobility corrals @ 81 locations and require city to have the owners & operators of the devices geo-fenced so that the rider is charged until device is left in a corral. Passes 6-3-0. Trustee action to not approve by motion/second/vote.

**Crisafi:** I would like the trustees to vote to confirm last month’s vote and dispose of this T & T motion.

**Costello:** Shouldn’t we be supporting Barbara Bry trying to do something about scooters until more effective enforcement is in place? Reference to article linked above: these companies are dumping things on our streets and the City is making it legal. Keep scooters off street.

**Crisafi:** Trustees should speak with authority on this matter maybe with another motion next month. Another motion tonight would be confusing and not authoritative.

**Neil:** Mayor is moving ahead regardless of what we do. With this motion we are not condoning the scooters, only controlling them. We have succeeded by bringing down to

only 40 corrals in La Jolla. In Little Italy there are many more; corrals only work if there are enough corrals.

**Motion:** Set aside T & T motion and confirm last month's motion regarding Micro Mobility Parking Corrals for La Jolla. (Neil/Brady) **Vote:** 10-2-3: **Motion carries.**

**In Favor:** Brady, Courtney, Gordon, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** Fitzgerald, Fremdling,

**Abstain:** Costello, Ish, Crisafi (Chair)

**Costello:** I am abstaining because we need to enforce the law as it currently is and not condone an illegal activity taking up our precious right of way which ADA people have fought for for so long.

## **11.2 – Hershfield Residence – CDP #2134597 & SDP #2134595 Project and environmental appeal. See attachments**

Action Item: To ratify or retract the previous appeal to withdraw action on information presented by the LJCPA President & the applicant.

**Crisafi:** The motion last month was to withdraw the appeal with chair providing a hard plan on 8/1. The applicant presented a set of plans that is the documentation needed to enforce what was agreed upon last month to reduce high parapet by 4 ft., remove all hip roofs, to reduce lower roof parapet to the height of parapet that was presented to LJPRC.

**Chandra Slavin,** architect, passed around to trustees drawings corrected by the architect with red markings showing changes made and described changes:

- Reduced lower parapet to 338.58 MSL.
- Redlined all roof plans to make more official
- This markup shows lower roof parapet and removal of all hip roofs
- The City Planner took those docs to planning department and they approved as SCR.
- 7 ft. parapet behind garage on south elevation is also being lowered

**Crisafi:** There is a condition that they abide by this only if CC&R's expire. I don't think this is acceptable because there are other structures in this development with flat roofs, even though the CC&R's call for sloped roofs. If we do accept that condition, which some trustees have indicated willingness to accept, then I would withdraw the appeal. If you don't accept the condition, I would have to take to Barbara Bry's office and make the argument for the appeal to get that condition removed.

**Jackson:** I don't understand. As far as the city is concerned this is the plan. The CC&R's are irrelevant. **Crisafi:** Yes, unless Mr. Hershfield agrees to remove the condition that has been put on the title sheet of the plan. This agreement is contingent on the expiration of the CC&R's.

**Slavin:** This is the wording of the condition:

*Roofline to be lowered 4ft. to 338.58 MSL, garage door to be 10 ft. high, both contingent on that certain declarations and restrictions dated Nov. 17, 1959, recorded in official records in San Diego . . . declaration expiring as scheduled on Dec. 31, 2019.*

Discussion followed as to the meaning of this condition: If CC&R's don't expire, will they have no approved plans and will have to return to starting over from scratch? This is the plan the city approved with a condition. If condition is not met, there is no plan; they will have to come back here?

**Slavin:** This plan is in the record, but we can't submit it because it is contingent on CC&R's expiring.

**Crisafi:** If the appeal is withdrawn and the CC&R's don't expire, the original plan without the changes described above has been approved by the city and will be built. If and when the CC&R's expire the plan documented above will be submitted and treated as a Substantial Conformance. We have to trust that the CC&R's expire.

**Slavin:** My presentation from last time has not changed. A number of design modifications have been made to address the comments on the appeal.

- Removal of trellis
- Lighter color stucco
- Two hip roofs on lower part of the house removed.

**Courtney:** These changes do not address the biggest problems with this house. A 14,000 sq. ft. house in a neighborhood of 3 – 4,000 ft. houses. A huge basement cutting into the slope. We have a long history in the Shores of resisting increasing house sizes setting precedent (FAR creep) and changing neighborhood character.

**Little:** To neighbors -- Do you believe CC&R's will expire?

**Faye Strum:** neighbor, CC&R's have been renewed in the past. I don't know of anything now. I don't understand why applicant has put this condition. This is a huge house; with changes it is still 1 ft. higher than the current house. I and many neighbors are concerned about the size of the house, what is going to happen to the neighborhood. What about the appeal? **Little:** size of house is already approved; too late now to change.

**Kane:** Why let the CC&R's expire if you are concerned about the neighborhood character? **Slavin:** This house as designed meets all requirements of the CC&R's.

**Gordon:** We are not supposed to consider CC&R's; they are likely to expire; flat roofs are already in existence in neighborhood; bulk & scale is about how it looks from the street and these modifications make it more compatible. The taller structure is already approved by the city. The problems weren't just the size; it was also the austere look, the setbacks. We should support the withdrawal of the appeal.

**Neil:** Why is there no grading permit? **Slavin:** It is under the code limit for a grading permit. It was thoroughly reviewed by city engineers.

**Motion:** Based on changes incorporated by applicant since last meeting that are now part of the official record my motion is to confirm withdrawal with documented drawings dated 7/30/19 of roof plans, elevations and building sections, documented height limitations at 338.58 MSL upper roof parapet, lower parapet at 335.05 MSL above sea level. (Fitzgerald/Gordon) **Vote:** 13-1-1: **Motion carries.**

**In Favor:** Brady, Costello, Fitzgerald, Fremdling, Gordon, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Weissman

**Opposed:** Courtney

**Abstain:** Crisafi (chair)

### **11.3 – La Jolla Childrens Pool sluice gates: Whether to open the sluice gates at the Childrens Pool to clean the sand and keep it from building up creating a hill**

**Merryweather:** I am asking the CPA to approve a letter to the City of San Diego to clean the Childrens Pool, to investigate the opening of the sluice gates. Those gates were put into the wall with a purpose. Ellen Browning Scripps said, “I cannot build you this wall without these gates in it because without the gates you will end up with not a pool, but a hill of sand.” A manmade pool in the ocean was meant to be shared by children, swimmers, diver and seals. The City turned it into a shared use and it has become fouled by seal excrement. Maintenance has never been done by the City and it is time they do it by opening those gates.

**Costello:** The littoral current brings sand down the coast of southern California. It will fill with sand. The Childrens Pool was built with 4 sluice gates; one is now leaking. An EIR was written by the City with several plans to clean up the sand at Childrens Pool. None of the plans were implemented. Now is the time. It is simple to do and will solve a lot of problems.

**Little:** I move to write a letter requesting the City to open the sluice gates.

**Kane:** I did an exhaustive study of the Childrens Pool. Tests were done; there was no evidence that there were sluice gates to open. They were never open. There are openings in the wall that are plugged with concrete. Opening these things is not a simple task plus there is 7 ft. of sand built up to move out.

**Mangano:** Infrastructure for sluice gates is not there; only a hole that was filled with concrete during construction. Ask Melinda to send a draft letter through the CPA email to look at next time. It would be an infrastructure project more difficult than just punching a hole in the wall.

I would also note that the Childrens Pool is in submittal for a national historic designation. The pool as an entity and area on the national scale. It is a benefit to keep this close to La Jolla and not let the City of SD take control when we ask them to foot a large project.

**Kane:** We support an authentic rehabilitation of the Childrens Pool inserting sluice gates that were never there, to make them functional and to return the pool to its original function.

**Crisafi:** Would the maker of the motion accept that a letter be crafted and be brought back to the trustees for vote next time?

**Little:** I believe there are sluice gates that have been plugged so I won't change my motion.

**Motion:** (repeat) Write a letter to City of San Diego to open sluice gates at Childrens Pool: (Little/Brady) **Vote:** 8-5-2; **Motion carries.**

**In Favor:** Brady, Costello, Fremdling, Ish, Little, Neil, Shannon, Weissman

**Opposed:** Courtney, Fitzgerald, Gordon, Jackson, Kane,

**Abstain:** Mangano, Crisafi (chair)

**Motion:** Craft a letter recommending to the City to pursue making the sluice gates work to flush the Pool: (Gordon/Courtney) **Vote:** 8-3-2, **Motion carries.**

**In Favor:** Brady, Costello, Courtney, Fremdling, Gordon, Mangano, Shannon, Weissman

**Opposed:** Fitzgerald, Kane, Neil

**Abstain:** Ish, Crisafi (chair)

**XX. Adjourn 8:44 p.m. to next regular LJCPA Meeting: Thursday, September 5, 2019 at 6:00 pm.**