



**LA JOLLA TOWN COUNCIL  
July 14, 2016 Meeting**

**AGENDA**

- 5:00 pm Call to Order/Pledge of Allegiance**                      **Ann Kerr Bache, President**
- 5:03 pm                      Roll Call    **Charles Hartford, Secretary**
- 5:05 pm                      **President's Report**                                      **Ann Kerr Bache**
- Approval of June 9, 2016 Minutes**
- ACTION: Formal Approval of Bylaw Amendments**
- ACTION: Business Collaboration**                      **Elizabeth King, Trustee**
- ACTION: Ratification of Joint and Standing Committees' Consent Agenda CPA**
- ACTION: Events: None**
- Membership Report**                                      **Joe Pitrofsky, 1st Vice President**
- 5:20 pm Reports from La Jolla Community Organizations**
- UCSD Community Relations and Health**                      Anu Delouri and Brittany Bailey
- LJTC Joint & Standing Committees Reports\*\*:**
- LJCPA: Cindy Greatrex**    1<sup>st</sup> Thurs @ 4pm
- Coastal Access/ Parking Board: (3) Haskins,**
- Greatrex, de Riquer    1<sup>st</sup> Tues @ 4pm
- DPR: (5) Leira, Kane, Collins, Welsh**                      2<sup>nd</sup> & 3<sup>rd</sup> Tues @ 4pm
- LJ Shores PRC (1): Tony Crisafi**                                      4<sup>th</sup> Mon @ 4pm
- PDO: (3) Forbes, Van Galder, Pitrofsky**                      2<sup>nd</sup> Mon @ 4pm
- Traffic & Transportation: (2) Aprea,**                      3<sup>rd</sup> Wed @ 4pm
- Parks & Beaches (1): Phyllis Minick**                      4<sup>th</sup> Mon @ 4:30 pm
- 5:30 pm**                      **LJTC Hearing on 'Crisis in the Cove' - Sea Lions - PART II**
- 6:15 pm**                      **Reports from Government Representatives: (2 minutes without advance notice)**
- CD1 Sherri Lightner                      Justin Garver                      [jgarver@sandiego.gov](mailto:jgarver@sandiego.gov)
- Assembly Speaker Toni Atkins                      Victor Brown                      [victor.brown@asm.ca.gov](mailto:victor.brown@asm.ca.gov)
- Senator Marty Block                      Sarah Fields                      [sarah.fields@sen.ca.gov](mailto:sarah.fields@sen.ca.gov)
- Scott Peters, US Congress                      Kiera Galloway                      [kiera.galloway@mail.house.gov](mailto:kiera.galloway@mail.house.gov)
- Office of the City Attorney Julio DeGuzman                      [DeGuzmanJ@sandiego.gov](mailto:DeGuzmanJ@sandiego.gov)
- 6:25 pm**                      Comments from the Public: (2 minutes without advance notice to the President on new topics)
- 6:30 pm**                      **Adjournment**

**\*\*LJTC & LJTC Joint & Standing Committees Meet at the La Jolla Recreation Center  
615 Prospect Street La Jolla CA**



**Minutes - La Jolla Town Council Monthly Meeting Thursday, June 9 2016 5:00pm  
La Jolla Recreation Center, 615 Prospect Street La Jolla CA 92037**

**Call to Order:** Ann Kerr Bache, President  
Called the meeting to order at 5:00

**Roll Call:** Charles Hartford, Secretary

**Present:** Ann Kerr Bache, Charles Hartford, Cathy Jones, Ron Jones, Maureen Murphy, Joe Pitrofsky, Al Ramirez, Taylor Bloom, Brandon Heess, Jessica Von Buelow, Lawrence Zynda

**Absent:** Yolanda De Riquer, Cindy Greatrex, Steve Haskins

**Pledge of Allegiance.** Charles W. Hartford

**Vote on May 2016 Minutes:**

Bloom made motion to approve May 2016 Minutes.  
Jones seconded Motion.  
Motion Carries: 11-0-0.

**Vote on New Trustee Election: Elizabeth King**

Passed Unanimously

**Vote on discretion of the President provision for no more than 3 excused absences in a calendar year:** Passed Unanimously

**Vote on Bylaw Amendments:** Passed Unanimously

**Steve Haskins term extended as voting trustee**

**1<sup>st</sup> Vice President's Report:** Joe Pitrofsky urged La Jollans to go to [www.LaJollaTownCouncil.org](http://www.LaJollaTownCouncil.org) to review the benefits of membership.

**Vote on Consent Agenda:** Passed Unanimously

**Vote on "End of Summer Fire Run" and "So Fine on Kline" street closures:** Both Passed Unanimously

**President's Report:** President Ann Kerr Bache provided an overview of the "Crisis in the Cove:" the infestation of sea lions in this area of La Jolla. She outlined the broad arguments of two sides of the issue: (1) essentially leave them alone and (2) take action to remove them.

**Comments from the Public:** See Crisis in the Cove, above.

**Reports from La Jolla Community Organizations:**

**UCSD:** No report.

**LJ Shores Association:** No report

**BRCC:** No report

**LJ Shores Association:** No report

**LJ Historical Society:** No report

**LJVMA:** No report

**LJTC Joint & Standing Committees:**

**LJ CPA:** No report. Cindy Greatrex absent

**Coastal Access & Parking Board:** No report

**DPR:** No report

**PRC:** No report

**PDO:** No report.

**Streetscape:** Disbanded. Will be deleted as an agenda item.

**T&T:** No report.

**Parks & Beaches:** No report

**Reports from Government Representatives:**

**Scott Peters, U.S. Congress (Keira Galloway)** [keira.galloway@mail.house.gov](mailto:keira.galloway@mail.house.gov) Present; Legislative update.

**Crisis in the Cove:** Debate and commentary from a very large audience, including representatives from city government, NOAA, and local community organizations. Debate and comments highlighted the unique resource of the cove, its historical significance to the community, the problems associated with the animals taking up residence on the beach, the pollution in the water, as well as migratory patterns and possible humane methods of helping to encourage their relocation. Other members of the public urged leaving the sea lions alone as they inspire tourists and others to learn more about them. Business owners remarked on the impact the sea lions are having on local businesses.

**Closing Remarks:** After an extensive meeting, President Kerr Bache reiterated that this forum is one of the main reasons the Town Council exists and encouraged those in the audience to become active members. She thanked all participants for the lively exchange. Summary of the Hearing is attached to the minutes and on the website.

**Meeting Adjourned: 7:20 PM**

**Respectfully Submitted by Secretary:** Charles W. Hartford

**LA JOLLA COMMUNITY PLANNING ASSOCIATION CONSENT AGENDA**

The Consent Agenda allows the LJTC 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 LJTC. The public may comment on consent items.

**See Committee minutes and/or agenda for description of projects, deliberations, and vote.**

**The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.**  
**LJCPA Committees:**  
PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Monday, 4:00 pm  
DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tuesday, 4:00 pm PRC – La Jolla Shores Permit Review Committee, Chair Tony Crisafi, 4th Tuesday, 4:00 pm  
T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

**LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE**  
LA JOLLA COMMUNITY PLANNING ASSOCIATION

**2. PRELIMINARY REVIEW 6/21/16**

Project Name: **Fay Avenue Map Waiver** Permits: CDP & TM Waiver  
7432-7434-7436 Fay Avenue  
Project No.: 481476 DPM: Firouzeh Tirandazi  
Zone: RM-1-1 Applicant: Robert Bateman

A Process Three Coastal Development Permit and Tentative Map Waiver for the conversion of three existing dwelling units to three residential condominium units. The 0.16-acre site is located at 7432, 7434, and 7436 Fay Avenue in the RM-1-1 Zone, and the Coastal (Non-appealable Area 2), Coastal Height Limitation, Coastal Parking Impact (Coastal), Transit Area, and Residential Tandem Parking Overlay Zones within the La Jolla Community Plan and Local Coastal Program area.

**APPLICANT PRESENTATION 6/21/16:** (Robert Bateman, Claude Anthony Marengo)

The map was presented which shows that the condominium map will create individual ownership of the three existing units that are on a lot with multifamily occupancy of one parcel. The existing three units are grandfathered units on a 7000 sf site. The original house was constructed in 1917, and the rear units in 1962. A CDP was issued in 2001 for modifications to the existing structures, indicating that there were three units at that time as well.

A condition of the map is that the two underlying legal lots are consolidated into one legal lot. The condominium map would likely result in separate ownership of these three units. The condominium map would be extinguished in the future in the event the property is restored to common ownership. Each unit will be assigned a minimum of 2 parking spaces, in tandem. That will leave on tandem pair of spaces to be assigned at the discretion of the condominium association. A landscape plan was presented. The landscape plan is substantially the same as the existing landscape.

## **DISCUSSION 6/21/16**

A discussion ensued about the significance of condominium ownership of the three units as opposed to the common ownership for rentals, as well as the significance of the nonconforming number of units. Under the current zoning, a maximum of 2 units are permitted under RM-1-1; the La Jolla Community Plan designation for this site is Low Medium Density Residential (9-15 units per acre). Under both designations, a maximum of 2 units would be permitted if a new project were undertaken under current standards. The previous zone was R2, which has the same density calculation as the RM-1-1, also permitting only 2 units. CDP 41-0054, approved June 27, 2001, indicated that there were 3 legal nonconforming units on the site at that time.

The density is over the allowable density. The number of units is greater than the currently allowable density. This number of units is a nonconforming existing condition.

Please provide for FINAL REVIEW:

- a. A finding by City staff that indicates that the approval of 3 condominium units on this site is justified if it can be shown that this legal nonconforming density was approved and legally constructed previously. Identify the specific Zone that existed in the 1960's when the buildings were first approved (zone may have been R-3 which allowed 3 units on the lot).
- b. Provide evidence of conformance to the affordable housing requirements for the conversion of these 3 units to condominium ownership.

## **LA JOLLA TRAFFIC AND TRANSPORTATION BOARD June, 2016**

### **Agenda Item 3: Conversion of 20 Minute Loading Zone to 90 Minute Parking in front of 7857 Girard Ave Sharon Reynolds Action Item**

Sharon Reynolds, is the manager of the retail store Draper's and Damon's, at 7857 Girard Avenue, La Jolla. In front of her store is a 20 Minute Commercial Loading Zone parking space. The rest of the block is 90 Minute parking. This parking spot is a problem for her and the neighboring businesses. A commercial parking spot is not needed in that location (delivery trucks use the back alley), it is at the expense of a much needed 90 Minute spot, and she has had the repeated experience that customers don't notice the sign for 20 Minute commercial parking, and they get ticketed. Her business also attracts a lot of elderly customers who want to be able to park as close as possible to her store. The space was created in the past when there was a food business (Mrs. Gooch's and then Cups) at that location.

Board discussion began with the policy of LJT&T to request a petition but there is no need to do a petition in this case because a petition is only needed in situations where an applicant is installing or removing time limit parking zones and parking meter zones. In this case she is just converting a 20 minute commercial parking zone to 90 minute parking. Once LJT&T approves it the City can create a service

notification and a work order to get the curb repainted and the sign for the 20 minute commercial loading parking zone removed. There was no further Board discussion.

**Motion to Approve the recommendation to remove the 20 minute Loading Zone at 7857 Girard and convert it to 90 Minute Parking:  
6-0-0**

**LA JOLLA PLANNED DISTRICT ORDINANCE  
LA JOLLA COMMUNITY PLANNING ASSOCIATION**

**NO ITEMS ON CONSENT FOR JULY**

**LA JOLLA SHORES PERMIT REVIEW COMMITTEE AGENDA  
LA JOLLA COMMUNITY PLANNING ASSOCIATION**

**NO ITEMS ON CONSENT FOR JULY**

# 'Crisis at the Cove'

## La Jolla Town Council Hearing Part I

06/09/2016

**Participating Speakers from LJ Swim Club, LJ Parks and Beaches, NOAA, Dan Allan, LJ Parks and Beaches, John Leek, John Lye, Outreach Director, Mayor's Office and members of the public.**

### Michelle Zetwo from NOAA:

- She is the only field agent from here to Alameda.
- She handles complex criminal investigations & enforcement of the marine mammal act.
- 16 USC 1309 Sec. H – Taking mammals as part of official duties.
- 1382 C – An official employee can take if for the protection of health and safety, a nuisance, etc.
- Refers to Chris Gates May 2015 article about measures available without filing for permits.
- Example – In Dana Point they paid someone to keep the sea lions off the beach by using allowable measures like pressure water hoses, electronic fences, noisemakers, etc.
- Clarifies that only **a designated city employee is allowed to use the allowable measures.**

### Questions:

- Electric Fences
- Seattle study on salmon fishing used similar allowable measures and they worked.
- Any evidence methods are effective? She will look into finding any documented NOAA analysis.
- What rights does a human have if they feel threatened? City attorney's determination.

### Dan from LJ Parks and Beaches:

- Designated advisory to City Park and rec.
- City response in July: limited staff and resources, none for cleanup or allocated at all.
- SD parks and beaches May response: Doing a one-year study.
- Biggest problem is that the city does not think this is urgent.

### John Lye Director of Outreach - Mayors office:

- Doyle Hanan commissioned last year for Study which is underway and we should have results about the cove by June and about the sea lions by end of August. No information available at this time as to scope or intended use.
- Going to refer to city attorney's office.

### Dan Simonelli President LJ Cove Swim Club:

- He is president of the group and it is a 501(c)7.
- Problem is the bureaucracy.
- Two sides, those who to protect the sea lions and those who to kill them, most people in the middle.
- Been swimming with them for years but now it is beyond enjoyment.
- The LJ rough water swim was canceled due to contamination.
- Challenged athletes could get canceled too.
- This is having huge economic impacts.
- Have ability under the law to disperse and deter.

- Met with city council last year and only 2 of them knew about the issue and all said it wasn't their jurisdiction.
- Know it works because they used to do it but stopped because they didn't want the city to think the problem was subsisting.
- We need a city employee to be assigned to do the job.

#### Joel Tracy from the SD Divers Association

- Position: City of SD has responsibility to maintain beach access to humans. Oppose any actions that would prevent access to the beach.
- Used to be an ocean lifeguard for 6 years.
- Ocean mammals overrun two city beaches.
- Everyone go to your city official because misguided city policies got us here.
- City needs to authorize someone to do this.

#### John Shannon from LJ Parks and beaches

- Longtime LJ swim club member.
- Plume of toxins created radioactivity and Sea World took them in and marked them.
- Some type of theory that this is the result of Sea World?

#### Melinda Merriweather from LJ Parks and beaches

- Beach is polluted and we need to get rid of the sea lions.
- Unbelievable the Mayor is not here.
- Mayor is aware and does nothing so maybe someone who swims there needs to sue.
- We have the constitutional right to enter the ocean.

#### Megan Hinde, Owner of Brockton Villa

- Experienced the terrible effects first hand, even NYT reported on it.
- Tremendous economic impact and seriously hurting business.

Two members of the Audience spoke on behalf of keeping humans away from the Sea Lions and making the Cove Beach a sanctuary.

## Audience Questions & Comments

Phyllis Minnick:

- Protecting these animals has created more birthing and more sea lions.
- Sterilization process is removable, painless, and available.

Nathan Jernigan:

- We need to do this immediately.
- We have this beautiful place and we need to keep it beautiful.

William Fitzsimmons:

Been here since the 70's.

- Kids learned to swim at the cove and now they cant.
- Beaches are now for the sea lions and not the humans since no one cares if they bite humans.

Steve Wright:

- Thanks to LJTC for taking this on.
- Sea lion population has sky rocketed.
- Need to prevent them from getting dry so they go away.

Eric Olsen:

- Long time cove swimmer and thinks spike strips might work, since deals with birds too.
- Sound machines will also keep away the seagulls.