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President: Tony Crisafi  
Vice President: Rob Whittemore  
Treasurer: Jim Fitzgerald  
Secretary: Dan Allen



## La Jolla Community Planning Association

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

**Thursday, 3 November 2011**

### **FINAL MINUTES – REGULAR MEETING**

Present: Dan Allen, Cynthia Bond, Tom Brady, Laura DuCharme-Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Phil Merten, Cynthia Thorsen, Rob Whittemore.  
Absent: Devin Burstein, Nancy Manno, Ray Weiss.

**1. Welcome and Call To Order: Tony Crisafi**, President, at 6:04 PM

**2. Adopt the Agenda**

**President Crisafi** added three more items under the President's Report.

**Approved Motion: Motion to Adopt the Agenda as revised, (Fitzgerald/Merten, 12-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.  
Abstain: Crisafi.

**3. Meeting Minutes Review and Approval – 6 October 2011**

**Approved Motion: Motion to approve the Minutes of 6 October 2011, (Fitzgerald/Thorsen, 12-0-2).**

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.  
Abstain: Crisafi, Lucas.

**4. Elected Officials Report - Information Only**

**A. Council District 2 - Councilmember Kevin Faulconer**  
Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov

Ms. Miles was not present.

**B. Council District 1 - Councilmember Sherri Lightner**  
Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov

**Ms. Demorest** reported that La Jolla Village Drive was being resurfaced; potholes in the district should be reported to the Councilmember's office; streetlight replacement in central La Jolla is proceeding and the annual City Capital Improvement Project (CIP) process is being streamlined.

**5. Non-Agenda Public Comment – Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.**

**A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, http://commplan.ucsd.edu**

**Ms. Delouri** provided written updates on campus development projects and for further information referred to the website [physicalplanning.ucsd.edu](http://physicalplanning.ucsd.edu); announced the Mitigated Negative Declaration for reconstruction of three buildings in SIO Seaweed Canyon, for which public comments are due 10 November; student housing at Revelle College is being expanded toward the overall campus goal of 50% undergraduate housing on-campus.

## General Public Comment

**Sally Fuller** advised of the meetings of Rotary, every Tuesday at noon at the La Valencia hotel.

**Peggy Davis** expressed appreciation for LJCPA's consideration of the questions of process concerning the Gatto project.

**Bob Whitney** commented on Trustee action/November meeting with regard to Council Policy 600-24.

## 6. Non-Agenda Items for Trustee Discussion

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

**Trustee Lucas** announced two items: the La Jolla Shores Association would discuss student parking in the neighborhoods around UCSD at their meeting next week, and the Hillel student center proposal will be on the agenda of the next meeting of the La Jolla Shores Permit Review Committee (PRC).

## 7. Officer's Reports

### A. Secretary: Dan Allen

**Trustee Allen** stated that if one wants his or her attendance recorded today, he or she can sign-in at the back of the room. There are two sign-in lists: one for LJCPA members and one for non-members. LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. This is a meeting of the Trustees, who are elected by the LJCPA members. By providing proof of attendance you maintain membership and become eligible for election as a Trustee. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, copies of which are available from **Trustee Thorsen** and on-line at our website: [www.lajollacpa.org](http://www.lajollacpa.org). Persons are entitled to have attendance recorded without signing-in and such case must provide the Secretary before the end of the meeting a piece of paper with printed full name, signature and a statement asking attendance be recorded.

### B. Treasurer: Jim Fitzgerald

October Beginning Balance: \$89.26 + Income \$202.63 – Expenses \$101.10 = Ending Balance: \$190.79.  
Expenses include Agenda printing and telephone expenses.

**Trustee Fitzgerald** commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity.

## 8. President's Report – Action Items Where Indicated

### A. LJ Parks and Beaches on Coast Walk Parking – Action Item

Whether or not to send a letter to City of San Diego in support of Parks & Beaches, Inc., effort to restore Coast Walk public parking.

A proposed resolution on parking was passed by La Jolla Parks and Beaches, Inc., at their 25 July meeting and was presented for information to the La Jolla Traffic & Transportation Board at their 28 July meeting and given for information to the La Jolla Community Planning Association 4 August. **President Crisafi** provided the Trustees a draft letter of support from LJCPA for the effort of La Jolla Parks and Beaches, Inc..

**Trustee Allen** and LJCPA members **Brenda Fake** and **Melinda Merryweather** spoke in favor. **Trustee LaCava** expressed concern about the appearance of any expression of priority for City expenditure. **Trustee Conboy** asked for deletion of reference to an attachment in the body of the letter.

**Approved Motion: The La Jolla Community Planning Association supports La Jolla Parks & Beaches, Inc., in their efforts to restore the public parking spaces along Coast Walk as identified on page 33 of the La Jolla Community Plan. As there are currently two functioning public parking spaces versus the six spaces identified in the plan, the La Jolla Parks & Beaches, Inc. committee has requested that the city take action. We request that the city provide assistance to their**

**efforts to achieve objectives of the Community Plan for restoration of public parking spaces for the public use of Coast Walk, (Whittemore/Little, 14-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.

Abstain: Crisafi.

**B. 8490 Whale Watch Way**– Action Item

Whether or not to appeal the environmental document of 8490 Whale Watch Way project to the City Council; Planning Commission decision on Oct. 20th to certify the Negative Declaration.

**Bob Whitney, Claude-Anthony Marengo, Mark Lyon** and **Michael Morton** commented on LJCPA policy on automatic appeals. **Trustees Whittemore, Little, and Courtney** discussed general LJCPA policy on appeals.

**Approved Motion: To limit debate to the substance of the pending motion, (Costello/Thorsen, 12-1-2).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Little, Lucas, Merten, Thorsen, Whittemore.

Oppose: Gabsch.

Abstain: Crisafi, LaCava.

**James Brown** of the firm Public Architecture informed that the Planning Commission and City staff did not concur with the LJCPA's exceptions to the Negative Declaration (referring to the letter approved at the July meeting of the Trustees, drafted by **Trustee Merten**). **Mr. Brown** and **Trustee Merten** discussed the specific calculation of floor area ratio (FAR) for this project and others in the general area and significance of FAR.

**Michael Morton** elaborated that FAR numbers are not specifically restricted in the La Jolla Shores Planned District Ordinance (PDO). **Trustee Lucas** pointed out that FAR is one measure of bulk and scale, which is a PDO criterion.

**Approved Motion: To close debate and proceed to vote on the pending motion, ("Call The Question"), (Whittemore/Gabsch, 12-1-2).**

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.

Oppose: Courtney.

Abstain: Crisafi, LaCava.

**Approved Motion: To ratify the appeal of the environmental document filed by the President on 8490 Whale Watch Way, (Whittemore/Merten, 11-2-2).**

In favor: Allen, Bond, Brady, Costello, Courtney, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.

Oppose: Conboy, Fitzgerald.

Abstain: Crisafi, LaCava.

***At this point the sequence of the agenda was modified to hear Item 11 on account of a prior commitment to Time Certain***

**11. San Diego Canyonlands**

Whether or not to support dedication of La Jolla sites and dedicating ~10,000 acres City-wide

Presenter: Will Anderson, Programs Manager, (619) 518-6535 email: will@sdcanonlands.org

**Mr. Anderson** presented the history and objectives of the organization San Diego Canyonlands, www.sdcanonlands.org. Their proposal city-wide is to accomplish dedication of a large number of City-owned land or public right of way presently designated as open space in community plans. This would be done by way of state legislation rather than City ordinance, thusly saving significant cost for the City. Their proposal for La Jolla is dedication of 1) four segments comprising most of the Fay Avenue bike path, 14¼ acres in total and 2) a 0.17 acre site on Mount Soledad. A tabular detail of these was provided.

**Roger Wiggins** pointed out that there is a central portion of the Fay Avenue bike path that is the parking lot of and property of the Methodist Church, although there was discussion in years past of the City acquiring it.

**Approved Motion: The La Jolla Community Planning Association supports the proposal presented by San Diego Canyonlands for dedication as parkland of the indicated sites in La Jolla and supports the dedication City-wide of approximately 10,000 acres of presently designated open space, (Thorsen/Fitzgerald, 14-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.  
Abstain: Crisafi.

***At this point the sequence of the agenda was restored to complete hearing Item 8***

**8. President's Report** - continued

**C. Children's Pool Lifeguard Station** – Action Item

Draft Mitigated Negative Declaration issued 10/6, comments due 11/5

Draft comments on the Draft Mitigated Negative Declaration, prepared by **Trustee Merten**, were included with the material provided to the Trustees. **Trustee Merten** notes design of the lifeguard station was approved by the Trustees a year ago. The pedestrian ramp to the lower level restroom will remove coastal bluffs, and he believes an alternative access for handicapped could be accomplished otherwise.

**Melinda Merryweather** commented on that the present vehicle ramp to the beach ("Baja Road") will be removed by this project. It has been blocked with a locked gate for several years. **Trustee Merten** noted that the vehicle access is outside the scope of the present project.

**Approved Motion: Submit the letter provided to the Trustees with the Agenda on the Draft Mitigated Negative Declaration of the Children's Pool Lifeguard Station, specifically, stating that the Mitigated Negative Declaration is flawed and should be corrected to address the issues of Land Use and Planning (X,b) and Aesthetics (I,b), which are significantly affected by the proposed project and which require substantial redesign to mitigate those impacts. (LaCava/Conboy, 14-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.  
Abstain: Crisafi.

**D. Eddie V's**

Trustees had been informed by e-mail earlier in the day that the Coastal Commission will hear a request tomorrow an amendment to the CDP for Eddie V's restaurant to convert an existing roof area to outdoor dining space. **Trustee Gabsch** stated he was troubled that this matter did not come before the LJCPA.

**E. Lundberg Addition**

The project, which LJCPA moved last month to appeal, was heard. The addition was approved, and the Planning Commission supported the configuration changes on which LJCPA based the appeal.

**F. Consent Agenda**

**President Crisafi** requests that anyone pulling an item from the Consent Agenda state his or her reason for the benefit of the applicant in preparing for the implied hearing.

**Point of Order - Mark Lyon** questioned whether Agenda Item 16 ought to have been placed on the Consent Agenda, rather than as a separate Item. **President Crisafi** stated Agenda Item 16 was on the agenda at the applicants request.

***At this point (8:20PM) President Crisafi left the room. Treasurer Fitzgerald assumed the chairmanship of the meeting.***

## 9. Consent Agenda – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

### A. Opus Bank Signage

**PDO ACTION: To approve as conforming to the PDO the proposed building signage at a maximum of 31.9 sf; applicant to return with corrected plans for the free-standing sign. 6-0-1.**

1205 Prospect Street - Two face changes of an existing sign cabinet, and one new non-illuminated monument sign.

### B. Sauvage Lot Line Adjustment / Demolition

**DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 1,214 sf accessory use structure (pool cabana) at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses. 5-1-1**

1420 Inspiration Dr. - CDP to construct a 1,214 sf companion unit at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses

### C. Shahbaz Residence – *Pulled by Trustee Costello ("Out of neighborhood character.")*

**DPR ACTION: Findings can be made for a Coastal Development Permit to demolish an existing 3,869 sf residence and construct a 7,884 sf two story single-family residence and an attached 3-car garage on a 0.57-acre site. 4-1-2**

6412 Avenida Manana - Coastal Development Permit to demolish an existing 3,869 sf residence and construct an 7,884 sf two story single family residence and an attached 3 car garage on a .57 acre site

### D. The Heritage on Ivanhoe

**DPR ACTION: Findings can be made Coastal Development Permit and a Site Development Permit for the Heritage of Ivanhoe Project as described above under "Scope of Work" (see Comm. Rpt). 6-0-1**

7714-7742 Ivanhoe Ave. – CDP & SDP for the following: Historic residence, along with the residences at 7722 and 7740 Ivanhoe Ave. will remain. The residents at 7722 Ivanhoe Ave. will also be relocated from the rear of the lot to the front. All other structures will be demolished. The project also proposes the addition of 3 detached dwelling units, 4 duplexes, and accessory structures and improvements in addition to the expansion of the three existing residential structures discussed above. The total final dwelling count will be 14 dwelling units (1 four-bedroom, 1 two bedroom and 12 three-bedroom units).

### E. Chao Residence

**PRC ACTION: Findings can be made for a Site Development Permit as presented with increase to side yard setback and changes to front entry. 6-0-1**

8289 La Jolla Scenic Drive North - Demolish existing 1-story single family residence. Construct new 4,655 sf 2-story single family residence with basement. Changes made to initial plan include increasing south side yard setback to 5'-2" and remodeling front entry.

### F. La Jolla Concours D'Elegance – *Pulled by Trustee Courtney ("Applicant should come to CPA with complete detail of the project.")*

**T&T ACTION: Motion to approve street closure 8-1-0**

Scripps Park / Street Closure March 31st – April 1st

## Approved Motion: Motion:

**To accept the recommendation of the Planned District Ordinance Committee: (A) Opus Bank Signage: To approve as conforming to the PDO the proposed building signage at a maximum of 31.9 sf, and to forward the recommendation to the City.**

**To accept the recommendation of the Development Permit Review Committee: (B) Sauvage Lot**

**Line Adjustment / Demolition: Findings can be made for a Coastal Development Permit to construct a 1,214 sf accessory use structure (pool cabana) at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses., (D) The Heritage on Ivanhoe: Findings can be made Coastal Development Permit and a Site Development Permit for Heritage on Ivanhoe, and to forward the recommendations to the City.**

**To accept the recommendation of the LJ Shores Permit Review Committee: (E) Chao Residence: Findings can be made for a Site Development Permit as presented with increase to side yard setback and changes to front entry, and to forward the recommendation to the City.**

**(LaCava/Fitzgerald, 14-0-0)**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.  
Recused - out of room: Crisafi.

***At this point (8:23 PM) President Crisafi returned to chair the meeting.***

**10. Reports from Other Advisory Committees - Information only**

- A. La Jolla Community Parking District Advisory Board** – Inactive
- B. Coastal Access and Parking Board** - Meets 1st Tues, 4pm, La Jolla Recreation Center
- C. Community Planners Committee** – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego
- D. La Jolla Parks & Beaches, Inc.** – Meets 4th Mon, 4pm, La Jolla Recreation Center

**12. Jersey Mikes – Action Item**

7836 Herschel Ave. - Tenant improvement, Trash enclosure and shared parking agreement

*PDO ACTION (Sept. 2011): Tenant improvement, trash enclosure approved*

*PDO ACTION (Oct. 2011) Signage and shared parking agreement reviewed, but not acted on due to a lack of public notice of the issue. See attached October meeting minutes for review comments.*

(note the City informed the applicant in writing that the use of the space as a restaurant was not a change in use.)

**Trustee Fitzgerald** advised that this would have been on the consent agenda, if the PDO had heard it at their October meeting, because the committee's concerns had been addressed. Rather than hear it again at the PDO next month and here in December, it was proposed to proceed with approval.

**Approved Motion: Jersey Mikes: Findings can be made that the Tenant improvements conform with the PDO, (Little/Fitzgerald, 12-0-3).**

In favor: Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.

Abstain: Allen, Lucas, Crisafi.

**13. Hennessey's Sidewalk Café – Action Item**

7811 Herschel Ave - Installing wrought iron fence as an encroachment into the PROW

*PDO ACTION (Sept 2011): Sidewalk Café Use conforms with the PDO 6-0-0*

*DPR ACTION (OCT 2011): FINAL REVIEW - motion fails – no recommendation to report*

**Claude-Anthony Marengo** presented the proposal and distributed a diagram and photographs with illustrative overlays to explain the project. **Trustee Conboy** iterated the DPR Committee's concern that the continuity of the sidewalk would be interrupted. **Trustees LaCava** and **Courtney** pointed out that a tree in the landscaped "parkway" had been removed and the "parkway" paved. He was disappointed that action was not included in this application. **Trustee Gabsch** objected to the aesthetic and visual interruption caused by corralled sidewalk cafés in the community overall, which is a situation anticipated and supposed to be avoided. **Trustee Merten** disagreed, expressing that sidewalk cafés in the "parkway" work well. He asked why not put the café corral in the

“parkway”. **Trustee Courtney** pointed out use of the public sidewalk is a discretionary action. **Trustee Costello** is concerned about damage to the old sidewalk. **Trustees Thorsen, Lucas, Whittemore** and **Courtney** expressed concern about the safety issue of the jog in the path at the same place as a concrete-to-brick transition, particularly as it would impact visually impaired pedestrians. **Trustee Fitzgerald** did not find that problem significant.

**Approved Motion: Hennessey’s Sidewalk Café: Findings can *NOT* be made for a Neighborhood Use Permit for a sidewalk café within the public right of way for the existing restaurant located at 7811 Herschel Avenue, (Courtney/Costello, 11-2-2).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Little, Lucas, Merten, Thorsen, Whittemore.  
Opposed: LaCava, Fitzgerald.  
Abstain: Gabsch, Crisafi.

**14. Encore Trust Residence** – Pulled from Consent at October meeting, Action Item

9872 La Jolla Farms Road - Coastal Development Permit and Site Development Permit to construct a 21,592 sf single family residence and 2,149 sf guest quarters on a vacant 1.52 acre site

*DPR ACTION (Sept 2011): Findings can be made for Coastal Development Permit and Site Development Permit to construct 21,592 sf single family residence & 2,149 sf guest quarters on vacant 1.52 acre site. 5-0-0*

**Joe LaCava** presented for the applicant, assisted by **Paul Metcalfe**. It was pointed out that this is technically an amendment to a permit reviewed and granted, but the project has changed considerably. Before that there was a lot split which defined development limitations, particularly steep slope prohibitions. A binder of drawings and photos was distributed to the Trustees. View corridors, orientation to the neighboring Torrey Pines City Park and a section of a trail down “Box Canyon” were identified.

**Ms. Evelyn Heidelberg**, of Procopio, Cory, Hargreaves & Savitch, representing certain neighbors raised issues of compliance, particularly building envelope, roof plans, elevations, setbacks, view corridors, public views, archeology and paleontology. She asked that the item be referred back to the DPR Committee for further review. Neighbors **Jim Morris, Mike Bruser, Kiely DuPont, Irv Wheeler** and **Lynn Bruser** spoke objecting to the scale of the structure and concern with public view impacts. **Trustees Thorsen, Costello, Conboy** and **Whittemore** commented.

***At this point (9:40 PM) Trustee LaCava left the room.***

**Approved Motion: To recommit the Item to the DPR Committee (Whittemore/Brady, 13-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.  
Abstain: Crisafi.  
Recused - out of room: LaCava.

***At this point (9:45 PM) Trustee LaCava returned to the meeting.***

**15. Hooshmand Residence** – Pulled from Consent at October meeting, Action Item

2480 Rue Denise - CDP and SDP for a 4,463 sq. ft. addition & remodel to an existing single family residence on a 0.29 acre site

*PRC ACTION (Sept 2011): Findings can be made for a Site Development Permit and a Coastal Development Permit. 6-0-2*

**Approved Motion: Findings can be made for a Site Development Permit and a Coastal Development Permit, (Conboy/Courtney, 14-0-1).**

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.  
Abstain: Crisafi.

**16. 7401 La Jolla Blvd. Mixed Use** – Action item

7401 La Jolla Blvd - CDP and SDP to construct a mixed use building with 5,400 sf commercial space and a 4,600 sf single-family residence on a vacant 0.23-acre site

*PDO ACTION (OCT 2011): The project as presented conforms to the PDO. 7-0-0*

*DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 sf commercial and 5,080 sf residential, 7,070 sf underground garage (13 spaces) on a vacant 0.23-acre site. 5-0-2*

This item is continued to next month.

**17. On Street Parking** – Pulled from Consent at October meeting, Action item

Consideration of Draft of City Council Policy relating to On-Street Parking

*T&T ACTION (Sept 2011): See attached draft minutes for approved motions*

This item is continued to next month.

**18. Ad Hoc Committee on Operating Procedures** – Action item

Ad Hoc Action: Consideration to adopt Ad Hoc Committee's recommendations #2 & #3, listed below.

See Procedures created by the ad hoc committee attached to this agenda.

*Aug 2011 Recommendations:*

*2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).*

*3. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policy of January 4, 2009, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Whittemore/LaCava 4/1/0).*

This item is continued to next month.

**19. Adjourn at 9:50 PM.** Next Regular Monthly Meeting, 1 December 2011, 6:00 pm.