

Shore break - If at first you don't secede, try, try again -- like La Jolla

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La Jolla embarks every few years on an independence drive to divorce itself from the city of San Diego.

This happens to be one such year.

Don't snicker.

This time, backers of the dissolution effort say they are determined to leave, and they are undeterred by previous failures or the recent defeat of efforts by San Fernando Valley and Hollywood to break up with Los Angeles.

In La Jolla, incorporation leader Paul Kennerson said his group will learn from its northerly neighbors' mistakes in the November election.

And one of the first steps may be to challenge a new state law that requires a vote by all San Diego residents to determine whether La Jolla can leave the city.

He is confident the local movement will galvanize the town.

La Jolla is a wealthy enclave of an estimated 32,000 residents, many of whom descended from founding families that helped build the community.

The median income is \$81,434, compared with \$45,040 in San Diego as a whole. Median home sale prices one recent month were \$1,005,000 in La Jolla, compared with \$405,000 for the entire city.

However, wealth and elitism are not the driving forces behind the breakaway attempt, Kennerson said recently, sitting at a patio table at Pannikin Coffee & Tea on Girard Avenue, where he and start-up members of Independent La Jolla held their first meeting.

"A good deal of it comes from the historical sense that La Jolla is different from other communities in San Diego," said the 61-year-old civil trial lawyer, a past president of the La Jolla Town Council.

"When La Jolla goes to City Hall, the theme is: 'Here's a bunch of rich crybabies who don't get their way.' We're tired of hearing that."

La Jollans also are tired of having to wage battle on everything, said Ellen Revelle, 92.

"I don't think we get a fair deal out here," Revelle said. "We pay heavy taxes, but we haven't seen a street sweeper in quite a while. We don't have a police station here. We don't want to have any more high-rises, but we had a hard time getting a height limit.

"We really don't have a say in anything," she said.

Revelle, widow of UCSD founder and renowned Scripps scientist Roger Revelle, espoused an often-repeated claim that the town produces more tax revenue than it receives back in services.

However, a 1998 report prepared by the city at the request of the La Jolla Town Council rebutted some of those assumptions.

The city does not, as a rule, track revenues from and expenditures in individual communities because money is spent citywide based on need, not geographic location, officials said.

The city's financial management department, however, extrapolated the requested statistics and estimated that La Jolla produced less tax revenue than its residents claimed and generally received more services than they thought.

The calculations used as a basis of measurement La Jolla's population at the time of the study:

29,851, or 2.4 percent of the city's 1.2 million people.

In fiscal year 1997, La Jolla generated 1.7 percent of the city's \$255 million income from property, sales and transient occupancy taxes, which account for 50 percent of the city's tax base.

But in fiscal year 1998, the city spent 6.4 percent of its \$14.8 million street maintenance funds on La Jolla, allocated 16.3 percent of its park and recreation matching money to the town, and used 2.8 percent of its fire and paramedic resources for La Jolla. The Police Department used 2.3 percent of its resources on the town.

Kennerson said that if it's true that La Jolla consistently under-produces tax revenue, then the rest of the city should not have trouble letting the community break away.

The La Jolla Town Council requested another such study in June but has not received the results, said Sherri Lightner, town council president.

Little say

La Jollans' grievances against City Hall grow every year.

In recent memory, the seals occupying and polluting Children's Pool near La Jolla Cove come to mind.

Kennerson said most La Jollans wanted the animals returned to the Seal Rock Reserve offshore, but the City Council overruled them and let the seals stay.

There's the flap over the installation of parking meters in La Jolla. "Meters would urbanize the area like Broadway," said Bart O'Rourke, a secessionist.

The latest City Hall insult, according to La Jolla Town Council trustee Deborah Lindholm, sent La Jollans "ballistic" when officials considered allowing General Motors to advertise on lifeguard stations in exchange for lending cars to the city.

Faced with opposition by City Councilwoman Donna Frye and La Jolla residents, the city dropped the advertisement idea.

"But the fact they even thought about that was the straw that broke the camel's back," Lindholm said.

La Jolla's most widely read history books do not record the town's secession efforts.

According to Lindholm and other townsfolk, the first move was made in 1949. But it did not garner enough support.

In 1990, a group, Incorporate La Jolla, made another stab at independence, but secessionists shelved their plan when they realized that the City Council, which then had the power to veto incorporation, was unlikely to let La Jolla go, said Melinda Merryweather, who supported the movement then and now.

Kennerson was not part of that attempt.

In 1997, a new state law eliminated the City Council's power to veto incorporation proposals, and instead required approval by a "double majority" -- voters in the incorporating community and the rest of the city from which it is seeking to leave.

Kennerson rekindled the incorporation drive in October and recruited 75 members.

The core group includes Kennerson, O'Rourke, owner of a men's clothing shop; and retired Dr. Steele Lipe and his wife, Patricia Daly-Lipe. She is co-author of "La Jolla, A Celebration of Its Past."

They said they know it will be a costly, uphill battle that could consume hundreds of thousands of dollars, so they have formed committees to raise funds and organize the campaign.

Changing the law

The new law makes it virtually impossible for La Jolla to break away, Kennerson said, because he doesn't believe San Diegans would let La Jolla go.

He prefers limiting voting on the issue to La Jolla. To achieve that, the group would have to challenge the state law in court.

"It violates the freedom of association, equal protection and contract clauses in the

Constitution," Kennerson said.

He cited the ease with which local unincorporated areas, such as Del Mar, became cities. Del Mar incorporated in 1959. That is because unincorporated communities require only a majority vote in the affected area to break off from the county.

That explains the recent unimpeded incorporations of two Orange County communities, Aliso Viejo in 2001 and Rancho Santa Margarita in 2000.

"There is one set of rules for people who happen by accident to live in the county and another set for people who, by accident, live in the city," he said. "That violates equal protection."

San Fernando Valley secessionist Paula Boland, a former Republican assemblywoman who represented Los Angeles and authored the law that changed incorporation procedures, said that the fewer people voting on the measure, the more likely it would be to pass.

"They also have to be very well-financed so that when scare tactics come out, they can get enough mail to people to explain what's really going on," Boland said.

La Jollans outside the core group are noncommittal.

"I don't know if we can afford to secede," said Claude-Anthony Marengo, president of La Jolla Community Planning Association.

The businesses of La Jolla have not discussed the issue, said Deborah Marengo, Claude-Anthony's wife and president of Promote La Jolla, a business improvement district.

"We are working with the city to try to resolve some of the issues," she said, citing the proposed construction of a parking structure as an example. "We have a good working relationship, and we hope it will continue."

Glen Sparrow, professor emeritus of SDSU's School of Public Administration and Urban Studies, said of the secession effort that there is "no chance they will succeed."

"I don't think the city of San Diego is ever going to vote to let La Jolla out," Sparrow said. "I don't think they can make it on their own. They don't have factory stores, Wal-Mart, car dealers. They might think they are more valuable than they really are."

City Councilman Scott Peters, who lives in La Jolla and represents that town as part of his district, issued a statement acknowledging the secession effort but defending La Jolla's place within San Diego.

"Forming a new city . . . is a very expensive and difficult proposition even under the new state law," Peters said. "I fight every day against the greater city's feelings that La Jolla gets more than other parts of San Diego.

"I understand La Jolla's frustrations."

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1. A family enjoyed a sunny morning on the beach at La Jolla, a top scenic draw for tourists. The town has toyed with secession before, but this time cityhood proponents say they are determined to split from San Diego -- and ready to go to court. 2. Paul Kennerson, a leader of La Jolla's movement to secede, stood below a gaping hole underneath a large industrial pipe that is exposed because of sandstone erosion near the Children's Pool. He contends the city of San Diego has neglected La Jolla. 3. La Jolla secession leader Paul Kennerson stood along the deeply eroded bluffs near the Children's Pool. He sees the condition of the coastal walk as an example of what he calls the city of San Diego's neglect of La Jolla. (B-5) 1,2,3. Nadia Borowski Scott / Union-Tribune photos

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