

THE OFFICES OF
HASKINS & ASSOCIATES, APC

A PROFESSIONAL LAW CORPORATION

ATTORNEYS AT LAW

4045 BONITA ROAD, SUITE 206

BONITA, CALIFORNIA 91902-1336

TELEPHONE (619) 479-4351

FACSIMILE (619) 479-0337

WWW.HASKINSLAW.COM

LETICIA SORIANO, NP, AICBP, PARALEGAL
VICKI M. WALKER, PARALEGAL

STEVEN W. HASKINS*
ELENA L. HASKINS

CYRUS E. SERADJ*
MARGARET PITCHKOLAN*
CRAIG SANDERS**

OF COUNSEL
STEVEN F. WINGFIELD- CFSL

STATE BAR OF CALIFORNIA,
BOARD OF LEGAL SPECIALIZATION

*ALSO A LICENSED REAL ESTATE BROKER
**ALSO ADMITTED IN ARIZONA

RANCHO SANTA FE OFFICE
8108 LA FLECHA, SUITE 203
P.O. BOX 1907
RANCHO SANTA FE, CALIFORNIA 92067
TELEPHONE (800) 669-1667

SENDER'S E-MAIL ADDRESS:

SteveH@HaskinsLaw.com

March 18, 2008

BY FACSIMILE, E-MAIL AND FIRST CLASS MAIL

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq.
1200 Third Ave., Ste. 1620
San Diego, CA 92101

Facsimile: 236-7215

Re: La Jolla Community Parking Advisory Board/ Violations

Dear Mr. Calabrese:

As you know this firm represents *La Jollans for Clean Government, Inc.*, a watchdog group created by La Jolla residents to insure openness and legal compliance in local City sponsored boards and committees.

The La Jolla Community Parking District Advisory Board ("LJCPDAB" or "Parking Board") has violated the Political Reform Act ("PRA") and cannot properly deliberate on parking proposals prior to fully complying with the PRA. In fact, this is the very advice which the City Attorney gave to the Board in writing on December 19, 2007. Since the controlling legal authorities and policies for the Parking Board are unchanged, the prohibition on deliberations premised on the prior opinions should also be unchanged.

Moreover, this letter identifies evidence that two board members may have violated state conflict laws when they helped author and shape parking plans. This represents a second, and equally serious, reason why the Parking Board cannot deliberate regarding the comparative merit of parking plans.

I BACKGROUND

From its formation to present, the Parking Board has been subject to the Political Reform Act. That conclusion was reached by the City Attorney's office in its opinions of December 17, 2007, December 19, 2007 and more recently expressed orally to the City Council on February 26, 2008. Those opinions are fully consistent with conclusions reached by California's Fair Political Practices

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq.
March 18, 2008
Page Two

Commission ("FPPC"). *See, Central Parking District Advisory Board*, FPPC Opinion, A-89-591, 1989 WL 572601; *also see*, FPPC Opinion, A-96-127 (members of "Transportation Advisory Committee" must file Statements of Economic Interest); FPPC Opinion A-88-304 (members of the "Advisory Board on Air Quality and Fuels" must file). Recognizing that Board Members had not filed Statements of Economic Interest ("SEIs"), the City Attorney advised Board Members that they could not deliberate regarding parking plans and issues until all required SEIs were filed and other legal issues resolved. **If this advice was correct based on the then existing legal authority, it remains correct today because those authorities are unchanged.**

II BASED ON EXISTING POLICY 100-18, MEMBERS OF THE PARKING BOARD HAVE A CURRENT OBLIGATION TO FILE STATEMENTS OF ECONOMIC INTEREST BEFORE ENGAGING IN SUBSTANTIVE DELIBERATIONS

On December 17, 2007, you advised Mr. Mosier that the LJCPDAB should not engage in substantive parking deliberations for the time being.

"Thus, one of the following actions must occur prior to any Board action: either a) the members must file full disclosure, using Form 700, with the office of the City Clerk; or b) the Board must adopt and receive City Council approval of a code that is specific to the Board, and disclose under that code."

Indeed, you have concluded that the Parking Board (as now constituted) is decision-making and subject to the Political Reform Act. You announced this opinion in writing on December 14, 2007, repeated it in writing on December 17, 2007, and stated it orally to the City Council on February 26, 2008.

Pursuant to Government Code §87302.6, members of the Board have an obligation to file Statements of Economic Interest using Form 700. This statutory requirement remains in place. While the City Council has indicated that it might vary the responsibilities of parking boards in the future (by changing Policy 100-18), it has not done so to date. In fact, one option discussed by the Council on February 26, 2008, would preserve some decision-making authority for parking boards. Under this option, parking boards would still be required to provide disclosure pursuant to the Political Reform Act. Even if Policy 100-18 were revised to eliminate the decision making authority of the Parking Board, that change would be effective after the amendment occurs. At this time, the Parking Board remains subject to Government Code §87302.6. Your written advice of December 17 was correct then and remains correct today.

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq.
March 18, 2008
Page Three

III MICHAEL HARTH AND PETER WAGENER, CO-AUTHORS OF PARKING PLANS, MAY HAVE SERIOUSLY VIOLATED THE POLITICAL REFORM ACT

Michael Harth and Peter Wagener – while serving on the Parking Board – knowingly helped author parking plans which would increase revenues for their business ventures and/or properties. By participating in this process, it appears that violations of the conflict laws may have occurred.

A Financial Holdings of Harth and Wagener

Harth's Financial Interests in Village of La Jolla. Michael Harth is the founder and owner Sunset Parking (now Sunset Parking Services). He also serves its Chief Executive Officer. Union Tribune, February 6, 2007; San Diego Business Journal, October 9, 2006. Sunset Parking Services is heavily invested in the Village of La Jolla, operating parking at the following locations (based on a recent survey):

- 1111 Prospect St. (Hotel Parisi) Underground Garage 101
- 1250 Prospect St. (Georges, Azule & Pasquale) 12 Valet Spaces
- 1225 Prospect St. (Prospect Square Building)
- 7817 Ivanhoe Ave. (Pacific Bank Building) Underground Garage 129 Spaces
- 7855 Ivanhoe Ave. (The Wall Street Building & Marengo/Morton) Parking Lot 77 Spaces
- 7946 Ivanhoe Ave. (El Patio Building) Underground Garage 50 spaces
- 7825 Fay Ave. (Merrill Lynch Building) Underground Garage 310 Spaces
- 7777 Fay Ave. (Smith Barney Building) Underground Garage 191 Spaces
-- Empress Hotel/Manhattan uses for Valet
- 1055 Wall St. (Sak's Building) Underground Garage 284 Spaces---Jack's uses for Valet

Wagener's Financial Interests in Village of La Jolla. Peter Wagener is also heavily invested in Village. These are his known holdings, based on articles in Forbes and other sources:

- 1111 Prospect St. (Hotel Parisi) Underground Garage 101 (Ownership reported in Forbes)
- Business Relationship with Sunset Parking Services (Reported in Union Tribune, February 6, 2007)
- 7802 Girard Avenue
- 1044 Wall Street

Varied Holdings. The above-listed holdings are based on available information. Ultimately, only Harth and Wagener truly know what they own or do not own. To the extent that the listed holdings are greater or smaller than the actual holdings, that misunderstanding results from the refusal of Harth and Wagener to provide proper and legally required financial disclosures.

B. It Was Known That Plans Shaped and Sponsored by Harth and Wagener Would Increase Parking Revenues for Garages Owned And/or Operated by Harth and Wagener

Since 2002 (if not before) it has been known that charging for street parking in the Village of La Jolla would increase use and revenues for private, off-street parking facilities in the Village. The Formation Proposal under which the LJCPDAB was created (Exhibit A), states “if on street parking remained free in the core areas of the Village, the garages would be underused...” Page 4. Likewise, the parking study prepared by Wilbur Smith Associates (also referenced in the Formation Proposal) declares: “Parking meters forces long-term parkers to use off-street lots.” (Exhibit B, p. viii.) Stated again, “on-street paid parking should deter long-term parkers and employees from parking on-street,” and will instead increase usage of off-street lots. (Exhibit B, p. 57). Not only is it reasonable to assume that Harth and Wagener read these materials, it is reasonable to assume that they would understand the basic laws of economics demanding this result.

1 The Projected Revenue Impacts for Private Parking Garages in the Village is Great

By forcing motorists into private garages, street meters greatly increase income for those garages. For instance, a garage which increases its usage of short-term parking by ten spaces will increase its annual revenue by about \$20,160 a year. (Wilbur Smith, Exhibit B. p. 57). If those spaces are used by employees, the estimated increase in yearly revenue would climb by \$8,600. Page 57. If garage usage were increased by 200 spaces, the value could exceed \$400,000 a year.

2 The Formation Proposal Recognized that there Would be a Substantial Chance to Increase Revenues for Private Parking Garages and Parking Businesses Operating in the Village

The Formation Proposal states that the Parking Board, in an effort to “increase the number of off street parking used...would work with local garages to negotiate extended hours of operation on week nights and weekends.” (Exhibit A, page 9). The board identified an existing program “in which more than 150 parking spaces in existing private parking garages are purchased and resold....” Page 9. Yet, plans were to expand that program, which, in turn would increase revenues for garages. Thus, “within the first year of the CPD’s operation, the existing program is proposed to be expanded by an additional 160 spaces....” Page 9.

This change, if implemented, would increase revenues for parking businesses and garages by **\$137,600** (using the Wilbur Smith revenues estimates placing the annual value of an employee space at \$860). Ultimately, the increased revenues for garages would be much greater because parking meters force both employees and longer-term retail or business visitors into garages. Those

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq.
March 18, 2008
Page Five

additional spaces produce annual income projected to be about \$2,000 a piece. If 100 spaces were occupied, this would result in a total annual revenue increase of **more than \$337,000.**

3 Harth Actually Sought to Increase His Parking Revenues and Solicited the Help of the Current Chair, Martin Mosier

Harth understood that moving employees to his parking garages would increase his revenues. Indeed, he approached the current Chair of the Parking Board – Martin Mosier – for this very purpose. In an email Mr. Harth writes to Mr. Mosier as follows:

“Sunset has extra space in the Sak’s [sic] garage right now as we just lost a substantial amount of monthly parkers (due to financial firms cutting back on people) would you and Tiffany be available to meet...to discuss ways to drive employees into this garage....”
(Harth Email, Exhibit C).

III HARTH AND WAGENER CANNOT PRETEND THAT THEY AVOIDED PARTICIPATING IN A GOVERNMENTAL DECISION – THEY SHAPED, AUTHORED AND VOTED ON THE PLANS NOW BEFORE THE PARKING BOARD

Harth and Wagener cannot deny that they were subject to the conflict rules of the Political Reform Act because they were “participating in making” a “governmental decision.”

1 Legal Overview

Pursuant to the FPPC Regulations, governmental decisions include a wide variety of actions, which includes the development of the following: (1) “a plan, design, report, study, or similar item;” or (2) “policies, standards or guidelines for the agency, or for any subdivision thereof.” 2 CCR §18701(a)(2)(A)(vi) and (vii).

A board member subject to the Act participates in that decision if he or she:

“Advises or makes recommendations to the decisionmaker either directly or without significant intervening substantive review by:

- (1) Conducting research or making any investigation which requires the exercise of judgment on the part of the official....
- (2) Preparing or presenting any report, analysis, or opinion, orally or in writing, which requires the exercise of judgment.... 2 CCR §18702.2(b).

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq.
March 18, 2008
Page Six

Indeed, the parking board for two years has been engaged in “investigation” of parking management choices, has engaged in “analysis” of options, have offered “opinions” orally and in writing, and have even prepared draft plans for presentation to the City Council. As such, they are participating in a governmental decision.

2 Examples of Harth and Wagener Participating in Governmental Decisions

For approximately two years, Harth and Evans participated in making a governmental decision. Harth, Wagener and others engaged in a variety of research and investigation activities, including: (1) fact-finding visits to cities with parking meters, such as Pasadena; (2) meeting with public officials inside and outside the City to gather information; (3) reviewing parking studies; (4) studying technology options; (5) considering competing management options; and (6) engaging in discussions regarding the merits of each.

Based on these efforts, Harth, Wagener (and the other board members) discussed and synthesized their efforts into a written plan for presentation to the City Council, in accordance with the Council-approved Formation Proposal. For this effort, Wagener served as the Board’s Chairperson. Harth and Wagener helped co-author the August draft plan on which they deliberated at the Board’s meeting of August 30, 2007. On September 19, 2007, a nearly-identical plan was formally approved by the Parking Board, with Harth and Wagener listed among the co-authors. (The plan was presented for a 45-day comment period and was tentatively scheduled for approval or modified approval in November). Copies of the August plan and the September plan are attached, and are virtually identical. See, Exhibits D and E.

The August and September plans undeniably reflects the “exercise of judgment” regarding one or more governmental decisions. The written plans recommended: (1) installation of meters; (2) use of high-tech meters; (3) meter charges of between \$1.00 and \$1.50 per hour, which would vary based on location and day; (4) setting maximum time limits for parking that would be either 2, 4 or 9 hours, depending on the location; and (5) creating a system to produce a vacancy rate of 10 to 15 percent.” Many other issues were addressed in the plans, such as residential permit parking and revenue issues. As the report explained, its recommendations resulted “after 18 months of study and analysis, field trips, and discussion.” If any effort constitutes participating in a governmental decision (without making it), this 18 month effort qualifies.

IV CONCLUSION

At this time, the Parking Board must follow the written advice of the City Attorney, dated December 17, 2007, and refrain from deliberating on parking issues until it has filed SEI’s or there is a legal determination that: (1) the Board is no longer a decision making board; and (2) all past-due SEIs have been filed. Further, the City Attorney should determine if additional violations of the Political

Hon. Michael Aguirre
City Attorney, City of San Diego
ATT: Michael Calabrese, Esq. March 17, 2008
March 18, 2008
Page Seven

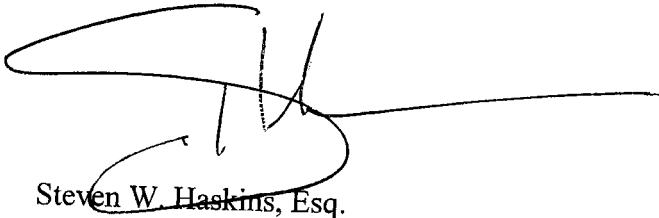
Reform Act have occurred due to the possible participation of Harth and Wagener in decisions in which they have a financial interest.

If the parking plans have been developed by persons who have a conflict of interest in the process, an appropriate remedy must be developed. That would consist of removing from consideration the tainted plans. Certainly new plans could be proposed by the untainted members and presented to the public for the pre-established 45-day comment period. Through this process, the Board could still proceed with relatively little delay and the process could be cleansed of any identified conflict.

Thank you for your anticipated prompt attention to this matter.

Yours very truly,

HASKINS & ASSOCIATES APC

A handwritten signature in black ink, appearing to be 'S. W. Haskins', written over a horizontal line. The signature is stylized and somewhat cursive.

Steven W. Haskins, Esq.

Encl.

cc: Client

EXHIBITS

- | | |
|-----------|---|
| Exhibit A | Formation Proposal |
| Exhibit B | Wilbur Smith Parking Study (selected pages) |
| Exhibit C | Harth Email |
| Exhibit D | August Parking Plan |
| Exhibit E | September Parking Plan |

1	Exhibit A
----------	------------------

2	Exhibit B
----------	------------------

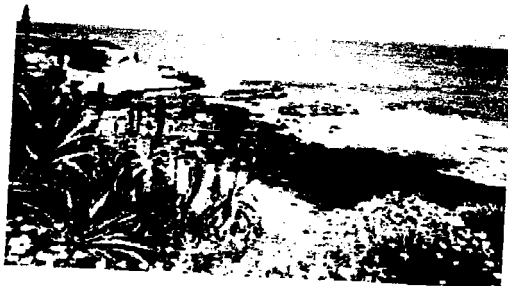
3	Exhibit C
----------	------------------

4	Exhibit D
----------	------------------

5	Exhibit E
----------	------------------

EXHIBIT A

**Proposal for the Formation of the
LA JOLLA COMMUNITY PARKING DISTRICT**



Submitted to the City of San Diego

**By Promote La Jolla,
The Business Improvement District of La Jolla**

REVISED Version 1
March 24, 2005

1. INTRODUCTION

This proposal provides the framework for the formation of a new Community Parking District for La Jolla. For nearly 25 years, parking issues have been studied and discussed in La Jolla, particularly around the commercial village – a popular destination for community residents and local, national and international visitors alike.

Throughout that time, traffic congestion steadily increased as the community and the region around it grew. Parking supplies have failed to keep pace with demand and, as a result, residents, shoppers, tourists and small businesses are all adversely affected. Professional studies and local volunteer committees have equally concluded that there is no quick fix -- no one-step solution -- to solve the worsening parking situation in La Jolla. The answer lies in a comprehensive program that will benefit all stakeholders: local residents, merchants and visitors.

This proposal is intended to take advantage of recent policy changes of the City of San Diego that empower communities to exercise local control over parking management issues. Those policies now allow for the formation of Community Parking Districts that can administer parking programs on a community-wide basis and retain nearly half (and in some cases, more) of parking-related revenues for the benefit of the community in which they are generated. These funds can be used to create additional parking resources and improve the street and sidewalk environments for pedestrians.

The La Jolla Community Parking District is modeled on the successful collaboration that exists in La Jolla today. The Coastal Access and Parking Board (Coastal Access) is a collaborative committee with representatives from the La Jolla Community Planning Association, the city-recognized community planning group for the greater La Jolla area; the La Jolla Town Council, a private, non-profit association of local residents and merchants; and Promote La Jolla, the city- and state-authorized business improvement district for the commercial core of La Jolla.

Coastal Access oversees two parking-related programs in La Jolla: 1) a program to provide discounted transit passes to employees of businesses in La Jolla; and 2) subsidized monthly employee parking passes in off-street parking lots and garages. Promote La Jolla administers the finances of Coastal Access. In addition to Coastal Access, the La Jolla Traffic and Transportation Committee provides a collaborative forum for the discussion of traffic circulation and other transportation issues. Similar issues are also addressed at the neighborhood level by the Bird Rock Community Council and La Jolla Shores Association.

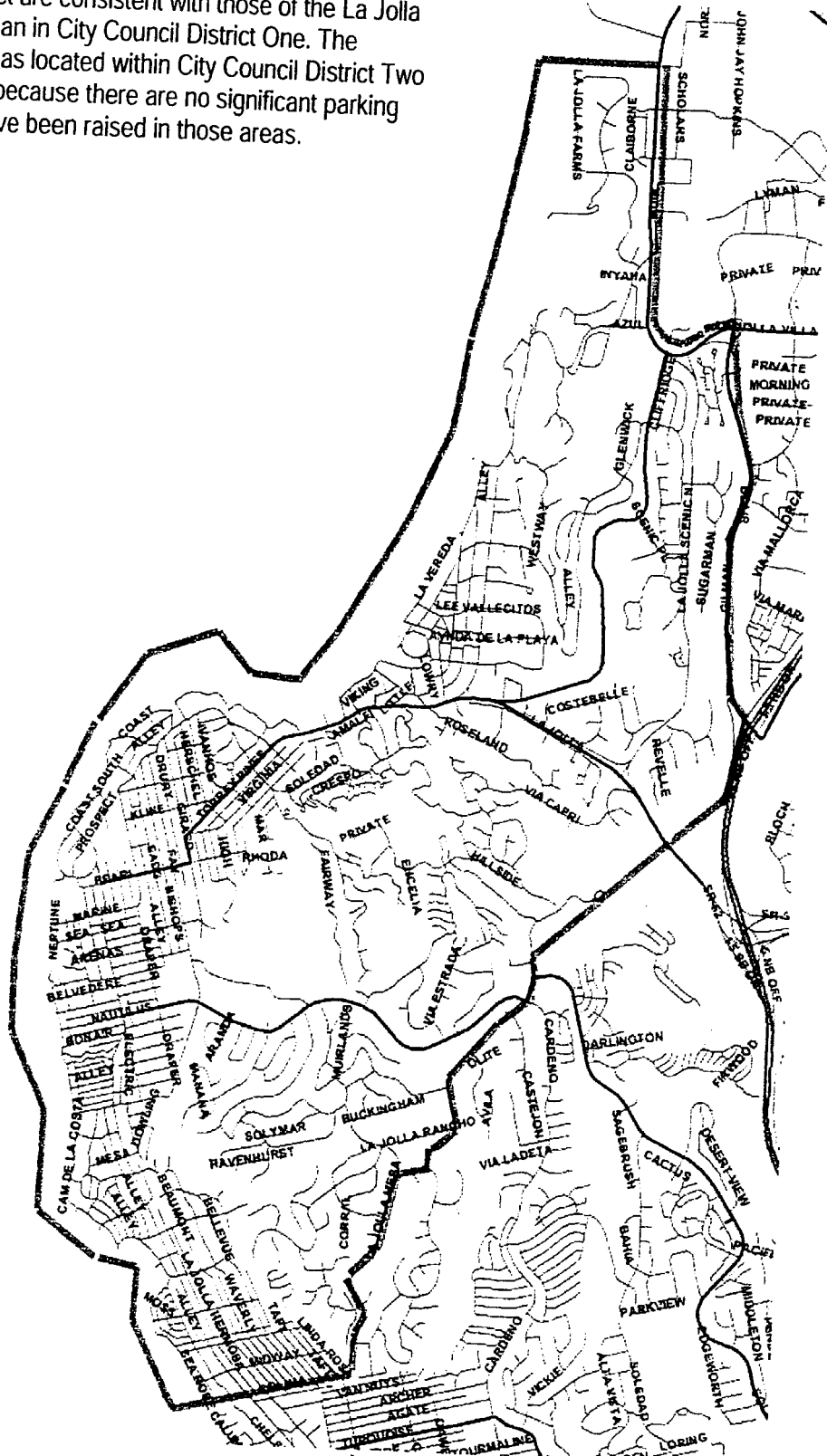
This proposal would expand the current Coastal Access and Parking Board to incorporate broader community representation from both merchants and residents throughout the greater La Jolla area.

It is critical to note that this proposal outlines a number of possible parking-related programs and solutions; however, its primary purpose is to establish a local body that will control the parking destiny of La Jolla. Specific decisions about parking time limits, paid on-street parking, residential permit zones, etc., would be made by the new La Jolla Community Parking District Advisory Board with extensive and ongoing community input.

Promote La Jolla presented this proposal to the La Jolla Community Planning Association on Thursday, January 3, 2005. The meeting was noticed to the public and advertisements were placed in both the La Jolla Light and La Jolla Village News promoting the meeting. In addition, Promote La Jolla has or will meet with every organized community organization in the La Jolla community to gain additional input.

1.a. PROPOSED DISTRICT BOUNDARY

The proposed boundaries of the La Jolla Community Parking District are consistent with those of the La Jolla Community Plan in City Council District One. The residential areas located within City Council District Two are excluded because there are no significant parking issues that have been raised in those areas.



1.b. SUPPORTING DATA

In 2002, the City of San Diego commissioned three visitor oriented parking studies in Old Town, Pacific Beach and La Jolla. "Visitor Serving Parking Facilities in San Diego - La Jolla Area Study" was conducted by Wilbur Smith Associates and accepted by the Land Use & Housing Committee of the San Diego City Council.

The Wilbur Smith study is only the latest in a series of studies, commissions and task force reports dating back 25 years in La Jolla (more information on these efforts is described further in Attachment A – Parking-Related Studies in La Jolla, 1979-2000).

Wilbur Smith Study - Background

The La Jolla study was initiated in fall 2000 and completed in May 2002 by Wilbur Smith Associates.

Survey Area

The study focused on the commercial core area of La Jolla, known as "the Village," and included the coast. Approximate boundaries were from Prospect Place to Draper Avenue and from Torrey Pines Road to Coast Boulevard.

Finding: There is a Significant and Growing Parking Shortage in the Commercial District

The report confirmed that La Jolla has a substantial parking deficiency. The shortage is most acute in the business/retail area from Prospect Avenue to Kline Street and from Ivanhoe Avenue to Girard Avenue. In this area, the study showed an average demand of 935 spaces and an existing supply of 533 spaces. During peak hours, a severe shortage exists in the business/retail area south of Girard Avenue as well. The report further finds that even if all off-street parking facilities (private parking garages) were used, there would still be a shortage of spaces. Over the next 20 years, the demand will steadily increase, while supply will remain relatively fixed.

Finding: Free On Street Parking is a Leading Cause of Peak Hour Traffic Congestion

One of the key findings of the study is that traffic congestion in the village is caused, in large measure, by drivers circling the blocks in search of free, on-street parking.

Proposed Solutions

The study recommends implementing a comprehensive parking program in La Jolla including the construction of one or more public parking garages in central locations. In addition, the study recommends:

- *Increasing on-street parking by converting parallel parking to diagonal, where feasible;*
- *Creating a well-designed signage program to direct cars to local parking facilities;*
- *Providing a residential parking permit program in select areas;*
- *Establishing a uniform 90-minute time limit for on-street parking (now 2 hours);*
- *Implementing paid, on-street parking in the central village area and along the coast;*
- *Using revenues from on-street parking to finance new public parking garages;*
- *Forming a La Jolla Parking District to administer the program within the community.*

Potential Benefits of Paid On-Street Parking in La Jolla

The study clearly found that public parking garages could not be constructed without significant and reliable revenues from paid, on-street parking. It further reported that if on-street parking remained free in the core area of the Village, the garages would be underused and traffic congestion would worsen as residents, visitors and employees vied for the free spaces.

Alternatives to Conventional Parking Meters

The study recommends implementing parking meters, or a modern alternative, on a pilot basis in the core area of the Village and along the visitor-serving areas of the coast. Alternatives to standard city parking meters include "Pay and Display" or "Pay and Walk Away" systems, that place a single collection station for multiple spaces and accept coins, tokens or pre-paid parking smart cards. Similar programs have been successful in cities including Aspen, Colorado, and Portland, Oregon. Similar pilot programs are being implemented in Hillcrest and Downtown.

Potential Public Parking Garage Sites

The parking study conducted a preliminary assessment of seven possible locations for future public parking garages. It does not recommend a preferred site. The analysis is only intended to provide approximate construction costs, project possible revenues, and estimate the number of parking spaces that could be provided in each location.

Parking Garage Site Selection Process

The Land Use & Housing Committee of the City Council eliminated all potential garage sites except for the "Dip" site, the Helen Smith property and the Union Bank parking lot. A final site would be selected after a future environmental study is completed.

Additional Information

The Executive Summary of the Wilbur Smith study is provided in Attachment B. A complete copy of the report is available at <http://www.sandiego.gov/planning/pdf/ljparking.pdf>.

1.c. CONCEPTUAL PLAN

1.c.1. Proposed Management Entity

The La Jolla Community Parking District will be guided by a diverse group of community interests and administered by Promote La Jolla, the city-recognized Business Improvement District (BID) for La Jolla. Promote La Jolla was established in 1992 under the California Parking and Business Improvement Act of 1989 and is currently the City's largest BID. Promote La Jolla has a 15-member board of directors, a full-time executive director and has contracted with the City of San Diego for more than 14 years.

Community Parking District Advisory Board

The La Jolla Community Parking District would be guided by a nine-member Community Parking District Advisory Board proposed as follows:

- At-large Business or Commercial Property Owner
- At-large Resident
- Bird Rock Community Council Appointee (~~Business Owner~~)
- Community Planning Association Appointee
- La Jolla Shores Association Appointee
- La Jolla Town Council Appointee
- Promote La Jolla Appointees (3)

Advisory Board Selection

Advisory board terms will be one year in length. Members could serve a maximum of six consecutive years. They may be reappointed after a period of one year. Alternate advisory board members would also be appointed by the participating organizations.

At-large seats will be initially nominated by the City Councilmember. Advisory Board members will be selected initially by the Councilman based on nominations from designated organizations. The initial board would then be approved by a vote of the Mayor and City Council along with a first year budget and work program per City Council policy.

After the initial term of the at-large representatives, the at-large representatives will be solicited from throughout the broader La Jolla community through public notices, newsletters and community newspapers. Applications will be made available to interested parties for a period of thirty days annually. If no applications are received, the advisory board will form a three person nominating committee to solicit no less than two applicants for each open seat. Once the time frame has closed, at the next regular advisory board meeting, the advisory board will vote on the candidates, and the winners will be determined by a 2/3 vote of the advisory board.

The Advisory Board slate will be confirmed annually by the board of directors of Promote La Jolla. It is not the intention of Promote La Jolla, Inc. to intervene with the advisory board composition. Promote La Jolla shall not unreasonably withhold confirmation of any community group representative.

Standing rules for the Community Parking District will be established by Promote La Jolla, Inc. The Standing Rules will include contractual and fiduciary control mechanisms for the community parking district assets, and some reasonable method of removal of an advisory board member for misconduct. These Standing Rules will give the advisory board every opportunity to self-govern with the limited involvement of Promote La Jolla, Inc.

Representatives would serve until the new members are approved. Seats would not be allowed to be vacant.

Associate members may be recommended by the Community Parking District Advisory Board for appointment to select committees and invited to give community input on important issues as they arise.

There are geographic areas or communities within La Jolla and outside of the business district which experience parking impacts. The Advisory Board will identify these areas and, provided that these geographic areas generate significant revenue or require an investment in resources, the Standing Rules will provide the opportunity to appoint one ex-officio advisory board member per year. This ex-officio member will be representative of this geographic area/community within the La Jolla Community Parking District's boundary (i.e. UCSD). The ex-officio member appointment will follow the same process as the at-large representative.

1.c.2. Public Input Program

Programs implemented by the La Jolla Community Parking District Advisory Board and the City of San Diego would be guided by a thorough process of public input. For the purposes of this program, the "public" will include:

- La Jolla residents
- San Diego residents/customers/beachgoers/visitors
- Regional, national and international visitors
- La Jolla business owners
- La Jolla commercial property owners
- La Jolla Community Planning Association
- Local community or stakeholder organizations

Program elements will include, but not be limited to, the following activities:

La Jolla Parking Information Web Site

Promote La Jolla will maintain a Web site dedicated to current information on the La Jolla Community Parking District. The site will include notices of upcoming meetings, descriptions of planned programs and improvements, maps, and visitor information.

La Jolla Community Planning Group Presentations

Each year, the annual program recommendations of the La Jolla Community Parking District Advisory Board will be presented at a public meeting of the La Jolla Community Planning Group. This meeting will occur prior to the adoption of the annual program and budget by the San Diego City Council. The meeting will be publicly noticed in accordance with City requirements.

Notices in Local Newspapers

Notices of upcoming meetings of the La Jolla Community Parking District Advisory Board will be distributed to local community newspapers for publication.

Quarterly Newsletters

The La Jolla Community Parking District Advisory Board will produce a quarterly newsletter outlining parking-related improvements throughout the Parking District.

Customer Satisfaction Surveys

Each year, the La Jolla Community Parking District Advisory Board will conduct an annual satisfaction survey to gain feedback from residents, merchants, visitors and other stakeholders.

Customer Feedback Forms

The La Jolla Community Parking District Advisory Board will solicit input on a year-round basis through customer comment forms on the Parking District Web site, at the District office, at the La Jolla Visitor Information Center, and in other community locations.

Speakers Bureau

Representatives of the La Jolla Community Parking District Advisory Board will address community organizations throughout the year upon request.

1.c.3. Potential Revenue Sources

A goal of the La Jolla Community Parking District will be the retention of a majority of parking district revenues for local improvements including the construction of a public parking garage.

A more detailed revenue proposal is outlined in section 1.c.6 (First Year Budget). An expanded budget of revenue and expenditures would be provided in the program's second year budget, after a more specific program is developed by the CPD Advisory Board and approved by the City Council as part of the annual contractual process as outlined in Council policy. Potential revenue sources for the district include:

Coastal Access and Parking Funds

These include existing and future revenues (and expenses) of the programs currently administered by Promote La Jolla on behalf of the Coastal Access and Parking Board. These revenues could include parking-related funds collected by the California Coastal Commission that are currently held by the City of San Diego.

Monthly Employee Parking Pass Revenues

Revenues are currently collected under the existing La Jolla Coastal Access and Parking program for employee parking in privately owned garages. Future revenue might include fees for parking in a community parking facility operated by the LJCPD, if such a parking facility was to be built.

Employee Bus Pass Revenues

Revenue from an existing program with La Jolla Coastal access and Parking Board which currently sells subsidized monthly MTDB bus pass for employees within the La Jolla BID.

Residential Parking Permit Fees

A Residential Parking Permit (RPP) program could be implemented on public streets in residential areas around the UCSD mesa. Other residential areas near the commercial village should be considered for future implementation of RPP programs, if desired by those neighborhoods. The Advisory Board may wish to consider implementing an "all access" parking pass program similar to that of Laguna Beach, which allows local residents to purchase annual parking passes that can be used in paid on-street parking spaces in commercial areas. All access passes could provide increased revenues to the program.

Valet Fees

Fees assessed on all valet/passenger (white) zones within the La Jolla BID. The hours and number of days that the valet zone is in effect should determine the fees on each parking space in this program.

Paid On-Street Parking Revenues

Specific, high-impact commercial and visitor-serving streets could be targeted for new "pay and display" or other multi-space parking meter technology. No conventional, coin-operated public parking meters would be permitted in the boundary of the La Jolla Community Parking District. The Advisory Board will explore the implementation of all other management solutions prior to the consideration and installation of paid on-street parking.

In-lieu Parking Fees

In-lieu parking fees might be a future source of revenue and such revenues should remain within the LJCPD, but are not currently proposed under this plan.

Additional Revenues

Additional programs and revenue sources may be developed by the La Jolla Community Parking District Advisory Board.

Note: any or all of these programs would have to be approved by the City Council in the CPD's annual contract and work plan authorization.

1.c.4 Proposed Improvements

In accordance with City Council Policy 100-18, the following improvements would be considered for implementation by the La Jolla Community Parking District:

Maximization of Existing Off Street Parking Inventory

To increase the number of off street parking spaces used, the LJCPD would work with local garages to negotiate extended hours of operation on weeknights and weekends.

Employee Parking and Education Programs

Adoption of the existing La Jolla Coastal Access and Parking Board program, in which more than 150 parking spaces in existing private parking garages are purchased and resold at a discount to employees in the commercial village. This program gets employee cars off the street and encourages better utilization of existing private, off-street, parking garages. Within the first year of the CPD's operation, the existing employee parking program is proposed to be expanded by an additional 160 spaces in the BID area.

Reconfiguration of Existing Parking Inventory

Increasing the number of on-street parking spaces within the commercial village by converting some parking spaces from parallel to diagonal, wherever possible and safe. The result of this program is more on-street parking spaces. This would not apply to residential streets unless requested by the residents.

Time Limit Parking Changes

To increase parking turnover and discourage employees from parking on the street, one and two hour parking could be changed to 90 minute parking on targeted streets within the commercial village of La Jolla; establish four-hour time zones on streets near the La Jolla coastline; and create new green parking spaces (15-30 minutes) in the center of each block within the BID to support shorter trips.

Residential Parking Programs

As outlined in the previous section, Residential Parking Permit (RPP) programs could be implemented on public streets in residential areas around the UCSD mesa. Other residential areas near the commercial village should be considered for future implementation of RPP programs, if desired by those neighborhoods. The Advisory Board may wish to consider implementing a special "all access" parking pass program for residents similar to the program in Laguna Beach, which allows local residents to purchase annual parking passes that can be used in paid on-street parking spaces in commercial areas.

Pedestrian Enhancements

The program could provide funding for needed pedestrian and right-of-way improvements within the LJCPD. One project that should be considered is a community approved street/sidewalk enhancement project in La Jolla Shores. Funding could also be provided for a demonstration project in the LJCPD for a landscaping project within a public right of way. One project that should be considered is landscaping one of the new traffic calming roundabouts in Bird Rock.

Parking Enforcement

In order to better regulate parking with the LJCPD and particularly within the commercial BID boundary, the LJCPD could negotiate with San Diego City parking enforcement to provide an additional parking enforcement officer within the LJCPD. Additionally, the CPD would use new, state of the art technology to improve enforcement

Paid On-Street Parking

In order to increase turn-over and discourage long-term employee and student parking in high-impact areas, the District could purchase state-of-the-art, multi-space, parking pay stations. These stations would each serve approximately 12 parking spaces. The Advisory Board would determine suitable locations for paid on-street parking based on wide-spread community input. No conventional city parking meters would be installed within the La Jolla Community Parking District boundary.

Public Parking Facility

Expenditures could include the evaluation of several sites and a schematic design of a parking facility at one designated site together with ancillary costs and facilities such as landscaping, lighting, sidewalks, ingress and egress, engineering, soils, environmental, and financial studies and other preliminary costs.

Signage and Wayfinding Programs

The LJCPD could provide an enhanced signage program to promote the use of existing off-street parking facilities. In addition, a map of La Jolla showing parking facilities and options should be made available in print and on the internet.

Community Shuttle

A community shuttle program could be developed under this program to relieve parking pressures in high demand areas. If one or more community parking facilities were built, a community shuttle should be considered to transport employees, customers and visitors between the parking facilities, UCSD, other transportation centers, coastline attractions and/or their destination within the LJCPD. A pilot program could be developed utilizing a van or electric vehicles to provide scheduled and on-call trips during peak hours.

Public Transit

Continuation of the existing La Jolla Coastal Access and Parking program whereby up to 110 MTDB bus passes are purchased and resold (subsidized) each month to employees within the La Jolla BID. This program encourages bus ridership and thereby reduces traffic and the need for parking within the BID.

Disabled Access

Parking access for the disabled could be improved throughout the LJCPD area.

Street Cleaning

Additional funds might be used for signage to designate time and place of street cleaning on a given street to preclude automobile parking at that time. Funds could subsequently be used as a demonstration project to clean a limited number of streets in the LJCPD on a trial basis.

Security

Provides funds for a demonstration lighting project in the LJCPD whereby new street/sidewalk lighting is installed in one block within the public right of way.

Public Input, Education and Outreach

Costs associated with facilitating community input and creating public information materials.

Administration

An executive director and one other employee will ultimately be needed to implement the LJCPD plan. The initial expenses for the program (\$15,000 to \$20,000) will be underwritten by Promote La Jolla, including staffing, office space, materials, postage, and costs associated with public input and marketing activities.

Reserves

A reserve amount equal to approximately 2.5% of each year's budget will be prudent to cover cost overruns and unforeseen expenditures and is included in the plan.

Note: any or all of these programs would have to be approved by the City Council in the CPD's annual contract and work plan authorization.

1.c.5 Anticipated Financing

No financing will be needed within the first year operating budget of the La Jolla Community Parking District. Financing for any future parking facilities would be identified in subsequent annual budgets.

1.c.6 First Year Budget

Promote La Jolla is willing to fund most of the administrative costs associated with the first year of operation of the La Jolla Community Parking District. Promote La Jolla is also the existing fiduciary agent for La Jolla Coastal Access and Parking, which administers discounted parking and transit pass programs for employees of local businesses. Those proposed revenues and expenditures are also indicated below:

In-Kind Administration by BID

Staff support	\$19,800	25% of one FT position (gross costs)
Office space	\$750	25% of leased office space
Meeting space	\$5,500	Value of donated mtg. space/monthly mtgs.
Volunteer contributions	\$6,620	40 hours a month; valued at \$14 per hour
Public outreach consultant	<u>\$12,000</u>	Public information services, facilitation
Total In-Kind Contribution	\$44,670	

Proposed Revenues

Coastal Access Funds	\$115,000	Cash on hand from existing program
----------------------	-----------	------------------------------------

Contact Information:

Tiffany Sherer, Executive Director
Promote La Jolla
P. O. Box 9047, La Jolla, CA 92037
Telephone: (858) 454-5718
Email: tiffany@lajollabythesea.com

Attachment A

PARKING-RELATED STUDIES IN LA JOLLA, 1979 - 2000

La Jolla Parking and Business Improvement Association Study, 1979-1985

From 1979 to December 1985, the La Jolla Parking and Business Improvement Association, Inc. studied parking and traffic problems in La Jolla. Its members were composed of, over time, about 20 La Jolla business people and La Jolla residents, many of whom are still active in the community today. Amongst its 7 recommendations (see La Jolla Parking and Business Improvement Association) were:

1. Construct public parking facility in Central Business District (Village).
2. Formation of La Jolla Parking District Authority to administer the design and construction of such a facility.
3. Install parking meters or a reasonable workable substitute.

None of these recommendations were implemented.

Mayor's Parking Task Force for La Jolla, 1997

In August of 1997, as a result of the previous denial of the Green Dragon Expansion Project by the San Diego City Council, then-Mayor Susan Golding suggested that the community form a task force to review parking and traffic issues throughout La Jolla and make recommendations to the Community and the City for potential improvements.

The Mayor's Task Force was thus formed, consisting of four members each from the La Jolla Town Council, La Jolla Community Planning Association, and Promote La Jolla (BID). It held open weekly meetings at the La Jolla Public Library for 12 weeks (August 5, 1997 to October 21, 1997), had significant input and cooperation from several departments of the City, and then presented its nine recommendations to each of the respective La Jolla Community parent groups for approval.

In November of 1997 each group (the La Jolla Town Council, La Jolla Community Planning Association, and Promote La Jolla (BID)) held public meetings on all nine recommendations and then conducted both group and room votes on each of the nine recommendations. All three groups, by both the vote of their respective boards and by room votes, approved each of the nine recommendations. The leading recommendation was to form a Parking District -- establish a La Jolla Parking District within the geographic boundaries of the existing Business Improvement District in order to develop new off street parking facilities.

The La Jolla Shores Association also participated in the design and public hearings for recommendation number 2 - the redesign of the intersection of Ardath/Torrey Pines Road and La Jolla Shores Drive. On December 3, 1997 they had a public information community forum in Sumner Hall on this one issue. The room vote was 27 to 11 in favor of the intersection improvements. The Shores Association was very helpful in providing design alternatives and conducting informational meetings.

After this, the San Diego City Council voted to implement only those (least controversial) Mayor's Task Force recommendations dealing with the Ardath/Torrey Pines intersection (now complete) and signage. Unfortunately, the Task Force itself never envisioned, nor intended, that the recommendations should be taken individually - The Task Force believed that they were recommending a comprehensive solution to La Jolla's parking and traffic problems. No one recommendation would work as intended by itself - only if all recommendations were implemented would the community of La Jolla begin to solve its parking and traffic problems.

La Jolla Parking Advisory Committee, 1998-1999

Several weeks later (late 1998) and dissatisfied with the narrow limits of the City Council's actions, a number of La Jollans (approximately 12 – including Scott Peters and other members of each of the same three La Jolla community groups) decided to start meeting once a week, on their own, at Scripps Bank to further study possible solutions to these same parking issues. Thus the PAC (Parking Advisory Committee) was born. PAC met for approximately eight months. It discussed the apparent need for public parking facilities, seven potential sites, methods of funding, who might own and operate these parking facilities, and related issues. Its conclusions in June of 1999 were:

1. One or more quasi-public parking facilities were needed within the geographic boundary of the Business Improvement District;
2. Seven underdeveloped sites were identified and three were prioritized as potential locations for these parking facilities; and,
3. Several methods of financing should be looked at including property assessment and business assessment.

La Jolla Coastal Access & Parking Board Recommendations, 2000

In the spring of 2000, The La Jolla Coastal Access and Parking Board (LJCA&PB) began to look at these same parking issues. LJCA&PB is a joint community board, consisting of three members appointed from each of the three major La Jolla Community Groups, is chartered by the California Coastal Commission and approved by the City of San Diego, and has operated since July of 1995. LJCA&PB, with support and presentations from City staff concluded, once again:

1. That there was an apparent shortage of parking (which will get worse) in La Jolla which frustrates residents, tourists, customers, employees, and beach goers.
2. That this shortage of parking was financially hurting existing businesses, contributing to the unreasonable number of business turnovers in La Jolla.
3. This problem could be alleviated by construction of several parking facilities (200 to 300 parking spaces each, for a total of approximately 800 spaces).
4. Narrowed down the number of practical parking facility sites to three.
5. That the City of San Diego could not and would not provide funding for building or operating a community parking facility in La Jolla.
6. Realized that any quasi-public garage would operate with an ongoing operating deficit until its construction loan was paid off.
7. That on-street parking time limits were being abused by employees, amongst others, contributing to a shortage of on-street parking.
8. That pay and display meters would have several benefits including forcing employee cars off the street and into parking facilities.
9. That parking time limits should generally be expanded and changed to a uniform 90 minutes within the BID, with increased number of 15 minute spaces.
10. That parking time limits should generally be expanded and changed to a uniform 3 hours along the coast adjacent to the BID.
11. Suggested that on-street parking could be improved and increased in the existing public right of ways within the BID boundary by increasing the use of diagonal, rather than parallel parking, and other improvements to streetscape, lighting and landscaping.
12. Determined that pay and display meters on the streets within the BID were the only practical method of financing all of this; including a parking facility, its ongoing operation, employee parking programs, transportation programs, and other desired street, lighting and landscape improvements.

EXHIBIT B

City of San Diego

Phase II Visitor Oriented Parking Facilities Study of the La Jolla Community

Prepared for:

The City of San Diego
Planning & Development Review Department
202 C Street, MS 5A
San Diego, CA 92101

Prepared by:



**Final Report
May 23, 2002**

Parking Meter Installation

Parking meters can increase the availability of on-street parking through price differentials and higher turnover. Studies have shown that installation of parking meters increases turnover of on-street parking spaces by about 70 percent. Parking meters force longer-term parkers to use off-street lots. Enforcement of time limits is also simplified by the installation of parking meters, and revenue is generated by the collection of meter fees. However, implementing parking meters can be a very sensitive issue within a community.

The possibility of using parking meters was reviewed in comparison to parking duration, turnover and occupancy. Implementation of on-street paid parking along with changes in parking time limits should increase turnover and force longer-term parkers to off-street lots. In conjunction with additional parking enforcement, on-street paid parking should deter longer-term parkers and employees from parking on-street. On-street paid parking can be accommodated through parking meters or multi-space pay-and-display or pay-by-space machines.

Paid on-street parking can be accommodated through parking meters or multi-space pay-and-display or pay-by-space machines. Current parking demand indicates support for implementation of an on-street paid parking program. Initially, a pilot paid parking program was considered for a limited area, which included prime parking spaces with the core area. However, having on-street paid parking in a limited area would be problematic in that it would force longer-term parkers and employees to park in other prime parking areas, such as along Coast Boulevard and other prime beach parking areas. Therefore, on-street paid parking is recommended for all streets west of Prospect Street between Cave Street and Cuvier Street (Sub Areas 1 and 2) and, on the following streets within Sub Areas 3, 4, and 5:

- Prospect Street from Cuvier Street to Cave Street;
- Girard Avenue from Kline Street to Prospect Street;
- Herschel Avenue from Kline Street to Prospect Street;
- Ivanhoe Avenue from Wall Street to Prospect Street;
- Wall Street from Ivanhoe Avenue to Girard Avenue;
- Fay Avenue from Kline Street to Prospect Street;
- Cuvier Street from Coast Boulevard to Prospect Street;
- Eads Avenue from Silverado Street to Prospect Street; and
- Silverado Street from Draper Avenue to Ivanhoe Avenue.

Shuttles are most cost-effective when there is a relatively constant stream of potential passengers; a relatively simple route; and the shuttle origination point is a short distance from the destination point. Additionally, satellite/peripheral-parking facilities should be located in areas with efficient access and high visibility. However, these factors are not typical for La Jolla. Potential satellite/peripheral-parking facilities are not easily accessible, they are not within a short distance of the destination point, and they are not highly visible. Therefore, shuttle service and satellite/peripheral-parking facilities are not recommended as a management strategy to resolve the parking deficiency in La Jolla. MTDB considered additional transit service to La Jolla and the possibility of operating bus rapid transit services. However, these transit services would not serve the core Village area.

Parking Meter Installation

Parking meters can increase the availability of on-street parking through price differentials and higher turnover. Studies have shown that installation of parking meters increases turnover of on-street parking spaces by about 70 percent. Parking meters force longer-term parkers to use off-street lots. Enforcement of time limits is also simplified by the installation of parking meters and revenue is generated by the collection of meter fees. However, implementing parking meters can be a very sensitive issue within a community.

The possibility of using parking meters was reviewed in comparison to parking duration, turnover and occupancy. Implementation of on-street paid parking along with changes in parking time limits should increase turnover and force longer-term parkers to off-street lots. In conjunction with additional parking enforcement, on-street paid parking should deter longer-term parkers and employees from parking on-street. On-street paid parking can be accommodated through parking meters or multi-space pay-and-display or pay-by-space machines. Current parking demand indicates support for implementation of an on-street paid parking program. Initially, a pilot paid parking program was considered for a limited area, which included prime parking spaces within the core area. However, having on-street paid parking in a limited area would be problematic in that it would force longer-term parkers and employees to park in other prime parking areas, such as along Coast Boulevard and other prime beach parking areas. Therefore, on-street paid parking is recommended for all streets west of Prospect Street between Cave Street and Cuvier Street (Sub Areas 1 and 2) and, on the following streets within Sub Areas 3, 4, and 5:

- Prospect Street from Cuvier Street to Cave Street;
- Girard Avenue from Kline Street to Prospect Street;
- Herschel Avenue from Kline Street to Prospect Street;
- Ivanhoe Avenue from Wall Street to Prospect Street;
- Wall Street from Ivanhoe Avenue to Girard Avenue;
- Fay Avenue from Kline Street to Prospect Street;
- Cuvier Street from Coast Boulevard to Prospect Street;
- Eads Avenue from Silverado Street to Prospect Street; and
- Silverado Street from Draper Avenue to Ivanhoe Avenue.

Parking Structure Revenues

Once constructed, a parking structure could possibly generate enough revenues from parking to cover the operating costs of the structure and the costs of the debt service and debt service coverage requirement on the bonds that would be issued to finance the development of the structure. For the purpose of this analysis, public off-street parking fees of \$1.00 per hour for short-term parking and \$65 per month for employee parking were assumed. Spaces designated for employee parking would earn \$65 per month or \$780 per year. However, it is common practice to oversell permits for these spaces by 10 percent or more. Assuming a 10 percent oversell would yield revenue of \$860 per year per space for employee parking. For short term parking the characteristics of the area as determined in the existing conditions analysis suggest that the average duration is about two hours and that a typical space turns over 3.5 times per day.

At a one dollar per hour fee this suggests that a short-term space could generate \$7.00 per day or about \$2,016 per year assuming 288 days of operation. 288 days of operation assume that a structure will be utilized seven days per week between the Memorial Day and Labor Day weeks, and five days per week for the remainder of the year. If it is assumed that 50 percent of the parking spaces would be used for employee parking and the remaining spaces for short-term parking, the average annual revenue per stall would be \$1,400. The percentage of employee parking use was based on site specific observations and also studies of similar areas.

This analysis assumed a ramp-up period of five years in which time the percent utilization of public spaces is assumed to incrementally increase as the public becomes accustomed to the location of the structure. It is assumed that 55 percent of the available public parking spaces will be utilized in the first year of operation. This value is expected to increase by 10 percent per year, until practical capacity of 85 percent is achieved by the fourth year of operation.

Using the 300 space structure example previously mentioned, financed over a 25-year period at a 7.5 percent interest rate would require an annual debt service payment of \$1,427,200, or about \$4,757 per year per space. The potential revenue of \$1,400 per stall would be enough to cover the operating costs of \$450 per space and provide \$950 per space to cover a portion of the \$4,757 per space debt service. However, a shortfall of \$3,807 per space would remain. This analysis suggests that the revenue from the parking structure alone would not be enough to cover all the costs of developing the structure and that additional revenues would be necessary. Additionally, this assumes that 100 percent of the net revenues would be applied to cover the operating costs of the structure and debt service on the bonds, which may not be the case given the City's current policy on parking meter fees as identified previously.

EXHIBIT C

Online Support

<https://www.godaddy.com/gdshop/support.asp?prog_id=GoDaddy&isc=gdbb456>
<http://images.godaddy.com/promos/std/spc_trans.gif>
<http://images.godaddy.com/promos/std/spc_trans.gif>
<http://images.godaddy.com/promos/std/spc_trans.gif>
<http://images.godaddy.com/promos/std/spc_trans.gif>
<http://images.godaddy.com/promos/std/spc_trans.gif>
If you need any assistance, we're here to help, 24/7. Simply call
(480) 505-8859 for your new customer orientation.

Again, welcome, and thank you for being a Go Daddy customer!

Sincerely,

GoDaddy.com
Customer Orientation Group

P.S. Call Customer Orientation today ? (480) 505-8859 to find out about
our latest phone-in-only special offers!

<http://images.godaddy.com/promos/std/spc_trans.gif>
© 2007 GoDaddy.com. All rights reserved.

<http://mailing.godaddy.com/open_track.php?isc=%%ISC%%&email=%%TO%%>

<[http://img.securepaynet.net/bbimage.aspx?pl=1&isc=&e=tiffany%40lajollab
ythesea.com&tid=456&eid=52185601](http://img.securepaynet.net/bbimage.aspx?pl=1&isc=&e=tiffany%40lajollab
ythesea.com&tid=456&eid=52185601)>

----- NOD32 2638 (20071105) Information -----

This message was checked by NOD32 antivirus system.
<http://www.eset.com>

From: Michael Harth [Michael.Harth@SunsetParking.com]
Sent: Sunday, November 04, 2007 8:21 AM
To: martininlj@aol.com
Cc: Ted Graff; Tiffany Sheer (E-mail)
Subject: RE: Further Public Comment

Martin - Sunset has extra space in the Sak's garage right now as we just lost a substantial amount of monthly parkers (due to financial lending firms cutting back on people). would you and Tiffany be available to meet with Ted Graff (our La Jolla Garage Supervisor) and I on Tuesday November 13th at the La Valencia at 11:30 am to discuss ways to drive employees into this garage either by selling more monthly passes or having an employee daily rate. we could also discuss selling more validations to merchants.

Michael

-----Original Message-----

From: martininlj@aol.com [mailto:martininlj@aol.com]
Sent: Saturday, November 03, 2007 10:27 AM
To: glen@gmras.com; WJB99@PacBell.net; HP@PHP-MGMT.com; MartyM@San.rr.com;
MartininLJ@aol.com; Michael Harth
Subject: Re: Further Public Comment

Glen;

I have been working on a financial model for a hypothetical garage which I will send later after I have done more research. Cost per space might be more like maybe \$40,000 to \$52,000 a space, not including land, and assuming that some substantial portion is below grade and the whole "garage" is very nicely done, adequately lighted, does not look like a "garage", and is possibly shielded with appropriate landscaping or other uses.

Because land costs are substantial and might equate to around \$300.00 to \$400.00 per square foot; municipal owned land such as wide public streets and

EXHIBIT D

8/12/07 DRAFT FOR BOARD DISCUSSION

**PROPOSED PILOT PARKING PROGRAM
FOR VILLAGE OF LA JOLLA
AND SURROUNDING RESIDENTIAL STREETS
August 15, 2007**

Background and Objective

After 18 months of study, analysis, field trips, and discussion, the Board tentatively believes that both paid on-street parking in some high-demand locations and a residential parking program in neighborhoods adjacent to commercial areas should be part of a comprehensive plan to alleviate La Jolla's parking problems. The Board is sensitive, however, to the views of many residents and merchants that measures other than paid on-street parking would adequately address existing parking problems and that any system of paid on-street parking will adversely affect our community, injure retail businesses, and create a new source of revenue that the City will exploit to La Jolla's detriment.

Although La Jolla can reasonably draw on the experience of other California coastal communities that have successfully implemented paid parking and residential permit systems, many believe that La Jolla's distinctive character and its status as a community within the City of San Diego, rather than as an independent municipality, deprives those other models of their predictive value. In recognition of that view, and in response to suggestions made by several community members, the Board has determined that, before adopting any final recommendations, it should undertake a targeted, real-world test of its tentative conclusions that would permit the entire community to assess the pros and cons of paid on-street parking and residential parking permits.

Accordingly, the Board proposes to implement a limited one-year Pilot Program to test the feasibility and effect of (1) paid on-street parking in select portions of the Village and (2) a residential parking program in neighborhoods surrounding the Village commercial core.

Elements of Pilot Program

- 1. Paid on-street parking in portions of the Village.**
 - a. We propose to install an unobtrusive, state-of-the art system of paid on-street parking on both sides of the streets listed in Appendix A.
 - b. The system will be designed to permit real-time monitoring of parking spaces and seamless adjustments of the applicable parking rate to reflect actual usage. The parking rate will be set at the lowest possible level consistent with maintaining approximately 10-15% availability of parking spaces on each affected block. Where a charge is not necessary to achieve the target level of availability, the rate will be reduced to zero. The rate on the affected streets will be set initially at \$1.00 per hour and will be adjusted thereafter as appropriate on a block-by-block and time-of-day basis.
 - c. Parking will be free prior to 11:00 a.m. Paid parking on the affected streets will be in force daily from 11:00 a.m. through 8:00 p.m.
 - d. Parking on the affected streets will be subject to a time limit (4 hours on Coast Boulevard; 2 hours on all other streets), which will not be extendable by replenishing the pay station. Those who need to park for longer than the posted time limit will have to use commercial parking facilities.
 - e. Those who wish to do so may purchase a Village Parking Pass that will entitle them to park at a metered space without the need for additional payment but subject to the posted time limit. Village Parking Passes will be available for a fee of \$50 per year.

- 2. Residential parking program for neighborhoods adjacent to the Village commercial core.**
 - a. We propose to implement a residential parking program to protect the residential neighborhoods adjacent to the Village commercial area from all-day parking by commuters and others.
 - b. The program will be implemented initially on the streets listed in Appendix B. If the residents of any of those streets prefer to be excluded from the program, or if the residents on any streets not listed in Appendix B wish to be included in the program, the Board will adjust the list appropriately.
 - c. On each designated street, parking will be subject to a 2-hour time limit between the hours of 8:00 a.m. and 8:00 p.m. Residents may

purchase Residential Parking Permits for up to 2 registered vehicles per household. When properly displayed, a Residential Parking Permit will exempt a vehicle from the posted time limit. Residential Parking Permits will be available for a fee of \$10 each per year.

- d. Residents of an affected street may also purchase one Guest Pass per household to be used by guests or household workers. If properly displayed, the Guest Pass will exempt a vehicle from the posted time limit. Residential Guest Passes will be available for a fee of \$25 per year.
- e. Licensed contractors who plan to work on homes in the affected area may purchase Contractor Parking Permits for themselves and their employees. A Contractor Parking Permit, if properly displayed, will exempt a vehicle from the posted time limit. Contractor Parking Permits will be available for a fee of \$15 per week or \$50 per month per vehicle.

3. Disposition of revenues.

- a. The Board will request that, during the pendency of the Pilot Program, the City allocate to La Jolla 80% of the resulting parking revenues to pay for implementation of the Pilot Program and to fund projects and activities approved by the Board.
- b. Some of the projects and activities that may be candidates for funding are the following, which are illustrative rather than exclusive:
 - (i) acquiring a GPS-enabled parking enforcement vehicle,
 - (ii) expanding enforcement hours and increasing enforcement staffing,
 - (iii) installing new and improved parking signage,
 - (iv) expanding the existing subsidized bus-pass program,
 - (v) supplementing SANDAG's existing regional van-pool subsidy program, and
 - (vi) funding improvements to Village streets, alleys, sidewalks, street lighting, and landscaping.

4. Evaluation and sunset.

- a. The Board will evaluate the Pilot Program intensively on a quarterly basis and will adjust or terminate any part of the program that proves to be ineffective or harmful to the community.
- b. The Pilot Program will sunset automatically at the end of one year unless a majority of the Board votes affirmatively to renew all or any part of the Program based on its demonstrated success.

- c. The Pilot Program will include information systems designed to provide the Board with the objective data it needs to assess the Program's success or failure and to measure its effect on businesses, residents, visitors, and employees.
- d. At each stage of evaluating the Pilot Program, the Board will solicit and fully consider the views of community groups and affected merchants and individuals.

Prepared by the La Jolla Community Parking District Advisory Board

Peter Wagener, Chair
Mark Evans
Reza Ghasemi
Michael Harth
Ken King
Marty McGee
Paul Metcalf
Martin Mosier
Ray Weiss

Appendix A

Streets Designated for Pilot Paid Parking Program

1. Prospect Street from Cave Street to Draper Street
2. Girard Avenue from Coast Boulevard to Pearl Street
3. Fay Avenue from Prospect Street to Pearl Street
4. Herschel Avenue from Prospect Street to Torrey Pines Road
5. Wall Street from Girard Avenue to Herschel Avenue
6. Silverado Street from Fay Avenue to Herschel Avenue
7. Kline Street from Fay Avenue to Herschel Avenue
8. Coast Boulevard from South Coast Boulevard to Prospect Street
9. Jenner Street from Coast Boulevard to Prospect Street

Appendix B

Streets Designated for Pilot Residential Parking Program

1. Ivanhoe Avenue from Prospect Street to Torrey Pines Road
2. Ivanhoe Avenue East from Ivanhoe Avenue to Virginia Way
3. Cave Street
4. Silverado Street from Ivanhoe Avenue to Exchange Place
5. Prospect Place from Cave Street to end past Olivet Street
6. Exchange Place from Prospect Street to Olivet Street
7. Park Row (all blocks)
8. Bluebird Lane
8. Virginia Way
9. Olivet Street and Olivet Lane
10. Herschel Avenue from Virginia Way to Pearl Street
11. High Avenue from Torrey Pines Road to Pearl Street
12. Cabrillo Avenue from Olivet Street to Pearl Street
13. Miramar Avenue
14. Pearl Street from Girard Avenue to Miramar Avenue

EXHIBIT E

**PROPOSED PILOT PARKING PROGRAM
FOR VILLAGE OF LA JOLLA
AND SURROUNDING RESIDENTIAL STREETS
September 19, 2007**

Background and Objective

After 18 months of study, analysis, field trips, and discussion, the Board tentatively believes that both paid on-street parking in some high-demand locations and a residential parking program in neighborhoods adjacent to commercial areas should be part of a comprehensive plan to alleviate La Jolla's parking problems. The Board is sensitive, however, to the views of many residents and merchants that measures other than paid on-street parking would adequately address existing parking problems and that any system of paid on-street parking will adversely affect our community, injure retail businesses, and create a new source of revenue that the City will exploit to La Jolla's detriment.

Although La Jolla can reasonably draw on the experience of other California coastal communities that have successfully implemented paid parking and residential permit systems, many believe that La Jolla's distinctive character and its status as a community within the City of San Diego, rather than as an independent municipality, deprives those other models of their predictive value. In recognition of that view, and in response to suggestions made by several community members, the Board has determined that it should undertake a targeted, real-world test of its tentative conclusions that would permit the entire community to assess the pros and cons of paid on-street parking and residential parking permits.

Accordingly, the Board proposes to implement a limited one-year Pilot Program to test the feasibility and effect of (1) paid on-street parking in select portions of the Village and (2) a residential parking program in neighborhoods surrounding the Village commercial core.

Elements of Pilot Program

1. **Paid on-street parking in portions of the Village.**
 - a. We propose to install an unobtrusive, state-of-the art system of paid on-street parking on both sides of the streets listed in Appendix A.

- b. To the maximum feasible extent, the system will be designed to permit real-time monitoring of parking spaces and adjustments of the applicable parking rate to reflect actual usage. The parking rate will be set at the lowest possible level consistent with maintaining approximately 10-15% availability of parking spaces on each affected block. Where a charge is not necessary to achieve the target level of availability, the rate will be reduced to zero.
 - c. To encourage turnover, the rate on the affected streets will be set initially at \$1.50 an hour in the commercial zone, \$1.50 an hour in the beach zone on weekdays, and \$1.00 an hour in the beach zone on weekends and holidays. To accommodate regular visitors and short-term parkers, the initial 30 minutes of parking will be free of charge.
 - d. Paid parking on the affected streets will be in force daily from 10:00 a.m. through 7:00 p.m.
 - e. Parking on the affected streets will be subject to a time limit of 2 hours in the commercial zone, 4 hours in the beach zone on weekdays, and 9 hours in the beach zone on weekends and holidays. The time limit will not be extendable by replenishing the pay station. Those who need to park for longer than the posted time limit will have to use commercial parking facilities.
 - f. Those who regularly visit La Jolla will be able to purchase either "smart cards" or "in-car meters" at the discount rate of \$1.00 per hour of parking time. "Smart cards" will function like debit cards in the pay stations. "In-car meters" will serve as a substitute for a display ticket; they will be hung on the rear-view mirror or placed on the dashboard and will be set by the individual to operate only during the time the car is parked on an affected street.
- 2. Residential parking program for neighborhoods adjacent to the Village commercial core.**
- a. We propose to implement a residential parking program to protect the residential neighborhoods adjacent to the Village commercial area from all-day parking by commuters and others.
 - b. The program will be implemented initially on the streets listed in Appendix B. If the residents of any of those streets prefer to be excluded from the program, or if the residents on any streets not listed in Appendix B wish to be included in the program, they may petition the Board for an appropriate adjustment.

- c. On each designated street, parking will be subject to a 2-hour time limit between the hours of 8:00 a.m. and 7:00 p.m. Residents may purchase Residential Parking Permits for up to 2 registered vehicles per household. When properly displayed, a Residential Parking Permit will exempt a vehicle from the posted time limit. Residential Parking Permits will be available for a fee of \$14 each per year.
- d. Residents of an affected street may also purchase Guest Passes for use by guests or household workers. If properly displayed, the Guest Pass will exempt a vehicle from the posted time limit. Residential Guest Passes will be available for a fee of \$3 per day or \$60 for 30 days (which need not be consecutive days).
- e. Licensed contractors who plan to work on homes in the affected area may purchase Contractor Parking Permits for themselves and their employees. A Contractor Parking Permit, if properly displayed, will exempt a vehicle from the posted time limit. Contractor Parking Permits will be available for a fee of \$3 per day or \$60 for 30 days (which need not be consecutive days).

3. Disposition of revenues.

- a. The Board will request that, during the pendency of the Pilot Program, the City allocate to La Jolla 80% of the resulting parking revenues to pay for implementation of the Pilot Program and to fund projects and activities approved by the Board.
- b. Some of the projects and activities that may be candidates for funding are the following, which are illustrative rather than exclusive:
 - (i) acquiring the use of a GPS-enabled parking enforcement vehicle,
 - (ii) expanding enforcement hours and increasing enforcement staffing,
 - (iii) installing new and improved parking signage,
 - (iv) expanding the existing subsidized bus-pass program,
 - (v) supplementing SANDAG's existing regional van-pool subsidy program,
 - (vi) funding improvements to Village streets, alleys, sidewalks, street lighting, and landscaping, and
 - (vii) expanding the existing parking inventory in the Village commercial area.

4. Evaluation and sunset.

- a. The Board will evaluate the Pilot Program on a monthly basis and will adjust or terminate any part of the program that proves to be ineffective or harmful to the community.

- b. The Pilot Program will sunset automatically at the end of one year unless the Board votes affirmatively to renew all or any part of the Program based on its demonstrated success.
- c. The Pilot Program will include information systems designed to provide the Board with the objective data it needs to assess the Program's success or failure and to measure its effect on businesses, residents, visitors, and employees.
- d. At each stage of evaluating the Pilot Program, the Board will solicit and fully consider the views of community groups and affected merchants and individuals.

5. **Process.**

- a. At its September 19, 2007, regular meeting, the Board will vote on whether to adopt this Pilot Program as its **proposed** recommendation to the City Council.
- b. If the Board votes to adopt the Pilot Program as its **proposed** recommendation to the City Council, it will then invite both written and oral public comment on the proposal during the ensuing 45-day period. The Board will confer with community groups during that period to solicit their suggestions and will devote most of its October regular meeting to hearing public comment on the proposed recommendation.
- c. At its regular meeting in November, the Board will consider possible amendments to the Pilot Program in light of the public comment it has received. Also at that meeting, the Board will vote on whether to adopt the Pilot Program, as it may be amended during the meeting, as a **final** recommendation to the City Council. If it votes to adopt the Pilot Program in final form, the Board will promptly transmit its recommendation to the City Council for its consideration and approval.

Prepared by the La Jolla Community Parking District Advisory Board

Peter Wagener, Chair

Mark Evans

Reza Ghasemi

Michael Harth

Ken King

Marty McGee

Paul Metcalf

Martin Mosier

Ray Weiss

Appendix A

Streets Designated for Pilot Paid Parking Program

Commercial zone:

1. Prospect Street from Cave Street to Fay Avenue
2. Fay Avenue from Prospect Street to Kline Street
3. Girard Avenue from Coast Boulevard South to Kline Street
4. Herschel Avenue from Prospect Street to Silverado Street
5. Ivanhoe Street from Prospect Street to Silverado Street
6. Silverado Street from Fay Avenue to Ivanhoe Avenue
7. Kline Street from Fay Avenue to Girard Avenue
8. Jenner Street from Prospect Street to Coast Boulevard South
9. All of Wall Street

Beach zone:

1. Coast Boulevard from Cave Street to #274 Coast Boulevard
2. All of Coast Boulevard South
3. Jenner Street between Coast Boulevard and Coast Boulevard South

Appendix B

Streets Designated for Pilot Residential Parking Program

1. Ivanhoe Avenue East from Virginia Way to Torrey Pines Road
2. Exchange Place from Prospect Street to Virginia Way
3. All of Park Row
4. High Avenue from Virginia Way to Torrey Pines Road
5. Virginia Way from Prospect Place to Torrey Pines Road