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March 18, 2008

BY HAND DELIVERY

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

RE: La Jollans for Clean Government, Inc./ LJCPDAB/ Brown Act 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.

La Jollans for Clean Government, Inc. has found evidence of serious and chronic violations of the Brown Act by the La Jolla Community Parking District Advisory Board ("LJCPDAB" or "Parking Board"). These violations go to the heart of the Board's functioning. The legal failings are particularly disturbing because the Board's primary mission was to solicit and synthesize public opinion into a recommendation for presentation to the City Council. Instead, the Parking Board plotted and planned, often in secret, how to achieve a pre-selected result. These violations have culminated in three Board-generated parking plans – all calling for paid street parking. To cure this violation, it is necessary for: (1) the Board to set aside the illegally developed plans; (2) have an open and public debate on a preferred plan; and (3) then (in accordance with its established process) provide that untainted plan to the public for a 45-day comment period before taking final action on it. While it is impossible to undo past violations of law, the Parking Board can take corrective action before proceeding and compounding prior illegal violations. The public deserves corrective measures, and the law demands it.

If the Board proceeds without taking corrective measures, the only option may be to seek an injunction or other relief, prove the violations through documentary evidence and depositions, and let a court decide whether the Board Members violated the law and, if so, the remedy.

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I LEGAL BACKGROUND

The Parking Board fails to comprehend the trust under which they operate, as explained in the Brown Act:

“In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. **It is the intent of the law that...their deliberations be conducted openly.**” Cal. Gov. Code §54950.

The nature of the violation is explained by the California Attorney General (84 Ops.Cal.Atty.Gen.30):

“The purposes of the Brown Act are thus to allow the public to attend, observe, monitor, and participate in the decision-making process at the local level of government. Not only are the actions taken . . . to be monitored by the public but also the deliberations leading to the actions taken. (See *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363, 373, 375; *Frazer v. Dixon Unified School Dist.* (1993) 18 Cal.App.4th 781, 795-797; *Stockton Newspaper, Inc. v. Redevelopment Agency* (1985) 171 Cal.App.3d 95, 100; *Sacramento Newspaper Guild v. Sacramento County Bd. of Suprs.* (1968) 263 Cal.App.2d 41, 45.) **“The term ‘deliberation’ has been broadly construed to connote ‘not only collective discussion, but the collective acquisition and exchange of facts preliminary to the ultimate decision.’** [Citation.]” (*Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234; see *Roberts v. City of Palmdale, supra*, 5 Cal.4th at p. 376.)”¹

As used in the Brown Act, collective decisionmaking includes deliberations:

“The collective decisionmaking process consists of both “actions” and “deliberations” which must respectively be taken and conducted “openly”

¹ “It declares the law's intent that deliberation as well as action occur openly and publicly. Recognition of deliberation and action as dual components of the collective decision-making process brings awareness that the meeting concept cannot be split off and confined to one component only, but rather comprehends both and either.” *Frazer v Dixon Unified School District*, (1993) 18 Cal.App.4th 781, 22 Cal.Rptr.2d 641.

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(§ 54950). Thus the meeting concept can not be confined exclusively to either action or deliberation but rather comprehends both and either (*id.*, at p. 47). Since deliberation connotes not only collective discussion but also the “collective acquisition and exchange of facts preliminary to the ultimate decision,” the Brown Act is applicable to collective investigation and consideration short of official action. (*Id.*, at pp. 47-49; see also *Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234, 175 Cal.Rptr. 292].) “In this area of regulation, as well as others, a statute may push beyond debatable limits in order to block evasive techniques. An informal conference or caucus permits crystallization of secret decisions to a point just short of ceremonial acceptance. There is rarely any purpose to a nonpublic premeeting conference except to conduct some part of the decisional process behind closed doors. Only by embracing the collective inquiry and discussion stages, as well as the ultimate step of official action, can an open meeting regulation frustrate these evasive devices.” (*Sacramento Newspaper Guild, supra*, 263 Cal.App.2d at p. 50; fn. omitted.)” *Stockton Newspapers, Inc. v. Redevelopment Agency of the City of Stockton* (1985) 171 Cal.App.3d 95, 214 Cal.Rptr. 561.²

The Board cannot escape its repeated violations by claiming it has only reached the penultimate step of preparing plans for a vote, but has not taken the final vote. Thus, the courts, hold that a violation occurs even if the private communications were:

“...for the avowed purpose of discussing items of general importance irrespective of whether the individual members of the legislative body intend or do not intend to take 'action' at such a gathering.” *Stockton Newspapers, Inc. v. Redevelopment Agency of the City of Stockton* (1985) 171 Cal.App.3d 95, 214 Cal.Rptr. 561. *Frazer v Dixon Unified School District*, (1993) 18 Cal.App.4th 781, 22 Cal.Rptr.2d 641.

² This holding is not isolated. It is now well settled that the term “meeting,” as used in the Brown Act (§§ 54950, 54953), is not limited to gatherings at which action is taken by the relevant legislative body; “deliberative gatherings” are included as well. (*Sacramento Newspaper Guild, supra*, 263 Cal.App.2d at p. 48.) Deliberation in this context connotes not only collective decisionmaking, but also “the collective acquisition and exchange of facts preliminary to the ultimate decision.” (*Id.*, at pp. 47-48; *Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234 [175 Cal.Rptr. 292].)” *Frazer v Dixon Unified School District*, (1993), 18 Cal.App.4th 781, 22 Cal.Rptr.2d 641.

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Likewise, the violation occurs even if the members did not reach a “collective agreement or commitment”:

“Respondents also argue that some sort of “collective agreement or commitment” must occur at a deliberative gathering to bring it within the “meeting” concept. This cannot be, and is not, the law. (*Sacramento Newspaper Guild, supra*, 263 Cal.App.2d at p. 48 [“deliberative gatherings are 'meetings,' however confined to investigation and discussion”]; *Rowen, supra*, 121 Cal.App.3d at pp. 233-234 [gathering to discuss qualifications of prospective consultants was a Brown Act “meeting” notwithstanding the fact that no commitment was made about retaining them]; 42 Ops.Cal.Atty.Gen. 61 (1963) [Brown Act applies to “briefing sessions” by which employees of local agency simply provide information to a gathering of members of the legislative body].” *Frazer v Dixon Unified School District*, (1993) 18 Cal.App.4th 781, 22 Cal.Rptr.2d 641.

II THE BROWN ACT VIOLATIONS

The members of the Parking Board engaged in repeated violations of the Brown Act when developing parking plans, discussing parking issues and agreeing on strategies to address the public.

A Illegal Voting and Board Member Polls

Although there are many ways to violate the Brown Act, the most overt violations include email votes and email polls of board members. Sadly, the Parking Board proposed using these very illegal procedures. (Page number references are to Bates stamped numbers in the lower right hand corner of the enclosed exhibits- “BD” refers to the Parking Board):

04-17-06 Wagener email to the Board regarding Board Rules, calling for an email vote: “If all board members would be so kind to give me an email vote, we could include the results in our Minutes for the last meeting....**In order to vote all you need to do is reply to the email and state: I am in favor, or I am not in favor.**” Page 0384.

06-12-07 Consultant to the Board, Leslie Wade, circulates by email a draft of the FY 2007 Program and Budget for Parking District (subsequently presented to and approved by the City Council.) She writes to the Board: “**Please reply to all [by email] with any substantive changes or your vote of approval by 9.a.m. tomorrow.**” Then, in a subsequent email Wade announces the email vote. Pages 0644-45.

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10-19-07 McGee email to the Board regarding Questions and Answers for dissemination to public. "Please review it [Questions and Answers] and give me additions and changes. If there is disagreement, **I'll poll everyone....**" Page 0454.

B Non-Public Development of Parking Proposals (Including Fact-Findings, Investigation and Deliberation)

The Board engaged in an astounding number of unlawful and secretive violations of the Brown Act as it deliberated on and prepared parking proposals.

10-13-06 Metcalf email to Board applauding the thinking of paid-parking advocate, Dr. Donald Shoup. Metcalf announces to the Board that "**we have the ability to formulate a truly great plan...based on Dr. Shoup's [paid parking] philosophy**". He then addresses how to use PR consultant, Leslie Wade to assist in the process. Page 0629.

10-13-06 Evans email to Board, addressing need to gain public support and praising the "Board and **the consensus we seem to be developing**" on parking issues. Page 0628.

10-13-06 Email from King to Board thanking Metcalf and Evans for share their views on the merits of paid parking. Then, he announces the goal "**to bring a large number of La Jollans along the path we have taken,**" reflecting the collective position secretly adopted by the board on parking meters as of October, 2006. Page 0627.

01-31-07 By email, Board Member Evans circulates his draft of the parking plan to other members, in private communication. He explains that "**given the sensitivity of the document,**" he has "**deliberately limited the circulation of this message to Board members....and [PLJ] staff.**" After providing his commentary on the draft, Evans invites Board Members to "**send me your comments and suggestions by e-mail** (or marking up the draft)." Pages 0601, 0602.

02-13-07 As requested by in the prior email, the Board Members responded to Mr. Evans and privately provided comments on the draft plan. Evans acknowledges, that "**based on the comments I've received from you,**" he has identified twelve subjects which require further consideration. He privately conveys detailed thoughts (deliberative in nature) regarding these open issues. He adds that, "**once we have reached some degree of consensus on these questions, I will revise the plan accordingly.**" Pages 0593-95.

07-15-07 Email from Metcalf to Board regarding information gathered with respect to parking issue. Page 0640.

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07-23-07 The entire Parking Board receives an email from Evans with a new parking plan. Again, extensive analysis of the plan is privately conveyed to the Board Members (but not the public) through the email. His email also acknowledges that Board Member, "**Marty McGee circulated an e-mail containing a number of very thoughtful comments and suggestions.**" Then, Evans contrasts his views with those of McGee. Evans explains why he disagrees with certain views of Board Members Patrick Ryan and Ray Weiss regarding the use of consultants and the proper length for a pilot program. Pages 0499-501.

7-24-07 Marty McGee emails the entire Board providing commentary on the parking plan which Evans had circulated the prior day to the Board. His emailed comments are detailed, deliberative, and communicated privately. Pages 1034-36.

09-11-07 In an email to the entire Board, another revised plan is privately circulated with email commentary from Mark Evans. Pages 0474-76.

09-12-07 Evans circulating another revised plan to the entire Board. Pages 0473-4

09-17-07 Evans provides the Board with an annotated draft of a parking plan he authored which is "intended to explain the rationales behind the various provisions." He explains, that "**my goal was to lay out in greater detail my own reasons for supporting the proposal.**" Again, this constitutes a form of deliberation which should occur in public. Page 0471.

09-21-07 McGee email to entire Board addressing Ray Weiss's idea about providing for "opt-out" provisions in the plan. Page 0946.

09-21-07 Email from Ryan to entire Board acknowledging private oral discussions with other Board Members regarding parking issues. He then states that he has assembled a lot of material regarding parking meter options and proceeds to contrast the various options (pay and display; space/multi-bay; photo-violation meters), procurement options, and enforcement issues. 0945.

11-04-07 Email from Evans to entire Board arguing that the Board should revise its approach regarding paid parking. He then advises the board that he is **providing "advance notice of what I will likely propose at the next meeting."** He proceeds to "spell out his thoughts in writing," offering a detailed justification for "a significant shift in my previously expressed views." Pages 0834-836.

11-07-07 Email from Evans to Wagener, engaging in deliberations, and attempting to develop pre-meeting agreement regarding: (1) changes in parking plan; and (2) how to share changes with the whole board. Pages 0434, 0435.

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11-09-07 Wagener email to the Parking Board sharing his own parking plan and offering a detailed explanation of it, without publicly sharing that analysis and argument. Pages 0430-33.

11-09-07 Wagener emails the Board about “enhancements, clarifications, and changes to the pilot program” he favors. He offers analysis to support his position. In the email he attaches a revised parking plan. Pages 0797-98.

C Non-Public Board Deliberations on How to Inform/Shape Community Opinion on Parking Issues

The Board spent considerable time in private email deliberations discussing how to convince the public to share its views on parking proposals and issues. The purpose was to ultimately gain support for the Board’s favored parking plan, which centered on parking meters.

06-27-07 Email (McGee to BD) re draft parking Q&As for future public dissemination. He requests others to “send out your suggestions for modifications on what I said, and also include your own questions and answers to everyone.” Page 0521

07-03-07 Email (McGee to BD) circulating draft parking Q&As for future public dissemination. McGee advises the Board to “not pass the” document “to anyone until it is no longer a DRAFT of my thoughts.” Page 0518

07-04-07 Email (McGee to BD) circulating a revised Q&A to the board for comment. Page 0517-8

07-05-07 The Executive Director for Promote La Jolla, Tiffany Sherer, advises the entire board that a member of the community wrote an editorial opposing meters. She urges “members of the parking board...to write their own “Guest Editorial” in support of parking meters. Pages 1061-62.

07-05-07 Weiss responds to the of PLJ’s Executive Director with an email to the entire Board suggesting the editorial can come out the following week. Pages 1060.

10-19-07 Email (McGee to BD) presenting his “version of Q&As that can be made available to the public to explain how we are thinking about many issues with parking. Please review it and give me additions and changes. If there is disagreement, I’ll poll everyone....” Page 0454

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10-28-07 Email (McGee to BD) discussing the Q&A. He states that "I will put the name it [The Q&A] rather than having it come from the group, just as Mark put his name on the plan and pilot program." Page 0870.

10-28-07 Email (Evans to Mosier, et al.) Evans comments "1. I'm troubled by the tenor of the draft, which seems to me to be more an advocacy piece than an educational tool. I believe that anything we put forward that looks like advocacy will be subject to attack and will gain us no converts." And "2. During the comment period, and until we actually approve a final proposal, the Board must remain, both in fact and in appearance, entirely open-minded. We cannot, consistent with that posture of open-mindedness, publish a set of Q&A's that presuppose the answers to the many questions currently on the table." The BD then had McGee claim the Q&A as his own, so that they could be out in the public domain (see preceding entry). This is key in illustrating how certain members of the BD functioned and shaped what was presented to the public as individual creations when they were in fact collective behind-the-scenes efforts in violation of the Brown Act. Pages 0870-0871

11-01-07 Email (McGee to BD) with revised Q&A. Page 0442

11-02-07 Email (King to BD) with proposed revisions to Q&A. Page 0439

11-02-07 Email (King to BD) re proposed change to Q&A. Page 0438

D Brown Act Violations in the Development of Board Rules

04-16-06 Email (Weiss to BD) distributing revised text for Standing Order No. 5, asking Board, by email, to "please reply- to-all with your approval (or with your disapproval and/or further comments." Page 1564.

04-16-06 Email (Evans to BD) responding to Weiss with proposed language modifications he wants to address "before I cast my vote" by email. Pages 1561-62.

04-17-06 Email (Weiss to BD) stating that he might be willing to adopt language changes to bylaws suggested by Evans but he is "content to see what other have to say" as part of the Board's email discussion. Page 1557.

04-17-06 Email (Evans to BD) sending another email at Wagener's urging re language changes to bylaws. Pages 1557-78.

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04-17-06 Email (Wagener to BD) referring to a version of "Standing Rule #5 that Mark has sent to you. Ray indicated that he could live with the wording," with certain language changes, which Wagener sets forth in his email. He then asks for "all board members...to give me an email vote...."
Page 1553.

04-17-06 Email (Weiss to BD) proposing changes in Revised Standing Order No. 5 pertaining to voting requirements. Page 0383

04-17-06 Email (Evans to BD) announcing support for changes that Weiss has proposed in email re Standing Order No. 5. Pages 0382-3

04-17-06 Email (Metcalf to BD) explaining his rationale for supporting the bylaw change, and stating "I therefore vote in favor of the language below." Pages 1550-51.

04-17-06 Email (Evans to BD) issuing still another proposed change to the language of the bylaws which he declares to be "a kind of hybrid version that draws on Ray's idea of absentee voting by email." Pages 1548-49.

04-19-06 Email (Wagener to BD) objecting to proposed use of email absentee voting. Pages 1539-40.

04-22-06 Email (King to BD) addressing draft standing order. Pages 1514-15.

E Board Members' Knowledge That They Were Violating the Brown Act

08-08-07 Evans objects to meeting at the PLJ office as a potential violation of the Brown Act.
Page 1007

08-11-07 Evans writes about how to have further meetings and not getting into Brown Act trouble. Page 1000

08-12-07 McGee's frustration at having potential future private meetings with merchants shut down. Page 1009

III CONCLUSION

If the government acts in secret it cannot be trusted or publically guided. In this instance, the Board engaged in private deliberations, fact-finding, and document drafting prior to public meetings. In

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fact, Board Members, in private emails, began speaking of an “emerging consensus” for paid on street parking as early as 2006. This may account for the Board’s refusal to accommodate overwhelming opposition to meters from the La Jolla residents and businesses.

The attached emails show that the Parking Board collectively discussed and shared parking plans amongst themselves prior to sharing them with the public. Arguments for and against provisions in the plans were circulated to the entire board prior to meetings, without providing copies to the public to read or possibly refute. Non-public investigations, information sharing, and parking arguments were circulated amongst board members for close to 18 months. Amongst themselves, the Board secretly applauded paid parking and those who were proponents of paid parking.

While the Parking Board never actually called for an email vote on any individual plan (like it did for other items), the Brown Act can be violated without an actual secret vote. By statute, the Legislature dictates that: “It is the intent of the law that...their deliberations be conducted openly.” Cal. Gov. Code §54950. “The term ‘deliberation’ has been broadly construed to connote ‘not only collective discussion, but the collective acquisition and exchange of facts preliminary to the ultimate decision..’” *Rowen v. Santa Clara Unified School Dist.* (1981) 121 Cal.App.3d 231, 234. “Respondents also argue that some sort of “collective agreement or commitment” must occur at a deliberative gathering to bring it within the “meeting” concept. This cannot be, and is not, the law.” *Frazer v Dixon Unified School District*, (1993) 18 Cal.App.4th 781, 22 Cal.Rptr.2d 641.

The parking plans circulated most recently by the board emerged through secretive email exchanges and deliberations amongst the Board Members. They are premised on deliberations amongst the board that occurred secretly, on and off, for over a year. While it might be unusual to disband the board and start anew, it would be wrong to permit the Board to “get away” with long-term egregious violations by allowing the Board to proceed as though no violations occurred.

Rather, it should be recognized that the most recent proposals before the Board result from Brown Act violations. To restore trust – and to allow for proper public input on a plan – the Board must debate in public (without secret communications) regarding the terms of a draft plan for presentation to the public. Once that plan is presented it would receive a 45-day comment period pursuant to the Board’s practices. After that comment period, the Board could vote on the plan and have it presented to the City Council.

While this process might delay final action by several months, that delay is comparatively short because the process, to date, has already absorbed 30 months, and will still require additional time before the City Council.

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These Brown Act violations are too serious to ignore. We request that meaningful corrective action be taken by the Parking Board once it is in a position to resume legal and substantive action. If corrective action is not taken, all legal rights are reserved, including suits for injunctive relief, declaratory relief, and invalidating the Board's recommendations due to chronic and deliberately uncorrected violations of the Brown Act.

We appreciate your prompt attention to this matter.

Yours very truly,

HASKINS & ASSOCIATES APC

A handwritten signature in black ink, appearing to read 'S. Haskins', with a large, sweeping horizontal stroke extending to the right.

Steven W. Haskins, Esq.

Encl.

cc: Client

Subject: RE: Revised Standing Order #5 and Our Name

I will jump in here, in the first days of the City Managers Task Force, the PMD's were Parking Management Districts and created too much confusion with PMD's that were Parking METER Districts. To avoid an acronym that was related with the word "meter" for any new group coming online, it was proposed that all the new groups be called Community Parking Districts, thereby CPD's. It took awhile to shake the Parking Management District moniker, hence the confusion.

It was our intent for the group's name to be La Jolla Community Parking District Advisory Board, as addressed in our proposal document.

Best,
Tiffany

From: Ray Weiss [mailto:rfweiss@ucsd.edu]
Sent: Monday, April 17, 2006 2:45 PM
To: 'Evans, Mark L.'; 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; Ray Weiss
Subject: Revised Standing Order #5 and Our Name

Dear LJPMD (or LJCPDAB) Members,

Mark is correct. I do support his proposed changes to this Standing Order, and I thank him for his diligence. My only remaining suggested change is that somehow through its recent iterations the word "Board" became "Advisory Board" in this text. I believe it is sufficient to refer to us after the first complete citation as simply "the Board".

In looking further into the background of our name, I note that even though the PLJ proposal was indeed to establish a "La Jolla Community Parking District Advisory Board", Councilmember Scott Peters' letter of November 18, 2005, officially appointed us to the "La Jolla Parking Management District Board".

Perhaps Chanelle Barry can clarify this for us, but in either case the word "Advisory" is not needed after the first citation. If we are indeed the LJPMD, then this will have to be changed in our Standing Orders as well as in our meeting minutes and agendas.

Ray

From: Evans, Mark L. [mailto:mevans@khhte.com]
Sent: Monday, April 17, 2006 1:50 PM
To: rfweiss@ucsd.edu; Peter Wagener; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: RE: Revised Standing Order #5

At the risk of exhausting your patience, I'd like to make one final proposal, a kind of hybrid version that draws on Ray's idea of absentee voting by e-mail. Ray and I have exchanged views on this version separately, and I believe that he endorses this hybrid approach, with the possible exception noted below.

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives shall be filled by a majority of those members of the Board who cast a vote, with each open seat to be filled independently. Members of the Board who are absent may submit their vote by e-mail. If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off between the two candidates who have received the most votes. In the event of a tie in the run-off, the winner shall be chosen by a coin flip conducted by the Chair at a scheduled meeting. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

Ray was not sure about the need for a tie-break mechanism, believing that under Robert's Rules the Chair votes only if necessary to break a tie. Although I do not have my copy of Robert's Rules at hand, the official Robert's Rules of Order Website (<http://www.robertsrules.com/faq.html#1>) suggests that the Chair may vote on all questions and, even if he or she elects to refrain from voting in most circumstances, may always vote either to break a tie or to create a tie. For that reason, I think it's safer to include a tie-break provision.

We are dealing here with remote contingencies, and perhaps we're over-thinking the issue. But we might as well write the provision in a manner that will cover as many of those contingencies as possible.

Mark

From: Ray Weiss [mailto:rfweiss@ucsd.edu]
Sent: Monday, April 17, 2006 9:36 AM
To: 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'; Evans, Mark L.
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherril Lightner'; Ray Weiss
Subject: RE: Revised Standing Order #5

Peter, Mark et al.,

Just to clarify my concerns about the first sentence, please note that under Mark's proposal, with a 5-member quorum an at-large representative could be elected with only 3 votes. When we dropped the 2/3 requirement, I thought it was reasonable to expect an at-large representative to be elected to be elected by a majority of the entire Board, that is by a minimum of 5 votes. My reasoning in this was that in these modern times we ought to be able to get votes from nearly all our members, even if some of them do so by e-mail, telephone or absentee ballot. For these reasons, after thinking about this overnight, I tend to favor my original wording for the first sentence. If a majority of you agree, we might also add a provision to explicitly allow absentee voting. After all, we already have a 30-day noticing period, so I don't see a down side to absentee voting.

Ray

From: Peter Wagener [mailto:hp@php-mgmt.com]
Sent: Monday, April 17, 2006 8:55 AM

To: rfweiss@ucsd.edu; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum; 'Evans, Mark L.'
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: FW: Revised Standing Order #5

I suppose all of you have seen the latest revision of Standing Rule #5 that Mark has sent to you. Ray has indicated that he could live with the wording provided we can find a majority for this on the board. Just for clarification this is the language in question.

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives shall be filled by a majority vote of those members of the Advisory Board who are present and voting, with each open seat to be filled independently. If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off between the two candidates who have received the most votes. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

If all board members would be so kind to give me an e-mail vote, we could include the results in our Minutes for the last meeting and we could move on to bigger and more exciting things. In order to vote all you need to do is reply to the e-mail and simply state: I am in favor, or I am not in favor.

Thanks,

Peter Wagener

From: Peter Wagener [hp@php-mgmt.com]
Sent: Monday, April 10, 2006 9:23 AM
To: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Glen Rasmussen; Jeff Broido; Ken King; Leslie Wade; Lynn Noble; Mark L. Evans; Martin Mosier; Marty McGee; Paul Metcalf; Pennie Carlos; Ray Weiss; Reza Ghasemi; Sherri Lightner; Tiffany Sherer PLJ; Yvette Marcum
Subject: LJCPB - Minutes of March meeting

Please find attached the minutes for last month's meeting.

H. Peter Wagener

PHP Management

P.O.Box 415

La Jolla, CA 92038

858-551-5671x11

Email Confidentiality Notice:

e. The current Coastal Access and Parking employee parking program should be

immediately and substantially expanded in an attempt to better utilize existing

(if any) off-street (garage and surface) private parking facilities. This most

Parking likely will require a much larger financial subsidy (from both the

of Board and Promote La Jolla) in order to get a much larger number

employees to choose to participate in this program.

f. A feasibility study and possible preliminary design of a community parking

structure(s) that could increase the number of affordable parking spaces in the

community.

g. A stated goal in the plan of providing better and more affordable public

transportation, both within La Jolla and from outside origination points.

h. Infrastructure improvements to the community allowed under Council Policy

100-18 including landscaping, lighting, sidewalk, alley and street

improvements.

i. A recognition that most, if not all, of the above goals can be achieved only if

there were a sufficient future source of continuing revenue.

In anticipation of your agreement to most of these changes I have attempted to update the Pilot Program from 9-12-07 for your consideration as you will find attached.

Peter Wagener

Chair

_____ NOD32 2650 (20071109) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Peter Wagener [hp@hotelparisi.com]

Sent: Friday, November 09, 2007 1:27 PM

:0430

To: mevans@khhte.com; 'Marty McGee'; 'Darcy Ashley'; 'Ken King';
rfweiss@ucsd.edu; T.Brady@Petersonco.com; TBrady@san.rr.com;
Lajollarugs@lajollarugs.com; MartininLJ@aol.com; 'Paul Metcalf';
patrick.ryan@yahoo.com; gpence@sandiego.gov; ksweeney@sandiego.gov
Cc: 'dmarengo'; 'Tiffany Sherer'; 'Heather Pollock'
Subject: LJCPDAB Agenda Nov. 14 2007

Boardmembers:

Having considered all the input from the various community groups and the general public over the last several weeks, I have listed the following as possible enhancements, clarifications and changes to the pilot program for consideration by the Board:

1. Change the Residential Parking Zone to a voluntary participation of opt in / opt out
decided by a majority of home owners (per street/block).
2. Change the Beach Zone to a voluntary participation of opt in / opt out of a majority of
property owners (per street/block).
3. Change the Beach Zone starting time from 10:00 AM to 11:00 AM. Consider
changing the Beach time limit from 4 to 3 hours on weekdays.
4. Reduce the Pilot Program for paid on street parking to a core commercial area to the
hatched streets as designated on the map and allow voluntary participation (opt in /
opt out) by commercial property owners (per street/block) for the remaining streets in
pink in the commercial area.
5. Add a provision for increased regulation of Valet parking spaces to include a future
fee per space.
6. A mandatory split of revenues with the City of substantially greater than 45% with a
target of 80%. Any revenues greater than the 45% must be spent on Capital
Improvement Projects in the La Jolla Community Parking District as allowed under
San Diego City Council Policy 100-18. If a substantially higher percentage than 45%
cannot be obtained from the City, the Board should withdraw its recommendation to
the City Council.
7. Recommend changes to the City of San Diego to change the municipal code to
facilitate the use of GPS enabled equipment for improved enforcement.
8. Strengthen the evaluation criteria for success or failure of the program to possibly

include:

- a. The desired primary goal of a successful pilot parking program in La Jolla is to
assure the availability of affordably priced (which could include free) and
convenient parking for residents, shoppers, employees and visitors.
 - b. Secondary goals might include those other community improvements allowed
under Council Policy 100-18 including: community shuttles, alternate forms of
transportation, landscaping, maintenance, etc.
 - c. The pilot program will be continuously monitored by the Board for optimal
management and usage of available parking (both on-street and off-street) and
appropriate rates (if any) to achieve the above primary goal.
 - d. The overall effect of this program shall be measured continuously by obtaining
user feedback and response during the pilot one-year program.
9. The Pilot Program should have more emphasis on, and be reprioritized as follows:
- a. Increased parking enforcement to include more modern technology and
additional necessary manpower.
 - b. More uniform and understandable parking time limits within the
commercial
and beach areas.
 - c. Increased inventory of on-street parking by encouraging diagonal
parking and
reviewing the many different parking zones now in place (rainbow curbs).
 - d. Valet parking regulation.
 - e. The current Coastal Access and Parking employee parking program should
be
immediately and substantially expanded in an attempt to better utilize
existing
(if any) off-street (garage and surface) private parking facilities.
This most
likely will require a much larger financial subsidy (from both the
Parking
Board and Promote La Jolla) in order to get a much larger number of
employees to choose to participate in this program.
 - f. A feasibility study and possible preliminary design of a community
parking
structure(s) that could increase the number of affordable parking

spaces in the

community.

g. A stated goal in the plan of providing better and more affordable public

transportation, both within La Jolla and from outside origination points.

h. Infrastructure improvements to the community allowed under Council Policy

100-18 including landscaping, lighting, sidewalk, alley and street

improvements.

i. A recognition that most, if not all, of the above goals can be achieved only if

there were a sufficient future source of continuing revenue.

In anticipation of your agreement to most of these changes I have attempted to update the Pilot Program from 9-12-07 for your consideration as you will find attached.

Peter Wagener

Chair

_____ NOD32 2650 (20071109) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: MartininLJ@aol.com

Sent: Thursday, November 08, 2007 2:44 PM

To: tiffany@lajollabythesea.com

Subject: Fwd: Foundation Board Meeting

Thanks,

Martin

Martin Mosier

Southern Nevada Apartments -- Canyon Club Apartments

Los Arboles Apartments -- Park Vista Apartments

Summer Pacific Company -- Mosier Development Company

2146 Avenida de la Playa, La Jolla, CA 92037-3214

(858) 459-6943 Cell: (619) 981-8618 Fax: (858) 551-4374 E-mail:

MartininLJ@AOL.com

See what's new at

<http://www.aol.com>

_____ NOD32 2646 (20071108) Information _____

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

From: Peter Wagener [hp@php-mgmt.com]
Sent: Thursday, November 08, 2007 2:17 PM
To: 'Tiffany Sherer'
Subject: Agenda 11-14 etc.

Tiffany:

The colored pieces will follow later this afternoon.

Peter

_____ NOD32 2646 (20071108) Information _____

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

From: Peter Wagener [hp@php-mgmt.com]
Sent: Thursday, November 08, 2007 2:10 PM
To: 'Tiffany Sherer'
Subject: FW: my current thinking

From: Evans, Mark L. [mailto:mevans@khhte.com]
Sent: Wednesday, November 07, 2007 5:29 PM
To: hp@php-mgmt.com
Subject: my current thinking

Peter, here's my draft, which embodies my latest thoughts on what we should so. Once you've had a chance to look it over, I'll send it to you in PDF format for circulation. If I have time, I may include a short cover memo explaining the genesis of the proposal and taking personal responsibility for it.

If we are in agreement on the bulk of the draft and disagree only on whether the opt-in provision should apply to Prospect and Wall Streets, I will gladly help you write up an alternative draft that would implement your proposal and that could be offered up side by side with my draft with just a few key changes to reflect your thoughts.

I hope you will understand why I've come out where I have. Though it may be a pain in the butt to get someone to go around collecting signatures, I'll bet that a good chunk of Prospect, all of Wall, and maybe the stubs of Girard and Herschel will sign up. That should be enough for the rest of the business owners to see how paid working works. And the entire plan will be

a whole lot easier to defend if it is a 100% opt-in.

Mark

_____ NOD32 2646 (20071108) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Paul Metcalf [pmdevcon@sbcglobal.net]

Sent: Thursday, November 08, 2007 6:24 AM

To: Ken King; Mark Evans; martininlj@aol.com; Marty McGee; Peter Wagener; Ray Weiss; Reza Gashemi; Tiffany Sherer; Tom Brady; patrick.ryan@yahoo.com; darcys01@hotmail.com

Cc: 'Joe LaCava'; 'Chuck Patton'

Subject: 11-6-7 BRCC PPT

All: For those of you that were unable to attend the BRCC meeting on Tuesday I've attached a copy of the Power Point presentation for your review. Paul

Paul Metcalf

Tactically sound, Strategic Land

Planning, Development & Management

5681 Bellevue, La Jolla California 92037

ph 619-733-6056 fax 858-459-9517

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From: Peter Wagener [hp@php-mgmt.com]

Sent: Sunday, November 04, 2007 2:51 PM

To: 'Tiffany Sherer'

Cc: 'Deborah Marengo (E-mail)'

Subject: FW: Clarification of CPA Presentation by LJCPDAB

FYI... let's discuss Monday morning.

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

From: Sherri Lightner [mailto:sherri@lightner.net]

Sent: Saturday, November 03, 2007 5:42 PM

To: Peter Wagener

Cc: Mary Coakley; Jim Heaton; Andy Coy; Isabel Tihanyi; Suzanne Weissman; Ken King; Sharon Luscomb; Workman-Dicks Family; Carol duPont; John Metzger; Andrea Dahlberg; Sherri Lightner; Gregory Salmon; Todd Lesser; Shirley

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0Q9n/9k=

-----_NextPart_000_011d_01c81d70.B5D70750--
From: Marty McGee [martym@san.rr.com]
Sent: Friday, November 02, 2007 9:23 AM
To: Ken King; 'Peter wagener'
Cc: Evans, Mark L.; Ken King; Martin Mosier; 'Paul Metcalf'; Promote La Jolla; Ray Weiss; 'Reza Gashemi'
Subject: Re: Possible FAQ addition

Hi
Good question. I added it in at the top attached.
Additional questions are welcome.
Peter can you get it added into the website soon?

Thanks
Marty
----- Original Message -----
From: Ken King
To: 'Peter Wagener'
Cc: Evans, Mark L. ; Ken King ; Martin Mosier ; 'Marty McGee' ; 'Paul Metcalf' ; Promote La Jolla ; Ray Weiss ; 'Reza Gashemi'
Sent: Friday, November 02, 2007 8:47 AM
Subject: RE: Possible FAQ addition

Good changes, Peter. It's come up in questions twice now about what we do with OUR valet fees, so the assumption that we receive these fees is out there.

Ken

From: Peter Wagener [mailto:hp@php-mgmt.com]
Sent: Friday, November 02, 2007 8:45 AM
To: 'Ken King'
Subject: RE: Possible FAQ addition

Ken:

This looks like a good idea to me. May I just suggest a slight change at the end.

Peter

From: Ken King [mailto:signal@san.rr.com]
Sent: Friday, November 02, 2007 8:24 AM
To: Evans, Mark L.; Ken King; Martin Mosier; 'Marty McGee'; 'Paul Metcalf'; Peter Wagener; Promote La Jolla; Ray Weiss; 'Reza Gashemi'
Subject: Possible FAQ addition

It's evident that at least some people are unclear on the relationship between PLJ and the PB. I'm not sure it's totally clear to me, but what about adding something like this?

Ken

Q. Is the Parking Board a part of the business improvement district (Promote La Jolla-PLJ) or a separate entity? What is the connection?

A. Since parking issues typically arise in commercial areas, it's common for Parking Boards to be formed around the business improvement district. La Jolla is unusual in that the Parking Board was designed by the city to include many residents. This is beneficial in that residents are profoundly affected by parking actions. PLJ appoints three of the nine board members, and community groups, which typically support both residential and business members, appoint people to four seats. Two seats, one a resident and one a business person, are elected by the board. The Parking Board's formal recommendations and conclusions go to the City of San Diego, and PLJ has no authority to change or override the Board's actions. In other words, the Board reports to the City of San Diego.

All: Here's the Adobe Distiller process for file size management. There are other purposes for the function but file reduction is the one I use the most. The process in the memo was based on Adobe Acrobat v6. I know it still works in v8, which is what I now have, with the slight difference that when you drop down the Advanced Menu, Distiller is under Print Production. V8 Also has a separate Distiller icon for you Desktop which I find useful. Good luck and call me with questions. Paul

Paul Metcalf

Tactically sound, Strategic Land

Planning, Development & Management

5681 Bellevue, La Jolla California 92037

ph 619-733-6056 fax 858-459-9517

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From: Marty McGee [martym@san.rr.com]
Sent: Thursday, November 01, 2007 12:58 AM
To: Evans, Mark L.; rfweiss@ucsd.edu; signal@san.rr.com;
martininlj@aol.com; pmdevcon@sbcglobal.net; hp@php-mgmt.com;
lajollarugs@lajollarugs.com; T.Brady@Petersonco.com; patrick.ryan@yahoo.com;
darcys01@hotmail.com; tiffany@lajollabythesea.com
Subject: FAQ

Hi

Attached is a revised FAQ after input from a couple of you.

Thanks
Marty

_____ NOD32 2630 (20071031) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Ken King [signal@san.rr.com]
Sent: Wednesday, October 31, 2007 2:56 PM
To: Evans, Mark L.; Ken King; Martin Mosier; 'Marty McGee'; 'Paul Metcalf'; Peter Wagener; Promote La Jolla; Ray Weiss; 'Reza Gashemi'
Cc: darcys01@hotmail.com; T.Brady@Petersonco.com
Subject: Draft Minutes of the Parking Board's October 31, 2007 meeting.

Please let me know of changes and corrections. Also, once it's ok'd by the board, should I send it to a broader distribution? Who? Community Board Presidents?

Thursday, November 1 at 6:30 pm at the Recreation Center, the LJ Community Planning Association Meeting.

_____ NOD32 2602 (20071018) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: MartininLJ@aol.com

Sent: Friday, October 19, 2007 12:27 PM

To: mevans@khhte.com; tombrady@san.rr.com; LaJollaRugs@LaJollaRugs.com; HP@PHP-MGMT.com; RFWeiss@UCSD.edu; MartyM@San.rr.com; darcys01@hotmail.com; tiffany@lajollabythesea.com; Patrick.Ryan@Yahoo.com; pmdevcon@sbcglobal.net; signal@san.rr.com; MartininLJ@aol.com; heather@lajollabythesea.com; michael.harth@sunsetparking.com

Subject: La Jolla Community Parking District Advisory Board Meeting

The La Jolla Community Parking District Advisory Board will be holding a public meeting on Wednesday, October 24th, 2007 at the Hotel Parisi (1111 Prospect

Street in downtown La Jolla) in the downstairs meeting room. The attached agenda will be posted at the La Jolla Visitor Center on Herschel Avenue.

Attached please find:

Agenda

Framework

Proposed Pilot Parking Program for La Jolla (with annotations).

Martin

Martin Mosier - ViceChairperson

2146 Avenida de la Playa, La Jolla, CA 92037-3214

(858) 459-6943 cell: (619) 981-8618 Fax: (858) 551-4374 E-mail:

MartininLJ@AOL.com

See what's new at

<http://www.aol.com>

_____ NOD32 2602 (20071018) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Marty McGee [marty@san.rr.com]

Sent: Friday, October 19, 2007 12:14 PM

To: Darcy Ashley; mevans@khhte.com; tiffany@lajollabythesea.com;

michael.harth@sunsetparking.com; pmdevcon@sbcglobal.net;

Patrick.Ryan@Yahoo.com; RFWeiss@UCSD.edu; MTintocalis@sandiego.gov;

T.Brady@Petersonco.com; MartininLJ@aol.com; gpence@sandiego.gov;

LaJollaRugs@LaJollaRugs.com; signal@san.rr.com; HP@PHP-MGMT.com

Subject: Re: Tomorrow's Parking Board Meeting Canceled

Hi

I wrote up my version of Q&A's that can be made available to the public to explain how we are thinking about many issues with parking. Please review it and give me additions and changes. If there is disagreement, I'll poll everyone as to what the appropriate answer is in any case.

I'd like to get it out in time for the T&T committee meeting next week.

Thanks

Marty

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

_____ NOD32 2541 (20070920) Information _____

This message was checked by NOD32 antivirus system.
<http://www.eset.com>
From: Heather Pollock [heather@lajollabythesea.com]
Sent: Monday, September 17, 2007 4:58 PM
To: tiffany@lajollabythesea.com
Subject: LJCAP fact sheet

Promote La Jolla

La Jolla Coastal Access and Parking

858-454-5855

heather@lajollabythesea.com

_____ NOD32 2535 (20070917) Information _____

This message was checked by NOD32 antivirus system.
<http://www.eset.com>
From: Evans, Mark L. [mevans@khhte.com]
Sent: Monday, September 17, 2007 2:13 PM
To: signal@san.rr.com; mevans@khhte.com; martininlj@aol.com;
martym@san.rr.com; michael.harth@SunsetParking.com; pmdevcon@sbcglobal.net;
hp@php-mgmt.com; rfweiss@ucsd.edu; lajollarugs@lajollarugs.com
Cc: darcys01@hotmail.com; patrick.ryan@yahoo.com;
tiffany@lajollabythesea.com; T.Brady@Petersonco.com
Subject: Annotated draft of proposed pilot program

I have made an effort to annotate the draft I circulated last week with indented commentary intended to explain the rationale behind the various provisions in the draft. My goal was to lay out in greater detail my own reasons for supporting the proposal in its current form and to anticipate and attempt to address some of the questions and concerns that the proposal may trigger. I hope that these ramblings are on balance more helpful than harmful. I believe that Peter intends to make the annotated draft public immediately and to have copies available for distribution to members of the public at our meeting on wednesday.

I have taken care to exonerate the Board as an entity, and each of you as individuals, from any responsibility for the sins my commentary may be deemed to have committed. You should feel entirely free to disassociate yourself from any part of the commentary that does not reflect your views.

Mark

the Riford Library by Friday afternoon as a courtesy.

--

Sherri S. Lightner
P: (858) 551-0770
F: (858) 551-0777

_____ NOD32 2525 (20070912) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Promote La Jolla, Inc. [tiffany@lajollabythesea.com]
Sent: Wednesday, September 12, 2007 1:37 PM
To: 'Promote La Jolla, Inc.'
Subject: LJCPDAB Agenda - September 19th

Attached is the September La Jolla Community Parking District Advisory Board Meeting Agenda and related documents. A copy will be posted at the Riford Library by Friday afternoon as a courtesy.

From: Peter Wagener [hp@php-mgmt.com]
Sent: Wednesday, September 12, 2007 12:20 PM
To: 'martym@san.rr.com'; 'michael.harth@sunsetparking.com';
'signal@san.rr.com'; 'T.Brady@Petersonco.com'; Mark L. Evans; Martin Mosier;
patrick.ryan@yahoo.com; pmdevcon@sbcglobal.net; rfweiss@ucsd.edu; 'Reza
Ghasemi'; 'darcys01@hotmail.com'; 'Promote La Jolla, Inc.'
Subject: FW: LJCPDAB Agenda - September 19th

Please find attached the Agenda and background information for our regular Meeting on September 19th at Hotel Parisi's Conference Room on the ground floor to the left of the elevators, at 1111 Prospect Street

Peter Wagener

PHP Management

_____ NOD32 2525 (20070912) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Evans, Mark L. [mevans@khhte.com]
Sent: Wednesday, September 12, 2007 11:21 AM
To: signal@san.rr.com; mevans@khhte.com; martininlj@aol.com;
martym@san.rr.com; michael.harth@sunsetparking.com; pmdevcon@sbcglobal.net;
hp@php-mgmt.com; rfweiss@ucsd.edu; lajollarugs@lajollarugs.com
Cc: darcys01@hotmail.com; patrick.ryan@yahoo.com;
tiffany@lajollabythesea.com; T.Brady@Petersonco.com
Subject: a corrected draft

The draft I sent around last night neglected to include an intended provision specifying a proposed rate of \$1.00 an hour in the beach zone on weekends and holidays. This version corrects that omission.

Mark

NOTICE: This message is from a law firm and may contain privileged or confidential information. If you are not the intended recipient, please notify the sender immediately by reply e-mail and then delete this e-mail from your system. Thank you.

_____ NOD32 2525 (20070912) Information _____

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

From: Evans, Mark L. [mevans@khhte.com]
Sent: Tuesday, September 11, 2007 8:21 PM
To: signal@san.rr.com; mevans@khhte.com; martininlj@aol.com;
martym@san.rr.com; michael.harth@SunsetParking.com; pmdevcon@sbcglobal.net;
hp@php-mgmt.com; rfweiss@ucsd.edu; lajollarugs@lajollarugs.com
Cc: darcys01@hotmail.com; patrick.ryan@yahoo.com;
tiffany@lajollabythesea.com; T.Brady@Petersonco.com
Subject: revised draft of Pilot Program

The attached version of the draft Pilot Program reflects a few key changes intended to address some of the concerns expressed by merchants and residents. I understand that Peter has had discussions with a few prominent skeptics and has reason to hope that the proposed changes will either win their support for the plan or at least mitigate their opposition to it.

These are the main revisions:

1. 30 minutes of free parking: Under this version, the first 30 minutes of parking, regardless of location or time of day, will be free of charge. This will go a long way to accommodating the many local residents who drive into the village for quick shopping errands. It will also advance the interests of those merchants that depend heavily on the quick-errand shoppers. If we adopt this approach, we can do away with free green zones because the entire Village will be available for free 30-minute parking. The challenge will be to prevent abuse of the system by those who might be tempted to park for 2 hours but, instead of paying anything, return to the pay station at each half hour increment for a free 30-minute ticket. There's also a risk that allowing 30 minutes of free parking will have the effect of undermining our goal of achieving 10-15% availability and reducing congestion. If we start off with this approach, we will have to be prepared to make adjustments in light of our experience.

2. Time limits: In its original iteration, the draft had proposed a 2-hour time limit throughout the village commercial area. Based on

comments at one of our meetings, the second iteration changed that to a 3-hour limit so that those who come to the Village for lunch and shopping will not feel rushed. That proposal seemed to generate some vigorous resistance at the last meeting, and this draft now reverts to a 2-hour limit.

3. Enforcement hours: The prior draft had proposed free parking before 11 a.m. and enforcement between 11 a.m. and 8 p.m. If we provide 30 minutes of free parking any time of day, however, we largely obviate the need for free parking before 11 a.m. Because the Village gets its heaviest flow of traffic during the lunch period, it seems sensible to start the enforcement time at 10 a.m. If we keep the total number of enforcement hours at 9, enforcement would end at 7 p.m., thereby accommodating those who come to the village early for a leisurely dinner that may take longer than 2 hours. The start of the enforcement period in the residential area would remain 8 a.m., but the end time would move one hour earlier to 7 p.m. to coincide with the end of enforcement in the commercial area.

4. Parking rate: Several concerns were expressed about the graduated rate levels proposed in the prior draft (\$1.00 for the first hour, \$1.50 for the second hour, \$2.00 for the third hour). This draft proposes a flat \$1.50 per hour rate. With the first half hour of free parking, an individual would pay nothing for 30 minutes or less, \$.75 for 1 hour, \$1.50 for 90 minutes, and \$2.25 for 2 hours.

5. Streets covered: The original draft proposed an expansive footprint for the paid-parking test program. The second draft proposed a significantly reduced scope for the program. There are competing forces at work here. On the one hand, a wider scope will make for a more realistic test of the program; on the other hand, it will be more expensive to implement, more cumbersome to monitor, more difficult to undo, and possibly more controversial. A narrower scope may make for a more manageable test program, but it will predictably have the squeezing-the-balloon effect of dramatically increasing congestion on the adjacent uncovered streets. This draft proposes a middle course - less ambitious than the original proposal but slightly more extensive than the last one. We'll never know for sure where the right balance lies, but we need to start somewhere. As long as we can be confident - and can convince the public - that the test program is reversible if we deem it a failure, it probably makes sense to cover the streets that most of us recognize as the ones where parking is in greatest demand. Based on what I have been told, I believe that the city will both help us acquire the necessary pay stations and will be able to use the pay stations elsewhere if we decide that paid parking should be terminated.

6. Village parking permits: I have come to believe that we should not offer the flat-annual-fee Village parking permits proposed in the prior drafts. I'm concerned that they would immunize those who buy them from the economic incentives we are trying to build into the system and would thereby compromise our objectives. Also, with the availability of a half hour of free parking, the need for a flat-fee pass seems to be materially reduced. Instead of the flat-fee approach, this draft proposes offering frequent parkers an opportunity to purchase either a smart card or an Aspen-style in-car meter at a discount rate of \$1.00 per hour. That would give regulars an attractive benefit but would expose them to the same economic forces that apply to everyone else.

7. Residential guest passes: I've been persuaded that the low-cost annual guest-pass idea in the prior drafts is a recipe for abuse. I cannot see a way to prevent residents from buying guest passes for \$25 a year and then selling them to commuters who will gladly buy them to park on the covered residential streets. This draft proposes instead that a resident of a covered street (or a licensed contractor doing work on one of those streets) can purchase daily passes at the rate of \$3 a day or \$60 for a bundle of 30 days. This strikes me as a reasonable solution, especially because most residents can accommodate their guests by parking their own cars on the street (if they have a residential parking permit) and allowing their guests to park in their driveway.

8. Finally (and thank you if you've been willing to read all the way down to this point), the draft includes an explanation of the process to be followed if the Board agrees to adopt the proposal. Under the procedure envisioned, if we approve the proposal at our September meeting, our approval will trigger a 45-day public comment period, during which we will solicit written submissions, will make an effort to meet with community groups to get their suggestions, and will hear extensive public comment at our October meeting. Then, at our November meeting (which we will probably want to move up a week in view of the Thanksgiving holiday), we will consider amending the proposal in light of the comments we've received and will vote on whether to adopt a final version of the proposal as our recommendation to the City Council.

I'm hoping that these revisions move things in the right direction and help us win some additional support. I believe Peter plans to circulate tomorrow an agenda for our September meeting to which this draft will be attached. If I can find the time and energy, I may try over the next few days to incorporate into the draft some indented commentary to explain the reasons for the choices made and to try to anticipate the most likely questions and concerns. But I make no promises.

Let me know if you have any questions or comments about this latest draft.

Mark

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_____ NOD32 2523 (20070912) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Peter Wagener [hp@php-mgmt.com]

Sent: Monday, September 10, 2007 5:10 PM

Subject: speaker slips

See what you think of the attached redraft of the speaker slips. I'm hoping that we can get what we need without trying to separate people formally into those who favor and those who oppose a proposal. I may be deluding myself that this will help minimize the divisiveness, and I realize that this approach may make it more difficult to give equal time to those on either side of an issue. But in my view it is enough if we hear from each side (and from those on neither side) without worrying too much about allocating equal time. The other suggested changes are intended merely to simplify the form for ease of use by members of the public and by us.

Mark

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_____ NOD32 2519 (20070910) Information _____

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<http://www.eset.com>

_____ NOD32 2519 (20070910) Information _____

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

From: Evans, Mark L. [mevans@khhte.com]
Sent: Monday, September 10, 2007 10:34 AM
To: signal@san.rr.com; martininlj@aol.com; martym@san.rr.com;
michael.harth@SunsetParking.com; pmdevcon@sbcglobal.net; hp@php-mgmt.com;
rfweiss@ucsd.edu; lajollarugs@lajollarugs.com; mevans@khhte.com
Cc: T.Brady@Petersonco.com; patrick.ryan@yahoo.com; darcys01@hotmail.com;
tiffany@lajollabythesea.com
Subject: draft rule on conflicts and recusal

I have tried my hand at revising the draft conflict-of-interest rule in light of some of the comments we heard at our last meeting. This version includes a definition of "conflict of interest" that I hope will both provide some clarity and avoid the risk of disqualifying all of us on just about everything within the Board's jurisdiction. I've also tried to spell out a little more clearly the procedure to be followed when a conflict issue arises. If adopted, this rule would be incorporated into our standing rules.

I believe that Peter plans to schedule this item for consideration at our next meeting. If you have suggestions, please let me know as soon as possible and I'll try to incorporate them into the draft before Peter circulates it with the agenda.

vanpool program. Though I have an only superficial understanding of that program, it seems on its face to be a potentially viable option for employees who find themselves displaced from their normal parking spots in residential areas and who cannot easily access public transportation. In case you're not aware of the program, you can learn something about it at this webpage. <http://tinyurl.com/2x59qs>

2. Partly in reaction to Orrin's "where's the beef" comments at the meeting this past Thursday, I've deliberately added some meat to the proposal by filling in the blanks I had left in the prior draft. The revised draft proposes that paid parking on the designated Village streets be in force between 11 a.m. and 8 p.m., and that parking time limits on the designated residential streets be in effect from 8 a.m. to 8 p.m. The draft further recommends 2-hour time limits on Village streets and a 4-hour limit on Coast Boulevard. It also proposes an initial charge of \$1 per hour throughout the test area - a figure that will have to be adjusted in light of experience but that seems to me to make sense as a starting point. I've also taken a shot at fees for Village parking passes, residential parking permits, guest passes, and contractor parking permits. Although I have reasons for each of these choices, I offer them up simply as a basis for further discussion. I'm sure that some of you will have different ideas.

3. In response to my initial draft, Marty McGee circulated an e-mail containing a number of very thoughtful comments and suggestions. Marty's conception of a pilot program is significantly narrower than what I have proposed. Because I remain tentatively of the view that a true test of our theories requires a broader scope than what Marty suggests, I have not attempted in this revision to incorporate his more limited view of the program. As I said in my note circulating the initial draft, however, I recognize that I may have designated a wider area for the pilot program than you may consider appropriate. This is obviously a key threshold question that warrants careful consideration at our meeting.

4. Although Patrick may have a different view, I believe that, if the Board approves a pilot program, we will need the assistance of a consultant in implementing it properly, including advice on which state-of-the-art technology to use to make our test realistic and to give it the best chance of success. I therefore favor incorporating in our RFP a component calling for assistance in refining and professionally implementing whatever pilot program we ultimately adopt.

5. Finally, if we reach tentative agreement on a pilot program, I think we should present it as soon as possible to the Town Council and other community groups to solicit their reactions before taking any further steps toward implementation.

Mark

From: Evans, Mark L.
Sent: Monday, July 23, 2007 8:46 PM
To: 'Ken King (signal@san.rr.com)'; 'Mark Evans (mevals@khhte.com)';
'Martin Mosier (martininlj@aol.com)'; Marty McGee; Michael Harth

(michael.harth@SunsetParking.com); 'Paul Metcalf (pmdevcon@sbcglobal.net)'; 'Peter Wagener (hp@php-mgmt.com)'; 'Ray Weiss (rfweiss@ucsd.edu)'; 'Reza Ghasemi (lajollarugs@lajollarugs.com)'
Cc: Tiffany Sherer (tiffany@lajollabythesea.com)
Subject: Pilot Program

The attached draft, which I submit for consideration at our August meeting, reflects my effort to lay out a proposed pilot parking program along the lines we have discussed. These are a few explanatory notes:

1. I have taken a crack at designating specific streets for paid parking and for residential permits, a task that I found more difficult than I had expected. Martin had suggested that we might limit paid parking initially to Coast Boulevard. On reflection, however, I think we need to include the commercial core if we're to have a useful test of paid parking's effect on businesses and its acceptability to the community. We can easily revise the draft to reduce the scope of the paid parking element, but this draft includes both the commercial core and Coast Boulevard. I may also have been either overinclusive or underinclusive in designating streets for the residential permit plan. If so, I hope that you will propose appropriate changes. But I've also included, as a safety valve, an invitation to residents on the affected streets to ask us either to remove their street from the list or to add it to the list.

2. Critical to any pilot program is a fixed term that is as short as possible consistent with the need for an effective test. Although Ray had suggested a 6-month sunset provision, I think we may need to give the program a year to prove itself one way or the other. This draft proposes a sunset at the end of one year, but it also includes a requirement that the Board conduct a careful review of the program on a quarterly basis and that it adjust or terminate without delay any aspect that proves to be ineffective or harmful. It also includes a commitment to consider fully the views of community groups and individuals as part of those reviews. I'm hoping that this is a satisfactory compromise sufficient to give the community some assurance that we will monitor the pilot program conscientiously and that paid parking will not, as many fear, be irreversible regardless of its consequences.

3. I think we should be specific in this proposal about the default parking charge, the cost of permits, and the hours of operation. Though I have my own thoughts on each of those items, I have left blanks in the draft in the hope that we can fill them in at our next meeting.

4. I have included a preamble that I hope accurately characterizes the state of our thinking and that may reassure concerned members of the community that we are indeed listening to their views.

5. This proposal focuses only on paid parking and residential parking permits, because they entail the most significant changes to the status quo. But the draft is not meant to foreclose any of the other measures (like a change in the valet fee structure) that we included in our framework. If it makes sense to implement other pieces of the solution, either as part of the pilot program or independently, I see no reason why we should not do so.

6. Finally, if we endorse a pilot program like the one proposed, we may want to include in our RFP a request for help in working out the practical details of implementing the program on a fast track.

Mark

_____ NOD32 2456 (20070813) Information _____

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

From: Peter Wagener [hp@php-mgmt.com]
Sent: Friday, August 10, 2007 11:14 AM
To: Mark L. Evans; Mark L. Evans; 'martym@san.rr.com';
'michael.harth@sunsetparking.com'; Paul Metcalf; Ray Weiss; Reza Ghasemi;
'signal@san.rr.com'; 'T.Brady@Petersonco.com'; Tiffany Sherer PLJ;
heather@lajollabythesea.com
Subject: FW: LJCPDAB Agenda 8-15-07 "time corrected"

"CORRECTED VERSION"

Please find attached the Agenda for the LJ Community Parking District Advisory Board Meeting for Wednesday August 15th, 2007 at 9:00am, at the Athenaeum.

_____ NOD32 2456 (20070813) Information _____

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

From: Peter Wagener [hp@php-mgmt.com]
Sent: Friday, August 10, 2007 10:39 AM
To: 'Mark Evans'; 'Martin Mosier'; martym@san.rr.com;
michael.harth@sunsetparking.com; 'Patrick Ryan (Alt)'; 'Paul Metcalf
(E-mail)'; 'Peter Wagener'; 'Ray Weiss'; 'Reza Ghasemi'; signal@san.rr.com;
T.Brady@Petersonco.com; 'Tiffany Sherer'
Subject: LJCPDAB Agenda 8-15-07

Please find attached the Agenda for the LJ Community Parking District Advisory Board Meeting for Wednesday August 15th, 2007 at 9:00am, at the Athenaeum.

_____ NOD32 2456 (20070813) Information _____

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

From: MartininLJ@aol.com
Sent: Wednesday, August 08, 2007 10:52 PM
To: MartyM@San.rr.com; tiffany@lajollabythesea.com;
pmdevcon@sbcglobal.net; MartininLJ@aol.com; HP@HotelParisi.com
Subject: Fwd: [Fwd: Do you want Parking Meters in La Jolla?? = VOTE =

signature like this?

From: Melisa Tintocalis [MTintocalis@sandiego.gov]
Sent: Monday, July 16, 2007 4:15 PM
To: heather@lajollabythesea.com; tiffany@lajollabythesea.com
Subject: CPD Agreement

Just to make sure you have the final version of the agreement here it is.

Also I included the scope and budgets that will go along with the agreement.

Melisa Tintocalis
City of San Diego
City Planning & Community Investment
1200 3rd Avenue, Suite 1400
San Diego, CA 92101
phone: (619) 236-6476
mtintocalis@sandiego.gov

_____ NOD32 2404 (20070717) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Melisa Tintocalis [MTintocalis@sandiego.gov]
Sent: Friday, July 06, 2007 10:10 AM
To: heather@lajollabythesea.com; tiffany@lajollabythesea.com;
hp@php-mgmt.com
Subject: Your tailored CPD Agreement

Hi CPD:

Attached is your tailored agreement with your organization's name and contract amount.

If you have any questions please write them in a email and I will forward them to the attorney.

Otherwise, I would really like to have this go before Council on July 30th, which means I will need the five signed copies of this agreement no later than July 19th.

I apologize for the short time frame, however, I am trying my best to have a contract in place for you and work given the circumstances.

* Melisa

Melisa Tintocalis
City of San Diego
City Planning & Community Investment
1200 3rd Avenue, Suite 1400
San Diego, CA 92101
phone: (619) 236-6476
mtintocalis@sandiego.gov

_____ NOD32 2385 (20070709) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Marty McGee [martym@san.rr.com]
Sent: Wednesday, July 04, 2007 11:20 PM
To: Michael Harth; 'Paul Metcalf'; 'Peter Wagener'; 'Mark Evans'; 'Martin Mosier'; 'Patrick Ryan (Alt)'; 'Reza Ghasemi'; T.Brady@Petersonco.com; Ken King; Ray Weiss
Cc: 'Tiffany Sherer'

Subject: Questions

Hi

No one responded with any changes or additional questions to add to a Q&A, so I made some small changes to mine. Anyone have anything for this?

Marty

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

From: Marty McGee

To: Michael Harth ; 'Paul Metcalf' ; 'Peter Wagener' ; 'Mark Evans' ; 'Martin Mosier' ; 'Patrick Ryan (Alt)' ; 'Reza Ghasemi' ; T.Brady@Petersonco.com ; Ken King ; Ray Weiss

Cc: 'Tiffany Sherer'

Sent: Wednesday, June 27, 2007 9:23 AM

Subject: minutes for June 20 meeting of Parking Board

Hi

For those who were attendees at the last board meeting, please review the attached draft minutes.

I also attached an attempt to get started on some Q&A's. I tried to deal with a couple of questions. I am sure not everyone will agree with what I wrote and many will have better ways to say it. No problem. Please send out your suggestions for modifications on what I said, and also include your own proposed questions and proposed answers to everyone. You can refer to the Shoup forum list for questions if you need some. If everyone on the Board participates in this we should be able to get a good package together. I have made this a DRAFT. Please do not pass it to anyone until it is no longer a DRAFT of my thoughts. The benefit from doing this for us will be a reduced need to answer the same questions imperfectly at future forums.

_____ NOD32 2379 (20070704) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Keely Sweeney [ksweeney@sandiego.gov]

Sent: Tuesday, July 03, 2007 12:01 PM

To: tiffany@lajollabythesea.com; dmarengo@san.rr.com

Subject: Fwd: Re: info from Mayor's office

Hi, Deborah and Tiffany. I spoke to Stephen about this and am going to follow up with him about what you need. I want to be as specific as possible in this request for data. Can you please check my email to see if anything should be added/corrected before I send it? Thank you!

Also, can you tell me exactly what was wrong with the data we got back in April (attached). Do you need it to be more comprehensive (in which case they will need more street names and block #s), or more specific (call out the actual dollar figure recovered, etc)?

Thanks!

Keely

*-----

Hi, Stephen. As we discussed, here is the request for data the Parking Board needs to complete their study in La Jolla. Essentially, they need (a) the figures showing what the citations revenue is for La Jolla, broken down by the Shores, the Village center ("downtown"), and residential areas if that is at all possible, and (b) how much it costs the City to provide to services such as street sweeping, _____, _____)

These figures are very important to the development of their plan, which is now underway. Their next meeting is wed, July 18th, so having this data before

Marty,

Thanks again for taking on the burden of drafting the minutes, which look great. I do have a couple of suggested edits designed to spell out more precisely what we are hoping to get from a consultant. Those suggestions are shown on the attachment in redline. Also, I note that the draft shows 8 members in attendance but only 7 voting on the motion. Is that because Reza had to leave shortly before we voted? If so, should the minutes reflect that fact to avoid confusion?

Thanks too for taking an initial stab at some Q&A's. I'll try to come up with some additional items to add to the package.

Mark

From: Marty McGee [mailto:martym@san.rr.com]
Sent: Wednesday, June 27, 2007 9:24 AM
To: Michael Harth; 'Paul Metcalf'; 'Peter Wagener'; Evans, Mark L.; 'Martin Mosier'; 'Patrick Ryan (Alt)'; 'Reza Ghasemi'; T.Brady@Petersonco.com; Ken King; Ray Weiss
Cc: 'Tiffany Sherer'
Subject: minutes for June 20 meeting of Parking Board

Hi

For those who were attendees at the last board meeting, please review the attached draft minutes.

I also attached an attempt to get started on some Q&A's. I tried to deal with a couple of questions. I am sure not everyone will agree with what I wrote and many will have better ways to say it. No problem. Please send out your suggestions for modifications on what I said, and also include your own proposed questions and proposed answers to everyone. You can refer to the Shoup forum list for questions if you need some. If everyone on the Board participates in this we should be able to get a good package together. I have made this a DRAFT. Please do not pass it to anyone until it is no longer a DRAFT of my thoughts. The benefit from doing this for us will be a reduced need to answer the same questions imperfectly at future forums.

_____ NOD32 2359 (20070627) Information _____

This message was checked by NOD32 antivirus system.

<http://www.eset.com>

From: Marty McGee [martym@san.rr.com]
Sent: Wednesday, June 27, 2007 9:24 AM
To: Michael Harth; 'Paul Metcalf'; 'Peter Wagener'; 'Mark Evans'; 'Martin Mosier'; 'Patrick Ryan (Alt)'; 'Reza Ghasemi'; T.Brady@Petersonco.com; Ken King; Ray Weiss

Shores Association re: the Parking Plan for the Commercial Center of La Jolla Shores. Hopefully, the attached letter clarifies the situation. The Shores Association would like this to move forward quickly. Please advise if additional information is needed.

Sherri S. Lightner

Chair, La Jolla Shores Association
P: (858) 551-0770
F: (858) 551-0777

_____ NOD32 2066 (20070216) Information _____

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

From: Sherri Lightner [sherri@lightner.net]
Sent: Thursday, February 15, 2007 4:55 PM
To: Scott Peters
Cc: Keely Sweeney; Deborah Marengo; Tim Golba; Mark T. Broido; Glen Rasmussen; Mary Coakley; Jim Heaton; Andy Coy; Isabel Tihanyi; Suzanne Weissman; Ken King; Sharon Luscomb; Workman-Dicks Family; Carol duPont; John Metzger; Andrea Dahlberg; Sherri Lightner; Gregory Salmon; Todd Lesser; Shirley Goddard; Sharon Luscomb; Pennie Carlos; Evans, Mark L.; Tiffany Sherer; La Jolla Town Council
Subject: La Jolla Shores Commercial Center Plan

There seems to be some concern about the actions taken by the La Jolla Shores Association re: the Parking Plan for the Commercial Center of La Jolla Shores. Hopefully, the attached letter clarifies the situation. The Shores Association would like this to move forward quickly. Please advise if additional information is needed.

Sherri S. Lightner

Chair, La Jolla Shores Association
P: (858) 551-0770
F: (858) 551-0777

_____ NOD32 2066 (20070216) Information _____

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

From: Evans, Mark L. [mevans@khhte.com]
Sent: Tuesday, February 13, 2007 6:39 PM
To: Ken King; Leah Schaeffer; Evans, Mark L.; Martin Mosier; Marty McGee; Michael Harth; Patrick Ryan; Paul Metcalf; Peter Wagener; Ray Weiss; Reza Ghasemi; Tiffany Sherer; Tom Brady; Yvette Marcum
Subject: RE: draft parking plan

Based on the comments I've received from some of you, I believe that the following issues (set forth roughly in the order in which they arise in the draft plan) warrant discussion at our meeting on Thursday. Once we have reached some degree of consensus on these questions, I will revise the draft plan accordingly.

1. Are we being too aggressive in aiming for a 15% vacancy rate? Should we instead use "10-15%" as our targeted vacancy rate?
2. Should we retain the "enforcement" item as a stand-alone objective, or is it simply a means to achieve objectives 1 and 2?

3. In objective 4, can we come up with a broader statement of the projects for which we would use the funds while still hewing closely enough to the terms of Council Policy 100-18?
4. Should we limit paid on-street parking initially to the core Village commercial area and perhaps Kellogg Park, while identifying the other areas as ones to be explored in the future?
5. The draft plan proposes uniform enforcement hours of 9 a.m. to 9 p.m. Should we instead build in the flexibility to vary enforcement hours as experience dictates, perhaps even on a block-by-block basis, or would that unduly complicate administration of the system?
6. The question of time limits within the paid parking zones deserves particularly careful attention.
 - a. Shoup suggested that we could eliminate time limits entirely and simply allow economic forces to drive a visitor's decision of how long to park. Two possible objections to that approach are (i) we would have to set the price sufficiently high to encourage use of off-street parking facilities, and that may lead either to an intolerably high per-hour price or to a complicated step-ladder system of rates that increase after the first couple of hours; and (ii) wealthy individuals might be willing to pay significantly more to park in a convenient on-street spot than in a less convenient off-street facility. I personally believe that we could come up with a solution to the first objection, and I am not yet persuaded that the second objection is a genuine problem. But I believe I am in the minority on this. Although I am prepared to yield to the consensus, I think we should discuss the pros and cons of the Shoup approach.
 - b. If we do adopt time limits, what should they be? In the draft plan, I used 3 hours as a placeholder for our discussion of the question, and that actually strikes me as a sensible starting point. Two questions about that: (i) Is there a risk that changing the existing time limits at the same time that we install paid on-street parking would cause more confusion than it's worth? (ii) Should we build in the flexibility to establish different time limits for different locations?
7. The draft plan assumes that the pay stations would accept paper money, but I'm told that professionals believe with some vigor that paper money presents serious problems, particularly in an outdoor environment where the transaction may have to be speedy to creating a logjam. Should we take out the reference to paper money?
8. Will it be possible to administer and enforce a VIP parking-pass program in a manner sufficient to prevent abuse? Might the risks of such a program outweigh the obvious benefits in terms of community acceptance?
9. I am told that valet parking permits from the City of San Diego already prohibit valet operators from using street parking spots adjacent to their valet areas. Should we keep the point in our plan anyway to emphasize its importance? Should we say something about the need for more aggressive enforcement of the existing rules?
10. Should the transition period for enforcement of the new rules be shorter than the 3 months mentioned in the draft plan?
11. Should we propose, as the draft plan does, that the city use private contractors to install and maintain the parking pay stations and to handle the enforcement function?
12. What should we say about the revenue split?

For those who may have lost their copy of the draft plan, I'm attaching

it again to this message.

I look forward to seeing you all Thursday morning.

Mark

From: Evans, Mark L.
Sent: Wednesday, January 31, 2007 2:48 PM
To: Ken King; Leah Schaeffer; Mark Evans; Martin Mosier; Marty McGee; Michael Harth; Patrick Ryan; Paul Metcalf; Peter Wagener; Ray Weiss; Reza Ghasemi; Tiffany Sherer; Tom Brady; Yvette Marcum
Subject: draft parking plan

I've attached for your review and comment a rough draft of a parking proposal. Given the sensitivity of the document, I've deliberately limited the circulation of this message to Board members, active alternates, and staff.

I have a few preliminary comments about the draft:

1. Although I've done my best to capture what I believe to be the Board's consensus, I found it necessary in some instances to fill in gaps using my best judgment. If you see anything that strikes you as new or nutty, that's likely to be an example of my judgment at work. I urge you to strike out or replace whatever seems wrongheaded or out of bounds.
2. Although I don't believe we have ever carefully considered the issue, I have assumed that our proposal should cover all the key areas in which we know there are parking issues, including the village commercial core, Birdrock, La Jolla Shores, and the area around UCSD. If I've wandered too far afield, we can easily scale back the areas covered.
3. To make the plan feel complete, I've tried to fill in numbers wherever possible (for the cost of valet parking permits, residential parking permits, etc.) In some cases, we've talked about these numbers; in other cases, I've just made them up as placeholders pending the Board's further consideration.
4. I've thrown into the draft a section suggesting that the city use private contractors to install and maintain the parking pay stations and to handle the enforcement function. Again, I've put this in just as a placeholder for our discussion. It may well be that we should stay away from this issue for now. We don't want our basic plan to get sidetracked by a fight over privatizing these functions.

Cc: 'Leah Schaeffer'
Subject: Proposed Parking Plan for La Jolla DRAFT 1-31-07 rev.pw

_____ NOD32 2046 (20070208) Information _____

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

From: Evans, Mark L. [mevans@khhte.com]
Sent: Sunday, February 04, 2007 12:13 PM
To: Chanelle Hawken; Deborah Marengo; Gary Pence; Jeff Broido; Keely Sweeney; Ken King; Leah Schaeffer; Mark Evans; Martin Mosier; Marty McGee; Michael Harth; Patrick Ryan; Paul Metcalf; Pennie Carlos; Peter Wagener; Ray Weiss; Reza Ghasemi; Tiffany Sherer; Tom Brady; Yvette Marcum
Subject: two parking articles

I'm attaching two articles of interest. The wall Street Journal article, in which Shoup gets big play, bears directly on our work. The LA Times piece is also worth reading.

Mark

_____ NOD32 2038 (20070205) Information _____

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

From: Evans, Mark L. [mevans@khhte.com]
Sent: Wednesday, January 31, 2007 2:48 PM
To: Ken King; Leah Schaeffer; Mark Evans; Martin Mosier; Marty McGee; Michael Harth; Patrick Ryan; Paul Metcalf; Peter Wagener; Ray Weiss; Reza Ghasemi; Tiffany Sherer; Tom Brady; Yvette Marcum
Subject: draft parking plan

I've attached for your review and comment a rough draft of a parking proposal. Given the sensitivity of the document, I've deliberately limited the circulation of this message to Board members, active alternates, and staff.

I have a few preliminary comments about the draft:

1. Although I've done my best to capture what I believe to be the Board's consensus, I found it necessary in some instances to fill in gaps using my best judgment. If you see anything that strikes you as new or nutty, that's likely to be an example of my judgment at work. I urge you to strike out or replace whatever seems wrongheaded or out of bounds.

2. Although I don't believe we have ever carefully considered the issue, I have assumed that our proposal should cover all the key areas in which we know there are parking issues, including the Village commercial core, Birdrock, La Jolla Shores, and the area around UCSD. If I've wandered too far afield, we can easily scale back the areas covered.

3. To make the plan feel complete, I've tried to fill in numbers wherever possible (for the cost of valet parking permits, residential parking permits, etc.) In some cases, we've talked about these numbers; in other cases, I've just made them up as placeholders pending the Board's further consideration.

4. I've thrown into the draft a section suggesting that the city use private contractors to install and maintain the parking pay stations and to handle the enforcement function. Again, I've put this in just as a placeholder for our discussion. It may well be that we should stay away from this issue for now. We don't want our basic plan to get sidetracked by a fight over privatizing these functions.

5. I have kept the draft short, lean, and free of the kind of supporting argument that we might want to develop in a separate document. If you think we should include more in the way of support, we should discuss how best to do so.

If you send me your comments and suggestions by e-mail (or by marking up the draft), I will try to circulate a revised version before our meeting on February 15.

Mark

_____ NOD32 2038 (20070205) Information _____

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

From: Gary Pence [gpence@sandiego.gov]
Sent: Thursday, January 18, 2007 9:23 AM
To: lajollaadventure@aim.com; martininlj@aol.com; jhb146@columbia.edu; mevans@khhte.com; leah@lajollabythesea.com; tiffany@lajollabythesea.com; lajollarugs@lajollarugs.com; sherri@lightner.net; T.Brady@Petersonco.com; hp@php-mgmt.com; dmarengo@san.rr.com; martym@san.rr.com; signal@san.rr.com; penniecarlos@sbcglobal.net; pmdevcon@sbcglobal.net; Michael.Harth@SunsetParking.com; rfweiss@ucsd.edu
Cc: Keely Sweeney
Subject: Re: LJ Traffic & Transportation January Board Meeting: Jan 25th, 2007 4:00 p.m. @ the Rec Center

Hello All - Is the attached the final version of the La Jolla Shores Plan or is this still a working document? Also, is my email distribution accurate for the current members. I think some have left and I didn't see Ken on there. Thanks, GP

>>> Keely Sweeney 1/17/2007 10:49 AM >>>
Good morning, Gary. We were just looking at these proposed changes and wondering what you thought. It seems that #1 (re Sundays) raises enforcement issues, but can you let me know if you have comments besides that one? Thanks!

Keely M. Sweeney, Esq.
Council Representative & Policy Analyst
City Council President Scott Peters

implementation can be incremental, vision must be inclusive. That's why it's important, with regard to parking requirements for new development or change of use, that the goal or community vision be clearly understood. This issue is, in a sense, separate from the management of current resources and the uses of anticipated revenues but it is married politically to the success of our proposals. If we can ameliorate the polarization in La Jolla between the change/no-change extremes through a well crafted comprehensive plan we will succeed but it must include the "comprehensive planning" element contained in our mission statement.

I know I harp on Bird Rock but I believe that the lessons we learn from the FBC process will provide valuable insight into incorporating a community consensus vision into our "conscientious management" recommendations.

This continues to argue towards more time.

Paul Metcalf

ph 619-733-6056

fax 858-459-9517

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From: Ken King [mailto:signal@san.rr.com]
Sent: Friday, October 13, 2006 10:23 PM
To: 'Evans, Mark L.'; 'Paul Metcalf'; rfweiss@ucsd.edu; 'Martin Mosier'; 'Michael Harth'; 'Peter Wagener'; 'Reza Gashemi'; 'Yvette Marcum'; 'Marty McGee'
Cc: 'Leslie Wade'; 'Joe LaCava'; 'Promote La Jolla'
Subject: RE: DRAFT minutes of the October 12 meeting

Thanks, Paul and Mark, for the detailed and insightful comments. I, too, am encouraged. The tough part, as Mark said, is to bring a large number of La Jollans along the path we have been taken, and I think that will take a lot of effort.

One additional point that Dr. Shoup made that hasn't yet been mentioned is that it was NOT necessary to make all the changes at once. For instance, there is no need to eliminate off-street parking requirements for a change of use right away. I think that's a direct quote, based on my notes. I was particularly interested in that because we have had concerns that the implementation may be an "all or nothing" proposition.

I'm impressed with this Board!

K

From: Evans, Mark L. [mailto:mevans@khhte.com]
Sent: Friday, October 13, 2006 4:59 PM
To: Paul Metcalf; rfweiss@ucsd.edu; Ken King; Martin Mosier; Michael Harth; Peter Wagener; Reza Gashemi; Yvette Marcum; Marty McGee
Cc: Leslie Wade; Joe LaCava; Promote La Jolla
Subject: RE: DRAFT minutes of the October 12 meeting

Paul's thoughtful note reminds me of a suggestion my wife made a few days ago. She had been invited to attend a meeting of the La Jolla woman's Club. She reported back that many of the club members apparently make it a practice during meetings to move their cars to new spots if they find chalk marks on their tires. The presiding officer announced at some point that some of the parking enforcement crew have been chalking front rather than rear tires, making it harder for the members to see the marks. There was a moan of disapproval in the audience, with comments like "That's just mean!" and "How unfair!" This just underscores how big a hill we still have to climb to win support for any significant changes. It also suggests to me that, at some appropriate stage, we should consider making presentations to organizations beyond the usual community groups. The woman's Club is a good example. If we can bring its members productively into the process, our chances of success should go up. I'm sure that some of you will know of other groups that we might add to the list.

Like Paul, I'm optimistic about our chances of producing an excellent plan, and I'm especially encouraged by the collegiality of our Board and the consensus that we seem to be developing. I support Paul's suggestion of another special session. We're making good progress, and I think we should move forward as quickly as possible so that we do not lose momentum.

Mark

From: Paul Metcalf [mailto:pmdevcon@sbcglobal.net]
Sent: Friday, October 13, 2006 3:39 PM
To: Evans, Mark L.; rfweiss@ucsd.edu; 'Ken King'; 'Martin Mosier'; 'Michael Harth'; 'Peter Wagener'; 'Reza Gashemi'; 'Yvette Marcum'; 'Marty McGee'
Cc: 'Leslie Wade'; 'Joe LaCava'; 'Promote La Jolla'
Subject: RE: DRAFT minutes of the October 12 meeting

Great recap Mark, especially the tour part from which I was absent. Ray, it's truly a shame you couldn't be here. As Mark assumes, there wasn't much that was different from the Symposium presentation but the essence was more focused on La Jolla and distilled and it was delightful to be able to go

back and forth in an informal setting.

I feel, and I hope everyone will chime in on this, that we have a the ability to formulate a truly great plan for the community based on Dr. Shoup's philosophy and that if we carefully craft it and present it in the best fashion we can hit a home run. (Ray, Dr. Shoup agreed to send the power point he showed at the Thursday meeting to Leslie. I think it would be a marvelous tool, perhaps abridged in some fashion, for you and Ken to use at the Town Council meeting and I would like to use it at the CPA and BRCC. I also think the more of us present at any of these presentations is beneficial to our goal of community consensus.)

Additionally, I think perhaps we need to consider lengthening our community consensus horizon. We have been extremely cautious to date and there's no magic in November. If it works it works but Leslie shared some ideas for community outreach that came out of today's working session with Dr. Shoup and various comrades (PB rep, City PD rep, Faulconer's rep, and a Katz Okitsu Planner/Consultant) as well as Peter, Martin and Leah that merit discussion with the full group.

I hope we can set aside some time in November to discuss these ideas (e.g., format suggestions and group cooperation with PB and Old Town, etc.) and I wouldn't be apposed to another special session before that. There is urgency in the current plan created by the November 15 forum and the Bird Rock FBC charette process which convenes November 3-6 and ends with a community consensus recommendation on November 14th. It may be wise to consider altering our schedule to properly take advantage of more time and Bird Rock's results.

On that note, Joe LaCava, Howard Blackson and I spent two hours with Dr. Shoup this morning when he came down for breakfast an hour before our scheduled tour and joined us. We never actually did a tour, mainly because there's very little unique to show, but his enthusiasm for Bird Rock's FBC format and the Stepler/Blackson team gives us high hopes to create a successful example of our recommendations for the balance of La Jolla that should be useful to the Board. Incidentally, we're trying to get Patrick Siegman to make a recommendations presentation at our November charette.

That's more like a buck and a half than two cents but please share your thoughts.

Paul Metcalf

ph 619-733-6056

fax 858-459-9517

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attachments, is confidential, proprietary or privileged and may be subject to protection under the law. This message is intended for the sole use of the individual or entity to who it is addressed. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited and may subject you to criminal or civil penalties. If you received this transmission in error, please contact the sender by replying to this E-mail and delete this email immediately

From: Peter Wagener [hp@php-mgmt.com]
Sent: Monday, August 07, 2006 5:18 PM
To: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Jeff Broido; Ken King; Leslie Wade; Mark L. Evans; Martin Mosier; Marty McGee; Michael Harth; Paul Metcalf; Pennie Carlos; Ray Weiss; Reza Ghasemi; Sherri Lightner; Tiffany Sherer PLJ; Tom Brady; Yvette Marcum
Subject: FW: LJCPAB Agenda August 10th

Dear Board Members and interested parties:

This the final reminder to the board members for tomorrows trip to Pasadena leaving 6:00am sharp from Hotel Parisi.

Additionally please find attached the Agenda for our Meeting on Thursday August 10th at 8:00am at the Museum of Contemporary Art.

Peter Wagener
PHP Management
858-551-5671

From: Ken King [signal@san.rr.com]
Sent: Monday, July 31, 2006 10:55 AM
To: Promote La Jolla
Subject: Standing Rules

Here's the word version, Tiffany. Sorry for the delay; I was out of town all last week. I also included the June 8 minutes showing the approval of the draft minutes that were included in the May 11 minutes.

Ken

From: Peter Wagener [hp@php-mgmt.com]
Sent: Monday, July 24, 2006 2:42 PM
To: Tiffany Sherer PLJ; Leslie Wade
Cc: Martin Mosier
Subject: FW: LJ Shores Parking

I thought it might be best if everybody has a chance to look at Martins approved proposals for the shores, as we might discuss them on our trip. Also, I understand that preparations have been completed for our trip up north to look at other communities and how they handle their parking dilemmas. As we have all read the reports from the Parking Symposium Downtown, all problems appear to have been solved in Pasadena. Therefore we picked Pasadena as our destination. We will however attempt to visit at least one of the coastal cities on the way back.

We are all set to leave:

August 8th, 6:00am from Hotel Parisi...

Free underground parking from the hotel will be provided...

With a little luck we might have some coffee and pastries, sodas and water on the bus...

We should be returning by mid afternoon...

All we need to know from you is who all is participating!!

Hope to hear from you soon...

Peter Wagener

From: Promote La Jolla [mailto:tiffany@lajollabythesea.com]
Sent: Thursday, July 20, 2006 4:38 PM
To: leslie@wadecomunications.com
Cc: 'Peter Wagener'
Subject: FW: LJ Shores Parking

to dispense with the frustration that we all feel about not doing anything, attached is Martins Plan for the Shores that has been approved by the community groups. I differ to you two if you want to circulate this wider than the four of us at this time, or maybe we can work on it on the bus August 8th

-Tiffany

From: MartininLJ@aol.com [mailto:MartininLJ@aol.com]
Sent: Monday, June 12, 2006 3:39 PM
To: tiffany@lajollabythesea.com; HP@HotelParisi.com
Subject: LJ Shores Parking

Martin
Martin Mosier

Southern Nevada Apartments -- Canyon Club Apartments
Los Arboles Apartments -- Park Vista Apartments
Summer Pacific Company -- Mosier Development Company
2146 Avenida de la Playa, La Jolla, CA 92037-3214
(858) 459-6943 Cell: (619) 981-8618 Fax: (858) 551-4374 E-mail:
MartininLJ@AOL.com

From: Ken King [signal@san.rr.com]
Sent: Wednesday, July 19, 2006 3:52 PM
To: T.Brady@Petersonco.com; Chanelle Barry; 'Deborah Marengo'; 'Gary Pence'; Glen Rasmussen; 'Jeff Broido'; Leslie Wade; 'Marty McGee'; 'Pennie Carlos'; Promote La Jolla; Sherri Lightner

Subject: Approved minutes of the July 13 Parking Advisory Board

Here are the minutes of the latest meeting of the Parking Board.

Ken King, Secretary

From: Paul Metcalf [pmdevcon@sbcglobal.net]
Sent: Saturday, July 15, 2006 12:16 PM
To: Deborah Marengo; Ken King; Leslie Wade; martinlj@aol.com; Marty McGee; Pennie Carlos; Peter Wagener; Ray Weiss; Reza Gashemi; Tiffany Sherer; Tom Brady; Yvette Marcum
Cc: 'Joe LaCava'
Subject: Paving Temporary Paradise Symposium

All: Attached is the bulk of Donald Shoup's PP presentation at the above referenced Symposium along with the first chapter of his most recent book which will help contextualize some of the PP slides. Below are links to Shoup's website as well as to Nelson/Nygaard's which is Patrick Siegman's company.

Shoup was the academic and Siegman the cutting edge planner/implementer. Both men were very interesting and persuasive in their enthusiasm for their recommendations. We were also treated to a variety (see attached agenda) of practical example of various implementing techniques as described by the other Symposium panelists but the particulars, while interesting, were somewhat limited in their relation to La Jolla for practical application as the situations are quite different.

Nevertheless, the day was very interesting and there is much to consider in Dr. Shoup's and Siegman's recommendations that could be of real value in our situation. It's probably best take a look at the attached and the websites before we talk further. Siegman's presentation (which was based on his firms work in such varied places as Petaluma, Palo Alto and Ventura) should be available on the web soon. I have requested a pdf or PP when available.

If you have any questions for Martin, Ray or me drop an e-mail. Paul

PS: Peter: If you have Mike's e-mail you might forward this to him.

<http://shoup.bol.ucla.edu/>

<http://www.nelsonnygaard.com/articles.htm>

Paul Metcalf

ph 619-733-6056

fax 858-459-9517

This message and any files attached herewith are confidential and may contain privileged material for the sole use of the intended recipient. Any unauthorized review, distribution, disclosure, copying, use or dissemination, either in whole or in part, is strictly prohibited. If you are not the intended recipient of the message, please notify the sender immediately by return e-mail or telephone, delete the original message, including the attachments, and destroy all hard copies. If you are the intended recipient, please be aware that since e-mails can be altered electronically, the integrity of this communication cannot be guaranteed.

From: Peter Wagener [hp@php-mgmt.com]

From: Leslie Wade [leslie@wadecommunications.com]
Sent: Monday, June 12, 2006 4:35 PM
To: 'Ken King'; 'Promote La Jolla'; 'Peter Wagener'; 'Deborah Marengo';
'Mark L. Evans'; 'Martin Mosier'; 'Marty McGee'; 'Paul Metcalf'; 'Ray Weiss';
'Reza Ghasemi'; 'Yvette Marcum'
Subject: RE: Revised FY 2007 Program and Budget

Thanks for everyone's input. With Mark's minor edit to page three and Marty's catch of the now senseless language at the beginning of page two (which I simply deleted), we've got a final draft. Tiffany will forward it to the PLJ board on Wednesday for ratification and send it on to the City.

For the record, I received affirmative votes from all voting attendees of the last meeting (Peter, Reza, Ken, Ray, Marty, Martin, Mark and Paul).

Thanks again,

Leslie

From: MartininLJ@aol.com
Sent: Monday, June 12, 2006 3:39 PM
To: tiffany@lajollabythesea.com; HP@HotelParisi.com
Subject: LJ Shores Parking

Martin
Martin Mosier

Southern Nevada Apartments -- Canyon Club Apartments
Los Arboles Apartments -- Park Vista Apartments
Summer Pacific Company -- Mosier Development Company
2146 Avenida de la Playa, La Jolla, CA 92037-3214
(858) 459-6943 Cell: (619) 981-8618 Fax: (858) 551-4374 E-mail:
MartininLJ@AOL.com

From: Evans, Mark L. [mevans@khhte.com]
Sent: Thursday, June 08, 2006 10:45 AM
To: leslie@wadecommunications.com; Promote La Jolla; Peter Wagener;
Deborah Marengo; Ken King; Martin Mosier; Marty McGee; Paul Metcalf; Ray
Weiss; Reza Ghasemi; Yvette Marcum
Subject: RE: Revised FY 2007 Program and Budget

This looks good to me, Leslie. I suggest one possible non-substantive edit on p. 3, as shown on the attachment.

Mark

From: Leslie Wade [mailto:leslie@wadecommunications.com]
Sent: Thursday, June 08, 2006 10:34 AM
To: 'Promote La Jolla'; 'Peter Wagener'; 'Deborah Marengo'; 'Ken King'; Evans,
Mark L.; 'Martin Mosier'; 'Marty McGee'; 'Paul Metcalf'; 'Ray Weiss'; 'Reza
Ghasemi'; 'Yvette Marcum'
Subject: Revised FY 2007 Program and Budget
Importance: High

Committee,

Attached is the document for your review and approval. Please reply to all with any substantive changes or your vote of approval by 9 a.m. tomorrow.

Thanks,

Leslie

From: Leslie Wade [leslie@wadecommunications.com]
Sent: Thursday, June 08, 2006 10:34 AM
To: 'Promote La Jolla'; 'Peter Wagener'; 'Deborah Marengo'; 'Ken King';
'Mark L. Evans'; 'Martin Mosier'; 'Marty McGee'; 'Paul Metcalf'; 'Ray Weiss';
'Reza Ghasemi'; 'Yvette Marcum'
Subject: Revised FY 2007 Program and Budget

Importance: High

Committee,

Attached is the document for your review and approval. Please reply to all with any substantive changes or your vote of approval by 9 a.m. tomorrow.

Thanks,

Leslie

From: Leslie Wade [leslie@wadecommunications.com]
Sent: Tuesday, June 06, 2006 11:14 AM
To: 'Ken King'; 'Evans, Mark L.'; 'Martin Mosier'; 'Paul Metcalf'; 'Peter
Wagener'; 'Ray Weiss'; 'Reza Gashemi'; 'Yvette Marcum'
Cc: 'Promote La Jolla'
Subject: Homework Follow-up

Importance: High

Committee members,

If you have not done so already, please forward me an electronic version of your draft responses to the assigned questions from the April meeting. I recall that a few of you had hard copies at the meeting, but I'd like to merge them together into a master matrix. If you've not yet completed the assignment, this is your chance. I'd appreciate the files by mid-day tomorrow. We'll use the matrix as a basis for discussion after we tackle Thursday's annual program/budget discussion.

The original files are attached.

Thanks much,

structure(s) that could increase the number of affordable parking spaces in the community.

g. A stated goal in the plan of providing better and more affordable public transportation, both within La Jolla and from outside origination points.

h. Infrastructure improvements to the community allowed under Council Policy 100-18 including landscaping, lighting, sidewalk, alley and street improvements.

i. A recognition that most, if not all, of the above goals can be achieved only if there were a sufficient future source of continuing revenue.

In anticipation of your agreement to most of these changes I have attempted to update the Pilot Program from 9-12-07 for your consideration as you will find attached.

Peter Wagener
Chair

_____ NOD32 2655 (20071113) Information _____

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

From: Marty McGee [martym@san.rr.com]
Sent: Monday, November 12, 2007 11:18 PM
To: Evans, Mark L.; Peter Wagener; Darcy Ashley; Ken King; rfweiss@ucsd.edu; T.Brady@Petersonco.com; TBrady@san.rr.com; Lajollarugs@lajollarugs.com; MartininLJ@aol.com; Paul Metcalf; patrick.ryan@yahoo.com; gpence@sandiego.gov; ksweeney@sandiego.gov
Cc: dmarengo; Tiffany Sherer; Heather Pollock
Subject: Re: LJCPDAB Agenda Nov. 14 2007

Hi

Question: Does anyone know what the smallest area is that the city currently allows to participate in residential parking zones? I do not want to eliminate full residential blocks, as in block-by-block, from participation if all of the opposition that opts out is at one end of a block and those at the other end of the same block want to participate. In other words can we have pilot program testing of residential areas smaller than a city block? I would urge the city to accomodate such smaller area testing to meet the varying needs of residents.

Question: who can tell me why we need to have two hour parking in the test residential parking program areas? why not have no parking in the test areas other than residents with stickers. I believe that is how it is done in the college area although I'm not positive.

Question: why are people talking about opting in to the test areas, rather than opting out? It seems to me that an opt in program will require someone from the Parking Board to do an impossible amount of educating of whatever groups we decide are going to be the decisionmakers, in order for them to decide to opt in throughout the village and surrounding areas.

who can answer these questions for me?

Thanks
Marty

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

From: Evans, Mark L.
To: Peter Wagener ; Marty McGee ; Darcy Ashley ; Ken King ; rfweiss@ucsd.edu ; T.Brady@Petersonco.com ; TBrady@san.rr.com ; Lajollarugs@lajollarugs.com ; MartininLJ@aol.com ; Paul Metcalf ; patrick.ryan@yahoo.com ; gpence@sandiego.gov ; ksweeney@sandiego.gov
Cc: dmarengo ; Tiffany Sherer ; Heather Pollock
Sent: Friday, November.09, 2007 2:37 PM
Subject: RE: LJCPDAB Agenda Nov. 14 2007

Although Peter and I have numerous points of agreement, we differ significantly in pivotal respects. I had shared with him on Wednesday a copy of my draft proposal in the mistaken understanding that, after he had an opportunity to review it, he would circulate it together with the agenda and whatever alternate draft he might wish to propose. I have spoken with Peter, and he has suggested that I circulate my draft separately. That is what I am doing with this message.

I have attached both my draft of a revised Pilot Program and a short cover memo to the Board explaining the genesis of my current thoughts and the key changes I am proposing. I intend to offer up my proposal for the Board's consideration at next week's meeting.

Tiffany and Heather, please circulate both of these documents in the same way that you circulate the agenda and Peter's proposal. Many thanks.

Mark

From: Peter Wagener [mailto:hp@hotelparisi.com]
Sent: Friday, November 09, 2007 1:27 PM
To: Evans, Mark L.; 'Marty McGee'; 'Darcy Ashley'; 'Ken King'; rfweiss@ucsd.edu; T.Brady@Petersonco.com; TBrady@san.rr.com; Lajollarugs@lajollarugs.com; MartininLJ@aol.com; 'Paul Metcalf'; patrick.ryan@yahoo.com; gpence@sandiego.gov; ksweeney@sandiego.gov
Cc: 'dmarengo'; 'Tiffany Sherer'; 'Heather Pollock'
Subject: LJCPDAB Agenda Nov. 14 2007

Boardmembers:

Having considered all the input from the various community groups and the general public over the last several weeks, I have listed the following as possible enhancements, clarifications and changes to the pilot program for consideration by the Board:

1. Change the Residential Parking Zone to a voluntary participation of opt in / opt out
decided by a majority of home owners (per street/block).
2. Change the Beach Zone to a voluntary participation of opt in / opt out of a majority of
property owners (per street/block).

about it here at all; all of our votes are "a majority of those members of the Board who cast a vote." In other words, I see no need to make any change here, but would not object if the rest of the Board wishes to use the current proposed wording absent the absentee voting. Except maybe we might disagree on whether or not abstaining is "casting a vote." Oops. Now I am over-thinking this.

C. A runoff and a coin-flip is fine with me.

D. Just as a point of information: Committee chairs often don't vote. They may choose to do so if their vote influences the outcome of the vote. Strange part of Robert's Rules, that, but I believe it is to allow the chair to remain impartial in debate in order not to exert undue influence. (Their position is only known at the end.) Similarly, the general advice is that they only rarely engage in pro or con discussion.

In summary, I will vote FOR the modifications below, but would prefer only the second set of (red) additions.

Ken

From: Paul Metcalf [mailto:pmdevcon@sbcglobal.net]
Sent: Thursday, April 20, 2006 9:23 AM
To: 'Peter Wagener'; rfweiss@ucsd.edu; 'Evans, Mark L.'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; 'Joe LaCava'
Subject: RE: Revised Standing Order #5

Board Members: I think it's OK to have further discussion and vote at the meeting but I am somewhat perplexed by both the amount of attention given to this relatively small point and the apparent lack of response to the request for a vote.

I feel that the "good faith" concept requires us to consider the diminishing returns nature of extended discussion on matters that have a relatively low likelihood of occurrence and move forward as reasonably as we can. My concern is that we, to paraphrase an old saying, can easily slip into the trap of trying to determine how many lawyers can dance on the maker of a motion. If we are to get something done, besides, after the third meeting, deciding on a fine point in one our rules, then we must take some reasonable risks and refrain from parsing every aspect of each proposal before us. These are judgment calls and are bound to create some uneasiness in the political atmosphere of La Jolla but I am weary of spending my time, in "good faith," only to have progress defeated because we can't please everyone.

Let's face it, we're going to make mistakes. If we are viable, we'll correct them. If we're not, who cares? There's an awful lot of talent and experience on this Board, let's get on with it; both in the sense of taking some risk and in responding to essential matters.

Sorry for the venting but I'm suffering from the nearly overwhelming interconnectedness of the issues that face our community due to my

Ray

From: Peter Wagener [mailto:hp@php-mgmt.com]
Sent: Monday, April 17, 2006 8:55 AM
To: rfweiss@ucsd.edu; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum; 'Evans, Mark L.'
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: FW: Revised Standing Order #5

I suppose all of you have seen the latest revision of Standing Rule #5 that Mark has sent to you. Ray has indicated that he could live with the wording provided we can find a majority for this on the board. Just for clarification this is the language in question.

5. At-large Representative Elections:
Following their initial terms, the positions of the two at-large representatives shall be filled by a majority vote of those members of the Advisory Board who are present and voting, with each open seat to be filled independently. If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off between the two candidates who have received the most votes. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

If all board members would be so kind to give me an e-mail vote, we could include the results in our Minutes for the last meeting and we could move on to bigger and more exciting things. In order to vote all you need to do is reply to the e-mail and simply state: I am in favor, or I am not in favor.

Thanks,

Peter Wagener

From: Peter wagener [hp@php-mgmt.com]
Sent: wednesday, April 19, 2006 5:45 PM
To: rfweiss@ucsd.edu; 'Evans, Mark L.'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'
Subject: RE: Revised Standing Order #5

Reflecting on the current version of Standing Order #5

I don't think we should consider a board member replacement by e-mail vote.

* Authentication of the vote might prove difficult
* If a member is not involved enough to show up for the meeting he

should not be able to vote.

* It also appears that we might not be able to finish this discussion over the net

* I suggest we vote on this at the next meeting

Peter Wagener

From: Ray Weiss [mailto:rfweiss@ucsd.edu]
Sent: Monday, April 17, 2006 2:45 PM
To: 'Evans, Mark L.'; 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gponce@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; Ray Weiss
Subject: Revised Standing Order #5 and Our Name

Dear LJPMDb (or LJCPDAB) Members,

Mark is correct. I do support his proposed changes to this Standing Order, and I thank him for his diligence. My only remaining suggested change is that somehow through its recent iterations the word "Board" became "Advisory Board" in this text. I believe it is sufficient to refer to us after the first complete citation as simply "the Board".

In looking further into the background of our name, I note that even though the PLJ proposal was indeed to establish a "La Jolla Community Parking District Advisory Board", Councilmember Scott Peters' letter of November 18, 2005, officially appointed us to the "La Jolla Parking Management District Board".

Perhaps Chanelle Barry can clarify this for us, but in either case the word "Advisory" is not needed after the first citation. If we are indeed the LJPMDb, then this will have to be changed in our Standing Orders as well as in our meeting minutes and agendas.

Ray

From: Evans, Mark L. [mailto:mevans@khhte.com]
Sent: Monday, April 17, 2006 1:50 PM
To: rfweiss@ucsd.edu; Peter Wagener; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum
Cc: Chanelle Barry; Deborah Marengo; gponce@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: RE: Revised Standing Order #5

At the risk of exhausting your patience, I'd like to make one final proposal,

this is the language in question.

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives shall be filled by a majority vote of those members of the Advisory Board who are present and voting, with each open seat to be filled independently. If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off between the two candidates who have received the most votes. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

If all board members would be so kind to give me an e-mail vote, we could include the results in our Minutes for the last meeting and we could move on to bigger and more exciting things. In order to vote all you need to do is reply to the e-mail and simply state: I am in favor, or I am not in favor.

Thanks,

Peter Wagener

From: Evans, Mark L. [mevans@khhte.com]
Sent: Monday, April 17, 2006 1:50 PM
To: rfweiss@ucsd.edu; Peter Wagener; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: RE: Revised Standing Order #5

At the risk of exhausting your patience, I'd like to make one final proposal, a kind of hybrid version that draws on Ray's idea of absentee voting by e-mail. Ray and I have exchanged views on this version separately, and I believe that he endorses this hybrid approach, with the possible exception noted below.

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives shall be filled by a majority of those members of the Board who cast a vote, with each open seat to be filled independently. Members of the Board who are absent may submit their vote by e-mail. If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off between the two candidates who have received the most votes. In the event of a tie in the run-off, the winner shall be chosen by a coin flip conducted by the Chair at a scheduled meeting. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three

person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

Ray was not sure about the need for a tie-break mechanism, believing that under Robert's Rules the Chair votes only if necessary to break a tie. Although I do not have my copy of Robert's Rules at hand, the Official Robert's Rules of Order Website (<http://www.robertsrules.com/faq.html#1>) suggests that the Chair may vote on all questions and, even if he or she elects to refrain from voting in most circumstances, may always vote either to break a tie or to create a tie. For that reason, I think it's safer to include a tie-break provision.

We are dealing here with remote contingencies, and perhaps we're over-thinking the issue. But we might as well write the provision in a manner that will cover as many of those contingencies as possible.

Mark

From: Ray Weiss [mailto:rfweiss@ucsd.edu]
Sent: Monday, April 17, 2006 9:36 AM
To: 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'; Evans, Mark L.
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gponce@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; Ray Weiss
Subject: RE: Revised Standing Order #5

Peter, Mark et al.,

Just to clarify my concerns about the first sentence, please note that under Mark's proposal, with a 5-member quorum an at-large representative could be elected with only 3 votes. When we dropped the 2/3 requirement, I thought it was reasonable to expect an at-large representative to be elected to be elected by a majority of the entire Board, that is by a minimum of 5 votes. My reasoning in this was that in these modern times we ought to be able to get votes from nearly all our members, even if some of them do so by e-mail, telephone or absentee ballot. For these reasons, after thinking about this overnight, I tend to favor my original wording for the first sentence. If a majority of you agree, we might also add a provision to explicitly allow absentee voting. After all, we already have a 30-day noticing period, so I don't see a down side to absentee voting.

Ray

From: Peter Wagener [mailto:hp@php-mgmt.com]
Sent: Monday, April 17, 2006 8:55 AM

To: rfweiss@ucsd.edu; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum; 'Evans, Mark L.'
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: FW: Revised Standing Order #5

I suppose all of you have seen the latest revision of Standing Rule #5 that Mark has sent to you. Ray has indicated that he could live with the wording provided we can find a majority for this on the board. Just for clarification this is the language in question.

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If all board members would be so kind to give me an e-mail vote, we could include the results in our Minutes for the last meeting and we could move on to bigger and more exciting things. In order to vote all you need to do is reply to the e-mail and simply state: I am in favor, or I am not in favor.

Thanks,

Peter Wagener

From: Paul Metcalf [pmdevcon@sbcglobal.net]
Sent: Monday, April 17, 2006 11:05 AM
To: 'Peter Wagener'; rfweiss@ucsd.edu; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Reza Ghasemi'; 'Yvette Marcum'; 'Evans, Mark L.'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@sandiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'
Subject: RE: Revised Standing Order #5

I must assume in good faith, that if the Committee is a viable group, it will assume its responsibilities regarding the appointment of the at-large representatives seriously enough to produce a reasonably significant attendance at the election meeting. I therefore vote in favor of the language below.

Paul Metcalf

cell 619-733-6056

fax 858-459-9517

From: Peter Wagener [mailto:hp@php-mgmt.com]
Sent: Monday, April 17, 2006 8:55 AM
To: rfweiss@ucsd.edu; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum; 'Evans, Mark L.'
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: FW: Revised Standing Order #5

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Thanks,

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives on the Advisory Board shall be filled by a majority vote of the entire Board, for each open seat independently. To meet this condition a run-off between the top two candidates for either position may be required. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

From: Ray Weiss [rfweiss@ucsd.edu]
Sent: Monday, April 17, 2006 12:48 AM
To: Mark L. Evans; Peter Wagener; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum
Cc: Chanelle Barry; Deborah Marengo; gpence@SanDiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer; Sherri Lightner; Tom Brady
Subject: Re: Revised Standing Order #5

Hi Mark,

Thanks for your suggestions and clarifications. My initial reaction on the first sentence is somewhat ambivalent, since I respect both arguments. On the second sentence, I agree that your wording is clearer. I am content to wait to see what others have to say.

Best,

Ray

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

From: "Evans, Mark L." <mevans@khhte.com>
Date: Mon, 17 Apr 2006 02:02:43
To: <rfweiss@ucsd.edu>, "Peter Wagener" <hp@php-mgmt.com>, "Ken King" <signal@san.rr.com>, "Lynn Noble" <fiberart1@aol.com>, "Martin Mosier" <martininlj@aol.com>, "Paul Metcalf" <pmdevcon@sbcglobal.net>, "Reza Ghasemi" <lajollarugs@lajollarugs.com>, "Yvette Marcum" <lajollaadventure@aol.com>
Cc: "Chanelle Barry" <Cbarry@SanDiego.gov>, "Deborah Marengo" <dmarengo@san.rr.com>, <gpence@SanDiego.gov>, "Leslie Wade" <leslie@wadecommunications.com>, "Jeff Broido" <jhb146@columbia.edu>, "Pennie Carlos" <penniecarlos@sbcglobal.net>, "Marty McGee" <martym@san.rr.com>, "Tiffany Sherer PLJ" <tiffany@lajollabythesea.com>, "Sherri Lightner" <sherri@lightner.net>, "Tom BRADY" <tombrady@san.rr.com>
Subject: RE: Revised Standing Order #5

public comment for a period of at least thirty days prior to the election.

If all board members would be so kind to give me an e-mail vote, we could include the results in our Minutes for the last meeting and we could move on to bigger and more exciting things. In order to vote all you need to do is reply to the e-mail and simply state: I am in favor, or I am not in favor.

Thanks,

Peter Wagener

From: Peter Wagener [hp@php-mgmt.com]
Sent: Monday, April 17, 2006 8:55 AM
To: rfweiss@ucsd.edu; Ken King; Lynn Noble; Martin Mosier; Paul Metcalf; Reza Ghasemi; Yvette Marcum; 'Evans, Mark L.'
Cc: Chanelle Barry; Deborah Marengo; gpence@sandiego.gov; Leslie Wade; Jeff Broido; Pennie Carlos; Marty McGee; Tiffany Sherer PLJ; Sherri Lightner
Subject: FW: Revised Standing Order #5

I suppose all of you have seen the latest revision of Standing Rule #5 that Mark has sent to you. Ray has indicated that he could live with the wording provided we can find a majority for this on the board. Just for clarification this is the language in question.

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Thanks,

Peter Wagener

At Peter's suggestion, I'm sending this follow-up note to spell out the precise language that I propose (assuming that others are inclined to stick with a simple majority vote rather than requiring an absolute majority vote). With an additional tweak for clarification, this is how the provision would read:

5. At-large Representative Elections:

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Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

Mark

From: Evans, Mark L.
Sent: Sunday, April 16, 2006 7:39 PM
To: 'rfweiss@ucsd.edu'; 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gponce@SanDiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; 'Tom BRADY'
Subject: RE: Revised Standing Order #5

Before I cast a vote, I would like to offer these three comments. I recognize that this may be out of order, but I hope that you will nevertheless indulge me.

1. As we discussed at last Thursday's meeting, requiring a majority vote of the entire board to replace an at-large member could lead to an awkward situation in which, because of absences or abstentions, no candidate can muster the necessary majority, even in a run-off. The consensus at the meeting seemed to be that this would not present a significant practical problem because, in the event of such a stalemate, the existing at-large member would simply remain on the Board as provided elsewhere in the standing rules. In most situations, that would seem to be a satisfactory outcome. But if the existing member has resigned or has already served for the maximum 6-year period, an electoral stalemate could cause unintended difficulties. I

representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

Mark

From: Evans, Mark L.
Sent: Sunday, April 16, 2006 7:39 PM
To: 'rfweiss@ucsd.edu'; 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@SanDiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; 'Tom BRADY'
Subject: RE: Revised Standing Order #5

Before I cast a vote, I would like to offer these three comments. I recognize that this may be out of order, but I hope that you will nevertheless indulge me.

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2. Assuming that a majority favors the change to the first sentence, I propose that we add, after "a majority vote of the entire Board," the following clarifying parenthetical: "(including those absent and those present but not voting)." This modest addition will eliminate any possibility of confusion later on.

3. In lieu of the second sentence, I would like to propose the following substitute, which I believe has exactly the same effect but which may be slightly clearer: "If there are three or more candidates for a position and if no candidate receives the necessary majority vote, there shall be a run-off

I'm afraid that these suggestions will significantly complicate the process of voting by electronic circulation. If Peter and Ray concur, it may make sense to suspend the voting temporarily until others can weigh in on these suggestions informally. Depending on the reactions, we can then resume the voting either on Ray's proposed language or on the modified language.

Mark

From: Ray Weiss [mailto:rfweiss@ucsd.edu]
Sent: Sunday, April 16, 2006 5:12 PM
To: rfweiss@ucsd.edu; 'Peter Wagener'; 'Ken King'; 'Lynn Noble'; Evans, Mark L.; 'Martin Mosier'; 'Paul Metcalf'; 'Reza Ghasemi'; 'Yvette Marcum'
Cc: 'Chanelle Barry'; 'Deborah Marengo'; gpence@SanDiego.gov; 'Leslie Wade'; 'Jeff Broido'; 'Pennie Carlos'; 'Marty McGee'; 'Tiffany Sherer PLJ'; 'Sherri Lightner'; 'Tom BRADY'
Subject: Revised Standing Order #5

Dear LJCPDAB Members,

Below, for the approval of the nine regular members, is the text of Number 5 of our Standing Orders, revised as we discussed at our meeting last Thursday. The requested revisions are indicated in red. As we agreed at the meeting, please reply- to-all with your approval (or with your disapproval and/or further comments).

Thanks,

Ray

5. At-large Representative Elections:

Following their initial terms, the positions of the two at-large representatives on the Advisory Board shall be filled by a majority vote of the entire Board, for each open seat independently. To meet this condition a run-off between the top two candidates for either position may be required. In selecting the at-large representatives, the Advisory Board shall strive to maintain a diverse representation of the La Jolla community in the Board membership, rather than expanding the representation of the community groups that are allocated the seven remaining seats. Nominations to fill at-large representative positions will be solicited from throughout the La Jolla community through public notices, newsletters and community newspapers. At least two candidates must be nominated for each open seat. If fewer than two candidates are nominated for each seat, the Advisory Board will form a three person nominating committee to solicit this required minimum number of candidates consistent with the principle of diversity expressed above. Candidates' names and statements of qualification will be made available for public comment for a period of at least thirty days prior to the election.

I team: Mark are you going to take a stab at the re-write, I think it would be best if this was an independent document from the office, created by the Board members.

Please advise.

Tiffany Sherer
Executive Director
Promote La Jolla, Inc.

From: Marty McGee [mailto:martym@san.rr.com]
Sent: Sunday, October 28, 2007 6:39 PM
To: Evans, Mark L.; MartininLJ@aol.com; HP@PHP-MGMT.com;
tiffany@lajollabythesea.com
Subject: Re: New Parking Q & A

Thanks Mark

I believe we need a Q&A to educate people so we don't get the same uninformed statements/questions at every meeting. We either ignore uninformed questions/comments when people speak or we try to educate them. Neither is a very good idea in short public meetings. A Q&A answers many questions.

I think it would be better to remove the advocacy from the document and put it out ASAP. If we try to meet and discuss it we will never get through it. I will put my name on it rather than having it come from the group, just as Mark put his name on the plan and pilot program.

Mark you are just the one to take out all avocacy, if you will. I felt that the original wasn't too advocating or at least I tried to do it that way.

Thanks

Marty

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

From: Evans, Mark L. <mailto:mevans@khhte.com>
To: MartininLJ@aol.com ; MartyM@san.rr.com ; HP@PHP-MGMT.com ;
tiffany@lajollabythesea.com
Sent: Sunday, October 28, 2007 6:02 PM
Subject: RE: New Parking Q & A

I've attached a redline markup reflecting some quick comments and suggestions. Although I think there's a lot of good stuff in this document, I have some important threshold concerns that I want to mention.

1. I'm troubled by the tenor the draft, which seems to me to be more an advocacy piece than an educational tool. I believe that anything we put forward that looks like advocacy will be subject to attack and will gain us no converts.

2. During the current comment period, and until we actually approve a final proposal, the Board must remain, both in fact and in appearance, entirely open-minded. We cannot, consistent with that posture of open-mindedness, publish a set of Q&As that presuppose the answers to the many questions currently on the table. For this reason, I do not favor publishing any Q&A document at this stage. If PLJ wants to issue something like this draft, that's fine, but I believe that the Board must remain far more detached for now.

3. Even if we were prepared to publish a Q&A document at this point, I think it's essential that the Board as a whole be given an opportunity to review the document and approve it before it is released in any form other than a draft for its consideration.

4. One small stylistic suggestion: I would get rid of all the underlining. It clutters the page, makes the document difficult to read, and (especially because there is so much of it) loses its effect as emphasis.

Let me know if you'd like to talk about any of these thoughts.

Mark

From: MartininLJ@aol.com [mailto:MartininLJ@aol.com]
Sent: Sunday, October 28, 2007 6:16 AM
To: Evans, Mark L.; MartyM@San.rr.com; HP@PHP-MGMT.com;
tiffany@lajollabythesea.com; MartininLJ@aol.com
Subject: New Parking Q & A

I understand that the previous version I sent out was unusable because of change tracking lines.

Hope this revised version 4 is OK.

Sorry,

From: Promote La Jolla, Inc.
 To: 'Evans, Mark L.' ; T.Brady@petersonco.com ; 'Mark Evans' ; 'Martin Mosier' ; wjb99@pacbell.net ; rfweiss@ucsd.edu ; 'George Hauer' ; 'Peter Wagener' ; pmdevcon@sbcglobal.net ; martym@san.rr.com
 Sent: Wednesday, August 08, 2007 5:10 PM
 Subject: RE: Meeting reminder tomorrow at 10 at Hotel Parisi- NANCY WARWICK

Thanks Mark. The solution is to limit the attendance to the following four members of the LJCPD board

1. Mark Evans
2. Martin Mosier
3. Ray Weiss
4. Marty McGee

The following other people that are not considered members of the Board

George Hauer (is tentative, I think he has a conflict with the meeting time)
 Bill Berkley
 and Tom Brady (because Ray is our member and going to be present and Tom is an alternate, I would consider him a interested member of the community and not serving in his board capacity)
 Errol Lurie, Let's Go La Jolla

Nancy is bringing the following merchants
 Gina Phillips (Adelaides) wayne woods (Burns Drugs) Peter Van Lueven (BoDanica) and Larry Combe from Bowers

Also joining her are Anne Cleveland, Glen Rasmussen, Dave Ish, Orrin Gabsh, Darcy Ashley, and Sherri Lightner

Tiffany Sherer
 Executive Director
 Promote La Jolla, Inc.

From: Evans, Mark L. [mailto:mevans@khhte.com]
 Sent: Wednesday, August 08, 2007 3:31 PM
 To: Promote La Jolla, Inc.; T.Brady@petersonco.com; Mark Evans; Martin Mosier; wjb99@pacbell.net; rfweiss@ucsd.edu; George Hauer; Peter Wagener; pmdevcon@sbcglobal.net; martym@san.rr.com
 Subject: RE: Meeting reminder tomorrow at 10 at Hotel Parisi- NANCY WARWICK

I hate to be a party pooper, but I'm concerned that, if a majority of the board is in attendance at this gathering, it will constitute a "meeting" for purposes of the Brown Act. The Act provides that a "'meeting' includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body." Brown Act § 54952.2. In his 2003 pamphlet interpreting the Act, the state Attorney General construed the provision broadly (at p. 8): "This definition makes it clear that the body need not take any action in order for a gathering to be defined as a meeting. A gathering is a meeting if a majority of the members of the body merely receive information or discuss their views on an issue."

The solution is to limit attendance to less than a majority of the Board. To help get us down to 4, I volunteer to skip the meeting.

Mark