

City of Atascadero

Date: July 24, 2006

To: City Council Members

From: Wade G. McKinney, City Manager; Pat Enright, City Attorney

Subject: Draft Chronology of events regarding the property at the Southeast corner of Del Rio Road/ El Camino Real

In an effort to assemble all of the available information and provide a summary of event and documents the City Attorney and City Manager have assembled the attached chronology and supporting documents. This chronology exceeds a "public records" request in that it includes more than public documents. The chronology includes meeting recollections of City Council Members, Planning Commissioners and staff as well as general explanations to connect the chronology. The chronology has also been expanded to other projects on the subject site and elsewhere to provide a more complete review of the events and actions occurring relative to this project.

This chronology comes from discussions with City Staff, Council minutes, information provided by Council Members and Planning Commissioners, information from community members and City files. We believe it to be a complete record of the events, however, if anyone has additional information we would like to add it to the chronology. We ask you to review the chronology and provide us with any additions that come to your attention.

*(Supporting documents are available for viewing
at the City Hall front counter.)*

Draft Chronology – Del Rio/El Camino Real Property

The following summary provides information regarding City discussions relating to property at Del Rio/El Camino Real (ECR). The City Attorney and City Staff have attempted to provide supporting information for clarification and incorporate information from Council Members and Commissioners to present a complete record. There may be information in the chronology that is unrelated to the “Annex” project and is provided as clarification or to provide continuity. This information incorporates and expands on previous summaries provided in an attempt to capture everything related to the Del Rio/ECR site/project. Because there have been a variety of proposals and developers of property in this area the information is difficult to capture. Staff has concentrated on The Rottman Group and the “Annex” project. The Rottman Group has interests in other projects and properties in the City that are not included in this chronology.

June 2002 – General Plan was adopted with several programs relating to retail development and the Del Rio/ECR site including the following (Item #1 not attached, see 2025 General Plan at the City’s web site, www.atascadero.org on the home page):

- Program 3:1:2 Designate and protect the east side of the Del Rio and ECR intersection for a master planned retail commercial use.
- Program 3:1:8 Preserve primary intersections for commercial development with a land use overlay that requires the approval of an overall Master Site Development Plan prior to approval of any development plans.

October 14, 2003 – City Council adopts Economic Development Strategy. The Strategy includes activities such as (Item #2 not attached, see the Economic Development Strategy at the City’s web site, www.atascadero.org on the redevelopment page under strategy):

- Market site development and Assembly Opportunities
- Cooperatively or individually participate in trade shows, fairs , etc
- Seek investment from outside San Luis Obispo County to expand Atascadero’s economy and quality of life

April 13, 2004 – City Council adopts Prime Commercial site map which includes the Del Rio/ECR site. (Attachment #1, Staff Report)

April 2004 – City Council receives phase one of the Buxton study which analyzed various properties in Atascadero to determine a likely successful retail site. The study recommended Del Rio/ECR as the target site and the City Council selected Downtown as the target site. The study did not review zoning issues. (Item #3 not attached, see the Buxton Study at City Hall)

June 11, 2004 - The first City contact with The Rottman Group was in the form of a letter opposing the Borges Planned Development. In that letter Staff learned that The Rottman Group purchased the Thibeault property adjacent and north of the Borges property on ECR. The letter included a concept design of a retail center and housing. (Attachment #2, letter)

June 15, 2004 - The Rottman Group attended a Planning Commission meeting to oppose a project proposed by Mr. Borges in the Del Rio/ECR vicinity.

June 21 and 22, 2004 – Staff met with The Rottman Group and Mr. Borges to discuss concerns with Mr. Borges' PD project.

June 29, 2004 – City receives a letter from The Rottman Group opposing the Borges project. The Rottman Group letter included a concept plan of a commercial center and housing. (Attachment #3, letter)

July 6, 2004 - The Rottman Group attended a second Planning Commission meeting to oppose Mr. Borges' project.

July 2004 - Staff coordinated meetings between The Rottman Group and Mr. Borges regarding master planning the area. The Rottman Group eventually purchased the Borges property.

Summer/Fall 2004 - The Rottman Group reviewed several concept plans with Staff for a mixed use project including a grocery store and housing. Staff encouraged The Rottman Group to consider prime commercial and less residential for the site.

Nov/Dec. 2004 - City staff connected the Broker representing retail tenants for the Dove Creek project with several development projects including West Front and The Rottman Group. It was unknown who the Broker represented.

January 2005 – Staff learned that the Broker from Dove Creek may have represented Wal Mart. At the City Council strategic planning workshop Jim Lewis believes he told Council Member Luna that Wal Mart might be interested in Atascadero. Council Member Luna recalled being told in May of 2005. (Disclosed by Council Member Luna in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

May 2005 – Consistent with the Economic Development Strategy, City staff attended the International Conference of Shopping Center trade show. Staff met with a variety of retailers including: Best Buy, Bass Pro Shops, Cold Stone and Wal Mart officials and provided them copies of the prime commercial map, introduced Atascadero, the City Council's concern for protecting Downtown, and design concerns (Disclosed by City Manager Wade McKinney in public hearing

on May 30, 2006, attachment #41A – Study Session Minutes - Review of Process). According to Council Member Luna, upon return from the conference, Jim Lewis told him that there was a possibility of getting a Wal Mart in Atascadero. (Disclosed by Council Member Luna in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

Summer 2005 – The Rottman Group was designing concept plans for a big box center. There were several meetings with staff to discuss procedural and code issues. The Rottman Group did not provide any material to City staff and did not announce any tenants. Staff believed Wal Mart was a potential tenant. Staff advised The Rottman Group that the project would be responsible for infrastructure improvements, protecting Downtown, and community design issues.

July – September, 2005 - Staff facilitated meetings between The Rottman Group and adjoining property owners regarding master plan considerations including access and grading. (Attachment Addendum #1, 4 e-mails)

August 2005 – The Rottman Group met with Council Members O'Malley and Luna at Hush Harbor. The Rottman Group said they had bought the property and were going to go with the existing zoning, but were convinced by staff to go for a big commercial project, and Wal Mart along with several other potential anchor tenants and a number of other businesses were mentioned by The Rottman Group. (Disclosed by Council Member Luna and agreed to by Mayor O'Malley in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna) Council Member O'Malley advised Staff of the discussion.

Throughout the time period - Staff met with The Rottman Group on a variety of projects on other properties in Atascadero. The Rottman Group has acquired, or is otherwise involved in, several projects across town.

August 2005 – Wade McKinney and Jim Lewis met with Cal Trans regarding the Del Rio interchange, the remaining Highway 101 interchanges, the Highway 41/101 interchange, right of way and facility cleanliness, Pedestrian Tunnel improvements, and Freeway signage. (Attachment #4A and 4B, letters)

September 6&7, 2005 – Council Member Luna sent an email to Wade McKinney with several questions including a question about Wal Mart funding intersection improvements. McKinney responded indicating that Wal Mart would pay for improvements. (Disclosed by Council Member Luna in public hearing on July 11, 2006) (Attachment #5, 2 emails)

September 2005 – Council Member Luna received an invitation to an Edna Valley Winery event from Maury Froman of the Rottman Group, but he declined the invitation. (Disclosed by Council Member Luna in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

October 2005 – Wade McKinney attended the International Conference of Shopping Centers trade show and was introduced to a Wal Mart representative. The meeting was introductory only and there was no discussion of a specific project. (Disclosed by City Manager Wade McKinney in public hearing on May 30, 2006, attachment #41A– Study Session Minutes - Review of Process)

October 11, 2005 – Atascadero Redevelopment Agency had a closed session with real property negotiator concerning possible purchase of property at the southeast corner of Del Rio/ECR. There was no reportable action. (Attachment #6, Agenda)

October 2005 – At the end of October Tom O'Malley and George Luna met again with the representatives of The Rottman Group to listen to their update of the project. (Disclosed by Council Member Luna and agreed to by Mayor O'Malley in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

October – November 2005 – Staff received multiple correspondence from the Coastwise Group regarding the development of a small commercial project at the southeast corner of El Camino Real and Del Rio Road, adjacent to The Rottman Group properties. (Attachment #7a, 7b, 7c, 2 letters and a drawing)

November 23, 2005 – City received a copy of a letter from Dennis Law representing Bob Kelly (owner of the corner parcel at the Southeast corner of Del Rio/ECR) to C. Michelle Marlo representing The Rottman Group regarding property negotiations. (Attachment #8, letter)

November 29, 2005 - City received a letter from C. Michelle Marlo representing The Rottman Group to Dennis Law representing Bob Kelly. (Attachment #9, letter)

January 11, 2006 – City received a letter from The Rottman Group addressed to Mayor O'Malley. The letter spoke of the assembly of the properties and the attempt to secure a major anchor for the proposed master plan and the necessity to rezone properties from residential to commercial; Wal Mart was not mentioned. (Attachment #10, letter) (Disclosed by Council Member Luna in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

January 28, 2006 – The Council asked for more Study Sessions for larger development projects to allow for more public input. (Attachment #11, Council meeting Minutes)

January 27 or 28, 2006 – Keith Mathias of The Rottman Group attended the City Council strategic planning workshop and discussed their potential project under the public comment portion of the agenda. The Council reaffirmed their commitment to a public workshop on the project and The Rottman Group agreed to host such a workshop. (See Attachment #11 above)

February 7, 2006 – City received a press release from The Rottman Group announcing “The Annex.” (Attachment #12, press release)

February 2006 – City staff met with the Rottman Group to prepare for a public workshop. The Rottman Group did not provide a submittal and did not announce any tenants. They indicated they were working on a variety of potentials and that Wal Mart was still interested.

May 11, 2006 – City Manager sent an email to all employees regarding Information on Development at Del Rio and El Camino. (Attachment #13, email memo)

May 13, 2006 – David Broadwater sent an email to Wade McKinney and Marcia Torgerson regarding Atas City Report Request. (Attachment #14, email)

May 13, 2006 – Email from Tom O’Malley to David Broadwater regarding Atas City Report Request. (Attachment #15, email)

May 15, 2006 - City received a copy of a letter addressed “Dear Neighbor” from the Rottman Group inviting people to the May 30, 2006 public meeting. (Attachment #16, letter)

May 16, 2006 – Council Member Luna met with the Rottman Group for a preview of their project presentation at the May 30 public hearing. (Disclosed by Council Member Luna in public hearing on May 30, 2006, attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna)

May 16, 2006 – City Council received a California Public Records Act Request from David Broadwater. (Attachment #17, email)

May 16, 2006 – Email from Becky Pacas to David Broadwater regarding Atas CC – CPRAct – Council re Annex. (Attachment #18, email)

May 16, 2006 - Commissioner Slane and Mayor O'Malley met with Keith Mathias and Maury Froman at City Hall and received a brief preview of what was presented May 30th; no commitments were made. He has also had several contacts from community members expressing their feelings over the rezoning. (Disclosed by Commissioner Slane and agreed to by Mayor O'Malley in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 17, 2006 - Commissioner Kelley met with the representatives of the Rottman Group at that time the conceptual plan was presented to him regarding a possible layout for the proposed center. No disclosure was made as to any possible tenants, and nothing was asked of him regarding his opinion of the project. (Disclosed by Commissioner Kelley in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 17, 2006 - Mayor Pro Tem Pacas met with Rottman representatives Keith Mathias and Maury Froman and they gave much less information at that time than was given May 30, 2006. The information given was very vague and involved the gathering of their property, what they had put together, and thoughts on possibly changing the land use. There was no discussion of possible tenants. (Disclosed by Mayor Pro Tem Pacas in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 18, 2006 – City Manager provides City Council with a summary of contacts regarding the “Annex” project. (Attachment #19, memo)

May 18, 2006 – Email from Becky Pacas to David Broadwater regarding Atas CC – CPRAct – Council re Annex. (Attachment #20, email)

May 18, 2006 - Commissioner Porter met with Keith Mathias and Maury Froman on site and looked at the same site plan as shown May 30th. No other materials were provided, looked at, or taken from that meeting and he gave no commitment or opinion at that time. (Disclosed by Commissioner Porter in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 18, 2006 - Chairperson Beraud met with the Rottman Group at City Hall for one hour. At that meeting they went over plans and no promises were made or questions asked. (Disclosed by Commissioner Beraud in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 18, 2006 - Vice Chairperson O'Keefe met with the Rottman Group at which time they covered the information presented May 30th but in less detail. She has also received emails from the Oppose Wal Mart group. (Disclosed by Commissioner O'Keefe in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 21, 2006 – Email from David Broadwater to Planning Commissioners regarding Atas PlannComm CPRA request 5-21-06. (Attachment #21, email)

May 23, 2006 – Brief from David Broadwater entitled Truth & Citizen Rights Threatened in Atascadero. (Attachment #22, Brief)

May 25, 2006 – Email from Marcia Torgerson to Planning Commissioners regarding Atas PC CPRA req 5-21-06.doc. (Attachment #23, email)

May 25, 2006 – Email from Planning Commissioner Joan O’Keefe to Marcia Torgerson regarding Public Records Request. (Attachment #24, email)

May 25, 2006 – Email from Planning Commissioner Gregory Slane to Marcia Torgerson and Wade McKinney regarding Public Records Request. (Attachment #25, email)

May 25, 2006 – Email from Planning Commissioner Bob Kelley to Marcia Torgerson regarding Public Records Request. (Attachment #26, email)

May 25, 2006 - Commissioner Fonzi stated she had received many emails to which she did not respond, and had conversations with citizens in the community. She also met with Maury Froman and Keith Mathias, on site on May 25th. No commitments were made, as this was informational only, and she looked at the plans as shown May 30th. (Disclosed by Commissioner Fonzi in public hearing on May 30, 2006, attachment #41, Study Session Minutes)

May 26, 2006 – Email from Marcia Torgerson to David Broadwater regarding Atas PlannComm CPRA request 5-21-06. (Attachment #27, email)

May 26, 2006 – City received information packet from The Rottman Group for the May 30th public meeting. (Attachment #28, information packet)

May 28, 2006 – Email from David Broadwater to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #29, e-mail)

May 28, 2006 – Email from Planning Commissioner Ellen Beraud to Marcia Torgerson regarding Public Records Request. (Attachment #30, email)

May 29, 2006 – Email from Priscilla Cooperman to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #31, email)

May 29, 2006 – Email from Robert Skinner to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #32, email)

May 29, 2006 – Email from Richard Kinz to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #33, email)

May 29, 2006 – Email from Greg Hessick to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #34, email)

May 29, 2006 – Email from Mary Sweeney to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #35, email)

May 29, 2006 – Email from Mary Strowbridge to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #36, email)

May 29, 2006 – Email from Nancy Shaw to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #37, email)

May 29, 2006 – Email from Marty Brown to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #38, email)

May 29, 2006 – Email from Kim Linbery to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #39, email)

May 30, 2006 – Email from Jono Kinkade to City Council, Wade McKinney, Jim Lewis, Marcia Torgerson, Warren Frace, Shannon Sims, Pat Enright and Planning Commissioners regarding Agenda for 5-30-06 Public Workshop. (Attachment #40, email)

May 30, 2006 – City Council/Planning Commission held a joint public meeting regarding the Del Rio/ECR project. Community comments were collected orally (in the minutes and a list captured by staff as well as written comments which have been collected and bound and are available at City Hall. (Attachments #41A, Study Session Minutes)

Wade McKinney corrected the May 18, 2006 Memo to City Council, reporting on two staff contacts with Wal Mart included in this chronology.

Council Members and Planning Commissioners reported on ex-parte communications: These comments come from approved minutes or written statements read by the individual including any clarifications (Attachments #41A and 41B, Study Session Minutes and Statement read at Study Session by Council Member Luna):

- Commissioner Kelley stated he met with the representatives of the Rottman Group on May 17th at that time the conceptual plan was presented to him regarding a possible layout for the proposed center. No disclosure was made as to any possible tenants, and nothing was asked of him regarding his opinion of the project.
- Commissioner Fonzi stated she had received many emails to which she did not respond, and had conversations with citizens in the community. She also met with Maury Froman and Keith Mathias, on site on May 25th. No commitments were made, as this was informational only, and she looked at the plans as shown tonight.
- Commissioner Porter stated he met with Keith Mathias and Maury Froman on May 18th, on site and looked at the same site plan as shown tonight. No other materials were provided, looked at, or taken from that meeting and he gave no commitment or opinion at that time.
- Council Member Clay stated he met with the Rottman group early on when they were putting these parcels together, and they told him they were trying to put a number of parcels together for a commercial project. He then met with them recently and was shown the plot plan. He had a number of telephone calls in relation to those meetings for confirmations and he had telephoned them recently regarding the format for this meeting tonight.
- Council Member Luna submitted the following written statement which he read at the May 30th meeting: Council Member Luna stated: Jim Lewis and Marty Tracey returned from the International Conference of Shopping Centers convention meeting and spoke with a variety of retailers in May 2005. At a Council Meeting in the Pavilion approximately a year ago, Assistant City Manager Jim Lewis, told me that there was the possibility of getting a WALMART in Atascadero. In August 2005, Tom O'Malley and I met with

representatives of the Rottman Group at Hush Harbor. (I paid, as I always do, for my diet coke and cheesecake). The representatives of the Rottman Group said that they bought the property and were going to go with the existing zoning but were convinced by staff to go for a big commercial project. The “W” word was mentioned by them. In September I received an invitation to a Edna Valley Winery event from Maury Froman of the Rottman Group. I declined the invitation. At the end of October, Tom O’Malley and I met again with the representatives of the Rottman group to listen to their update of the project. On January 11, 2006 I received a copy of a letter addressed to Mayor Tom O’Malley from the Rottman Group. It spoke of the assembly of the properties and the attempt to secure “a major anchor for the proposed master plan” and the necessity to rezone properties from residential to commercial. Walmart was not mentioned. On May 16, 2006, I met with The Rottman Group at Hush Harbor for a preview of what we will see tonight. The representatives of the Rottman Group have always been courteous and open in our discussions.

- Mayor O’Malley stated he and his wife have known Maury Froman’s wife from the time before she was married to Mr. Froman and they have had social contact for some time. He stated he has had somewhere between 15 to 20 contacts over a number of years with Maury Froman and other representatives of The Rottman Group. Of those contacts about 1/3 were more social, 1/3 have been with projects not related to this, and 1/3 were meetings related to Del Rio and any potential tenants. Two of those meetings were with Council Member Luna relating to their positions on the Finance Committee and looking for potential retail sales expansion in town. In addition, he met with them more recently when they were meeting with all of the Council Members and Commissioners. He heard in his discussions with Council Member Luna of the possibility of a couple of large anchors. At that time nothing had been set, but Wal Mart, Lowe’s, and a major grocery store, were mentioned. He has had no contact with Wal Mart other than 4 or 5 non management employees who live in Atascadero who have contacted him. He has received numerous emails and had conversations in the street. He had written a letter to Trader Joes stating they would be welcome in Atascadero.
- Mayor Pro Tem Pacas stated she has heard from and corresponded with numerous people on both sides of this issue. The first she heard of Wal Mart was from rumors going around, not from any staff member or anyone from Rottman, or any Council Member. She met with Rottman representatives Keith Mathias and Maury Froman on May 17th and they gave much less information at that time than was given tonight. The information given was very vague and involved the gathering of their property, what they had put together, and thoughts on possibly changing the land use. There was no discussion of possible tenants.

- Chairperson Beraud stated she met with the Rottman Group on May 18th at City Hall for one hour. There were no requests from the developer and no promises made to them regarding the project.
- Vice Chairperson O’Keefe stated she met with the Rottman Group on May 18th at which time they covered what was presented tonight but in less detail. She has also received emails from the Oppose Wal Mart group
- Commissioner Slane stated he met with Keith Mathias and Maury Froman on May 16th with Mayor O’Malley and received a brief preview of what was presented tonight; no commitments were made. He has also had several contacts from community members expressing their feelings over the rezoning.

June 1, 2006 – Wade McKinney and Warren Frace met with The Rottman Group to review information received at the public meeting. McKinney and Frace advised The Rottman Group to pursue Lowe’s who had indicated they still had an interest in the project. McKinney notified City Council Members. (Attachment #42, notes)

June 7, 2006 – Wade McKinney and Warren Frace met with The Rottman Group as a follow up to the June 1st meeting. The Rottman Group indicated that they were checking back with potential tenants to determine current interest in the project. They also said that Wal Mart attended the May 30th public meeting and were still interested in the project. McKinney and Frace advised The Rottman Group to pursue Lowe’s. McKinney notified City Council Members. (Attachment #43, notes)

June 16, 2006 – City received a press release from The Rottman Group “Search for Retail Tenants for the Annex Continues.” (Attachment #44, press release)

June 27, 2006 – Email from David Broadwater to City Council regarding Atas City Brown Act & Muni Code Violations with the attachment Atas CC – Brown Act Muni Code 6-27-06.doc. (Attachment #45, e-mail and attachment)

June 28, 2006 – Email from Tom O’Malley to Wade McKinney regarding FW: Atas City Council – Responses to Requested Remedies 6-27-06. (Attachment #46, email)

July 5, 2006 – Wade McKinney received a call from Steve Curran of the *Tribune* indicating that The Rottman Group had just faxed a press release stating that Wal Mart had purchased the Del Rio/ECR site. McKinney called The Rottman Group who verified the sale. McKinney notified City Council Members.

July 6, 2006 – City received a press release from The Rottman Group, “The Rottman Group Announces Successful Purchase Negotiations with Wal Mart.” (Attachment #47, press release)

July 9, 2006 – Email from Mayor Pro Tem Becky Pacas to Maggie Cox regarding potential occupants. (Attachment #48, email)

July 11, 2006 – Council Member Luna disclosed email correspondence between him and City Manager McKinney regarding interchange improvements at Del Rio/El Camino. He apologized to David Broadwater for disclosing late, but he had forgotten about it until he thought of searching on his long-dead laptop computer where he found it. (Attachment #5, 2 emails)

July 11, 2006 – Letter from City Attorney Patrick L. Enright to David Broadwater regarding E-Mail of June 27, 2006 to City Council Regarding Brown Act; Municipal Code Violation and Request for Relief. (Attachment #49, letter)

July 14, 2006 – Email from Tom O’Malley to Wade McKinney forwarding an earlier email entitled brown act, confidential. (Attachment #50, email)

July 18, 2006 – Warren Frace, Marcia Torgerson and Wade McKinney met with two gentlemen, Kevin McCall Senior Manager, Public Affairs for Wal Mart and Paul Santiago, Account Executive for Meridian Pacific Inc. Mr. Santiago has been retained to assist Wal Mart in public outreach. The purpose of the meeting was for them to introduce themselves and they confirmed Wal Mart had purchased the property. They represented themselves as the Company’s contacts. They did not have a specific project timeline. They wanted to get information about their company out to the public and address community concerns.

*(Supporting documents are available for viewing
at the City Hall front counter.)*