

From: Carol McDermott <carol@govsol.com>
Subject: Meeting regarding South Shores Church
Date: November 20, 2009 9:57:26 AM PST
To: "Robert F. Saint-Aubin" <rfs@coastmediator.com>, Roger Butow <rogerbutow@mac.com>
Cc: Mark McGuire <mrmcguirelaw@cox.net>

Robert and Roger: I am sorry for the delay in our meeting, but as the church leadership has wrestled with the additional costs of preparing an EIR, there have been considerable meetings and discussions that have taken time. We are now ready to meet and I have listed the times below that Mark McGuire and I are available. I am hopeful one of them will work for both of you. (I will be gone Nov. 25 through Nov. 30). Please let us know of your availability and where you would like to meet. We look forward to meeting with you. Thank you, cmmc

- Monday, Nov. 23, 4:00 on
- Tuesday, Nov. 24, anytime prior to 4:00
- Wednesday, Dec. 2, anytime
- Thursday, Dec. 3, 11 to 3:00

"Turning Challenges into Victories"

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From: Carol McDermott
Sent: Wednesday, November 18, 2009 3:11 PM
To: GG Kohlhagen
Cc: Vicki Fetterman
Subject: RE: SSC - RE: First Steps

GG: please see attached and see if it is more what you need to send forward. I am off to a 3:30 meeting that should be over by 4:30 and then I am available until a meeting at 6:45. cmmc

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From: GG Kohlhagen [mailto:ggkohlhagen@cox.net]
Sent: Wednesday, November 18, 2009 12:14 PM
To: Carol McDermott
Subject: SSC - RE: First Steps

Hey Carol –

Yes, my wife & I did enjoy ourselves in San Francisco – thank you. Glad your travels were rewarding also.

Per our conversation on Monday morning – I am still trying to get to the bottom of the “No Stopping Entire Block” posting north of the signalized intersection / north-bound lanes of Crown Valley. Kyle & Doug “had no knowledge” of posting – encouraging me to speak with Brad Fowler – as of finally connecting with Brad this morning – he could not cite the specifics either & is going to look into it... However, most disturbing were his initial comments acknowledging “staff recommendations” for doing so per everything brought up & otherwise regarding our project recently – which I immediately took issue with. He immediately backed-off, stating he may be wrong, & would look into it & get back with me... Just spoke with Doug – tickets will be “taken care of” (I can share this with church – this is good news) – signage requires further efforts to address – according to Doug this was strictly driven by OCTA / bus stop location...I am to hear from Matt or Brad as a follow-up & in turn will be able to share further with the church at that time on the signage, etc.

Regarding the status of the EIR & Building Committee – this too was among my efforts Monday & somewhat yesterday during my travels. A few on the committee remain vocal & are requesting further meetings to discuss moving forward with the EIR, etc. As you aptly pointed-out previously – yes – this is wearing me out...

Nonetheless, I intend to send out an update to the committee later today, inclusive of acknowledging your strategy – so – here are my comments from reviewing what you provided:

Initial Strategy for South Shores Church Entitlement and Community Issues

November 17, 2009

In recognition of the concerns of some of the Church leadership with regard to the strategy for proceeding to retain/obtain city support for the Church Master Plan, Government Solutions, Inc. is outlining a first phase scope of work that is consistent with our scope of work in our contract but spells out specific actions as follows:

Generally, for each of the items listed, any date forecasting on these efforts would be most helpful – some want a schedule of sorts from you - ? – to have assurance that these items will be in the works...

Again, I have been given the task to “instruct you to meet with the neighbors – specifically Aubin & Butow” irrespective of whether or not we have sent any payments in on the EIR per “what business is this of theirs”... So, I yield to your expertise regarding the unfortunate issues management we are both dealing with on this matter...

- Meet with city staff to understand their perspective on our project, on our opponents and reconfirm their support –
- Meet or call key elected officials to give status update and assess their positions on the project
- Meet with project team, to review citizen complaints and summarize the issues
- Map the addresses of known supporters and opponents (per your message)
- Meet with key opponents (Roger Butow and Robert Saint-Aubin) to confirm their issues and assess their strategy to assist in refining our strategy
- Develop a list of select adjacent neighbors for one-on-one interviews to better understand the depth of their concerns/opposition
- Develop a summary of neighbor concerns and recommend a strategy for addressing their issues which may include small groups meetings, email blasts of project information, presentation of our side of the issues to the press, etc.

Subsequent actions will depend on the findings of the above and the ongoing direction of the client. Actions with the staff regarding the progress of the preparation of the EIR will be conducted separately by Mark McGuire but in coordination with our efforts.

Regarding the EIR & your strategy list – here are the most recent comments I am battling to allay the final concerns & gain a consensus for sending in the first installment & otherwise following our BC meeting last Tuesday that I believe overlap somewhat with your strategy:

1) Urge our P.R. person to proceed to meet with our opponents. This is not dependent on our payment to the City for an EIR or anything else. It is to put to rest their claim that we won't meet. – **acknowledged above**

2) GG (and others) to meet with the City and tell them of our concern with the plan for LSA to only assemble/write the summary for the proposed EIR and for our church to contract for the various technical portions, such as traffic, drainage, critters, etc. We want LSA or whoever the consultant is to be to include the cost estimate for and to contract for all of the work- not just to oversee it and edit and assemble it into a report. Thus we decided not to submit the first \$50,000 until this is done. **Here was my (personal response) to these two items with the idea my update today would include similar references:**

On Wednesday, Mark McGuire & I met with Cheryle & Bill to discuss the final concerns on the EIR with the city that you point out. I opted to go this route in lieu of going through the city as originally considered for two primary reasons: (1) I trust Mark & his assessment of our circumstances & feel we should be relying on him in lieu of the city (2) I did not want to incur the costs associated with having the city attorney & otherwise sit & discuss these matters since our attorney is telling us to move forward Without encumbering the process any further (Wednesday he spent over an hour / hour & half thoroughly explaining all of this to Cheryle & Bill from the legal perspective & his intimate knowledge of our circumstances with city).

Nonetheless, per the meeting Wednesday, Mark placed a courtesy call to the city attorney on our behalf per the concerns Cheryle & Bill have expressed in our meetings.

Per their conversation, Mark's understanding has been confirmed further by their discussion & he advises us to proceed with the EIR "as is" at this point.

Mark has unequivocally stated that these final matters are of no legal merit & of no need for further delay of our engaging on the EIR. He is confident; that once we engage with LSA, any necessary updating of the tech. studies & the subsequent hiring of those consultants can be handled at that time - fully taking into account the churches best interests. Keep in mind that LSA still needs to review the original studies & that at that time they will be able to more credibly address what needs augmenting & what needs a more in depth effort. To reiterate, Mark is confident that at that time, the concept of having the contracts directly with LSA or otherwise can be properly addressed & finalized.

Lastly, Mark cautioned that to press on this at this juncture would work against us with the city, possibly the consultant (LSA) & in turn may actually give credence (perception of anyway) to VOMB's previous allegations, bringing into question any use of the current technical studies whatsoever - meaning, where do you draw the line on this type of thinking?

Based upon Mark's understanding of our circumstances & advisement that we should engage LSA, I am going to recommend per my return on Monday that we submit the first installment of the \$50,000.00 immediately to get this process underway.

Finally, I met with Carol McDermott Wednesday evening from approx. 5 - 6:15pm. I provided her additional information for the data base she seeks to establish & will be supplying her additional information as well. She will be getting back to me on scheduling with Aubin & Butow.

3) This is among the more recent correspondence: I believe some or all of my concerns are also concerns of others on our committee and our membership. Some on our committee believe there are problems with the suggested path of preparing an EIR, in that we are looking at spending

several hundred thousand \$ and being subject to criticism by our opponents regarding the procedure of engaging the sub-consultants..Our attorney may be good but we have been burned several times on this and I think it is prudent to be very careful. Also in view of our discussions regarding next Nov. election, we should be in no hurry to get the EIR going within days or weeks. I think we need a political consultant more than a P.R. and legal consultant and that we need to get more members involved in our overall project and possible alternatives before starting the EIR.

My sharing of this is to assist us both in our efforts to move this forward. Anything you can offer me to share with committee to lay this to rest would be most helpful. The passage of time & correspondence & meetings is not necessarily helping & it is evident I am unable to explain this well enough for some... Perhaps in your strategy you could add something I could share with the committee speaking to the importance for moving forward on the EIR – specifically addressing these final hurdles: (1) I believe (per your advice, Mark's & city's & my understanding of our circumstances) time is actually of the essence & delaying the EIR by speculating on the future elections (& other) is more detrimental than proceeding at this juncture... - ? (2) We need to follow Mark's advice / your advice – how to convey better? (3) Moving forward on the alternatives – on our own – “before starting the EIR” – I have stated I am more than willing to assess our plans & move to consider alternatives – but to the delay of the EIR - ? – I disagree...

By the way, integral to this, Doug was very congenial this morning when I explained to him the difficulties the church is experiencing in grappling with all of this when he too asked if we are going move this forward with EIR, etc.

The update I am intending to send to the BC later today will likely include a “vote” option requesting the opportunity to proceed immediately – this, because it is obvious a consensus cannot be reached in a timely manner, or perhaps ever... My only other thought is the opportunity for a vote on scheduling another meeting to discuss further the concerns raised by the correspondence during my travels – etc. I have been urged by one committee member to allow for this in an effort to be most respectful & most inclusive of everyone...unfortunately, key individuals are already traveling for Thanksgiving & other delaying this option.

Lastly, I would greatly appreciate direction on what I can share with the committee & what is most sensitive & how to best handle the conveyance of

your strategy.

Thanks Carol – G.G.