

----- Forwarded message -----

From: **Lance Schulte** <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>

Date: Mon, Mar 1, 2021 at 1:13 PM

Subject: 1-29-21 Michele Staples letter

To: <[council@carlsbadca.gov](mailto:council@carlsbadca.gov)>, City Clerk <[Clerk@carlsbadca.gov](mailto:Clerk@carlsbadca.gov)>, Scott Chadwick <[Scott.Chadwick@carlsbadca.gov](mailto:Scott.Chadwick@carlsbadca.gov)>, Jeff Murphy <[Jeff.Murphy@carlsbadca.gov](mailto:Jeff.Murphy@carlsbadca.gov)>, <[Gary.Barberio@carlsbadca.gov](mailto:Gary.Barberio@carlsbadca.gov)>, <[Don.Neu@carlsbadca.gov](mailto:Don.Neu@carlsbadca.gov)>, Celia Brewer <[Celia.Brewer@carlsbadca.gov](mailto:Celia.Brewer@carlsbadca.gov)>

Cc: Steve Puterski <[steve.puterski@gmail.com](mailto:steve.puterski@gmail.com)>

~~Dear Carlsbad City Council; Scott Chadwick, Carlsbad City Manager; Jeff Murphy, Carlsbad Community Development Director; Gary Barberio, Carlsbad Deputy City Manager, Community Services; Don Neu, Carlsbad City Planner; and~~

Celia Brewer, Carlsbad City Attorney:

This email is in response to a January 29, 2021 email sent (and copied) to you that we just yesterday we became aware of by the Coast News. The 1/29/21 letter was sent by Michele A. Staples of [mstaples@jacksontidus.law](mailto:mstaples@jacksontidus.law) of the Irvine Office and file# 5863-99917; and referenced as “Re: Information Addressing January 26, 2021 City Council Agenda Item No. 12 (Report on Planning Area F of the Poinsettia Shores Master Plan – Ponto Property)”. In her 1/29/21 email Ms. Staples says “This letter is submitted on behalf of the owner of the land north of Avenida Encinas along Ponto Drive known as the “Ponto Property” (APN 216-140-4300) to correct misrepresentations made at the above referenced City Council meeting. **There have been no discussions between the Ponto Property owner and People for Ponto or any other resident group about the purchase and sale of the Ponto Property.**”

This email is to correct this misrepresentation in the 1/29/21 letter, and provide the following emails dated between August 17, 2020 and March 24, 2109 clearly showing discussions.

Truthfully yours,  
Lance Schulte  
Ponto Beachfront Park, Inc. 501c3

Emails showing discussions between August 17, 2020 and March 24, 2019

---

From: Peter Lewi [<mailto:peter.lewi@masterpiecesd.com>]

Sent: Monday, August 17, 2020 1:59 PM

To: Adkison, Jeff

Subject: Ponto Beachfront Park, Inc. 501c3

Subject: Ponto Beach Property

Jeff,

Following up on your calls to me during which you stated that the Owner requested that we put something further in writing such as an LOI, I mentioned we had already submitted written proposals in our letter of October 15, 2019, which was modified by our letter of October 26, 2019. As we have discussed, without a written response to the Oct 26th letter and written confirmation of your verbal indication that they are OK with the price but desire a shorter term for contingency removal and/ or COE it is difficult for the 501c3 to raise funds. It would be helpful to have a written response from the Owner confirming their intention to sell including and if possible, terms that would be acceptable them.

Thank you, Peter  
Peter Lewi  
Attorney at Law  
858-525-3256  
[peterlewiattorney.com](http://peterlewiattorney.com)

From: Peter Lewi [mailto:[peter.lewi@masterpiecesd.com](mailto:peter.lewi@masterpiecesd.com)]  
Sent: Monday, October 28, 2019 8:55 AM  
To: [Jeff.Adkison@am.jll.com](mailto:Jeff.Adkison@am.jll.com)  
Cc: Lance Schulte  
Subject: Ponto Beach Property

Jeff,

Per our recent discussion attached is a letter modifying and supplementing our prior offer. Please acknowledge receipt and contact me or Lance Schulte at 760-805-3525 with any questions.  
Best regards, Peter

Peter Lewi  
Attorney at Law  
858-525-3256  
[peterlewiattorney.com](http://peterlewiattorney.com)

From: Adkison, Jeff <[Jeff.Adkison@am.jll.com](mailto:Jeff.Adkison@am.jll.com)>  
Date: Fri, Oct 18, 2019 at 8:47 AM  
Subject: Ponto  
To: [peter.lewi@masterpiecesd.com](mailto:peter.lewi@masterpiecesd.com) <[peter.lewi@masterpiecesd.com](mailto:peter.lewi@masterpiecesd.com)>  
Cc: [meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net) <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>, McArthur, Brendan <[Brendan.McArthur@am.jll.com](mailto:Brendan.McArthur@am.jll.com)>

Peter,

I know Brendan McArthur had let you know that your offer was sent to the property owner. The owner is currently reviewing their options to move forward on the disposition of the property. While no decisions have been made, I did want to let you know your offer terms were  
at the lower end of the range we have received to date.

at the lower end of the range we have received to date.  
Please let me know if you have any questions. I am available any time.  
Jeff

Jeff Adkison  
Managing Director  
Jones Lang LaSalle Americas, Inc.  
RE license # 01190791  
515 S. Flower St., Suite 1300  
Los Angeles, CA 90071  
T +1 213 239 6133

---

**From:** McArthur, Brendan <[Brendan.McArthur@am.jll.com](mailto:Brendan.McArthur@am.jll.com)>  
**Date:** Tue, Oct 15, 2019 at 11:33 AM  
**Subject:** RE: Ponto Beachfront Property  
**To:** Peter Lewi <[peter.lewi@masterpiecesd.com](mailto:peter.lewi@masterpiecesd.com)>  
**Cc:** Lance Schulte <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>, Adkison, Jeff <[Jeff.Adkison@am.jll.com](mailto:Jeff.Adkison@am.jll.com)>

Peter,  
Thanks for the offer. We will review with the seller and let you know if we have any questions.  
Thanks,  
**Brendan McArthur**  
T +1 213 239 6134

**From:** Peter Lewi <[peter.lewi@masterpiecesd.com](mailto:peter.lewi@masterpiecesd.com)>  
**Sent:** Tuesday, October 15, 2019 11:27 AM  
**To:** McArthur, Brendan <[Brendan.McArthur@am.jll.com](mailto:Brendan.McArthur@am.jll.com)>  
**Cc:** Lance Schulte <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>  
**Subject:** [EXTERNAL] Ponto Beachfront Property

Brendan,  
Attached is a letter setting forth proposed terms and conditions for the purchase of the Ponto Beach property currently being handled by your firm.  
I suggest a conference call with Lance Schulte (760-805-3525) and me so that we can further explain the rationale for the structuring of the transaction.  
Please give us a call at your convenience.  
Regards, Peter

**Peter Lewi**  
**Attorney at Law**  
**858-525-3256**  
[peterlewiattorney.co](http://peterlewiattorney.co)

---

**From:** McArthur, Brendan [mailto:[Brendan.McArthur@am.jll.com](mailto:Brendan.McArthur@am.jll.com)]  
**Sent:** Wednesday, September 11, 2019 10:56 AM  
**To:** Kenny, Todd; Lance Schulte; Adkison, Jeff  
**Cc:** Mike Sebahar

**Subject:** RE: Carlsbad Parcel #216-140-30

Lance,

Our respective contact information is below. Feel free to reach out to us at your convenience.

**Jeff Adkison**

Managing Director  
Jones Lang LaSalle Americas, Inc.  
RE license # 01190791  
515 S. Flower St., Suite 1300  
Los Angeles, CA 90071  
T +1 213 239 6133

**Brendan McArthur**

Senior Vice President  
RE license #01185335  
Jones Lang LaSalle Americas, Inc.  
Real Estate License #01223413  
515 S. Flower St., Suite 1300  
Los Angeles, CA 90071  
T +1 213 239 6134  
[jll.com](http://jll.com)

---

**From:** Kenny, Todd <[tkenny@hudson-advisors.com](mailto:tkenny@hudson-advisors.com)>

**Sent:** Wednesday, September 11, 2019 10:53 AM

**To:** Lance Schulte <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>; Adkison, Jeff <[Jeff.Adkison@am.jll.com](mailto:Jeff.Adkison@am.jll.com)>; McArthur, Brendan <[Brendan.McArthur@am.jll.com](mailto:Brendan.McArthur@am.jll.com)>

**Cc:** Mike Sebahar <[sebbiesixpack@att.net](mailto:sebbiesixpack@att.net)>

**Subject:** [EXTERNAL] RE: Carlsbad Parcel #216-140-30

Copying Jeff and Brendan. Can you please send Lance your contact information. Thanks.

---

**From:** Lance Schulte <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>

**Sent:** Wednesday, September 11, 2019 12:49 PM

**To:** Kenny, Todd <[tkenny@hudson-advisors.com](mailto:tkenny@hudson-advisors.com)>; Barkan, Jon <[jbarkan@hudson-advisors.com](mailto:jbarkan@hudson-advisors.com)>

**Cc:** Mike Sebahar <[sebbiesixpack@att.net](mailto:sebbiesixpack@att.net)>

**Subject:** RE: Carlsbad Parcel #216-140-30

[EXTERNAL MAIL]

Todd:

I hope your week is going well.

Following-up on our discussion last Wed and your offer to connect us with the land broker for the site so we could discuss with them about submitting an offer to purchase a portion of the site. We had a Committee meeting this week, and our fundraising team will be forming later this month once some key people return. So getting us in contact with the broker now would be great.

Although we are approaching the site differently than a speculative developer, we think we can provide the landowner with a good offer.

Thank you,

Lance Schulte

---

**From:** Kenny, Todd [<mailto:tkenny@hudson-advisors.com>]  
**Sent:** Wednesday, September 4, 2019 3:35 PM  
**To:** Lance Schulte; Barkan, Jon  
**Subject:** RE: Carlsbad Parcel #216-140-30

I will give you a call.

---

**From:** Lance Schulte <[meyers-schulte@sbcglobal.net](mailto:meyers-schulte@sbcglobal.net)>  
**Sent:** Wednesday, September 4, 2019 5:00 PM  
**To:** Barkan, Jon <[jbarkan@hudson-advisors.com](mailto:jbarkan@hudson-advisors.com)>  
**Cc:** Kenny, Todd <[tkenny@hudson-advisors.com](mailto:tkenny@hudson-advisors.com)>  
**Subject:** RE: Carlsbad Parcel #216-140-30

[EXTERNAL MAIL]

Jon:

Following up on my 8/14/19 voicemail and email to you concerning Carlsbad, CA parcel #216-140-30;

If you could kindly reply it would be most appreciated. If the property is no longer for sale, please let me know.

Sincerely,

Lance Schulte

---

**From:** Lance Schulte [<mailto:meyers-schulte@sbcglobal.net>]  
**Sent:** Wednesday, August 14, 2019 6:45 AM  
**To:** '[jbarkan@hudson-advisors.com](mailto:jbarkan@hudson-advisors.com)'  
**Subject:** FW: Carlsbad Parcel #216-140-30

Jon:

I left you a voicemail today on your mobile number about purchasing a portion of Carlsbad Parcel #216-140-30. If you could call me at 760.805.3525 to discuss we would greatly appreciate it.

Lance Schulte

---

**From:** "Barkan, Jon" <>  
**Date:** March 26, 2019 at 8:05:35 AM PDT  
**To:** "[mjsebahar@att.net](mailto:mjsebahar@att.net)" <[mjsebahar@att.net](mailto:mjsebahar@att.net)>  
**Cc:** "Kenny, Todd" <[tkenny@hudson-advisors.com](mailto:tkenny@hudson-advisors.com)>  
**Subject:** RE: Carlsbad Parcel #216-140-30

Michael – I work with Todd Kenny on the Carlsbad parcel. Please let me know some times over the next few days to discuss further. I am generally available the

some times over the next few days to discuss further. I am generally available the remainder of the week.

Thanks,  
Jon

**Jon Barkan**

Senior Vice President  
Commercial Real Estate  
Hudson Advisors L.P.  
T: 917 286 3273 | M: 215 880 6304



**From:** Michael Sebahar <[mjsebahar@att.net](mailto:mjsebahar@att.net)>  
**Date:** March 24, 2019 at 9:03:47 PM CDT  
**To:** [tkenny@hadv.com](mailto:tkenny@hadv.com)  
**Subject:** Carlsbad Parcel #216-140-30

Todd Kenny  
Hudson Advisors  
Re: Parcel #216-140-30

Todd,

We spoke on the phone a couple of weeks ago regarding the property in Carlsbad, CA referenced above. We are a citizen group committed to preserving this parcel as open space with potential amenities that benefit the community. We're well organized and prepared to continue advocating for the preservation of this property due to its pristine coastal location. You might now be aware of the open space and park deficits in the area of this property and this parcel is perhaps the last remaining area of land, which can fulfill this need. Data and documents have been discovered which support this deficit as well.

We're well funded and prepared to purchase the property before it is listed with a broker if that has not yet happened. We're hoping that we can put together a deal which negates the need for extensive due diligence on our part and would hope for a timely transaction so you can get this property off your books at a fair price.

We are exploring several different funding options and would like your approval to move forward with an appraisal of the site. The appraisal will

approval to move forward with an appraisal of the site. The appraiser will be someone that meets the State of California's requirements so that we may access grant funding offered by several different State granting agencies, such as the California Coastal Conservancy and the Wildlife Conservation Board. If you have already put a property prospectus together that outlines a funding range that would be acceptable, please feel free to forward that to me so that we can begin drafting an offer letter. If you have not developed marketing materials for the site, then an acknowledgement of your willingness to sell the property will suffice.

Michael Sebahar

---

\*\*\*CONFIDENTIALITY NOTICE : This electronic transmission and any documents or other writings sent with it constitute confidential information, which is intended only for the named recipient. If you are not the intended recipient, please reply to the sender that you have received the message in error and delete it. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachment(s) by anyone other than the intended recipient is strictly prohibited. \*\*\*

---

\*\*\*CONFIDENTIALITY NOTICE : This electronic transmission and any documents or other writings sent with it constitute confidential information, which is intended only for the named recipient. If you are not the intended recipient, please reply to the sender that you have received the message in error and delete it. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachment(s) by anyone other than the intended recipient is strictly prohibited. \*\*\*

---

\*\*\*CONFIDENTIALITY NOTICE : This electronic transmission and any documents or other writings sent with it constitute confidential information, which is intended only for the named recipient. If you are not the intended recipient, please reply to the sender that you have received the message in error and delete it. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachment(s) by anyone other than the intended recipient is strictly prohibited. \*\*\*



*Achieve Ambitions*

---

[One of the 2019 World's Most Ethical Companies®](#)

Jones Lang LaSalle

For more information about how JLL processes your personal data, please click [here](#).

This email is for the use of the intended recipient(s) only. If you have received this email in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not keep, use, disclose, copy or distribute this email without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. The information contained in this communication may be confidential and may be subject to the attorney-client privilege. If you are the intended recipient and you do not wish to receive similar electronic messages from us in the future then please respond to the sender to this effect.