

✦ LA JOLLA PARKS AND BEACHES, INC. ✦

LaJollaParksBeaches.org

To: Honorable Members of the City Council

From: Robert Evans, La Jolla Parks & Beaches, Inc.

Date: July 23, 2019

I am Vice President of and representing La Jolla Parks and Beaches, Inc. We are a 501(c)(3) corporation which maintains, preserves, and funds projects within our area, in coordination with City departments. Additionally, we are recognized as a recreation advisory group to the City's Parks & Recreation Department on park, beach, and open-space issues within our jurisdiction. This letter and my presentation are addressed to the draft regulations implementing S.B. 946 and regulating sidewalk vendors in San Diego (the "Draft").

First, we thank you for finally turning your attention to this very important regulation because it greatly affects the recreational areas of our City. We are very pleased with the overall thrust of the Draft, especially as it pertains to La Jolla's beaches and parks; however, we would like to add these points to your consideration;

- The Draft provides that vending is "prohibited during [the] Summer Moratorium... at La Jolla shoreline parks." Scripps Park is the most photographed spot in San Diego, and the Children's Pool is a draw particularly in the winter during pupping season [November to May]. Because of the year-round heavy traffic AND the scenic and natural beauty of the Children's Pool and Scripps Park/Cove, we urge that the Draft be amended to provide for an all year-round ban on vendor sales in these La Jolla shoreline parks.
- Section 36.0102(j) should also be amended to make it clear that the definition of "Heavily Trafficked Sidewalk" includes "Coast Blvd from Cave Street to the 200 block of Coast Blvd. South in La Jolla"

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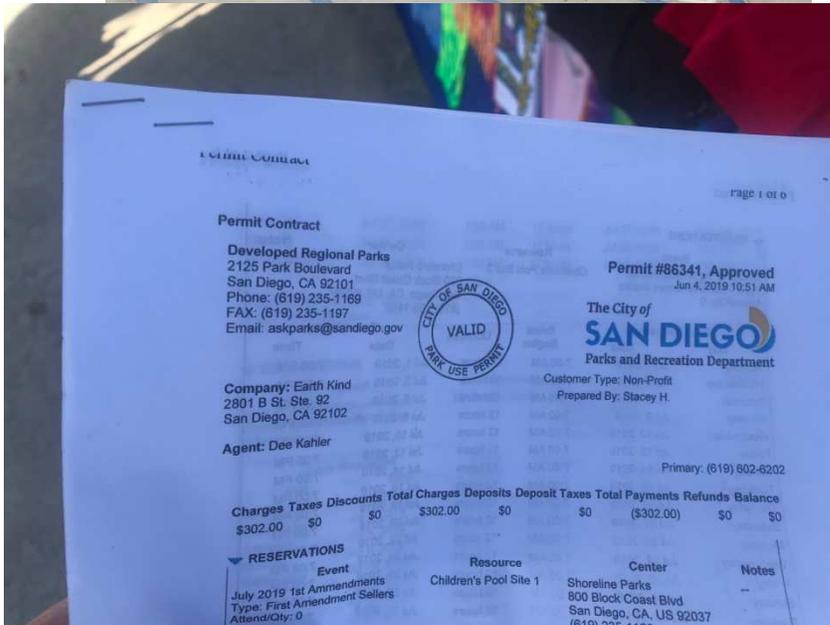
to make sure that the very much used “Wedding bowl” and picnic surfaces of Whale View Point (aka, Cuvier Park/Coast Boulevard Park) are included in this definition. Coast Blvd South intercepts Coast Blvd in two different locations, and the southerly of these is the correct coordinate.

- We do not understand why so-called ‘First Amendment’ vendors (pics next page) are historically not been regulated like other vendors; and they should be as defined in the Draft- Section 36.0102(aa) /pg5. And they should not be exempt or ‘Not Applicable’ for being solely free speech as stated in the Draft- Section 36.0113(a)(1) /pg21. Most of these vendors are conducting commercial activities and should be exempt from regulation like other commercial vendors only if they are not selling merchandise and other tangible goods. Very few of these vendors are there only to engage in free speech alone.
- We want to also emphasize the importance to our parks and beaches of your Enforcement. Besides the mention of Parks & Recreation staff, SDPD, and Code Enforcement officers – we would like to add City Park Rangers, the City’s Parking Enforcement staff, and County Health Dept.

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‘First Amendment’ Vendors at Scripps Park and Children’s Pool in La Jolla



Jolla Parks and Beaches, Inc. is a registered California charitable (public benefit) corporation and exempt from Federal income tax under section 501(c)(3) of the IRS Code. Contributions are tax deductible. FEIN 45-3281923

Regular Meetings: 4th Monday of the Month, La Jolla Recreation Center, 615 Prospect St., La Jolla