

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
TUESDAY, DECEMBER 5, 2006, AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-S500: Wightman Street Neighborhood Park Request for Grant Amendment and Request for Special Park Fees.

(City Heights/Mid-City Community Area. District 7.)

(Continued from the meeting of November 27, 2006, Item 201, at the request of Councilmember Madaffer, for further review.)

STAFF’S RECOMMENDATION:

Adopt the following resolution:

(R-2007-524)

Authorizing the Mayor, or his representative, to request approval from the State of California Department of Parks and Recreation to amend the project location in grant contract number UP-37-002 to 5024 Wightman Street (Project) and request for Special Park Fees;

Amending the Fiscal Year 2007 Capital Improvement Program Budget by adding CIP-29-925.0, Wightman Street Neighborhood Park;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$2,363,000 from CIP-29-596.0, Fox Canyon Park Acquisition and Development, to CIP-29-925.0, Wightman Street Neighborhood Park Acquisition and Development, pending receipt of State of California approval for the project location at Wightman Street;

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S500: (Continued)

Authorizing the expenditure of an amount not to exceed \$2,363,000 from CIP-29-596.0, Fox Canyon Park Acquisition and Development, solely and exclusively, for the purpose of providing funds for Wightman Street Neighborhood Park Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to de-appropriate \$686,000 from CIP-29-596.0, Fox Canyon Neighborhood Park, to be returned to Special Park Fee, Fund No. 39094;

Authorizing the appropriation and expenditure of an amount not to exceed \$686,000 from Special Park Fee, Fund No. 39094 to CIP-29-925.0, solely and exclusively, for the purpose of providing funds for Wightman Street Neighborhood Park Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Declaring this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3).

STAFF SUPPORTING INFORMATION:

A State Park grant in the amount of \$2,363,000 was awarded to the City of San Diego for the construction of Fox Canyon Park in the City Heights Neighborhood. At the time of the Grant application, the City was in favorable negotiations with the owner of the proposed Fox Canyon Park parcel. In order to meet the grant deadline for completion of the Environmental Document within one year of the award, the City proceeded with a Site Development Permit and Mitigated Negative Declaration (MND) for the site, with the owners' knowledge and support. Subsequent to the approval of the permit and certification of the MND, the owner and the City were unable to reach agreement on the purchase price. The grant requires a willing seller; however, the City could not justify the sellers' requested price, based upon a recent appraisal, which was significantly lower. The City has withdrawn its offer to purchase the property.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S500: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

The City Heights area is park deficient; therefore, the City sought other properties, in the neighborhood, that might fulfill the requirements of the State Park Grant. The City acquired the Wightman Street Property (Metzger Property) through Council action on August 8, 2006. This new parcel is within 680 feet of the original Fox Canyon Park parcel, is adjacent to Auburn Creek, similar to the original parcel, and serves the same neighborhood. The Park and Recreation Department wishes to use this parcel for park development subject to approval from the State of California for a re-scope of the Fox Canyon Neighborhood Park to Wightman Street Neighborhood Park. Park Planning and Development Division must resubmit this new location to the State Department of Parks and Recreation for their approval; this funding is not guaranteed. Authorizing the transfer of funds will allow further assessment of the property.

This action does not name the park to permit flexibility in naming and changing the name in the future.

FISCAL CONSIDERATIONS:

Funding is available in CIP-29-596.0, Fox Canyon Neighborhood Park, Fund 39034, Special Park Fees, because the Fox Canyon Neighborhood Park project will no longer be completed.

Additional funding in the amount of \$2,363,000 from the State Parks Urban Parks Grant, may be available, subject to approval from the State of California for a re-scope of the Fox Canyon Neighborhood Park to Wightman Street Neighborhood Park.

ENVIRONMENTAL CONSIDERATIONS:

The activity is exempt from CEQA pursuant to Section 15061(b)(3) as defined by the State CEQA Guidelines ("General Rule"). This determination is predicated on Section 15004 of the Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review under the provisions of CEQA. There is no construction activity associated with this action. Any subsequent activity involving construction shall be conditioned on full compliance with CEQA.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

- 12/1/03 Council approved \$30K Community Development Block Grant for Pre-Acquisition services (Resolution R-298643)
- 12/7/03 Council approved application to the State for \$2,363,000 through the Urban Park Act of 2001. (Resolution R-298701)
- 6/21/04 Council authorized \$900,000 from Mid-City Special Park Fees for acquisition and development of Fox Canyon. (Resolution R-299371)

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S500: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

- 6/13/05 Council authorized funding for the purchase of the Fox Canyon Parcel. (Resolution R-00516)
- 12/5/05 Planning Commission approved the Site Development Permit for Fox Canyon Park. (PC-05-358)
- 3/21/06 Council approved the Mitigated Negative Declaration for Fox Canyon Park. (Resolution R-301321)

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

- 5/10/05 Fox Canyon Community Input at Pro Kids Golf with Councilman Madaffer.
- 6/6/05 City Heights Planning Group
- 6/9/05 Euclid Revitalization Committee
- 7/6/05 City Heights Planning Group
- 8/22/05 Public Notice of Draft Mitigated Negative Declaration
- 10/12/05 Planning Commission Hearing Officer: certified MND and approved Site Development Permit
- 12/1/05 Planning Commission
- 02/06 Ontario Rd. Task Force (three meetings)
- 3/21/06 City Council (appeal of the Mitigated Negative Declaration)

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The Fox Canyon Neighborhood Association, the Chollas Creek Neighborhood Association, the Colina del Sol Recreation Council, City Heights Planning Group, Euclid Revitalization Committee, Fox Canyon Task Force

Penera/Martinez

Aud. Cert. 2700354.

Staff: April Penera - (619) 525-8265
Peter A. Mesich - Deputy City Attorney