

**REGULAR MEETING
OF
JANUARY 16, 1990**

The meeting was called to order at 2:35 p.m.

Item 1: Roll Call

Present: Members Wolfsheimer, Roberts, Hartley, Pratt, Bernhardt,
Henderson, McCarty, Filner and Chair O'Connor
Secretary: Jack Fishkin

Item 10: Discussion of pending litigation in regard to the settlement of Commercial Union Insurance Co. et al versus Harold S. Taxel, Trustee, et al; and

Item 11: Discussion of pending litigation in regard to the settlement of the Redevelopment Agency of the City of San Diego versus Bertha Starr et al.

Bruce Ballmer discussed the agreements reached in the settlement of the two lawsuits. One is a settlement agreement with the insurance companies who insured the condition of the property, in which the insurance companies agree to pay \$660,000, plus interest, to clean up the site which the Agency is contemplating acquiring.

In connection with the settlement, two acquisition agreements are proposed. One would be to buy a 10,000 sq. ft. parcel from the Starr Children's Trust for \$856,000. The second would be the acquisition of a 5,000 sq. ft. parcel for \$425,000 from the Dobson Trust. The Starr property owners would be required to clean up the metal contaminants from the Agency's property, the Starr property and the Dobson property before the close of escrow for the two properties, and must be done within one year of the time that the settlement is consummated.

Motion by Roberts to approve the recommendations.
Second by Filner.
Vote: 8-0 (O'Connor abstaining)

ADOPTED AS RESOLUTION NO. 1829

The meeting was recessed at 2:37 p.m. and reconvened at 3:50 p.m. All members of the Agency were present.

Item 3: Resolution approving the Annual Report and Annual Financial Report of the Redevelopment Agency for Fiscal Year 1989, and transmitting the reports to the City Council for approval. (Continued from meeting of December 12, 1989, at which the Biennial Public Hearing was conducted.)

Pam Hamilton, Jerome Groomes, Keith Scott and Jack McGrory responded to questions from Members Pratt and Bernhardt regarding Affirmative Action, and the selection of MBE and WBE contractors; and the 20 percent set aside,

Item 3: (continued)

and how the money is to be spent. Mr. McGrory noted that the Rules Committee will schedule a discussion every six months regarding Agency goals. In regard to the question on the Linda Vista fund balance, Mr. Scott said that the community will be consulted on what it wants before any money is spent.

Motion by McCarty to adopt the resolution.
Second by Filner.
Vote: 9-0

ADOPTED AS RESOLUTION NO. 1825

Member Henderson left the meeting.

Item 4: Resolution approving the expenditure of \$3 million of Redevelopment Agency funds for nine downtown courtrooms; approving a Cooperation Agreement with the County of San Diego and making findings relative to the use of Agency funds for the courts.

Motion by Filner to continue this item to Tuesday, January 23, 1990 at 2 p.m. in the 12th floor Council Chambers.
Second by Pratt.
Vote: 8-0

Item 2: Approval of the minutes of the meetings of December 5 and December 12, 1989.

Motion by Pratt to approve the minutes.
Second by Bernhardt.
Vote: 8-0

Item 5: Resolution approving the Negotiation Agreement with Jonathan Segal and Rowhouse Partners, Inc. for the Market Street Townhouses; and approval of the basic concept/schematic drawings.

Motion by Filner to adopt the resolution.
Second by Pratt.
Vote: 7-0 (O'Connor abstaining)

ADOPTED AS RESOLUTION NO. 1826

Item 6: Resolution approving a contract with Austin Hansen Group for construction documentation for the platform and landscaping improvements within the MTDB right-of-way; and authorizing construction of MTDB platforms within the Linear Park.

Member Wolfsheimer asked Pam Hamilton to provide her with an itemized list of all expenditures relating to the Linear Park -- those already made, those allocated and anticipated.

Item 6: (continued)

Motion by McCarty to adopt the resolution.
Second by Bernhardt.
Vote: 7-0 (O'Connor abstaining)

ADOPTED AS RESOLUTION NO. 1827

Item 7: Resolution approving the First Amendment to the Agreement for Special Legal Counsel Services in the area of environmental law/hazardous substance liability, with Morrison and Foerster, increasing the amount of the contract by \$50,000, for a total of \$100,000.

Motion by Roberts to adopt the resolution.
Second by Filner.
Vote: 8-0

ADOPTED AS RESOLUTION NO. 1828


Item 8: Resolution approving the Fifth Implementation Agreement to the DDA with Koll-Columbia Development.

Item 9: Resolution initiating condemnation proceedings to acquire certain surface and air rights owned by the San Diego Gas & Electric Co.

Motion by Filner to continue Items 8 and 9 to a later date.
Second by McCarty.
Vote: 8-0

Public Comment - none.

At 4:17 p.m. Chair O'Connor adjourned the meeting to Tuesday, January 23, 1990 at 2 p.m. in the 12th floor Council Chambers.



Secretary of the Redevelopment Agency
of the City of San Diego, California