

**NORTH PARK REDEVELOPMENT
PROJECT AREA COMMITTEE (PAC)
REGULAR MEETING MINUTES**

Tuesday, July 14, 2009

San Diego National Bank (6th Floor), 3180 University Avenue, San Diego, CA
92104

Comments and PAC actions relating to items on today's agenda are noted herein.

I. ROLL CALL & INTRODUCTIONS

Meeting convened at 6:03 p.m. Quorum was established.

Robert Bauer	Present	Judi O'Boyle	Present
Stephanie Cass	Present (arrived 6:05)	Lachlan Oliver	Present
Kirsten Clemons	Present	Travis Sizer	Present
Patrick Edwards	Present	Robert Steppke	Present
Don Leichtling	Present	Mark Stern	Present
Roger Lewis	Present	James Tinsky	Present

II. ADOPTION OF AGENDA

Motion (Leichtling/Sizer): *Approve the agenda as presented*
Passed (11-0-0)

III. APPROVAL OF MINUTES

Motion (Leichtling/Oliver): *Accept June minutes with revision correctly spelling the word "member" under public comment.*
Passed (12-0-0)

IV. ELECTED OFFICIALS REPORT

Anthony from CD3 spoke about on going budget issue, City closed \$82M gap however, the state is taking back what is equivalent to 1/3 of the budget of the streets division.

V. PUBLIC COMMENT

Dave Gatzke, Community Housing Works, announced that their application, which the PAC supported, to the state for transit based funding for "The Boulevard" project was awarded in the amount of \$9.5M .

Ross Lopez spoke regarding streets, sidewalks and lighting was told by city staff that as he lived inside redevelopment area the city was not responsible for replacing or repairing streets and sidewalks. He requested that PAC fund repairs in his area.

Harry Morrison complained to the PAC that his street has turned into a replacement sewer with people urinating, throwing up, and other unseemly things in front of his and neighbors houses. He attributed the bulk of the problems to patrons of True North.

Brandon Cohen, has same issue as previous speaker but from the west side of the parking structure. Noted his belief that the problem began when True North opened.

Stan Stanley, Pathfinders SD, wanted to thank the PAC and agency for support of the Motel adaptability program on University. Announced ground breaking ceremony July 30, 12:30 PM.

Lynn Elliot, NPCA, announced concerts on 25th and 8th of August at Bird Park.

VI. CHAIR'S REPORT

Chair Clemons spoke on the proposed ALBA community day school moving into the North Park Elementary. June 29th was community meeting with school board member Richard Barerra, council member Gloria, and school staff. Discussed ALBA program, discussing how students are integrated into the school, transportation issues, etc. NPCA is taking lead on organizing community involvement/relationship. There will be community mentoring opportunities, other community based programs. Walk this coming Saturday for community 9-noon this coming Saturday starting at school. School opens September 8th.

VII. ACTION/DISCUSSION ITEMS

A. Birch North Park Theater Improvements.

Lewis detailed for PAC the sub-committees review efforts leading to it's recommendation to the PAC that it support the Phase 1 funding request as detailed in a handout to the PAC. Noted that all items brought by LOSD before the PAC, with the exception of the solar panels, were reviewed, discussed and those supported are included in the Phase 1 funding recommendation.

Public comment:

Question asked about what was determined to be deferred maintenance. Lewis responded that such things as replacement carpet, flooring and some other items represented maintenance costs. Another public question was posed regarding why we continue to fund the theater. Stern: Noted these item recommended were determined to be deficiencies in the completion of things included in the original agreement. Lewis: Noted the sub-committee considered items in a fiduciary capacity with the intent of making the original restoration whole and complete. Clemons responded sub-comm. was formed to review each request to see if it was a legitimate and a responsible use of taxpayer money to go back to correct mistakes. Another question was posed whether city couldn't take equity ownership piece as way for theater to pay back money. Lengyel: Noted city has not taken equity interest in the past but that city could take a look at that option.

PAC discussion:

Sizer: Asked about process followed to determine what ended up on the recommendation list. Lewis: Responded there had been review and discussion of the DDA, the approved plans, photographs with discussion centering on what constituted historic restoration, Those things such as vertical marquee were in the original documents, plans and were historically correct. We involved NP historic group to be sure all things were done historically correct. O'Boyle: Noted she showed much skepticism in review process, specifically noting opposition to blade sign but saw it was included in original plans and community expected it so she changed her position. She also noted that LOSD represented certain things to the community that in her mind have not come to the community at the level stated. Oliver: Expressed sympathy with some of the public comments but stated that many factors go into economic revitalization and noted he firmly believes the Theater will be a jewel. Asked board how it holds itself accountable for the work and the theater being successful. Asked if contract was time plus material or cost plus. Lengyel: Responded that contracts do not allow for cost to exceed bids supplied, agency won't fund additional overruns. Stern: Stated he felt it was a service to community for things such as the sign to be finished. Also noted many costs

are due to ongoing problem of water leak so going back to beginning to determine responsibility to pay doesn't fix the problem Tinsky: Asked about ongoing water issue, who and to what level is this going to address the issue. Stern: Talked about level diligence of committee in requesting to review bids, request warranties, etc. Lewis: Noted sealant work approved will address the issue of water seepage directly into rooms but that water will be ongoing issue until the source is identified. Leichtling: Stated he had been on board for all theater money requests and will support phase 1 but he's not open to future funding, thinks sump pump alarm to costly, questioned contingency fees and suggests we just give them forgivable loan for estimated price. Has problem without administration and contingency fees included on recommended funding allocation. Oliver: Suggestion further phasing off of the beautification portion for such things as the blade sign. Lewis: Noted he didn't see a benefit to delaying further fixing and completing those things that would make the theater 'whole' under the original agreements. and MS responded further that doing these things now was a necessity to allow the theater best opportunity to move forward and operate as the community expected. Bauer: Felt many viewed this request as theater asking the agency for more money but noted it should be viewed from standpoint of what was expected by the theater owner, city, and community to be done when theater was opened. In his view it is making the building complete regardless of owner... taking care of problem that was never fixed. Edwards: Noted his support. Public comment: Question asked who's going to inspect the work? Lengyel: Noted developer didn't have the same incentive as owner does now to get work done and much review was done on the bids, warranties, etc.

Motion: (Edwards/Bauer): *The PAC accepts the Phase 1 sub-committee recommended expenditures.*

Discussion here relating to the "Phase 1" title on the funding recommendation relating inferring future funding expenditures and potential for phase 2 review of Solar Request. Motion maker noted it related only to those funding expenditures on the document regardless of future requests. Lewis: Noted committee still had responsibility to consider the solar request question posed by LOSD and provide an answer.

Passed (8-2-2). Abstaining: Oliver to due proximity of business. O'Boyle because of "committee misrepresentation". Against: Leichtling, Cass

B. Boundary Street Public Improvements

Sizer reported on the current status of the sub-committees review of the Boundary streetscape improvements project. Committee will be meeting this week with city staff to review tree placements and to come to more directed design. Lengyel: Provided cost sheet for amenities (e.g. lighting, ground cover, trees, and shrubbery). Also noted an area identified as "site 1" not within the MAD for maintenance. To move forward will meet at site to put a diagramed plan together. Bauer: Asked about back flow functionality and necessity of Item "meter" line 1. Lengyel: Agreed meter probably needed to be removed. Leichtling: Asked that PAC consider making all future sub-committees standing sub-committees.

VIII. SUB-COMMITTEE/LIAISON REPORTS

A. Maintenance Assessment District

Steppke noted MAD dark for July.

B. Project Area Improvements

Sizer reported under information item. Lengyel: Reported on security lighting for North Park Community Park.

C. Birch NP Theater Improvements

Lewis noted item consider under Action items.

D. North Park Community Plan Update

No update.

IX. STAFF REPORTS/PROJECT UPDATES

A. Tax Exempt Bond Financing: Lengyel reported \$14M tax exempt bonds with 30 repayment schedule not to begin for 10 years with net proceeds of \$11M of which \$7.5M goes to paying off line of credit. Leaves net \$3M for tax exempt uses of which \$1.4M set aside for.

B. NP Mini-Park Streetscape Improvements: Lengyel reported still an issue of funding and the city will now just go forward requesting funding for design portion only.

C. Garage Street Project/Garage Signage: Rosenthal Noted Taylor stated she needed payment so now a new RFQ will be issued involving a new community forum. Applicants will no longer be a non-compensated job for time rendered in presenting. Now city will commission the artist with a set contract and will own then art, art will no longer be auctioned.

PAC discussion:

Stern: Suggested under a new plan could city auction now "city owned art" to offset commission paid to artists. Edwards: Asked if city required to spend ½ of 1% of cost on public art on public building. Also asked city to go over installation prices, etc. Where's the proposed \$60K for art infrastructure coming from. Rosenthal: Responded city was not required to spend the .5% on public art. Lengyel: Stated source could be tax exempt pool of PAC money. Rosenthal: Noted city was going to use artist to assist in signage. Agency will move forward with generic signage permanent from signage company. Leichtling: Noted he thought PAC earlier voted art would be part of all public projects and city would own art. Steppke: Asked if runner up in original process could be commissioned. Rosenthal: Proposed compensation issue change does not allow ability to go to second. O'Boyle: Noted agency didn't select the artist suggested by the selection committee, which also considered the rated "second" artist as co-equal. Noted agency used different criteria. Asked why second artist can't do it if asked an amenable. Rosenthal: Expressed concern over the fact of the public second choice being different from selection committee second choice.

D. Community Plan Update Blight Analysis: Lengyel noted additional study on noise and traffic study needed before RSG can continue with blighting study.

E. 3029 University Avenue RFP: Lengyel noted proposal for fashion institute and 2 for artist lofts. Interview to begin end of the month.

F. Other: Lengyel stated will increase security on surface lot to try and address the earlier public comment about mix-use. Laffayette Hotel and Florida Street Apartments funding proposals being taken before council on July 28th.

X. REQUESTS FOR NEXT AGENDA

- A.** Green/sustainable initiative policy
- B.** Parking structure art RFQ process going forward
- C.** Policy to fund street/sidewalk maintenance issue
- D.** Brown act

XI. ADJOURNMENT

Motion (Cass/Sizer): *To adjourn at 8:17 pm.*

Passed (12-0-0)