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JERRY SANDERS
MAYOR

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SAN DIEGO
COUNTY GRAND JURY

August 8, 2008

Honorable Kenneth So
Presiding Judge
San Diego County Superior Court
Main Courthouse, Third Floor
220 West Broadway
San Diego, CA 92101

Dear Judge So:

Subject: 2007-2008 San Diego County Grand Jury Report entitled "Fox Canyon and Wightman Street: A Tale of Two City Parks in Extremis".

Pursuant to California Penal Code Section 933.05(a), (b), and (c), The City of San Diego provides the following responses to the findings and recommendations in the above-entitled Grand Jury Report:

FACTS & FINDINGS:

Fact: The Fox Canyon area south of University Avenue is short 22 acres of park space.

Mayor's Response: Based on SANDAG 2007 figures, the Mid-City Community Planning area is deficient 86.70 gross acres and 137.32 useable acres of parkland. However, 11.56 useable acres are either under construction or recently acquired which will reduce the deficit to 125.76.

The City does not estimate or allocate park acreage on a neighborhood basis within a Specific Community Planning area.

The City did not establish the 22-acre park deficient number for the Fox Canyon neighborhood area.

Finding: The proposed Fox Canyon Park and Wightman Street Park would contribute greatly to a park-starved neighborhood.

Mayor's Response: The Mayor agrees with this finding.

Finding: The City of San Diego has good preliminary plans to build a park in Fox Canyon.

Mayor's Response: The City has a conceptual plan for a potential park on the property proposed for acquisition at the time the plan was developed, but a final approved General Development Plan via City Council Policy 300-33 would be required. The City of San Diego does not own the property titled "Fox Canyon Park".

Finding: Tax increment funds and/or Development Impact Fees could be used to pay for a simple park at Wightman Street.

Mayor's Response: The Mayor agrees with this finding. Tax increment funds and/or Development Impact Fees could be used to develop Wightman Street Neighborhood Park as well as the other potential park sites in the general vicinity, including the property known as "Fox Canyon."

Finding: The proposed park appears to be the best use of the vacant land in Fox Canyon.

Mayor's Response: The Mayor agrees with this finding. However, it does not appear the entire site know as "Fox Canyon" could be constructed into a "developed" park due to the site constraints. The city does not own the property and as such there is no opportunity to develop the site at this time.

RECOMMENDATIONS:

08-60: Immediately bring the different departments of the City involved in this matter together to come to a decision, prior to losing the opportunity to use State grant monies whether to purchase the Fox Canyon park tract and begin constructing a park there or return the state grant funds and disencumber the properties.

Mayor's Response: This recommendation has been implemented.

08-61: If the decision is to not construct a park on the Fox Canyon tract, bring these same departments of the City together to evaluate whether funds are available and should be used to construct a park at Wightman Street.

Mayor's Response: Implemented. On March 27, 2007 the City Council gave direction to City staff to 1) transfer the funding allocated for Fox Canyon to the Wightman Street Neighborhood Park; and 2) the approval for the Mayor, or his representative, to request approval from the State of California Department of Parks and Recreation to amend the project location of the grant contract to the Wightman Street Neighborhood Park.

08-62: *Decide whether to build a road in Fox Canyon.*

Mayor's Response: This requires further analysis. Should the City be successful in acquiring property to build a park at the "Fox Canyon" site, a traffic study will be required to determine if the street is necessary to provide adequate access to the new park. If the traffic study determines that a road is needed, it will be built in conjunction with the site's development of a park. If a road is not needed for access for the park, it will remain in its current status as a paper street only.

Please contact Stacey LoMedico, Director, Park and Recreation Department at (619) 236-6643 if you have additional questions.

Sincerely,



JERRY SANDERS

Mayor

cc: San Diego County Grand Jury
Chief Operating Officer
San Diego City Council
Deputy Chief, Community Services
Park and Recreation Director
City Clerk
Administration Department Director