



**NORTH EMBARCADERO VISIONARY PLAN
JOINT POWERS AUTHORITY
Thursday, January 22, 2009
2:00 p.m.**

MINUTES

Don L. Nay Port Administration Building
3165 Pacific Highway
San Diego, California

Board Members present: Chair Kevin Faulconer, San Diego City Council; Member Stephen Cushman, Board of Port Commissioners (SDUPD); and Member Fred Maas, Board of Centre City Development Corporation (CCDC).

AGENDA ITEM #1 – Call to Order

Chair Kevin Faulconer called the meeting to order at 2:00 p.m.

AGENDA ITEM #2 – Approval of Minutes for September 25, 2008 (Action)

Motion to approve the minutes was carried unanimously. The minutes were approved as presented.

AGENDA ITEM #3 – Public Comment

Joy Sunyata, East Village, spoke to the importance of the NEVP and commented regarding bicycle racks.

AGENDA ITEM #4 – JPA Member Comment

None.

AGENDA ITEM #5 – Approval of Unified Control Plan (Action)

Gary Bosse, Senior Project Manager-Construction (CCDC), presented the item providing background information on the design coordination efforts with four private development projects located at the four corners of Pacific Highway and W. Broadway. These developments include Lane Field (Lane Field San Diego Developers), 880 West Broadway (The Irvine Company), Navy Broadway Complex (U.S. Navy/Manchester Financial Group), and Bosa Development's yet to be identified project. The proposed private developments adjacent to W. Broadway are obligated to construct the public plaza areas on either side of the street, in conformance with the North Embarcadero Visionary Plan (NEVP). For this reason it was of primary importance to coordinate all of the NEVP design elements on and adjacent to the private development parcels so that the end result was a cohesive, seamless design.

Scott Jordan, Project Manager, Civitas, presented the Uniform Control Plan (UCP) that documents the design and aesthetic features of W. Broadway, all of which were fully coordinated with the private development teams.

Staff recommended approval of the UCP dated January 19, 2009 comprised of 24 sheets. (Sheet numbers T.01, C4.01, C4.02, C4.03, C4.04, C4.05, C4.06, C4.07, C5.01, C5.02, C5.03, C5.04, C5.05, C5.06, C5.07, C5.08, C5.09, C5.10, C5.11, C5.12, C5.13, C5.14, C5.15, C5.16)

Public Comments:

Jerry Trammer, Lane Field San Diego Developers, stated that he was available for comments.

Mike Copass, spoke to his concern that the NEVP design was driven by the private developers. He suggested utilizing the U.S. Navy/Manchester Financial Group development parcel as a site for a public park.

Gary Smith, San Diego Downtown Residents Group, urged support of the staff recommendation.

Tom Sullivan, Irvine Company, also speaking on behalf of Bosa Development urged approval of the UCP.

Joy Sunyata, East Village, commented positively on the collaboration taking place. She also commented that she did not support the diagonal walk proposed for the public park proposed for the northwest corner of the U.S. Navy/Manchester Financial Group development parcel.

Scott Andrews, Navy Broadway Coalition, spoke in favor of a park at the U.S. Navy/Manchester Financial Group development parcel. He referred to the NEVP W. Broadway plan as being simple, and claimed that the views to the bay were blocked.

Committee Comments:

Chair Faulconer asked Mr. Bosse to discuss the design and public participation process.

Mr. Bosse replied that there were numerous public input and stakeholder meetings, including at least four public design workshops. He stated that another public workshop was currently being scheduled.

Chair Faulconer spoke to the importance of engaging the public, stating that additional input would be requested.

Member Maas congratulated staff noting that he had not seen a process more open to the public. Mr. Maas commented with respect to the ADA compliant truncated dome pedestrian ramp approaches that were proposed saying that aesthetically, it was pleasing to the eye. He commented that he liked the chrome fire hydrants and asked if the Fire Department was aware of them.

Mr. Maas asked if the U.S. Navy/Manchester Financial Group development team had indicated their approval of the UCP and demonstrated a willingness to cooperate.

Member Cushman was concerned with fire hydrant parts being replaced with standard yellow parts. He directed staff to return with an addendum to the UCP documenting the design requirements for paving and trees along Pacific Highway. Mr. Cushman asked if the U.S. Navy/Manchester Financial Group development team had participated in the UCP design collaboration and if they were supportive of the design elements contained within the UCP.

Mr. Bosse acknowledged that the U.S. Navy/Manchester Financial Group development team representatives had participated in the meetings and indicated their approval and that meeting minutes had been distributed to all development team participants, whether in attendance or not, and that no objections had been registered with the JPA staff.

Member Cushman suggested sending the U.S. Navy/Manchester Financial Group development team representatives a letter seeking written confirmation of their approval of the design elements contained within the UCP.

Member Maas noted that there was an agreement governing procedures between the U.S. Navy and the City of San Diego explaining that there was control over design guidelines. He also requested that the minutes of this JPA Board meeting be sent to

Perry Dealy of Manchester Financial Group in order to ensure their cooperation and compliance stating that they have had the opportunity to participate in the process and would be held accountable.

Chair Faulconer inquired as to the JPA's ability to enforce the design concepts of the UCP on the private development projects and were there procedures in place to guarantee the elements of the UCP would be implemented. He stated the importance of enforceability and questioned whether or not a Memorandum of Understanding (MOU) would be effective, stating that he would bring up the issue with the City Attorney.

Mr. Bosse explained that the process was for private development teams to submit plans for review and approval to the JPA member agencies noting that CCDC would be reviewing all the projects for conformance to the UCP as would the Port.

A discussion ensued with respect to the fire hydrant replacement parts possibly being yellow. Chair Faulconer noted that aesthetic replacement parts were vital. Mr. Bosse explained that the developers did not want to be responsible for the maintenance and that staff would come up with a solution whereby any maintenance repairs performed after the original installation would be completed in such a way as to not compromise the original design aesthetic.

Mr. Jordan and Mr. Bosse provided clarification that the truncated domes were a requirement and the only change the design team was proposing was a different finish color. Both Member Maas and Member Cushman said if it was required and the only change was the finish color they supported the recommendation.

Chair Faulconer entertained a motion to accept staff's recommendation with the condition that staff bring back an addendum to the UCP to document the design requirements for trees and paving on Pacific Highway, that staff return with a solution for maintenance of the aesthetic characteristics of the fire hydrants and that the Councilmember's office would investigate the viability of drafting a Memorandum of Understanding to be signed by all the private development teams memorializing their commitment to implement the UCP. Member Cushman made the motion, Mr. Maas seconded. The motion unanimously carried.

AGENDA ITEM #6 – Design Update

Linda Scott, Capital Project Manager – Engineering/Construction (SDUPD), provided an overview of the item. Mr. Jordan gave an update regarding terminus design, as well as other design components. He informed that they had been working with cruise ship operations staff and that they supported the current design of the terminus.

AGENDA ITEM #7 – Maintenance Costs and Funding Options

Linda Scott introduced the item stating that staff had been working on detailed cost estimates. Gary Bosse and Ms. Scott gave an overview of how NEVP maintenance responsibilities and costs might be distributed by reviewing several options.

Ms. Scott advised that the Port was working with the tenants to define their maintenance responsibility.

Public Comments:

Laurie Black, Port Commissioner, provided an explanation with respect to how PBID was developed.

Gary Smith, San Diego Downtown Residents Group, expressed his support for PBID commenting that it had been extended for 10 more years. He stressed the need for people to opt in.

Don Wood commented on the benefits that this project will provide to the developers as well as the tenants.

Committee Comments:

Member Cushman agreed with the concept and stressed the need to look at the larger picture as a whole.

Member Maas spoke to the opportunity of creating a maintenance district. He cautioned that a formula was needed to keep maintenance costs from rising.

Chair Faulconer voiced that this was the first step. He stressed the need to have discussions early noting that this item would be on each agenda. Chair Faulconer's goal would be to be able to take action on a maintenance strategy by fall. Chair Faulconer noted that the solution for maintenance costs should keep future phases in mind.

AGENDA ITEM #8 – Update on Amendment No. 1 to Design Agreement between CCDC and PDC

Gary Bosse provided an update on the Amendment stating that the item recently went before the Port Commission and CCDC Board and was approved unanimously. He informed that the Redevelopment Agency had final approval and that they were hoping to move the item forward to the February or March meeting.

Chair Faulconer remarked that he would provide assistance if needed in order for the item to be put on the docket.

Member Cushman asked that Item 5 be revisited. He had concerns with the truncated domes. Mr. Bosse commented that the domes were required by the ADA, but that the design team was seeking an aesthetic color. Member Cushman was comfortable with this explanation.

AGENDA ITEM #9 – Next Meeting: March 26, 2009

Chair Faulconer adjourned the meeting at 3:42 p.m.