

This is Mary Marcdante, Centennial Manager and it is Saturday, January 15<sup>th</sup>, 2011 @ 9:14 a.m. and we are at the home of San Diego County Supervisor, Greg Cox, and Mayor Cheryl Cox, Chula Vista and Dr. Steven Schoenherr, Author of the Chula Vista Centennial Book

**SS:** 1980-89, and we're talking about a picture that I need of Greg Cox as Mayor. I thought I had one, I have this one, I thought it was 1980, but he's telling me it's earlier.

**GC:** Well it could be.

**SS:** I could say about 1980 because there is no date on the picture.

**GC:** It's after 1978 because Gayle McCandliss was appointed in July 79 and Will served as Mayor through November 1981. There are Council photos at City Hall go back to early 1970s, just to the right of the Council Chambers. Unfortunately when Gayle McCandliss was sworn in December 1990 she was very ill. She passed away in January 1991, so they never got a picture of her in the Mayor's seat.

**SS:** Jerry Rindone said she was actually there for only two meetings: the meeting in which she was sworn in, one more meeting and that was it.

**GC:** That's true, and no pictures were taken. Mike Armbrust, owner of Chula Vista Photo was pretty creative in the early days of PhotoShop. He used a picture of her when she was Councilmember with me, and superimposed it in the Mayor's position. So that will probably be 1979, 1980, or 1981, somewhere in that timeframe.

**SS:** I am going to ask you about one other picture.

**GC:** That picture used to be on Interstate 5 north bound, close to the L Street exit, about where the Toys R Us is.

**SS:** People have asked, have you seen the “Hang your Hat in Chula Vista” billboard?”

**GC:** No, I haven’t.

**SS:** Do you know anything about that, controversy or a story that goes with it? Was before your time?

**GC:** That was probably in the 60s, maybe early 70s. Niek Slijk was the executive director of the Chamber. There were some people that were upset with it as I recall.

**SS:** I don’t know if I want to put that in the book. Do we put it in the book and say it was controversy or not? A lot of people remember the sign, it’s a famous sign, historical and its gone now.

**GC:** Well you might say it created some controversy. There wasn’t anybody who threatened to burn it down or cut it down. Some saw it as derogatory to Mexican Americans because of the sombrero. Apparently there was another one of somebody leaning down, relaxing.

**SS:** It was gone when you were mayor.

**GC:** I am pretty sure it was gone in the early 70s, maybe when I came on the Council in ‘76.

**GC:** One of the things I tried to do as mayor was eliminate the number of billboards in the city. When my wife became mayor I think I had a list of about 45 billboards or so and some of them were on I-5. I don’t know if Caltrans had any real rules. We tried to tighten down on them, picked where they can be in commercial zones. There a lot of them on Third Avenue and Broadway. Most were owned by two big companies, Multi Media and another company. They wanted to put billboards on Interstate 5. The Metropolitan Transit Development Board (MTDB) was created and they bought the old rail line in the late 70s. They needed to

rehab the track so they sent their people out one day and because they owned the property, they cut down 12-15 billboards which obviously didn't make the billboard companies happy. They sued MTDB, and as it was winding through the courts, MTDB said they could probably settle with the billboard companies by allowing them to put up a couple of big billboards on I-5. There is one at E St and I-5 and they were and legally allowed one more.

I was mayor at that time MTDB opened and the trolley was running. We did not have a trolley station at the Bayfront, only at H Street and at Palomar. MTDB wanted us to allow them three billboards. I tried to do is negotiate so that we accepted two. They came up with three locations. We picked two locations in Chula Vista and I think National City got the third one. Our restrictions were that at the end of 10 year period, the company either had to take them down or renegotiate with us. They had pay the city \$5,000 a month into a billboard fund we could use to beautify the area.

With the litigation settled the litigation, 50 or so signs in the area between National City and Chula Vista were removed. With the freeway project, the flight control project, MTDB trolley line, they came down. The staff collected the remaining billboard locations. I asked the billboard companies to agree that if we gave them another location ( the location down by J Street) that they would take down five other billboards. We eased that by condemning or buying our some of the other billboards. I think there is probably fewer than maybe two on Broadway.

**SS:** This was an issue that was ongoing for a long time. The City had an ordinance and the billboard companies kept putting up billboards.

**GC:** They weren't putting them up after mid 70s. After that time, a lot of billboards were just going up and people cut own deals, I think there is still one on Third and Orange Avenues on a commercially zoned property, but it's a residence. The city at one point had a program where if they were not on a properly zoned area, we could require them to take them down but we had to give them seven years. We started that as I was leaving the Mayor's office. I am not sure anybody followed up on that during the seven-year period.

I told Dave Rowlands when he was City Manager that the leases that originally had been approved were about ready to come up, and if they were going to allow them to go on they ought to make sure that they got those revenues or got them to agree to take down some of the other ones. You know like \$500 a month or something like that they would charge the big ones on the freeway, it was 10 or 8 or 9,000 something like that, pretty high price.

**SS:** Have you had to look at the capo graph?

**GC:** I did. There were a couple of date errors. Some of it is just new offices that opening section on on a winter storm in ? plan in Sweetwater. The Sweetwater authority looked at that and said there were some factual errors that they corrected.

**SS:** Do they consider the 1916 flood a thousand year frequency?

**GC:** That is not a term I've heard before, thousand year flood.

**SS:** From the Council minutes, they circled that phrase. The City Council minutes and it said 1,000 years.

**GC:** : I've never heard a 1,000 year term, I have heard of 100 year flood.

**SS:** I may change it to 100 year just so it makes sense. Did the flood control channel start as a Army Corps of Engineers years project? Somebody said Caltrans took it over.

**GC:** That was a bit controversy in the community. Peter Watry in the 1970s was one opposed to the city water fill.

**SS:** I talked to him. That's what he said--they were wrong on the cost

**GC:** The Flood Control Project was built by the Army Corps of Engineers but it was tied in to the widening of Interstate-5 and the construction of SR-54 connecting from I-805 to I-5, so it was kind of a three pronged project. One of which, the Flood Control Channel is really the Corps of Engineers project. The I-5 freeway widening and the construction of SR-54 was Caltrans.

**SS:** What was the issue of the U.S. Fish and Game preservatoin of the marsh? The Corps said that they could not finish SR-54, something about protecting the birds.

**GC:** That was all tied in to the Chula Vista Bayfront Plan. Coastal Commission approval was about 1982 for the flood control project. Looking a bit further back, when I was first on the City Council, I went to Washington, DC, probably in 1978. Carter was president and we met with the Department of Interior to raise the question whether they would be willing to accept the Sweetwater Marsh. The Chula Vista Bayfront plan started in 1972 and then in 1976 they submitted the plan. It was approved in part. The City of Chula Vista sued the Coastal Commission on the grounds that you can't approve a plan in part. The Pacific Legal Foundation represented the city's interest at no charge. The court said the City of Chula Vista was right, that the Coastal Commission did not have the authority to approve these plans in part, and needed to go back

and reconsider. The City went back and resubmitted it and the Coastal Commission said, ok, we deny it.

That is about that time we were trying to figure out where are we going from here. I was coming in as mayor in 1981, Santa Fe Railroad owned all that property for almost 100 years at that point. They were given the property when they brought the railroad down and to National City in 1887. I think the underlining owners of that Santa Fe Railroad figured that they were going to have to come up with a way to make the railroad happen.

Coincidentally, while a coastal act was being circulated in 1972, they [who?] saw what was going on and the restrictions that were going to be placed on development on the coastal zone. One of the reasons for the coastal act were the tall condo towers along the Pacific Ocean in Coronado--one of the poster children of why we should do something a little different.

Santa Fe Railroad came in and sued the City of Chula Vista for inverse condemnation. It was the most ridiculous thing. They were suing us for \$3 million, for the value of the property. That lawsuit was going on at the time I came on the City Council in 1976. Under their plan, they were fill in all the wetlands and create a whale ? terminal. While they were suing us for inverse condemnation, City of Chula Vista hired Sedway Cook, a company from San Francisco to develop a plan for the City of Chula Vista.

The Coastal Act passed overwhelmingly, denying them of building their own property. They began to realize maybe they should take a different approach. In the first closed session in the City of Chula Vista, we talked about the inverse condemnation suits Santa Fe had against the

City. I remember saying, “what is the dollar amount we’re looking at? They think that property is worth \$3 million. Why don’t we lose the lawsuit or settle with them, and then we own the property and then we can plan our own future.

That was not a very well-received concept at that time. Finally in the late 70s maybe early 80s, we settled with Santa Fe and agreed they were going to come in with their own plan. And it’s going to happen after the base said plan is denied and that plan would be to develop gunpowder point with a hotel, convention facility, resort facility, the D Street Fill where there is going to be a road that would extend across the marsh and we would have development on the D Street Fill on the Chula Vista side of the channel. The Channel wasn’t quite there yet.

Santa Fe brought in their joint venture partner, Ray Watt. Santa Fe/Watt was the Chula Vista investment company. They started working in a collaborative manner with Chuck LeMenager, a former Councilmember in Santa Rosa, and Governor Reagan’s first \_\_\_\_\_ of housing. He was hired by Ray Watt to make this project happen.

We worked with him when I came in as Mayor. In 1978 while we were in hiatus, we started thinking maybe if we took the property and the wetland which seems to be the main focal point of the environmentalists, why don’t we see if we can convince U.S. Fish & Wildlife to clear the refuge and let them take care of it. We went back to Washington, DC in 1978. The economy was not robust and the Department of the Interior said we don’t do urban refuges. We do things that are more remote, tranquil, with water development around. We’re not interested. As we worked with Santa Fe Watt, we found that it was important to them was to see the widening of I-5 and the construction of SR 54 to help get

access to their project. I went up to Chuck LeMenager in Sacramento, met with the U.S. Department of Fish & Game, went back to Washington, DC and met with the Department of the Interior, trying not only to get the Chula Vista Bayfront plan approved but also trying to move along the flood control project and the SR-54, I-5 project.

We went to the Coastal Commission, thinking that before the Bayfront plan was approved, we would get the Coastal Commission's final approval on the 54, I-5 flood control project approval. As a part of that, Santa Fe / Watt agreed they would convey title to 116 acres to the City of Chula Vista, who would accept and maintain it as an open space preserve, environmental habitat.

That was a condition that was approved for the freeway flood project. Subsequently, we worked on the Chula Vista Bayfront plan. I have to tell you, this was probably one of the more interesting things I've been involved with. With Len Moore as my Deputy Mayor, colleagues and the City Council, made over 80 different community presentations. We got resolutions from all 18 cities in San Diego County, the County of San Diego, MTDB, letters from just about every elected official in the state and federal level in support of the plan. U.S. Senator Pete Wilson went on a tour of the property. David Malcolm was on the City Council. He established a relationship with Governor Willy Brown. David was appointed to the Coastal Commission right before the item was on their agenda. Penny Allen and Bob Campbell chaired a group we put together called Citizens for Beautiful Bayfront and got over 10,000 signatures. These were presented to coastal commission.. The staff recommendation was to deny it but it was actually approved, which no one thought we could do.



That was 1983 or maybe 1984 The Port District set aside 84 acres to the wildlife preserve in 1983. Their project went as far down as the South Bay Power Plant. When they wanted to do some other improvements to the marina, as a condition of approval, they had to enhance the wildlife refuge.

It was really a separate project for the Chula Vista Bayfront plan because it was a port district project. After that plan was approved, we were sued by the Sierra Club and some other environmental groups on the Chula Vista Bayfront plan. They sued the Coastal Commission for approving it. It got tied up in court, Santa Fe/Watt was sitting there saying “We put all this money getting this thing approved, how much longer until we actually get a chance to go in there?” That plan had a hotel on Gunpowder Point and a convention center. I believe at that point they dropped the development on the D Street Fill That was one of the things that we accepted. Back off on developing the D Street Fill and then we would not have to have another refuge across the marsh. That would buy of a lot of credibility with the environmental community. They didn’t like the hotel on Gunpowder Point and there were a couple of others I think were party to that. It started winding through the processes with the court.

Santa Fe/ Watt cut a deal with the federal government. Their one weapon they thought they had to move things along was that they would not convey the marsh land until they got the permits to develop their projects. That was the quid pro quo, even though there was separate projects they went to the federal government.

**SS:** What was their project?

**GC:** The Chula Vista Bayfront Plan.

**SS:** That was Plan Two because you were with them

**GC:** We were hand and hand with them.

**SS:** Coastal Commission approved that plan, but the Sierra Club filed a law suit.

**GC:** The freeway project was under construction when the federal government the marsh lands had not been conveyed. They [who?] said they would convey the marsh land once [we who? ] got the permits we needed to develop the Chula Vista Bayfront plan from the Coastal Commission. If there were several permits they had to get, that was kind of the quid pro quo. We will give you this land in exchange of allowing us develop this land. We will give you the marsh land. The federal government couldn't issue any permits because of the litigation, the Coastal Commission couldn't issue any permits because of litigation and so Santa Fe / Watt, we're not giving you the land until we get our permits.

That percolated a big ? in which Caltrans and the federal government shut this project down. That property had to be conveyed as part of this. It should have been converted earlier. We let it drag on so for about a year –an incomplete SR-54, an incomplete flood control channel and an off ramp kind of going up and just stopping. It dragged on until Santa Fe /Watt said, “This is a no win situation and we are getting tired of all this.: They worked out their own deal with the federal government which, as the Department of the Interior decided they ought to focus on developing some urban wildlife refuges. Santa Fe / Watt agreed to create to transfer the wetlands to the federal government to create a Department of Interior, U.S. Fish & Wildlife to create the Sweetwater Marsh National Wildlife Refuge.

**GC:** This was about 1988. Santa Fe / Watt put the property up for sale and sold it to a Kuwaiti group for about \$16 ½ million. They bought about 125 acres of developable property about the same time as the 400 or so acres of wetlands went to the federal government. We now had a new owner of Chula Vista bayfront property. The federal government created the Sweetwater Marsh National Wildlife Refuge that allowed the Army Corps of Engineers to complete the flood control project and Caltrans to move the freeway project forward. The SR-54 opened about two weeks after I left office, mid-December 1990.

Prior to the flood control project and Second Avenue extension, when we had really bad rains, the KOA property was flooded. Ted Bell went down there with a bulldozer on his own, took the street apart.

**SS:** This illustrates the whole thing you're talking about.

**GC:** It's like the opening gun of a battle. They finished the flood control panel but that was related into what happened then to Gunpowder Point, Sweetwater marsh, the Bayfront plan. The Kuwaitis' owned this until they sold to Pacifica Companies a couple of years ago. They weren't developers. They wanted long term investment on waterfront property. They brought their developer to the site for which we had approved plans, ones that would allow them to have a development. They brought in Bill Barkett to help them.

Bill represented the Kuwaitis. He talked about building huge high rises, really packing a lot into what was left because he didn't have the D Street Fill. There wasn't going to be development on Gunpowder Point. The development that was going to happen was going to be on a much smaller footprint, about 98.5 acres. He pushed a lot into that property. He would tell the community he wanted to get some feedback from

them. Somebody would say well how about a convention center? Ok, fine, we'll put that in. How about an ice skating rink? Ok, fine, we'll put that in. He was paid well to be the consultant to the plan. In one community meeting, he talked about high towers. Someone said, "I don't like all these towers". What, don't you like high rises? Around 1994, I had left as Mayor and he was still negotiating, working to get a plan approved by the coastal commission.

He brought in Jon Jerde Architectural Group, the people who did Horton Plaza. There was a lot of flash and color and very attractive but at the same time it was compact, a lot of mixed use, residential and commercial and hotels and a convention center, a skating rink, a Nick Bollettieri Tennis Center and a water taxi.

I thought, how is he going to finance it? The plan was approved but couldn't be financed. Barkett left about the time of the First Gulf War. Then along came Bill Tuchscher and his Crystal Bay plan around 1997. He worked with community groups and the Environmental Health Coalition, but in the end, did not have the financial resources to conclude the deal.

Pacifica Companies and its owner, Ash Israni, made an offer to the Kuwaiti property owners a couple of years ago. Just last year, the State Lands Commission approved a land swap between the Port and Mr. Israni. Pacifica Companies can build condos south of Goodrich Aerostructures on about 34 acres, in exchange for the Port owning 98.6 or so acres east of the Nature Center. This approval becomes final when the Bayfront Master Plan is approved at the California Coastal Commission.