A report yesterday from the San Diego City Attorney's Office accuses Councilman Jim Madaffer of skirting the system during a failed deal for a City Heights park.

"Councilmember Madaffer used his influence to pressure city staff to circumvent the public process," the 61-page report says.

As a result, it says, the city spent four years and $400,000 trying to put a park on land it didn't own, kept mum about a proposed road when applying for a state park grant, spent park funds on the road and allocated $800,000 to buy property valued at up to $425,000.

Madaffer didn't respond to several requests for comment yesterday afternoon.

The report came out of the City Attorney's civil division. The criminal division's Public Integrity Unit is reviewing the same matter, officials said.

The park was supposed to be in an area called Fox Canyon, where children cavort in the street for lack of decent playgrounds.

The city received a $2.3 million state urban parks grant in 2004 to put a park on vacant land. Officials agreed to contribute $900,000 from a Mid-City park fund.

The controversy erupted when some people questioned the construction of a road alongside the park. Madaffer has said he wanted to extend the road, Ontario Avenue, at the request of constituents. The park idea was an add-on to the road project, he has said.

The park deal fell apart, in part because the major landowner wouldn't sell for the price offered.

The San Diego Park and Recreation Board has taken the lead in bringing to light the circumstances surrounding the Fox Canyon park negotiations.

Member Bob Ottilie, a downtown lawyer, has written several memos on the topic based on city documents he got through public-records-act requests.

He called the City Attorney's report a "must" read. "It lays out from start to finish what happened on this deal and how they manipulated city funds," Ottilie said.

The Park and Recreation Department now proposes returning $167,000 spent from Mid-City park funds on the initial design of the road. The new money would come from gas tax dollars.

That matter was before the City Council yesterday. While the council put off a decision until next month, some community members denounced the idea.

Former Planning Commissioner Carolyn Chase asked why any tax dollars should be spent on a road that hasn't been approved through the public process.
Sparks flew between Madaffer and City Attorney Mike Aguirre during the meeting when the attorney advised the councilman to recuse himself from voting -- saying Madaffer had a conflict of interest because he had previous influence over allocating the park funds.

The councilman responded: "You are making spurious charges that are going to just absolutely cost this city money in the long run."

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