

AGENDA

SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK CITIZENS ADVISORY COMMITTEE

10:30 a.m. to 12:15 p.m.
Friday, September 10, 2004
Rancho Bernardo Library, Large Community Room
17110 Bernardo Center Drive
Rancho Bernardo

In order to conduct the meetings effectively, the Chair has asked the Citizens Advisory Committee appointees to please sit at the front of the room. Alternates (who are not sitting in for the regular appointee) and others present are invited to sit in the rows behind the committee. Discussion during the meeting will be conducted by the appointees. Alternates and others are welcome to address the committee during the public comment period or if recognized by the Chair during the meeting. Speaker slips are available. It is important that CAC members comply with the Chair's Meeting Procedures and maintain decorum and politeness at all times. A quorum is a simple majority of current members. **The Chair cannot start the meeting until a quorum is present. PLEASE ARRIVE BY 10:25 A.M!** The CAC may take action on any item listed on the Consent or Action agenda, but only when a quorum is present. If a quorum is temporarily lost during the meeting, no further discussion will take place until the quorum is regained. If the quorum is not regained, the meeting will be adjourned. **Please advise the Chair at the beginning of the meeting if you must leave before 12:15 p.m.**

ANNOUNCEMENT: Future agenda packets will be distributed by e-mail only. If you do not have an e-mail address, alternative arrangements will be made.

Roll Call and Introductions

Chair

Late arrivals should speak to staff to make sure their attendance is noted.

Approval of the Minutes of 7/09/04

Chair's Report

Chair

Executive Director's Report

Staff

Public Comment

Public

CONSENT

1. Trails Committee: Add Two New Members not on CAC

INFORMATION

2. Progress Reports on Ongoing Projects (Oral Reports)
 - a. Fairbanks Ranch Country Club/Polo Club
 - b. Wetland Restoration Project/Coastal Trail
 - c. Lake Hodges Bicycle/Pedestrian Bridge
 - d. Del Dios Gorge Trail
 - e. Sikes Adobe Historic Farmhouse
 - f. Property Acquisition

DISCUSSION/ACTION

3. CAC By-Laws
4. County General Plan 2020 Update (Presentation)
5. County Trails Plan (Presentation)
6. Communications An opportunity for any CAC member or the public to bring to the CAC's attention a project or activity not reviewed by the Project Review Committee in their reports.

Adjournment

Chair

If you have any questions, please call Dick Bobertz at (858) 674-2270.

****Due to the high cost of printing and mailing the JPA and CAC agendas, **in the future the full packets will be distributed by e-mail to JPA and CAC members.** If you do not have an e-mail address, staff will mail your agenda at no cost. For interested parties who are not JPA or CAC members, the cost of the full agenda, with backup material, is \$45 per year, and the cost of the agenda without backup material is \$10 per year. **The agenda and minutes are available at no cost on the San Dieguito River Park website, www.sdrp.org.**

Agenda Item 1
September 10, 2004

TO: CAC

FROM: Staff

SUBJECT: Addition of Two Non-CAC Members to the Trails Committee

RECOMMENDATION:

Appoint Stuart Creed and Tony Joseph to the Trails Committee

SITUATION:

A. Summary

The CAC By-Laws state that non-members can attend a CAC subcommittee meeting in a non-voting capacity at the request of the subcommittee chair, or non-members can become a member of the CAC subcommittee by vote of the CAC (see attached by-laws excerpt). Two non-CAC members have expressed interest in being on the Trails Committee of the CAC. (The Trails Committee is a CAC subcommittee.) Those individuals are Stuart Creed with the San Diego Mountain Biking Association and Tony Joseph, a Boardmember of the San Dieguito River Valley Conservancy. Andy Darragh, Director of the San Diego Mountain Biking Association has attended several meetings of the Trails Committee at the Chair's request. Andy will be Stuart's alternate. Tony has not attended but has requested to become a member.

Agenda Item 1

September 10, 2004

Excerpt from CAC By-Laws, as Amended 4/18/03

VI. SUBCOMMITTEES

The Chair, with the advice and consent of the CAC, shall establish subcommittees and approve membership in those subcommittees, as necessary or appropriate to carry on the work of the CAC.

Each subcommittee shall have a chair, and the chair of each subcommittee shall be a member of the CAC.

All members and alternates shall be eligible to serve on subcommittees.

The chair of a subcommittee may invite non-members to attend in a non-voting capacity if necessary.

The subcommittee shall report its activities to the CAC at each regularly scheduled meeting.

A subcommittee shall not represent itself as speaking for the CAC unless the CAC has taken action on the item being represented.

All subcommittees shall be comprised of CAC members only who constitute less than a quorum of the CAC, unless inclusion of outside members is approved by the full CAC and/or unless a membership greater than a quorum of the CAC is approved by the CAC. In either such case all meetings of the subcommittee shall be noticed and held in conformance with the Ralph M. Brown Act. Other subcommittee meetings of less than a quorum and containing no outside members need not comply with the Brown Act, but as a matter of policy shall be open and public attendance and participation shall be encouraged.

The Chair may appoint a Steering Subcommittee to coordinate CAC activities with staff, and such other tasks as may be necessary. The Chair or Vice-Chair of the CAC shall be a member of the Steering Subcommittee.

Agenda Item 3
September 10, 2004

TO: CAC
FROM: Staff
SUBJECT: CAC By-Laws

RECOMMENDATION:

Consider amendment to existing CAC By-Laws to match Government Code

SITUATION:

A. Summary

At your last meeting there was confusion over how to interpret the following section of the CAC By-Laws:

“VIII C. At the beginning of each meeting, a supplemental item may be added to the agenda if 2/3 of the total membership agrees to place the item on the agenda, and if the need to place the item on the agenda arose after the publication of the agenda. In addition, if an emergency is found by majority vote, based on specified facts, an item may be added to the agenda. Unless any supplemental items are added as Consent Agenda items, they shall be placed at the end of the Action Agenda and shall be heard at the conclusion of the items on the proposed agenda.”

Please see the attached excerpt from the Government Code related to the Ralph Brown Act. As you can see, the wording is not identical. You may wish to amend the CAC By-Laws to make them identical with the sections shown in bold print.

The method of amending the CAC By-Laws is described in the final Section:

“XIIA. These Bylaws may be amended at any regular meeting by a two-thirds (2/3) vote of the CAC membership, provided that the proposed changes were listed on the agenda mailed out to the CAC members, and are later approved by the JPA Board of Directors. “

Agenda Item 3

September 10, 2004

Government Code

54954.2. (a) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section **54954.3**. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.