

**SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK
JOINT POWERS AUTHORITY
Minutes of June 20, 2003**

MEMBERS PRESENT

Tom Golich, Chair
Jerry Finnell
Ed Gallo
Betty Rexford
Scott Peters
Dianne Jacob
Pam Slater
Phil Pryde

REPRESENTING

City of Solana Beach
City of Del Mar
City of Escondido
City of Poway
City of San Diego
County of San Diego
County of San Diego
Citizens Advisory Committee

VISITORS/STAFF PRESENT

Wayne Brechtel	JPA Counsel
Dick Bobertz	San Dieguito River Park JPA
Susan Carter	San Dieguito River Park JPA
Shawna Anderson	San Dieguito River Park JPA
Jan Lines	San Dieguito River Park JPA
Casey Gwinn	SD Family Justice Center
Mary Mier	Access Center of SD
Rusty Krumm	Access Center of SD
Arthur Schmitz	Ramona Resident
George Barnes	SD Family Justice Center
Chloe Schmitz	Ramona Resident

Introduction and Announcements

Chair Golich convened the meeting at 9:30 a.m. in the County Administration Bldg., 1600 Pacific Highway, Room 302/303, San Diego, CA 92101.

Boardmember Pryde introduced the CAC members in attendance. Arthur Schmitz and John Degenfelder.

Approval of Minutes of may 16, 2003

Boardmember Rexford made a motion to approve the minutes of May 16, 2003 and Boardmember Pryde seconded the motion. All in favor

Chair Golich noted that the Public Comment section of the agenda would be moved to the top of the agenda so that any one who wished to speak from the public could do so without having to sit through all the JPA business.

Chair Golich explained that the Board needed to add an item to the Closed Session agenda regarding the lawsuit with the Sandy Lane Homeowners Association, and needs to make findings that the reason for adding the item came up after the agenda was published, and that the matter cannot wait until a future meeting. Boardmember Pryde made the motion to add the item and make the required findings; seconded by Boardmember Peters. All in favor.

PUBLIC COMMENT - none

Executive Director's Report

Executive Director Bobertz stated that the San Dieguito River Valley Conservancy had been a wonderful ally to the River Park. The Conservancy has been behind much of the success enjoyed by the River Park and recently organized a tour of the River Park with the members of the City of San Diego Water Department, Deputy City Manager, Assistant Director of the San Diego Parks Department, Boardmember Maienschein, and the president of the Conservancy in attendance to call attention to the issues in the River Park. Mr. Bobertz gave thanks to the Conservancy for organizing the opportunity to spend time with these important people.

Mr. Bobertz stated that the State of California has approved an official Recreational Trails Plan. San Dieguito River Park's Coast to Crest Trail is part of the plan. Mr Bobertz stated that besides the honor of being recognized by the State it will also be beneficial when applying for grants in the future.

CONSENT AGENDA

1. Bernardo Mountain Management Agreement-

Staff Recommendation: Authorize the Executive Director to enter into an agreement with the San Dieguito River Valley Conservancy to manage the Bernardo Mountain Conservation Area.

(This item was pulled from agenda for discussion by Boardmember Gallo)

Boardmember Gallo asked that this item be pulled for discussion before a motion was made. Mr. Gallo asked if there was any contingency fund. Mr. Bobertz stated that the annual \$15,000 contains a 5% contingency component. Mr. Bobertz said that the River Park is always looking for ways to increase revenue so we can minimize increases to our annual member agency assessments. Part of the River Park's long term plan is to add management responsibilities in the River Park to provide revenue for duties that we would probably be doing anyway.

Boardmember Gallo made a motion to approve the management agreement and Boardmember Rexford seconded. All in favor.

2. Sale of Donated Cayman Island Time-Share

Staff Recommendation: Direct staff to take all necessary action to sell the donated Cayman Island Timeshare.

Boardmember Rexford made a motion to approve item # 2 and Boardmember Pryde seconded. All in favor.

ACTION AGENDA

3. Pamo Valley- Presentation on Proposed Open Space Preserve in Memory of Emily Durbin. –

Staff Recommendation: Request the City of San Diego to initiate a management plan for Pamo Valley with the participation of the JPA that includes the designation of significant natural open space preserve in the memory of Emily Durbin.

Deputy Director Susan Carter stated that the Center for Biological Diversity has proposed that the City of San Diego dedicate a natural open space preserve in Pamo Valley in honor of Emily Durbin. The City of San Diego has a policy #700-14 that states the San Diego Water Department may "designate land as open space as long as it is consistent with their primary objective of watershed protection". Ms. Carter stated that the CAC and staff would like to make the recommendation that the City initiate a management plan for Pamo Valley that identifies and designates such an open space preserve. Boardmember Pryde stated that the CAC strongly endorsed this action and this idea was put forth many years ago.

Speaker Arthur Schmitz stated that Emily Durbin and a committee that he was on at the time opposed the building of a dam at the Pamo Valley site. He said that there is an earthquake fault at the site of the proposed dam. Mr. Schmitz stated that the County Water Authority has not abandoned the idea of a dam there and wondered if the dam could be built at a future time. Director Bobertz stated that he was with the department heads on the field trip last week and nothing was mentioned about the possibility of using Pamo as a water storage area.

A motion was made by Boardmember Peters to approve the staff recommendation and seconded by Boardmember Rexford. All in favor

4. Fairbanks Ranch Country Club Golf Course-

Staff Recommendation: Direct Staff to file a Code Compliance Action to determine if trail and river channel maintenance requirements of the Fairbanks Ranch Country Club permit are being carried out as intended.

Director Bobertz stated that the Fairbanks Ranch Golf Course is going forward with all due haste. We are concerned with the trail portion of the golf course and the original lease stated that the maintenance of the natural areas was the responsibility of Fairbanks Ranch Country Club. Our inspection of the golf course project shows that the river channel is clogged with Tamarisk. Both the trail and invasive species issues are important to the River Park and should be analyzed to determine what Fairbanks Ranch Country Club's responsibility is. Mr. Bobertz said that since the agenda had been mailed out, Councilmember Maienschein's office had set up a meeting between himself and City Development Services staff to investigate the situation. Mr. Bobertz asked the board to direct him to file a code enforcement violation if needed when the facts are unveiled.

Boardmember Rexford made a motion to approve this item and Boardmember Finnell seconded. All in favor

5. RS2477 -County Rights of Way on Federal Land-

Staff Recommendation: *Direct staff to send letter to County of San Diego asking that they clarify how the County plans to use RS2477 and that JPA supports County efforts for non-motorized trails but opposes motorized use of the trails in FPA.*

Chair Golich said the recommendation from staff is to send a letter to the County of San Diego asking for clarification about how the County plans to use RS 2477, and also stating our position for supporting non motorized trails in the FPA and opposing motorized trails. Shawna Anderson reported on the history of the legal disputes over the years in the use of the right of ways for highways. She said that the county has only asked to use the law for their land but the BLM owned land may be impacted. Boardmember Slater stated that the Supervisors felt that it was necessary to have the ability to have access for fire safety, clearing, keeping and improving existing access roads, and re-opening those access roads that are in disrepair. Ms. Slater said that the Supervisors decision to initiate RS2477 was to respond to future needs in the planning of San Diego. She added that she had no problem with this letter being sent to the County raising valid concerns in this area.

Boardmember Pryde made a motion to approve this item and Boardmember Peters seconded. All in favor.

6. Camp Hope at Lake Sutherland-

Staff Recommendation: *Notify the San Diego City Council that although the JPA supports camping at Lake Sutherland and other areas within the FPA, and therefore does not find the temporary Camp Hope project in conflict with River Park goals and objectives, the permanent project could have adverse impacts on the River Park if not designed according to the goals and objectives and design guidelines of the River Park.*

Shawna Anderson stated that at the last JPA meeting a member of the public asked that this item be brought forward for discussion and review. She said that the site is a 12.83-acre area at Lake Sutherland and the San Diego Justice Center is considering it for a camp for victims of domestic violence. The lease that was drawn up is between the City of San Diego and the San Diego County Justice Center. The proposed project includes a permanent facility that is still being designed, and a temporary camp use proposed in the immediate future. Ms. Anderson met with Mr. Guinn, City Attorney, and followed up with letter requesting that they address our concerns which included potential impacts on the native plants, leach lines polluting the lake, the types of boating activities planned and how our Coast to Crest Trail would be impacted with the permanent facility there. Ms. Anderson said that since there is no site plan available our concerns are limited to the temporary site even though we feel the temporary project would have very little impact. Ms. Anderson stated that the CAC and River Park Staff's recommendations differ because the CAC opposes any temporary or permanent facility until site plans are available for review, while the River Park staff feel that there is little impact from the temporary site and that camping facilities are consistent with the River Park's goals and objectives. She said that a written response from the City of San Diego would help clarify concerns that we have. It was also noted that City of San Diego policy 700-14 requires that the JPA be notified when the City considers leases on City land. Because the City of San Diego has a categorical exemption for the temporary facility there will be no additional environmental review.

Speaker Arthur Schmitz stated that he requested this item be put on the agenda for the CAC 's consideration. Mr. Schmitz lives in the area and stated that there is very little police or fire protection and the emergency service is a volunteer staff. He stated that if there is a medical emergency it would take about 30 minutes to get help. He stated that Camp Hope is a good idea but this is a bad site for the project. He suggested that another facility would be just as effective, citing Mission Bay as an example. Mr. Schmitz said that the trails would be impacted by the temporary facility and whenever you allow a temporary facility there usually will be a permanent site to follow.

Speaker Rusty Krumm spoke about his support for the unique Camp Hope. He felt that it would be a wonderful opportunity for both the able and disabled to be nurtured. Mr. Krumm stated that the environmental issues should and would be addressed before the project moved forward.

Speaker from Access Center, Mary Mier, read a statement on behalf of the Executive Director of the Access Center. Ms. Mier's statement encouraged the JPA to accept Camp Hope as an opportunity for the urban children to experience nature.

Casey Guinn urged the JPA Board to support the staff's recommendation. He explained that a draft EIR is being prepared at this time. The issues raised by the JPA will be addressed. Camp Hope is a vision of the Justice Center. He praised the long term vision and leadership of Supervisor Pam Slater in looking at this issue on regional level. The planers of the Downtown Family Justice Center envisioned a site where victims of domestic violence could go for rest in the natural setting. He said that it is his desire is to work with the JPA and he felt that the permanent facility would not impact any environmental resources.

Supervisor Slater asked Mr. Guinn about the comments from Mr. Schmitz about the emergency issues. Mr. Guinn stated that they plan to have emergency services provided by off duty police and EMT for the temporary facility. Mr. Guinn stated that they are working with the County of San Diego Health Department and will address any situation with safety and sanitation in mind.

Boardmember Slater stated that the idea is good and very commendable but the concerns are the lack of notification to the JPA Board on this project and the concerns of the backcountry neighbors to this site.

Boardmember Peters stated that he and hopefully the JPA board would help to make this a reality. He also said that environmental values are assumed for most of us in affluent settings but as California grows and changes we should give attention to the other cultures that might not have the opportunity to enjoy the natural settings that we might take for granted. He said that this is our opportunity to teach environmental values, and outreach to other cultures and communities. This is something that this body should strongly support.

Boardmember Gallo asked about the site and how it was chosen . Mr. Gwinn stated that they picked it because of the serene environment.

Boardmember Peters made a motion to support the staff recommendation and Boardmember Rexford seconded.

Boardmember Pryde clarified that the CAC was not opposed to the project but at the time of review by the CAC there were no plans available to review thus leaving us with unanswered questions. He explained that

he will support the motion. He said that the CAC motion was valid at the time but that he is comfortable with what he has heard today that he can support the staff recommendation.

All in favor.

7. Property Acquisition Report and Recommendations

RECOMMENDATION:

Adopt the attached resolution approving the purchase of the Penn parcels as described below and in the publication notice, and authorizing the Executive Director to execute all related documents to complete the transaction.

- a. Public Hearing- Acquisition of the 47-acre Penn Parcels located on Sycamore Creek Road in the City of Poway.

Boardmember Rexford made a motion to adopt the resolution as written and Boardmember Peters seconded. All in favor

RECOMMENDATION:

Approve the Transfer of \$900,000 in Proposition 12 Funds to the County to be used for the Acquisition of the Next Phase of the Derbas Property.

- b. Derbas- Additional contribution to County Purchase- Director Bobertz stated that the Prop 12 monies can only be spent in eligible MSCP areas and we must make the maximum use of our funds. He said that this \$900,000 contribution to the County is to help with the second phase of the County's acquisition of the 343-acre Derbas property. In order to optimize our options, we are working with the County of San Diego on a plan whereby the County would transfer \$1 million to the JPA for use in acquiring properties in the backcountry that cannot be acquired with Prop 12 funds.

Boardmember Slater made a motion to authorize the County of San Diego to serve as the San Dieguito River Parks "designee" under the State Grant Agreement number WC2059-DT for the purpose of applying \$900,000 of the grant funds to the "Derbas" purchase. Boardmember Rexford seconded. All in favor.

INFORMATION

8. Status Reports

- a. Coastal Wetland Restoration Project- Director Bobertz stated that he spoke at the Shoreline Preservation Committee at SANDAG where the committee gave support to the River Park. He said that the lawsuit will be addressed at the closed session. Mr. Bobertz said that there will be a presentation on July 3rd to the Del Mar Rotary Club. Assemblyman Wyland met with representatives of Southern California Edison and it was felt that Assemblyman Wyland did not change his mind from his previous position of support for the Sandy Lane Homeowner's Association's position.
- b. Sikes Adobe Farmhouse Restoration- Deputy Director, Susan Carter stated that the Sikes Adobe restoration is moving along swiftly. Ms. Carter stated that our website has current photos of the construction progress at Sikes. www.sdrp.org

- c. Lake Hodges Bicycle/Pedestrian Bridge- Deputy Director, Susan Carter stated that the bridge is moving slowly through the process of getting all the required permits and we have instituted weekly meetings with our engineers.
- d. Property Acquisition- Susan Carter reported that along with the action taken today that staff is working with The Trust for Public Land on some property in the east county. The acquisition of the eastern properties will be a tremendous step forward to our goal for the River Park.. Along with the acquisition, we are trying to acquire an easement on the property between the two parcels for continuous access to the trail.

Chair Golich asked about access to the Sikes adobe. Susan Carter said that we will be offering docent-led tours of the adobe on an appointment basis when the restoration is completed. She added that in the future we will be working on a master plan for the entire site, including an Interpretive Center if possible. Ms. Carter stated that the Sikes Adobe site can be easily accessed by the Coast to Crest Trail, but that it will be fenced off for the time being.

9. Jurisdictional Status Reports
None

10. Communications

11. CLOSED SESSION:

- 1. The JPA Board will meet in closed session pursuant to Government Code Section 54957, for the purpose of conducting the annual performance and salary review of Executive Director Dick Bobertz and pursuant to Government Code Section 54956.9 to discuss status of the Sandy Lane court case and proposed settlement discussions.

In the matter of Dick Bobertz, the Board approved a 3.3% cost of living increase and a 5% salary increase, which has been included in the FY 03 / 04 budget previously adopted by the Board.

Chair Golich adjourned the meeting at 11:30

These minutes approved by Board Action

Date

Executive Director

