



San Dieguito River Park
 Joint Powers Authority
 18372 Sycamore Creek Road
 Escondido, CA 92025
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**JOINT POWERS AUTHORITY
 BOARD OF DIRECTORS**

Chair Jim Cunningham
 Poway City Council

Vice-Chair Lesa Heebner
 Solana Beach City Council

Don Mosier
 Del Mar City Council

Olga Diaz
 Escondido City Council

Sherri Lightner
 San Diego City Council

Mark Kersey
 San Diego City Council

Dave Roberts
 Supervisor, County of San Diego

Dianne Jacob
 Supervisor, County of San Diego

Tom Golich
 Citizens Advisory Committee

Becky Bartling, Ex Officio
 22nd District Agricultural Assoc.

Dick Bobertz
 Executive Director

**SPECIAL MEETING
 SAN DIEGUITO RIVER PARK
 JOINT POWERS AUTHORITY**

10:00 a.m.

Friday, November 1, 2013

San Diego Association of Governments

401 B Street, Suite 800

CONFERENCE ROOM 8A

San Diego

Speaker slips will be available. Please fill out a slip and give it to the Chair prior to the meeting if you wish to speak to an item on the agenda. The Board may take action on any item listed on the Consent or Action agenda.

Introductions and Announcements

Approval of the Minutes of October 18, 2013

Executive Directors Report

Public Comment

This portion of the agenda provides an opportunity for members of the public to address the Board on items of interest within the jurisdiction of the Board and not appearing on today's agenda. Comments relating to items on today's agenda are to be taken at the time the item is heard. Pursuant to the Brown Act, no action shall be taken by the Board on public comment items.

ACTION

1. Adopt Resolution Authorizing the Executive Director to Accept the 54.1 Acre Via de la Valle Property from Southern California Edison
2. Adopt Resolution Approving Compromise Position on 22nd DAA CDP Application

THE NEXT REGULAR JPA MEETING WILL BE DECEMBER 13, 2013.

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, the JPA has converted to an email distribution of both agendas. Please advise the office at 858 674-2270 if you do not have an e-mail address and want other arrangements to be made. **The agenda and minutes are available at no cost on the San Dieguito River Park web site at www.sdrp.org.**

TO: JPA Board

FROM: Staff

SUBJECT: Adopt Resolution Authorizing the Executive Director to Accept the 54.1 Acre Via de la Valle Property from Southern California Edison

RECOMMENDATION:

Adopt attached resolution authorizing the Executive Director to Accept the 54.1 Acre Via de la Valle Property from Southern California Edison.

In October 1998, your Board approved a three-way Memorandum of Agreement (MOA) with Southern California Edison (SCE) and the City of San Diego. In the MOA, SCE agreed to provide the JPA with title to the “Villages” property (the 54.1 acre site south of Via de la Valle, which was subsequently used as disposal site DS 32) upon successful completion of the wetlands restoration project. In recognition that this site would ultimately be transferred to the JPA, this is the site where the Lagoon Center, Open Air Classroom and Ranger Activity Building are proposed to be located. In compliance with the MOA, SCE has completed the paperwork to transfer the parcels (APN 298-300-46 and APN 298-300-51) to the JPA.

Government Code Section 27281 contains specific language for an agency to accept real property, and that language requires that it be in the form of a resolution.

CITIZENS ADVISORY COMMITTEE RECOMMENDATION

This item has not been reviewed by the CAC.

FISCAL IMPACTS

None.

ALTERNATIVES

1. Adopt attached resolution accepting Via de la Valle property.
2. Do not adopt attached resolution and give staff other direction.

Respectfully Submitted,

Agenda Item 1
November 1, 2013

Dick Bobertz
Executive Director

Attachments:
Draft Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGUITO RIVER
PARK JOINT POWERS AUTHORITY ACCEPTING THE TRANSFER OF 54.1 ACRES
OF REAL PROPERTY KNOWN AS THE “VIA DE LA VALLE” PROPERTY FROM
SOUTHERN CALIFORNIA EDISON**

Whereas the Board approved a Memorandum of Agreement in 1998 with Southern California Edison (“SCE”) that provided for the transfer of the real property commonly known as the Via de la Valle property (also known as the Villages property) to the JPA after certain terms and conditions had been satisfied;

Whereas the terms providing for transfer of said property have been satisfied, and SCE has executed a grant deed transferring the property to the JPA;

NOW THEREFORE be it resolved, that the Board of Directors of the San Dieguito River Park Joint Powers Authority authorizes the Executive Director to accept said property and consent to recordation in accordance with Government Code 27281.

Passed and Adopted this First Day of November 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Cunningham, Chair

ATTEST: Jan Lines, Clerk

TO: JPA Board

FROM: Staff

SUBJECT: Adopt Resolution Approving Compromise Position on 22nd DAA CDP Application

RECOMMENDATION:

Adopt attached resolution and authorize the Chair to appoint a representative to present the JPA's position at the November 11 Coastal Commission hearing.

Following your Board's October 18th meeting, a meeting with 22nd DAA staff and the Board Chairman was held. The meeting resulted in a potential compromise that would include a Conservation Easement granted to the JPA to be put on Area 3 of the East Overflow Lot (EOL). However, your Board's previous position of a 5-10 year phase out of parking on the EOL Area 3 was not accepted. Both sides agreed to consider alternatives.

Staff has prepared an alternative (Attachment 1) for your Board's consideration, which would gradually phase out use of the EOL Area 3 within a specific time frame.

Concurrently, Board members Don Mosier and Lesa Heebner have been working on another alternative (Attachment 2) which is also attached for your Board's consideration.

ALTERNATIVES

1. Adopt Draft Resolution (Attachment 1)
2. Adopt Special Condition #10 (Attachment 2).
3. Modify either Attachment 1 or Attachment 2

Respectfully Submitted,

Dick Bobertz
Executive Director

Attachments:

- 1.Draft Resolution
- 2.Draft Special Condition #10

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGUITO RIVER PARK JOINT POWERS AUTHORITY ADOPTING RECOMMENDED CONDITIONS FOR THE PRESERVATION OF THE DEL MAR FAIRGROUNDS EAST OVERFLOW LOT AREA 3 AS IDENTIFIED IN 22ND DISTRICT AGRICULTURAL ASSOCIATION'S COASTAL DEVELOPMENT PERMIT (6-12-067)

WHEREAS, the 22nd District Agricultural Association (DAA) was issued a Cease and Desist Consent Order (CO) from the California Coastal Commission in March 2012 to bring the Del Mar Fairgrounds into compliance with the Coastal Act. The CO provisions included applying for a Coastal Development Permit for use of the overflow parking lots; and

WHEREAS, the DAA is requesting CDP #6-12-067 from the California Coastal Commission for permanent use of the East Overflow Parking Lot (EOL) and the Golf Driving Range (GDR) lot for year-round parking and events and such CDP is being considered for approval by the Commission at their November 13, 2013 meeting; and

WHEREAS, as part of the DAA's proposed CDP a wetland delineation was performed for the EOL/GDR that showed extensive wetlands on the overflow lots; and

WHEREAS, the JPA considered the DAA's proposed CDP permit application package and, based on input from the JPA's Wetland Advisory Committee, Citizens Advisory Committee, and JPA staff, took action at their September 20, 2013 meeting to support the DAA's proposed CDP with an exception to not allow use of the lower one third of the EOL (called "Area 3") for parking and events, where a majority of the delineated wetlands exist, and that the GDR only be used for overflow parking during the Fair and existing summer racing season only and not year round as currently proposed, and

WHEREAS, the JPA submitted a letter to the Coastal Commission and presented the JPA position at a Commission hearing held on October 11, 2013, at which time the Commission voted 9-2 in favor of continuing the item to their November meeting to allow the DAA and JPA to try and arrive at a compromise, and

WHEREAS, at the JPA meeting on October 18, 2013 the JPA amended their position to offer a compromise to DAA to phase out parking in Area 3 over 5 to 10 years; and

WHEREAS, based on further consideration and meetings held with Coastal Commission staff and DAA staff,

NOW THEREFORE, the JPA adopts the following recommended conditions for a phased approach to preserve Area 3 of the EOL as follows:

1. Within 90 days of issuance of CDP to DAA, an irrevocable conservation easement dedicated to the San Dieguito River Park Joint Powers Authority (JPA) will be placed on the area identified on the DAA's CDP site plan as "Area 3" of the East Overflow Lot.

2. Subsequent to the placement of the irrevocable conservation easement on EOL Area 3, Area 3 and the GDR may be used for overflow parking only and only during the annual Del Mar Fair and existing summer race season. Any and all use of EOL Area 3 will be prohibited outside of these two events and the area will be fenced or barricaded off by DAA during the off season to prohibit such use.
3. Within 12 months of CDP issuance, the DAA will submit to the Coastal Commission a phasing and parking management plan to relinquish EOL Area 3 over a defined time period as replacement parking strategies identified in the DAA's CDP and parking plan are implemented to replace parking on the South Overflow Lot (600 spaces) and Area 3 of the East Overflow Lot (1,400 spaces).
4. Independent of accomplishing the specific replacement parking conditions under the CDP, the buffer fence along the southern edge of the EOL will be moved northward by 150 feet every three years and the DAA will cease use of that portion of Area 3, with the goal to permanently preserve EOL Area 3.
5. Starting at year five, the DAA will provide annual progress reports to the Coastal Commission and JPA on implementing DAA's phasing/parking strategies to eventually replace parking spaces lost on the SOL and EOL Area 3.
6. Implementation of the buffer enhancement plan will be delayed until such time as EOL Area 3 is relinquished of all uses by DAA. At that time, the buffer will be moved to the northern edge of existing Area 3 and implemented as identified in the approved buffer enhancement plan.

Passed and Adopted this First Day of November 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Cunningham, Chair

ATTEST: Jan Lines, Clerk

Susan Carter

From: Donald Mosier [donaldmosier44@gmail.com]
Sent: Tuesday, October 29, 2013 12:30 PM
To: Susan Carter
Cc: Lesa Heebner
Subject: Re: Special Meeting of JPA Board re Ag District CDP Application
Attachments: New Special Condition No 10.docx

Susan,

I have attached a document entitled "New Special Condition No. 10" that represents the proposed addendum to the CDP that was negotiated by Lesa, Lee Haydu and me with David Watson representing the 22nd DAA Board. We (Lesa and I) are recommending this condition in our roles as members of the Wetlands Subcommittee and JPA Board Members, since we believe that it accomplishes all of the major objectives adopted at the JPA Board Meeting of October 18th.

We also have some assurances that, if the JPA Board supports this Special Condition, the 22nd DAA Board and the Coastal Commission will support and accept it.

Don

New Special Condition No. 10

By acceptance of this permit, the applicant acknowledges and agrees that it shall use good faith, financially feasible efforts, to identify additional locations for parking, either on the main fairgrounds site or off-site, in order to gradually and incrementally reduce and ultimately eliminate the need for parking or other uses on the southern third of the EOL. This incremental reduction in use of the southern third of the EOL shall take place in a manner that is coordinated and phased with future possible renovation or reconstruction of fairgrounds facilities that may include additional parking areas, such as underground parking, subject to final approval by the Coastal Commission (“Replacement Parking”). Applicant shall use good faith, financially feasible efforts to identify locations for the Replacement Parking, obtain Coastal Commission approval for such Replacement Parking, and finance and construct such Replacement Parking within ten (10) years of the date this permit is approved by the Coastal Commission (the “Replacement Period”). In the event Replacement Parking has not been approved or constructed within the Replacement Period, the Executive Director of the Coastal Commission shall have the authority to extend the Replacement Period for an additional two (2) years. If Replacement Parking has not been approved or constructed at the end of the extended Replacement Period, the applicant shall return to the Coastal Commission for analysis and consideration of applicant’s then-existing parking demands and requirements and a Coastal Commission determination and decision on applicant’s future use of the southern third of the EOL. The applicant is voluntarily agreeing to this special condition in order to ensure careful balancing of (1) the parking demands of fairground events, (2) parking impacts on surrounding neighborhoods, and (3) the community’s expressed desire to gradually phase out use of the southern third of the EOL for fairgrounds events during the next 10 to 12 years. The terms of this Special Condition shall be duplicated in a conservation easement encumbering the southern portion of the EOL for the benefit of a public agency acceptable to the Coastal Commission.