



San Dieguito River Park
Joint Powers Authority
18372 Sycamore Creek Road
Escondido, CA 92025
(858) 674-2270 Fax (858) 674-2280
www.sdrp.org

JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

Chair Don Mosier
Del Mar City Council

Vice-Chair Dianne Jacob
Supervisor, County of San Diego

Olga Diaz
Escondido City Council

Dave Grosch
Poway City Council

Mark Kersey
San Diego City Council

Sherr Lightner
San Diego City Council

Dave Roberts
Supervisor, County of San Diego

Dave Zito
Solana Beach City Council

Tom Golich
Citizens Advisory Committee

Becky Bartling, Ex Officio
22nd District Agricultural Assoc.

Kevin McKernan
Executive Director

**San Dieguito River Park
Joint Powers Authority
11:00 a.m. – 12:30 p.m.
Friday, August 21, 2015
County Administration Center
1600 Pacific Highway, Room 302/303
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

Roll Call

Approval of the Minutes of June 19, 2015

Executive Director's 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.

DISCUSSION/ACTION

1. Approval of Financial Transactions (Page 7)
2. Update Re Budget

3. Update Re JEPA Items
 - a. Review Draft Policy No. P15-01 Relating to P90-1 Requirement (Page 11)
 - b. Trails Management Plan Update
4. Discussion on Schedule for Future Meetings

INFORMATION

5. Park Project Status (oral)
 - a. Lagoon Ranger Station
6. Coordination Reports (oral)
 - a. San Dieguito River Valley Conservancy
 - b. Friends of the San Dieguito River Valley
 - c. Volcan Mountain Preserve Foundation
 - d. San Dieguito Lagoon Committee
7. Jurisdictional Status Reports

An opportunity for the Board members to report on actions taken within their jurisdictions to further the park planning process, or on problems which have arisen.

8. Communications
9. Adjourn to Closed Session
 - a. Conference with Legal Counsel to discuss liability claim pursuant to California Government Code Sec. 54956.9(d)(2): City of San Diego Fee Dispute.

THE NEXT REGULAR JPA MEETING WILL BE September 18, 2015

If you have any questions, please call Kevin McKernan at (858) 674-2270 Ext. 15

****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

**SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
Minutes of June 19, 2015**

MEMBERS PRESENT

Don Mosier - Chair
Olga Diaz
Dave Grosch
Mark Kersey
Dave Zito
Dave Roberts
Tom Golich

REPRESENTING

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

MEMBERS ABSENT

Sherri Lightner
Diane Jacob
Becky Bartling

City of San Diego
County of San Diego
22nd District Agricultural Association

VISITORS/STAFF PRESENT

Wayne Brechtel
Mark Ochendusko
Shawna Anderson
Brenda Miller
Peter Shapiro
Trish Boaz
Bill Michalsky
Jacqueline Winterer
Mel Millstein
Terry Kopanski
Kevin Sabellico
Allison Don
Garrett Hager
Jeff Barnouw
Eli Diaz

JPA Counsel
San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Valley Conservancy
San Dieguito River Valley Conservancy
Sierra Club
Friends of the San Dieguito River Valley
Supervisor Dave Robert's Staff
San Dieguito Lagoon Committee
Canyon Crest Academy Site Council President
San Diego Council President Lightner's Staff
Councilmember Kersey's Staff
Friends of the San Dieguito River Valley
Councilmember Diaz's son

Introduction and Announcements

Chair Mosier convened the meeting at 11:06 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, and San Diego, CA 92101

Approval of Minutes of May 15, 2015

Boardmember Golich made a motion to approve the minutes of May 15, 2015. Board member Diaz seconded the motion. All in favor.

Executive Director's Report – Interim Executive Director Ochenduszko reported that the Joint Exercise of Powers Agreement has been approved by all member agencies. Interim Director Ochenduszko thanked the entire board and all staff members on the working group. He also thanked Tiffany Vinson for her leadership, Allison Don for the key role she played, and Brian Albright for facilitating the meetings. Interim Director Ochenduszko stated that the City of San Diego is approving the agreement through a city ordinance and the agreement will go into effect the end of July. As part of the JEPA; the budget has been revised, the time tracking has been changed and is being implemented, a Trail Maintenance Plan will be written beginning with a working group meeting scheduled for the second week in July. Interim Director Ochenduszko reported that an option agreement for environmental credits has been signed by the San Dieguito River Valley Conservancy and the San Dieguito River Park and has been forwarded to SDG&E for signature. Exhibits necessary for the agreement will be completed by SDG&E next week making the option agreement complete. Environmental Planner Shawna Anderson has met with the Rancho Santa Fe HOA staff and has a draft easement for a property owned by the HOA. A meeting was held with the Tribal Chairman of the Mesa Grande Indians resulting in permission being granted to proceed with planning a trail alignment through the Mesa Grande property to secure an easement. The County of San Diego has acquired 175 acres in Santa Ysabel. This is a great accomplishment and it will connect the Santa Ysabel East and West Preserves.

Board member Roberts reported that the County Board of Supervisors passed the purchase of the 175 acres in Santa Ysabel unanimously and stated that Supervisor Jacob is happy to be able to have an interpretive center at this location.

Public Comment

Peter Shapiro and Jacqueline Winterer thanked Interim Director Ochenduszko for his leadership and for the progress he has made during his short time with the JPA.

ACTION AGENDA

1. Approval of Executive Director Employment Agreement

Recommendation: *Approve the attached Employment Agreement for Executive Director.*

Board member Roberts made the motion to approve the Executive Director Employment Agreement. Board member Grosch seconded the motion.

Yes votes: Mosier, Roberts, Golich, Diaz, Grosch, Zito, Kersey Absent: Jacob, Lightner,

2. Approval of Ramona Grasslands conservation Bank Conservation Easement Monitoring Endowment Agreement

Recommendation: *Authorize the Executive Director to execute the Ramona Grasslands Conservation Bank Conservation Easement Monitoring Endowment Agreement.*

The Board of Directors briefly discussed the background of the agreement. The project is 210 acres in a mitigation bank next to the County owned Ramona Grasslands. The project is mostly habitat conservation and is not intended for recreation use.

Board member Roberts made the motion to approve the Ramona Grasslands Conservation Bank Conservation Easement Monitoring Endowment Agreement. Board member Diaz seconded the motion.

Yes votes: Mosier, Roberts, Golich, Diaz, Grosch, Zito, Kersey. Absent: Jacob, Lightner

INFORMATION

3. Park Project Status (oral)

a. Lagoon Ranger Station

Shawna Anderson reported that the California Coastal Commission unanimously approved the permit for the Lagoon Ranger Station. Ms. Anderson has met with the architect to submit plans to the City of San Diego for a building permit. Ms. Anderson stated she will work with Executive Director Kevin McKernan to secure a building loan and that construction should begin toward the end of this year.

b. Pamo Valley Trail

Shawna Anderson reported that she has a meeting scheduled with tribal members from the San Pasqual Band of Indians for mid July to discuss the Pamo Valley trail. The trail is in the site development process at the City of San Diego.

4. Coordination Reports (oral)

a. San Dieguito River Valley Conservancy

Trish Boaz reported that the San Dieguito River Valley Conservancy is pleased with the feasibility study done on the Osuna Valley Bridge. The report will be finalized and reported on at a future meeting. Ms. Boaz asked the Board to save the date of Sunday, October 11, 2:00 p.m. for the River Fest at the Morgan Run Resort. Ms. Boaz reported that the Conservancy has received a \$20,000 grant from the TipIt Foundation and a grant for \$7,000 from REI for the Del Mar River Path Extension. She stated that the Conservancy has submitted applications for an additional \$100,000 in grants. The San Dieguito River Valley Conservancy has been chosen as 1 of 10 in the country to be a recipient of funding for the Coast to Crest Trail. The funding is through a program at REI asking the public to vote on the 10 projects and will be presented in September. Ms. Boaz also thanked Interim Director Ochendusko for his work.

b. Friends of the San Dieguito River Valley

DATE: August 21, 2015
TO: JPA Board of Directors
FROM: Staff
SUBJECT: Approval of Financial Transactions

RECOMMENDATION:

Staff recommends that the Board authorize the Executive Director to carry out the following financial transactions:

- 1) *Request close out of the following accounts held at the County Treasury: Piedras (44630); Trail (44635); SDRV RV PKWY LAKE HODGES (44636); SDRV RV PKWY DEL DIOS (44637); FIRE RECOVERY (44638); EDUCATION (44640); LAND (44645) AND SDCF PERP TRAIL (44650); SAN DIEGUITO TRUCK REPL(44657)*
- 2) *Request disbursement from Fidelity Long-Term Fund in the amount of \$200,000. The funds are to be deposited in the Fire Recovery fund in an amount that brings its balance to \$0.00 (approx. \$35,236) and the remaining funds are to be deposited into Operating fund.*
- 3) *Future funds, up to \$200,000, received through the sale of mitigation credits will be deposited into the Fidelity Long-Term Fund or as directed by the Board.*
- 4) *Transfer \$70,000 from the Reserve Fund to the Capital Projects Fund for planning, permitting, loan initiation, construction and loan payments related to the Coast Ranger Station.*
- 5) *Close out the Trails Fund and transfer balance to Operating Fund*

BACKGROUND:

1) The JPA has several accounts held at the County Treasury for various purposes. Some accounts were set up for one time capital projects. Also, as part of the 15/16 budget, the Board approved a new budget format that eliminated the Trail Fund and directed that all operational funds exist in the Operating Fund. The table below shows the various funds that staff are requesting the authority to close and have the balances transferred into the Operating Fund. There are no known remaining obligations for these funds:

Fund Name/#	Balance
Piedras/44630	\$37.11
Trail/44635	\$91,388

SDRV RV PKWY Lk Hodges/44636	\$38.59
SDRV RV PKWY Del Dios/44637	\$5.36
Fire Recovery/44638	(\$35,236.86)
Education/44640	\$14.03
Land/44645	\$0.94
SDCF Perp. Trail/44650	\$0.00
San Dieguito Truck Repl/44657	\$0.00

2) The Fire Recovery Fund negative balance is a carryover deficit which represents an amount that was not recovered after the office burned down and was rebuilt due to lack of full reimbursement from insurance and FEMA/OES. There has been no identified sources to make up this deficit other than this proposed action to deposit the JPA's Fidelity Long-Term funds into the Fire Recovery Fund so that it can be closed out with a zero balance.

The Operating Fund has also been carrying a running negative balance for several months. However, this fund does fluctuate occasionally to a positive balance for a short time and then goes into deficit again. There are several reasons for this:

- The JPA did not receive full member contributions at various intervals starting in 2010. Although several measures were taken to cutback operating expenses, the JPA also had ongoing commitments toward implementing projects with outside funding which required its own resources, particularly staff time, to complete.
- Many of the JPA's outside grants are received on a reimbursement basis, requiring the JPA to fund project expenses for a period of time and often wait several months to be reimbursed from the granting agencies. This causes a short-term cash strain on the JPA accounts.
- The JPA has historically invoiced the Member Agencies for their contributions on a quarterly basis. Much in the same way that the reimbursement for outside grants is explained above, the JPA is in effect not receiving its full allocation of Member Agency contributions until the end of the year. Staff is recommending that Member Agencies be required to pay their annual contribution in full by July 15 of each for the upcoming year. This model is similar to how SANDAG collects its Member Agency contributions. This would allow the JPA to track its income and expenses both from a budget and cash flow basis throughout the year and make adjustments as necessary to remain both on budget and in a positive cash situation.
- The elimination of an interim Trail Fund will also simplify budgeting and cash flow and give a clearer picture of budget and cash positions in fewer, more discrete funds.

The Fidelity Long-Term fund has a balance of \$397,396.08 as of 12/31/14. This fund was established through early Member Agency contributions and augmented by interest gained and other non-restricted funds. There are no restrictions on the use of this fund

and it has been the intent of the Board that it be used as a reserve when necessary. Previous Board actions have authorized withdrawals from this fund in extraordinary circumstances.

3) The Board also approved the use of a portion of funds from expected sale of mitigation credits, expected sometime early next calendar year, to be used to address the operating fund cash deficit. While that is still a viable option, the proposed approach in this action item solves the situation with the County Treasury in a more expeditious manner and still provides for the option of a future repayment to the Fidelity Long-Term funds once those mitigation proceeds are received.

Going forward, with a change in how Member Agency contributions are collected and with a more simplified budget, accounting and cash management system in place, the likelihood of experiencing budget and/or cash management issues in the future is expected to be diminish.

4) Funds from SCE that are dedicated for the Coast Ranger Station have previously been deposited into the Reserve Fund. These funds have been transferred periodically and expended for architectural design services, planning, permitting and ongoing temporary office space at the coast. It has been determined that these funds more appropriately belong in the Capital Projects Fund due to the capital nature of Coast Ranger Station as a project.

5) In the Board's adoption of the 2015/2016 budget, it called for an elimination of the Trails Fund and directed that all non-Coast Budget funds be held and tracked in the Operating Fund.

SUBSEQUENT ACTIONS:

Board approval of Staff Recommendation

Staff reports to Board on budget status, cash balances and Fidelity Long Term fund repayment

FISCAL IMPACT:

The elimination of negative cash balances and liabilities in County Treasury accounts

Short term loss of interest gained on Fidelity Long Term funds

ALTERNATIVES:

Not approve Staff Recommendation and acknowledge negative cash balances in County Treasury until other funds are received

Approve only items 1, 4 and 5 allowing fund transfers to align with program needs and

Board approved budget for 2015/2016.

Respectfully submitted,

Kevin McKernan
Executive Director

Attachments:

POLICY NO. P15-01

POLICY OF THE BOARD OF DIRECTORS OF THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE
PARK JOINT POWERS AUTHORITY

BOARD AND STAFF COMMUNICATIONS RELATED TO LAND USE PROJECTS

PURPOSE

On April 17th, 2015, the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) Board of Directors (Board) adopted the *AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITIES OF DEL MAR, ESCONDIDO, POWAY, SAN DIEGO AND SOLANA BEACH CREATING THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY* (JEPA). It became in full effect once each member agency's governing body approved and executed the JEPA. In the case of the City of San Diego, the final agency to execute the JEPA, City Ordinance O-2015-114 was adopted by the City Council on June 30th, 2015, which authorized the Mayor to execute the JEPA on behalf of the City. The Ordinance took effect 30 days after City Council adoption, on or about July 30th, 2015.

Section 11(b) of the JEPA states, "*The Board shall review and revisit the Board Policy No. P90-1 adopted on May 18, 1990 and Communication Policy No. P14-01, adopted June 20, 2014 within 60 days of the Effective Date of this Agreement.*" This policy is intended to comply with this provision in the JEPA.

This Policy combines and supersedes existing Board Policies: P90-1 *PROJECT REVIEW AND COMMENT (as revised through 2005)*; P96-2 *ABSTENTION ON LAND USE PROJECTS*; and P-14-01 *COMMUNICATION*. Each of these policies address separate but related procedures for JPA Board, staff and Citizens Advisory Committee (CAC). This Policy incorporates the restated language in the aforementioned policies as well as amended language where necessary as directed by the 2015 JEPA or Board direction. Combining the aforementioned policies into one policy will give the Board, staff and CAC comprehensive guidance on how each body communicates internally and clarify how the Board will officially convey agency comments related to land use projects that affect the purposes of San Dieguito River Park.

The specific purpose section of the following restated and amended policies has not been restated here, but rather can be found in their original form.

POLICY – ABSTENTION ON LAND USE PROJECTS (originally adopted 1/19/96 as P96-2)

It is the Policy of the ~~San Dieguito River Valley Regional Open Space Park Joint Powers Authority JPA~~ that ~~Boardmembers~~Board members look first to the adopted policies of his or her own member agency for direction regarding participation in the JPA's review and comment on privately initiated land use development projects over which the member agency has land use decision making authority.

In the absence of adopted member agency policy, it is the policy of the ~~San Dieguito River Valley Regional Open Space Park Joint Powers Authority JPA~~ that ~~Boardmembers~~Board members representing

the JPA member agency which has final land use authority should abstain from voting on privately initiated land use development projects when they come before the JPA Board for review and comment to the land use agency. This policy would not require ~~Board members~~ Board members to leave the room or refrain from discussion. This policy would not affect ~~Board members~~ Board members' participation in park planning or voting on public agency development or planning proposals or ~~park-JPA~~ initiated plans and projects.

All comment letters approved by the Board will clearly reflect the Board members present and absent at the meeting including the votes by each Board member and abstentions.

POLICY – PROJECT REVIEW AND COMMENT (originally adopted 5/18/90 as amended)

It is the policy of the JPA that the focus of the JPA and CAC efforts should be limited to implementing the goals and objectives of the Park. The JPA and the CAC will review and comment, when appropriate, on only those projects which are within the focused planning area, contiguous or immediately adjacent to the focused planning area and/or have a direct impact on the Park. Comments will be confined to the relationship of the project to the Park and any impact it may have on park plans, goals and objectives.

Members of the JPA and the CAC may comment on projects outside of the park which do not directly impact the park as individuals only or as representatives of other organizations. In no case are they to represent themselves as speaking for the JPA or the CAC.

When a project has no significant impact on the park, and no comments by the JPA are deemed to be necessary, it may be handled administratively or at the committee level and not taken to the JPA Board. A project need not be referred to the Board where ~~staff~~ the Executive Director or the ~~JPA-PRC~~ Project Review Committee (PRC) of the CAC-committee determines the project does not impact the focused planning area, ~~or~~ When re staff or the JPA-PRC committee determines the a project clearly falls within policies the Board has previously adopted or policy statements the Board has previously issued, the Executive Director has the discretion to authorize comments that refer to such policies or previously authorized Board comments. ~~Any member of the CAC or JPA who believes that the project needs further review may appeals to the JPA-PRC which will determine if further review is merited.~~

This policy is not intended to restrict JPA staff interaction with potential project proponents that seek early input from JPA staff on the potential effects that their project may have on the Park. Planning department staff from the agencies who have final land use decision making authority, regularly seek input form JPA staff and often direct project proponents to consult with JPA staff early in their project planning to discuss potential conflicts and design modifications related to existing Park plans and policies. These early consultation communications do not represent the JPA, JPA Board nor the member agencies in an official capacity. This level of communication may be in verbal, written or electronic form and will clearly state that any official comments by the JPA may be forthcoming pursuant to formal Board action. Such communications will also follow the protocol outlined in the Communication Policy below.

COMMUNICATION POLICY (originally adopted June 20, 2014)

It is the policy of the ~~San Dieguito River Park Joint Powers Authority~~ JPA that all communications commenting on private or public projects that are sent out by staff but have not been approved by the JPA Board will be sent on letterhead that does not include Board member names in the masthead and will clearly state that they are staff level comments and do not necessarily reflect the official position of the JPA Board until authorized by Board vote. Communications commenting on private or public projects that are approved by the JPA Board will be sent on letterhead that includes Board member names in the masthead, and the communication will list specifically how each Board member voted. ~~If an individual Board member was~~ including members present/absent, or voted no, or and abstainedentions.; ~~The Board's vote results that information~~ The Board's vote results will be included in the communication if approved.; The Board may direct staff to include approved Board minutes for the meeting in which the vote was taken.