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 May 20, 2016 (Page 4)

Executive Director’s Report
- Office improvements
- FY15/16 preliminary year-end budget status

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. Investment Report
   Review recommended investment portfolio changes (motion to accept and file)

2. Coast Ranger Station Financing Plan and County of San Diego Neighborhood Reinvestment Program Grant Resolution (Page 10)
   Authorize Executive Director to implement financing plan for Coast Ranger Station Construction and adopt resolution in support of County NRP grant application
3. **Polo Lease JPA Comment Letter (Page 16)**

*Review and adopt JPA staff letter to City of San Diego regarding proposed lease provisions related to the Coast to Crest Trail*

**INFORMATION**

4. **Project Status Updates**

   a. *Horsepark Trail Repair*
   b. *Pamo Valley Trail*

5. **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

6. **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.

7. **Communications**

8. **Adjourn to Closed Session**

   a. Closed session pursuant to Government Code Section 54957(b)(1): to evaluate the performance of the Executive Director

THE NEXT REGULAR JPA MEETING WILL BE August 19, 2016

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](http://www.sdrp.org)
ITEM:

SUBJECT: APPROVAL OF THE MINUTES OF MAY 20, 2016
SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
Minutes of May 20, 2016

MEMBERS PRESENT
Dave Grosch – Vice-Chair
Don Mosier
Olga Diaz
Dave Roberts
Dave Zito
Jacqueline Winterer
Dustin Fuller

MEMBERS ABSENT
Dianne Jacob – Chair
Mark Kersey
Sherri Lightner

VISITORS/STAFF PRESENT
Wayne Brechtel
Kevin McKernan
Shawna Anderson
Brenda Miller
Trish Boaz
Deborah Mosley
Bill Michalsky
Terry Kopanski
Keith Corry
Ed Greene
Alice Brown

Introduction and Announcements
Vice-Chair Grosch convened the meeting at 11:05 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Approval of Minutes of April 15, 2016
Boardmember Roberts made a motion to approve the minutes of April 15, 2016, Boardmember Zito seconded the motion.

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

Executive Director's Report
Executive Director McKernan showed a power point presentation of the following topics:
A coastal trail improvement project with the Del Mar Rotary was completed on the Coast to Crest Trail behind the driving range in Del Mar. The repairs were to correct poor water drainage and repair the muddy condition of the trail. The Rotary Club donated $1,100, several hundred dollars of in-kind donations, and provided dozens of volunteers to do the work.

Director McKernan thanked Jacqueline Winterer for her donation of $5,000 to hire professionals to assess the Horsepark Trail blowout situation. Director McKernan met with representatives from a company that installs railroad flatcar bridges on May 19. The bridges span 89 feet and pilings would be necessary to install a bridge of this kind. Director McKernan will also be meeting with ESA Consulting on May 25 to look into bio-engineering to correct river bank erosion.

The County of San Diego NRP grant, recommended by Supervisor Roberts, of $25,000 toward office infrastructure, has been received. The well and a new water storage tank have been looked into. The roof at Sikes Adobe Historic Farmstead has been repaired. The landscaping and adobe walls at Sikes have not been repaired at this time.

The Watershed Explorers Program launched the second van of the program. Supervisor Jacob recommended a $61,012.32 NRP grant, to purchase the 4wd van which is now being used in the program.

Director McKernan presented a list of the items required through the execution of the renewed JEPA showing that all except three items have been completed, the bylaws will be presented to the Board for approval today, leaving two items; the Prep Master Trails Agreement with San Diego and to obtain a Use Permit (single master) with San Diego for trails in City of San Diego. The JPA is pending receipt of the final two items from City of San Diego staff.

Director McKernan announced Lagoon Day and the River Path Del Mar Ribbon Cutting on May 21 and the San Dieguito River Park/Conservancy Volunteer Appreciation Party June 4.

Public Comment - No public comment

ACTION AGENDA

1. Adoption of Initial Study/Mitigated Negative Declaration for Pamo Valley Segment of the Coast to Crest Trail

RECCOMENDATION: Adopt resolution approving the Final Mitigated Negative Declaration And MMRP for the Pamo Valley Segment of the Coast to Crest Trail

Principal Planner Shawna Anderson presented a Power Point to explain the Pamo Valley Trail Project including the background of this section of trail as it is included in the SDRP Concept Plan and EIR. Ms. Anderson explained the process of requesting approval of the Final Mitigated Negative Declaration and
Mitigation Monitoring and Reporting Program for the Pamo Valley segment of the Coast to Crest Trail. Ms. Anderson stated that a California River Parkway grant has been applied for in the amount of $285,140. A site visit has been scheduled for May 31. Ms. Anderson stated that the San Dieguito River Valley Conservancy has secured an REI Every Trail Connects grant for $43,000 for this project. Ms. Anderson also reported that construction may begin by the end of 2016. Ms. Anderson stated that JPA staff and consultants will monitor the cultural and biological resources in the project area.

Boardmember Roberts made the motion to adopt the resolution to approve the Final Mitigated Negative Declaration and MMRP for the Pamo Valley Segment of the Coast to Crest Trail. Boardmember Zito seconded the motion.

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

2. Adoption of Bylaws

Counsel Brechtel presented the bylaws of the San Dieguito River Valley Regional Open Space Park Joint Powers Authority stating that this version clearly indicates what tasks are expected of the Executive Director, Secretary, and the Board members.

Boardmember Roberts made the motion to adopt the Bylaws. Boardmember Zito seconded the motion.

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

3. Coastal Ranger Station Financing Discussion – Establishment of Ad Hoc Subcommittee

Executive Director McKernan presented the Coastal Ranger Station financing topic in a Power Point stating that Southern California Edison has agreed to and is funding office space in the amount of $4000 per month for ten years totaling $480,000. To date $31,579 has been spent for temporary office rent, architectural, and permit fees. The building size is planned to be 2425’ with a building cost estimate of between $485,000 and $606,250. A bid package will be sent out to contractors soon for more definite cost prices. Executive Director asked that an ad hoc subcommittee be formed to discuss this issue in detail.

Boardmember Roberts made a motion to appoint Boardmembers Roberts, Mosier, Winterer and Zito to a Coastal Ranger Station Financing Ad Hoc Subcommittee. Boardmember Zito seconded the motion.

Yes votes: Grosch, Roberts, Mosier, Winterer, Diaz, Zito
Absent: Jacob, Kersey, Lightner
4. Authorization of JPA to Become a Partner in the Encroachment Partnership Agreement with the U.S. Department of the Navy/REPI Program

Executive Director McKernan presented this program as a dual purpose program to protect habitat and lands that are located in the Navy flight paths. It is a program to access funds and purchase qualifying property cost match from the Navy of up to 50%. Executive Director McKernan stated that there are opportunities to use these funds for gnatcatcher habitat in the San Pasqual Valley.

Boardmember Roberts made the motion to authorize the JPA to become a partner in the Encroachment Partnership Agreement with the U.S. Department of the Navy/REPI Program. Boardmember Zito seconded the motion.

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

Boardmember Roberts left the meeting at 11:56 a.m.

INFORMATION

5. Project Status Updates

a. Horsepark Trail Segment Storm Damage

Executive Director McKernan spoke about this issue earlier in the meeting.

6. Coordination Reports (oral)

a. San Dieguito River Valley Conservancy - Trish Boaz reported that the Conservancy is looking forward to participating in Lagoon Day and the River Path Del Mar Ribbon Cutting.

b. Friends of the San Dieguito River Valley- Ed Greene did not have a report.

c. Volcan Mountain Preserve Foundation – No report

d. San Dieguito Lagoon Committee- Terry Kopanski reported that the Annual Public Wetlands Workshop was held on May 9th. The Lagoon Day events at the Birdwing will be held from 9 a.m. to 11:30 a.m.

7. Jurisdictional Status Reports

Dustin Fuller with the 22nd District Agricultural Association reported that an extension for the SOL restoration has been requested from the Coastal Commission extending the completion date from May 2016 to May 2017. Mr. Fuller stated that they are optimistic that they will be able to begin the project in July.
Executive Director McKernan reported that the disputed fees issue with the City of San Diego has been settled and paid. Executive Director McKernan stated that there will probably be no meeting in June with the next meeting on July 15.

8. Communications – No communications.

Vice-Chair Grosch adjourned the meeting at 12:02 p.m.

These minutes approved by Board Action

_________________________            ____________________
Date                           Executive Director
ITEM: 1

SUBJECT: INVESTMENT REPORT

Review recommended investment portfolio changes
(motion to accept and file)
DATE: July 15, 2016

TO: JPA Board of Directors

FROM: Staff and Ad Hoc Committee on Coast Ranger Station Financing

SUBJECT: Approval Coast Ranger Station Financing Plan and Resolution in Support of County of San Diego Neighborhood Reinvestment Program grant application

RECOMMENDATION:

The Ad Hoc subcommittee on Coast Ranger Station Financing recommends to the full Board that it authorize the Executive Director to carry out the following financing plan to construct the Coast Ranger Station.

1. $257,400 from former grant funds from the State Coastal Conservancy
2. $200,000 from County of San Diego Neighborhood Reinvestment Program grant
3. Up to $125,000 from JPA unrestricted reserve and capital project accounts
4. Up to $100,000 from JPA long-term investment account, with secondary Board approval, as contingency if sources #2 & #3 above are not full available for any reason

Total: $582,400 (plus $100,000 contingency)

BACKGROUND:

The JPA has planned for the construction of a coastal ranger station facility since 2013, including siting, permitting, design, engineering and financing. The ranger station is to be constructed on JPA property in a location central to the SCE wetland restoration project, the Coast to Crest Trail, trailhead/parking, Birdwing Outdoor Classroom, treatment ponds and a main access to the Park off San Andres Drive (next to Via de la Valle). The JPA has secured all necessary permits, 100% design plans, necessary rights of way, community input and Board approval for all of the necessary elements for construction with the exception of a construction contract and final financing plan. While bids have not yet been received for building construction, the Ad Hoc subcommittee agreed on the conceptual range of construction costs between $550,000 and $600,000.

The JPA Board approved the concept of a loan back in September, 2013 to cover a portion of the construction costs. Staff has researched options for loans since that time and had recently brought a proposal to the Ad Hoc subcommittee for consideration in addition to other identified funding source outlined above. The subcommittee does not
recommend seeking a loan at this time due to the high unnecessary costs associated with the financing terms.

Instead, the subcommittee has identified existing and potential funding sources available to the JPA as outlined above and recommends that the Board authorize the Executive Director to execute the proposed financing plan with regular status reports to the Board as the project develops.

**SUBSEQUENT ACTIONS:**

Board approval of Ad Hoc subcommittee Recommendation

Board to select recommended winning bid for construction

Staff reports to Board on project status, budget and financing

**FISCAL IMPACT:**

Depending on the final contract amount awarded for construction and other ancillary costs to the JPA (construction management, inspection fees, etc.), the financing plan is designed to cover all costs without the need for the JPA to borrow funds. This will reduce the overall costs by forgoing the accrual of interest from a loan. If the use of reserve funds are necessary, it may temporarily displace other smaller low priority projects or purchases. If current investment accounts need to be drawn upon as a contingency, interest generated by those funds could be reduced, however, the Ad Hoc subcommittee weighed this trade-off and concluded that it would the least costly alternative overall, if necessary.

In the long-term, once the facility is constructed, it will add to the JPA’s operating costs. Future budgets will have to factor those costs.

**ALTERNATIVES:**

Recommend that the Ad Hoc subcommittee look at other alternatives.

Respectfully submitted,

Kevin McKernan
Executive Director
**Agenda Item # 2**
July 15, 2016

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**COUNTY OF SAN DIEGO**
APPLICATION FOR FISCAL YEAR 2016/17
NEIGHBORHOOD REINVESTMENT
PROGRAM GRANT

---

**READ INSTRUCTIONS FIRST**
ALL FIELDS MUST BE COMPLETED AS APPLICABLE

**ELIGIBILITY:** Only non-profit or government/public agencies operating in San Diego County may apply.

**What is the legal status of your organization?**
- [ ] Non-Profit Corporation
- [x] Government/Public Agency

**Federal Tax Identification Number (TIN or EIN):**

**Organization Name:** San Dieguito River Park JPA
(Must match name filed under Federal Tax Identification Number)

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<td>Zip: 92025</td>
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</table>

**Popular Name or d.b.a.:** San Dieguito River Park

**Supervisory District**
(based on street address of organization):
- [ ] 1
- [ ] 2
- [x] 3
- [ ] 4
- [ ] 5
(Select only one)

**Title of Grant Request:** San Dieguito River Park Coast Ranger Station

**Contact Person** (individual who will sign the grant agreement and be responsible for the expenditure of the funds)
- **Name:** Shawna Anderson
- **Title:** Principal Planner
- **Telephone Number:** (858) 674-2275
- **Fax Number:**
- **Email:** shawna@sdrp.org

**Grant Administrator** (individual who will sign the grant agreement and be responsible for the expenditure of the funds)
(This individual must be different from the Contact Person listed above)
- **Name:** Kevin McKernan
- **Title:** Executive Director
- **Telephone Number:** (858) 674-2275
- **Fax Number:**
- **Email:** kevin@sdrp.org

**PROJECT LOCATION** (see instructions)
- **Street Address:** 15699 San Andres Drive, Del Mar & Via De La Valle, Del Mar
- **Community to be Served:** North San Diego, Del Mar, Solana Beach, Rancho Santa Fe

**For Capital Projects:**
- **Owner of Project Site:** San Dieguito River Park
- **Name of person or entity responsible for project site maintenance (Provide a copy of any maintenance agreements or commitment letters, if applicable):** San Dieguito River Park

**Purpose of grant:** (Describe the purpose for which you are seeking grant funding. If your request consists of multiple components, please describe each item in priority order and indicate the associated amount requested. A higher priority shall be given to requests for capital projects and/or one-time expenses.)

The purpose of this grant request is to provide matching funds for the construction of a Coast Ranger Station for the San Dieguito River Park. The San Dieguito River Park JPA (JPA) owns and manages over 400 acres of open space lands in the San Dieguito Lagoon including restored wetlands, trails, trailheads and interpretive features. The JPA has worked in partnership with Southern California Edison (SCE) and many other partners in the restoration of the San Dieguito Lagoon. Currently over 400 acres and more than 5 miles of trail are actively managed by the JPA. The JPA has identified the need for a centralized and secure facility for its operations (known as its Coast Ranger Station) that will serve as a hub for management, research, and education activities throughout the Lagoon. No such facility currently exists. The JPA has used multiple sources of private and public funding to design, permit, and finance the Coast Ranger Station. This grant application aims to secure a much-needed gap in the necessary funding for the successful construction of the Coast Ranger Station.
COUNTRY OF SAN DIEGO
APPLICATION FOR FISCAL YEAR 2016/17
NEIGHBORHOOD REINVESTMENT
PROGRAM GRANT

ORGANIZATION NAME: San Dieguito River Park JPA
TITLE OF GRANT REQUEST: San Dieguito River Park Coast Ranger Station

Estimated Total cost of the project: $600,000 (Provide verifiable cost estimates with this application)
Total Amount requested from the County (minimum $3,500): $200,000 Estimated project completion date: 10/01/2017

Have you made any expenditures to date for this project that you expect to claim under this grant?: □ Yes □ No

IMPORTANT: This information will be used to determine the effective date of your grant if awarded.

If YES, the date of the first expenditure: Month: Year:
If NO, when do you expect to start the project: Month: October Year: 2016

QUESTIONS 1 & 2 WILL BE USED TO HELP EVALUATE YOUR PROPOSAL

1. Describe how the project will benefit the community. Provide an estimate of how many people will be served.

The San Dieguito River Park Coast Ranger Station will provide a central and secure facility in the San Dieguito Lagoon for JPA to serve the public. The JPA Park Rangers are the 'eyes and ears' of the River Park in the Lagoon area and provide the community with clean, safe and informed experience. The Coast Ranger Station will also provide an indoor facility for researchers that currently work from their vehicles and exposed to the elements. Currently, education programs at the Lagoon have no indoor facility to use for presentations, alternative shelter from the elements nor the necessary amenities such as restrooms, refrigeration or preparation areas. The Coast Ranger station will provide a space for educational programs as well as standing interpretive displays, kiosks for the public and organized events. Over the past several years, the JPA in partnership with many other organizations have hosted thousands of children from school groups, boys and girls clubs and community events. In addition, the site of Coast Ranger Station has served thousands more in the community every year through regular volunteer events and nature fairs such as Lagoon Days.

2. What other funding partners/sources do you have for this project?

Other sources of funding that have been secured and/or identified for the planning and construction of the facility include SCE, state Coastal Conservancy, JPA capital reserves and mitigation fees.
### COUNTY OF SAN DIEGO

**FISCAL YEAR 2016/17 NEIGHBORHOOD REINVESTMENT PROGRAM GRANT APPLICATION**

**SUMMARY OF FINANCIAL INFORMATION**

**ORGANIZATION NAME:** San Dieguito River Park JPA  
**TITLE OF GRANT REQUEST:** San Dieguito River Park Coast Ranger Station

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**Financial Solvency:**  
- [X] I hereby certify that this organization is currently financially solvent and not at risk for insolvency.

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RESOLUTION OF THE BOARD OF DIRECTORS

OF San Dieguito River Park JPA

WHEREAS, the County of San Diego Neighborhood Reinvestment Program provides funding for non-profit corporations for certain specified purposes; and

WHEREAS, the San Dieguito River Park JPA wants to file an application with County of San Diego for Neighborhood Reinvestment Program funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of

San Dieguito River Park JPA

Confirms that San Dieguito River Park JPA is a non-profit California corporation or a public agency under the laws of the State of California;

Approves the filing of an application with the County of San Diego for Neighborhood Reinvestment Program funding during the County’s 2016-2017 fiscal year; and

Authorizes the people listed below to sign a grant agreement with the County of San Diego for Neighborhood Reinvestment funds for the 2016-2017 fiscal year.

1. Print Name: Kevin McKernan
   Title: Executive Director
   Signature:

2. Print Name: Shawna Anderson
   Title: Principal Planner
   Signature:

3. Print Name: 
   Title: 
   Signature:

   Adopted on this 15th day of July, 2016

   Secretary, Board of Directors
TO: JPA Board
FROM: Staff
SUBJECT: Update of Polo Fields Lease

RECOMMENDATION:

Send a letter to the City of San Diego confirming June 28, 2016 JPA staff letter.

As reported at previous JPA Board meetings, the City of San Diego has been considering retaining a new leaseholder for property they own at El Camino Real and Via de la Valle known as Polo Fields. The JPA has been involved in the lease situation at Polo Fields for several years now because the land is public open space, is within the Focused Planning Area, and contains a 1.3-mile long public trail along the north side of the river (a segment of the Coast to Crest Trail) that was destroyed by ongoing activities by the current leaseholder (Polo Club). The Polo Club lease was issued by the City of San Diego in 1986 for a 26-year period that expired in 2012 and has since been on a month-to-month lease that, according to City staff, will terminate on July 29, 2016.

New Polo Fields Lease Issue

The JPA sent a letter in December 2011 to the City staff (Attachment 1) when the JPA first learned that the City may be issuing an RFP for a new lease, which identified concerns that the public trail and habitat along the river that was to be restored per a City civil penalty order issued to the Polo Club in 2005 had yet to be restored. A Site Development Permit (SDP 618626) was issued by the City to Polo Club in September 2011 for the required restoration work and is due to expire in 2018.

In July 2015 the City Real Estate Assets Department issued a solicitation (Request for Proposals) for a new lessee for the Polo Fields property. The City’s RFP contained several clauses that spoke to the yet-to-be-done restoration work required for the public trail and river bank habitat as specified in the SDP, and included language stating that the new lessee would be required to restore the public trail and habitat that had been destroyed by the Polo Club. The JPA felt that the RFP and draft lease sufficiently addressed the concerns raised in the JPA’s 2011 letter. Surf Cup Sports was selected by City staff as the successful bidder for a proposed new lease scheduled to be considered for final approval by the City Council this month. Representatives of Surf Cup Sports attended a JPA Project Review Committee meeting and the CAC meeting in March 2016 committing to restore the public trail and habitat that had gone unresolved for so many years.
However, based on information contained in the Smart Growth & Land Use Council Committee June 29, 2016 agenda, the draft lease no longer contains the language originally included in the City’s RFP regarding the trail and habitat restoration and does not in fact obligate the new lessee or anyone else to restore the public trail and habitat required by the Site Development Permit. Although the SDP is active until 2018, it is issued to Polo Club (not Surf Cup Sports) who no longer will hold the lease to the property. Consequently, JPA staff sent a letter to the Smart Growth & Land Use Committee (dated June 28, 2016, Attachment 2) alerting them to this issue. The committee did not make any changes to the draft lease that will go to the full Council for approval in July.

CAC RECOMMENDATION

The CAC considered this item at their July 8, 2016 meeting and recommended that the JPA board adopt the staff letter of June 28, 2016.

ALTERNATIVES

1. Amend letter.
2. Take other action.

RECOMMENDATION:

1) Send a letter to San Diego City Council confirming our June 28, 2016 JPA staff letter and request that the issue be resolved in the lease or other mutually agreed manner between the City, Lessee and the JPA.

Respectfully submitted,

Shawna Anderson
Principal Planner

Attachments:

1. JPA letter to City regarding potential RFP for new lessee, December 13, 2011
2. JPA staff letter to City regarding Surf Cup draft lease, June 28, 2016
San Dieguito River Valley  
Regional Open Space Park  
18372 Sycamore Creek Road  
Escondido, CA 92025  
(858) 674-2270  Fax (858) 674-2280  
www.sdrp.org

December 13, 2011

Mr. James Barwick  
Director, Real Estate Assets Department  
City of San Diego  
202 C Street  
San Diego, CA 92101

Subject: Request for Proposal for Lease of Polo Fields Property

Dear Mr. Barwick:

It has come to the attention of the JPA Board that your staff is drafting a Request for Proposal (RFP) for a new lease at the Polo Fields property. We understand that a draft RFP will be presented to a council committee as soon as January 2012. We would like to see that draft RFP reflect conditions and restrictions appropriate for this publicly-owned open space property within the San Dieguito River Park’s Focused Planning Area.

The Polo Fields property is public land with a grant deed that dates back to 1983 when the land was deeded to the City as open space. The grant deed, existing zoning, and approval documents related to the Fairbanks Ranch Specific Plan including an approved CEQA document govern the allowable activities on this property. Allowable uses include agriculture, non-commercial passive recreation, and active non-commercial recreation that “does not involve large assemblages of people or automobiles”. Any new lease for this public land should reflect these limited uses and include conditions that protect the sensitive resources on the property.

Besides being within the San Dieguito River Park, the property includes a public trail that is part of the regional Coast to Crest Trail. The land is directly adjacent to sensitive riverine habitat along the San Dieguito River with a known large population of the federally endangered Clapper Rail and is also adjacent to coastal sage scrub. The current use of polo and special events such as soccer tournaments and concerts that have occurred on the site over the years under the existing lease have caused significant impacts to the adjacent habitat and generated a substantial amount of traffic and noise that has been a source of contention in the community for many years.

Specifically, the JPA requests that the RFP include a requirement that any new use (or continuation of existing use) complies with the following conditions and restrictions:

- All uses shall comply with the existing property grant deed, zoning, and MSCP requirements.
- Public access for passive recreational activities (such as picnicking as allowed by the grant deed) shall be provided to the entire property.
- All required parking be provided on-site and managed to minimize impacts to the river and community.
- A minimum 100-foot wide buffer be maintained from the river. No parking, access roads, or other uses would be allowed in the buffer except the public trail.
- No permanent facilities allowed – all structures to be temporary.
- The Coast to Crest Trail replacement and habitat restoration be accomplished as required by the existing grading violation on the property as reflected in the Site Development Permit issued by the City in July 2011.
- Compliance with CEQA and other environmental laws and permits, including a biological assessment with identified potential impacts and mitigation.
- No amplified sound shall be allowed that results in peak sound levels exceeding 65 dBA at the edge of sensitive habitat.
- No pavement of the property.
- Lighting shall be limited to that needed for security purposes only, and only dusk to dusk outdoor activities shall be allowed.
- Runoff shall be managed onsite in compliance with all stormwater regulations.
- The use of fertilizers and herbicides shall be minimized and managed to avoid adverse impacts on the adjacent wetlands.
- Site plan and uses shall incorporate the future potential relocation of El Camino Real including intersection roundabouts.
- A new lease or lease renewal be considered at a public hearing.

The publicly-owned Polo Fields property was deeded to the City as open space in exchange for development of residential lots in the Fairbanks Ranch Specific Plan. Its expressed use under the grant deed is “open space in a natural condition” or for “only those uses” specified in the grant deed “and no others”. Now that the existing lease is expiring and the City contemplates a new lease it is imperative that this land be used and managed in the manner intended and that any new use(s) reflect present conditions and existing regulatory environment including the MSCP, San Dieguito River Park Concept Plan and associated Coast to Crest Trail, Environmentally Sensitive Lands ordinance, recently restored nearby wetlands, and known sensitive species on and adjacent to the site and the regulations that protect them.

The JPA intends to closely follow this issue and requests that we be informed of all public meetings pertaining to this matter. Please feel free to contact Dick Bobertz, JPA Executive Director should you need further clarification. Thank you.

Sincerely,

Olga Diaz, Councilmember City of Escondido
San Dieguito River Park JPA Board Vice Chair
June 28, 2016

Councilmember Lorie Zapf, Chair
City of San Diego
Smart Growth and Land Use Council Committee
202 C Street
San Diego, CA 92101

Subject: Agenda Item-4, June 29, 2016 Council Committee Meeting

Dear Chair Zapf,

The JPA has implored the City and current leaseholder (RSF Polo Club) for several years to restore the segment of Coast to Crest Trail along the north edge of the San Dieguito River within the subject lease area damaged and destroyed years ago through actions by the RSF Polo Club. The damage led to a City-issued civil penalty order (December 2, 2005) and subsequent Site Development Permit (SDP# 618626) requiring restoration of the trail and adjacent streambank. However, this work has yet to be done. The JPA was assured that this long-standing issue would be resolved and that a new lessee would be obligated to carry out the conditions of SDP# 618626 as stated in the City’s RFP (July 15, 2015) specifically addressing this issue. However, the draft lease now being considered by the Smart Growth and Land Use Committee does not have the promised provisions.

The language contained in this new proposed Surf Cup lease of City-owned public land, originally deeded to the City as public open space in the Fairbanks Ranch Specific Plan, does not adhere to the City’s RFP for a new lessee, again jeopardizing this critical public trail and adjacent habitat as follows:

1. The draft lease does not obligate the lessee to build the Coast to Crest Trail or restore the streambank habitat per SDP# 618626. The City’s RFP (page 3) stated that SDP# 618626 “is a covenant running with the Property and all its requirements and conditions will be binding upon the successful Proposer who is awarded the Lease”. However, Section 9 of the proposed lease agreement only states that the LESSEE “acknowledges” the SDP, that the SDP “was recorded” and that “the restoration of the Public Trail remains to be completed in conformance with the SDP.” Nowhere does the lease require that the SDP conditions be carried out. The SDP may continue to go unenforced by the City if the language in the lease is not consistent with the provisions in the RFP/SDP and is not clear on who will be the responsible party (lessee) for compliance, including timelines for compliance with the SDP.
2. The “lease agreement provisions” contained in the City’s RFP stated that the lessee would be “responsible for the maintenance and repair of the Public Trail for the entire term of the Lease” (provision 28). However, the draft lease has no such provision and in fact excludes the lessee from maintaining the public trail (condition 8.8).

3. Although provision 1.3.4a requires “the public trail” to remain open to the public at all times during daylight hours, the trail as shown in Exhibit C of the draft lease, does not connect to any public right-of-way for contiguous access. Non-public areas on the west end of the lease “premises” separate the public trail from El Camino Real and does not provide a contiguous public right-of-way to the public trail. This could be problematic because under draft lease provision 1.3.4e, the lessee may “restrict access by the general public during activities which may require only ticketed spectators to attend”. The trail should extend west all the way to El Camino Real on Exhibit C so that public access is provided without having to cross potentially “restricted areas”.

4. Dogs on leash are allowed on all segments of the Coast to Crest Trail, patrolled and enforced by JPA park rangers. Provision 1.3.4f prohibits animals “other than horses and service animals” from entering the “premises”. Keeping dogs off this segment of Coast to Crest Trail is problematic and inconsistent to enforce, unsustainable and would put an undue burden on the JPA.

There is strong and clear language in the City’s RFP that, after many years, the public trail and adjacent habitat would finally be restored as required by the code violation and approved SDP. However, the draft lease does not appear to have the provisions in place to ensure this happens and that meet the intent of the City’s RFP and the provisions that were included in the City’s original RFP should be reinstated.

Pursuant to JPA policy 15-01, this letter is being sent from staff and does not necessarily reflect the official position of the Board due to the very short timeframe for review of this item. However, also attached is a JPA letter dated December 13, 2011 that was approved by the full board in which the same issues were raised.

Sincerely,

Kevin McKernan
Executive Director

Cc: Tracy Irvin, City Real Estate Assets Department
    Frisco White, Carmel Valley Community Planning Board