

**SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
Minutes of April 17, 2015**

MEMBERS PRESENT

Don Mosier - Chair
Dianne Jacob - Vice Chair
Dave Grosch
Sherri Lightner
Dave Roberts
Dave Zito
Jacqueline Winterer
Becky Bartling

REPRESENTING

City of Del Mar
County of San Diego
City of Poway
City of San Diego
County of San Diego
City of Solana Beach
Citizens Advisory Committee
22 District Agricultural Association

VISITORS/STAFF PRESENT

Wayne Brechtel	JPA Counsel
Mark Ochenduszeko	San Dieguito River Park JPA
Shawna Anderson	San Dieguito River Park JPA
Brenda Miller	San Dieguito River Park JPA
Jeff Barnouw	Friends of the San Dieguito River Valley
Terry Kopanski	Del Mar Lagoon Committee
Dustin Fuller	22 nd DAA
Kristin	22 nd DAA
Tiffany Vinson	Councilmember Kersey's Staff
Garrett Hager	Councilmember Kersey's Staff
Allison Don	Council President Lightner's Staff
Kevin McKernan	San Diego River Conservancy
Jeff Pasek	City of San Diego, Public Works
Trish Boaz	San Dieguito River Valley Conservancy
Peter Shapiro	San Dieguito River Valley Conservancy
Mel Millstein	Supervisor Robert's Staff
Cheryl Goddard	County of San Diego, Parks Department

Introduction and Announcements

Chair Mosier convened the meeting at 11:00 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Approval of Minutes of March 20, 2015

Boardmember Zito made a motion to approve the minutes of March 20, 2015. Boardmember Grosch seconded the motion.

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

Public Comment-None

Counsel Brechtel asked the Board to add to the agenda, the Approval of Conservation Easement Purchase Option Agreement for Fenton North Property. The request for the addition to this agenda is due to the agreement being finalized after the agenda was posted and the need to take immediate action.

Boardmember Roberts made the motion to add agenda item 4: Approval of Conservation Agreement Purchase Option Agreement. Boardmember Zito seconded the motion. Yes votes: Mosier, Winterer, Grosch, Zito, Lightner and Roberts. Absent: Jacob, Diaz and Kersey.

ACTION AGENDA

1. Approval of Proposed Joint Exercise of Powers Agreement (JEPA)

Recommendation: It is recommended that the Board of Directors approve the proposed revised Joint Exercise of Powers Agreement with the terms reached by the Board of Directors Ad Hoc Subcommittee at its meeting of Wednesday, April 15, 2015 and ask that members place the item on their respective governing board agendas for approval by the end of May, 2015.

Interim Director Ochenduszko introduced the item stating that at the March 20, 2015 Board meeting City of San Diego representative Mark Kersey proposed two changes to the draft Joint Exercise of Powers Agreement. The issue of these two changes was not resolved at the March 20, 2015 meeting and an ad hoc subcommittee of the Board was appointed to discuss the two remaining issues. The subcommittee consisting of Chairperson Mosier, Boardmembers Kersey, Jacob and Zito met on Wednesday, April 15, 2015 and unanimously agreed to a resolution of the issues.

The first issue is the revision of Exhibit D (Public Agency Contribution Formula) to limit member contribution increases to no more than five percent above the previous level, except when required by the contribution formula. The section was changed only to denote that the calculation of a withdrawing agency's obligation will be based on the most recent Board approved audit report.

The second issue is that Section 20 will remain as it appeared on March 20, 2015 with the following changes any withdrawing member will retain responsibility for its pro rata share of net financial liabilities upon withdrawal. Interim Director Ochenduszko recommended to the Board that it approve the proposed Joint Exercise of Powers Agreement with the noted changes and ask that representatives of the member agencies take the document back to their respective legislative agencies for approval and adoption. The request was made that the agreement be approved by each member agency by May 31, 2015 if possible.

Boardmember Roberts made the motion to approve the Proposed Joint Exercise of Powers Agreement with the noted changes. Boardmember Lightner seconded the motion.

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

Boardmember Roberts left the meeting at 11:12 a.m. Boardmember Jacob arrived at 11:14 a.m.

2. Approval of Proposed Fiscal Year 2015-16 Budget

Recommendation: *It is recommended that the Board of Directors approve the Fiscal Year 2015-2016 Proposed General Operating Budget.*

Interim Director Ochendusko presented this item stating that this proposed budget has been reviewed by the Board of Directors Finance Subcommittee consisting of Chairman Mosier and Boardmembers Diaz, Zito and Lightner. The Finance Subcommittee has directed that this draft budget be brought to the JPA Board of Directors for review and approval. Interim Director Ochendusko further reported that the format of this budget has changed from previous years. The budget is a balanced budget in the amount of \$1,117,542. The budget requires a total member contribution increase of \$102,131. Interim Director Ochendusko addressed the issues regarding proposed revenue and expenditures for the Fiscal Year 2015-2016. He concluded stating that the budget is a balanced budget with no reserve increases or deficits planned. Interim Director Ochendusko recommended that the Board approve the proposed budget.

Boardmember Zito made the motion to approve the proposed Fiscal Year 2015-2016 Budget. Boardmember Winterer seconded the motion.

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

3. Approval of Memorandum of Understanding Between the San Dieguito River Valley Land Conservancy and San Dieguito River Valley Regional Open Space Park Joint Powers Authority Regarding Real Property Sales for Mitigation Credit of Fenton North and Sycamore-Westridge Land

Recommendation: *It is recommended that the Board of Directors:*

- 1. Approve the Memorandum of Understanding and authorize the Board Chairperson to sign it on behalf of the JPA; and*
- 2. Direct that any proceeds received from the sale of Fenton North be first allocated as needed to resolve the JPA's negative cash balance at the County of San Diego (estimated to be less than \$200,000), and that the remainder be invested in the County of San Diego Treasury Investment Pool and retained for a future one-time use to be determined as needed at a later date.*

Interim Director Ochendusko reported that The San Dieguito River Valley Conservancy owns the Fenton North property, located in the San Pasqual Valley. The property is approximately 18.5 acres of unmitigated environmental land and could be used for wetlands restoration. The property was acquired for the purpose of wetlands mitigation. The value of the property is estimated at \$50,000 per acre. The property, if sold, would raise over \$900,000. The Sycamore Westridge Property is in the San Pasqual Valley is upland coastal sage scrub habitat property, approximately 20.5 acres, and will be available for future sale at approximately \$33,500 per acre. The San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) owns the Sycamore Westridge Property and if this property is sold the JPA would share the proceeds of this sale with the San Dieguito River Valley Conservancy 50-50, according to this agreement. The term of the Memorandum of Understanding is ten years.

Interim Director Ochenduszko recommends the Board deposit a portion of the funds in the JPA's account at the County of San Diego to correct the current negative cash balance and deposit the remaining money with the County Treasurer to be retained for a one-time use designated by the Board of Directors. Interim Director Ochenduszko recommends the approval of the Memorandum of Understanding and to direct the Board of Directors to allocate the funds, when received, as mentioned.

Boardmember Lightner made the motion to approve the Memorandum of Understanding between the San Dieguito River Valley Land Conservancy and San Dieguito River Valley Regional Open Space Park Joint Powers Authority regarding real property sales for mitigation credit of Fenton North and Sycamore-Westridge Land and to sequester the balance of funds until a future date. Boardmember Grosch seconded the motion.

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

4. Approval of Conservation Agreement Purchase Option Agreement

Recommendation: It is recommended that the Board of Directors:

1. Approve the Conservation Easement Purchase Option Agreement for Fenton North Property and authorize the Chairperson of the Board to sign it in behalf of the San Dieguito River Park.

Interim Director Ochenduszko introduced the item explaining the option agreement of environmental credits for the Fenton North Property discussed in the previous agenda item. Interim Director Ochenduszko continued to say that this is a six month agreement allowing SDG&E the exclusive right to acquire the environmental credits for the property in the amount of \$50,000. The \$50,000 fee is irrevocable. The agreement is a three party agreement between San Dieguito River Valley Conservancy, SDG&E and the JPA because SDG&E would like a conservation easement granted by the JPA at a future date. Interim Director Ochenduszko asked the Board of Directors to approve the three party Conservation Purchase Option Agreement authorizing minor modifications that may be necessary, without changing the terms of the agreement. Counsel Brechtel added that the \$50,000 option funds would probably stay with the San Dieguito River Valley Conservancy to pay for expenses relating to this agreement.

Boardmember Zito made the motion to approve the Conservation Agreement Purchase Option Agreement. Boardmember Grosch seconded the motion.

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

Boardmember Lightner left the meeting at 11:36 a.m.

INFORMATION

5. Park Project Status(oral)

a. Lagoon Ranger Station

Shawna Anderson reported that the Lagoon Ranger Station is still in process including site meetings with the California Coastal Commission staff. There is an issue with the placement of the Ranger Station in relation to the future plan for a Nature Center. Ms. Anderson stated that additional details will be brought to Board of Directors meeting in May and that this project will hopefully go to the California Coastal Commission meeting in August.

b. Pamo Valley Trail

Shawna Anderson reported that the Pamo Valley Trail project is in the site development permit process with the City of San Diego. There is an issue of the cultural resources and if mitigation or if adjustments to the trail alignments will be necessary.

c. Other Park Projects

Interim Director Ochendusko spoke about more projects in the park. Interim Director Ochendusko thanked Boardmember Jacob and stated that as a result of a connection that Boardmember Jacob has, JPA staff met with Mesa Grande tribal leadership and were able to look at a location where a trail could be put in. The JPA staff is proceeding with talking with the tribal leadership regarding a future easement.

Interim Director Ochendusko stated that because of connection through Trish Boaz from the San Dieguito River Valley Conservancy we have had communications with the Rancho Santa Fe Home Owners Association regarding the extension of a portion of the Coast to Crest Trail through the Rancho Santa Fe area. As a result of this connection and a field visit to the area, the Rancho Santa Fe Homeowners Association approved working with the River Park on an easement to connect the trail at their April 2, 2015 meeting. The location is at the end of the Del Dios Trail in the Santa Fe Valley and eventually will connect to the Lusardi Creek trail.

Interim Director continued to state that it has been confirmed with the Coastal Conservancy that retaining a portion of the existing boardwalk along with the construction of the Coast to Crest Trail along the north side of the South Overflow Lot meet the requirements of the original grant for the boardwalk. The City of Del Mar may be able to use the remaining planks from the boardwalk for the River Path Extension project.

Next month staff will be bringing to the board the proposal to accept a grant for the Watershed Explorers Program to acquire two vans to transport underserved students, ages 8-14, to the program locations. The program was kicked off March 17 and each class is one week long with visits to Volcan Mountain, Lake Sutherland, San Diego Archeological Center, Sikes Historic Farmstead, Lake Hodges and the San Dieguito Lagoon. School credit is given for this class. A grant has been offered by the San Diego Foundation and

the JPA will be applying for a Neighborhood Reinvestment grant through the County of San Diego to purchase two vans for transportation to this program. Also through a grant from Supervisor Jacob roofing and repairs are being made to a house on the Santa Ysabel Reserve that will serve as a research and field station for rangers. A grant has also been received from Americorps, providing ten volunteers to repair the exterior and habitat restoration at this location. The JPA is working with Caltrans on freeway signage that will direct visitors to the San Dieguito River Park from Interstates 5 and 15. Caltrans has been very helpful and has offered to install the signs at their expense. Interim Director Ochendusko reported that there are plans to work with the 22nd District Agricultural Association regarding retaining the boardwalk until the Coast to Crest trail is completed on the South Overflow Lot. Becky Bartling reported that the plans are to keep the boardwalk up as long as possible.

5. Coordination Reports (oral)

a. San Dieguito River Valley Conservancy

Trish Boaz thanked the Board and the 22nd District Agricultural Association for their efforts to maintain 600' of boardwalk. The River Path with the City of Del Mar is moving forward. A grant has been received from the San Diego Foundation for \$53,500 to purchase one van for the Watershed Explorers Program. It is a match to the potential Neighborhood Reinvestment Grant through Supervisor Jacob's office at the County of San Diego. The Conservancy has received the "Best of North County" award from San Diego magazine for "Best Outdoorsy Programming". Ms. Boaz added that several of the "Best Trails" were within the San Dieguito River Park. Ms. Boaz continued by mentioning several upcoming events; Karen Harwell will be speaking on Exploring Our Sense of Place, San Diego International Wine Show at the Del Mar Fairgrounds with \$5000 being donated to the Conservancy. Pizza Port in Solana Beach has brewed a Coast to Crest Trail Ale of which \$1 per pint will be donated to the Conservancy. An "Almost Full Moon Hike" will be held and lastly she announced the beginning of the eight month Exploring Our Sense of Place program.

b. Friends of the San Dieguito River Valley – No Report

c. Volcan Mountain Preserve Foundation – No Report

d. San Dieguito Lagoon Committee

Terry Kopanski announced the annual Lagoon Day event, Sunday, April 19, at the Powerhouse in Del Mar. At 10:00 a.m. there will be a hike on the boardwalk, Jacqueline Winterer will speak, and from 5:00 pm – 7:00 pm enjoy the sunset at the beach.

6. Jurisdictional Status Reports

Becky Bartling reported that a good compromise was reached with the California Coastal Commission regarding the boardwalk and she personally thanked everyone for their efforts and stated it will be very nice when completed.

7. Communications – None

8. ADJOURN TO CLOSED SESSION at 11:51 a.m.

- a. Closed Session Pursuant to Government Code Section 54957(B)(1) to Evaluate the Performance of Interim Executive Director

Counsel Brechtel stated that the Board met and there was no reportable action taken during the closed session.

Chair Mosier adjourned the meeting at 12:25 p.m.

These minutes approved by Board Action

Date

Executive Director