

**SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK  
JOINT POWERS AUTHORITY  
Minutes of March 19, 2010**

**MEMBERS PRESENT**

Richard Earnest -Chair  
Sherri Lightner -Vice Chair  
Olga Diaz  
Pam Slater-Price  
Carl DeMaio  
Phil Pryde  
Becky Bartling

**REPRESENTING**

City of Del Mar  
City of San Diego  
City of Escondido  
County of San Diego  
City of San Diego  
Citizens Advisory Committee, Alternate  
22 District Agricultural Association

**VISITORS/STAFF PRESENT**

Ken Cariffe	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
Jacqueline Winterer	Friends of the San Dieguio River Valley
Freda Reid	Del Mar Resident
John Degenfelder	Ramona Trails Association
Craig Adams	San Dieguito River Valley Conservancy
Cheryl Goddard	County of San Diego Dept of Parks and Rec.
Brian White	County of San Diego CEO Retirement System

**Introduction and Announcements**

Chair Earnest convened the meeting at 9:40 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Boardmember Pryde introduced the CAC members in attendance as, Jacqueline Winterer, Freda Reid, John Degenfelder and Craig Adams.

It was announced that Ken Cariffe would be our agency counsel for today.

**Approval of Minutes of February 19, 2010**

Boardmember Diaz made a motion to approve the minutes of February 19, 2010 , Boardmember Lightner seconded the motion. All in Favor.

**Executive Director's Report**

Executive Director Bobertz was pleased to announced that we have received another award for the David Kreitzer / Lake Hodges Bicycle Pedestrian Bridge from the National Concrete and Reinforced Steel Institute. This is our 8<sup>th</sup> award for the structure. Mr Bobertz read from the award announcement “ Your project clearly reflects excellence and ascetic expression, design innovation, functional excellence, and engineering

achievement in using reinforced concrete. The submittal illustrates incredible leadership in both design and collaborative management.”

Mr. Bobertz reported on some very positive news regarding the Via de la Valle corridor and El Camino Real Bridge replacement. For many years we have all worked on the plans for the proposed widening of these two roads and the possibility of the undergrounding of the utilities which were included in the plans as announced by the City of San Diego Engineering Department recently. Boardmember Lightner said that meetings with some of the city staff planners, SDG&E, capital project staff and the undergrounding staff were held to express concerns about the way this section of roadway looked with power lines along side it. It was announced last week that it is a possibility that the undergrounding will be included in the project and there might be some roundabouts incorporated into the plans.

**Public Comment-** None

### **CONSENT**

1. **Receive and Distribute Audit Report for Year Ending June 30, 2009-**

Director Bobertz said that the final audit had been completed and there were no changes from the draft audit that was included in the agenda. He said the audit report did not show any deficiencies or material weaknesses so it is a clean audit report.

2. **Application for County Enhancement Program Grant**

**Recommendation: Adopt the attached draft resolution approving the filing of an application for County of San Diego Community Enhancement Program funding for the County's 2010-11 fiscal Year.**

Deputy Director Carter said that we are applying for interpretive signage for inside and outside of our newly reconstructed Sikes Adobe Farmhouse. When the farmstead is completed it will be beneficial for the public to know the history of the site through the interpretive signs, as docents will not always be there.

Boardmember Pryde made a motion to approve the application for the Community Enhancement Funds and Boardmember DeMaio seconded. All in favor

### **ACTION AGENDA**

3. **Report from Budget Committee**

**Recommendation: No action needed**

Director Bobertz reported that the Budget Committee (Olga Diaz, Jim Cunningham and Sherri Lightner) met on March 10<sup>th</sup> and discussed the budget with concentration on the employee salaries and benefits, which make up 87% of the overall JPA budget. The remaining 13% of the budget are general services and supplies. Each line item of the budget was reviewed for ways to cut costs. A number of questions need to be answered about the retirement plan that the employees are under through the County. It was suggested that the JPA break away from the County and start their own retirement plan which would need to be researched. Mr. Bobertz said that he had requested Mr. Brian White, Chief Executive Officer of the County Retirement

System to attend today's meeting to help us understand the ramifications of the major changes being suggested. Boardmember Diaz stated that the potential cuts to the budget are a direct result of funding cuts by the City of San Diego. Mr. Bobertz said that a meeting has been set up for April 6<sup>th</sup> with the Mayor of San Diego who has agreed to address the River Park issues with the mayors of the JPA agencies. Ms. Diaz said that the committee went through each budget line item and credited Boardmember DeMaio for doing a lot of the leg work in his research. Mr. DeMaio said that he hopes that the River Park can keep the same level of service but review the individual employee package and see where we can legally cut costs. It is possible that the employee packages can be renegotiated to cut costs but he felt that the County's employment plans were difficult to understand and he discussed the percentages of the benefits. Counsel Cariffe stated that the JPA has a tri-party retirement participation agreement with the County and the Employees Retirement System which says what the rates are that the employer pays. With respect to the offset, this rate was set in 1991 to be at 7% and those offsets are set by County ordinance. With respect to the retirement board participation agreement, State Statute says that the JPA cannot withdraw without a majority vote from JPA employees. Mr. DeMaio asked counsel to look into ways to effect elimination or reduction of the offset and bring this back to the Board. He said that government employees should be paying their fair share in these difficult times. Boardmember Diaz said that the budget committee wanted to find a solution that involved making cuts to all employee's benefits rather than cutting employee positions. She said that it does seem that going through this exercise of finding out about the full budget and costs will make us a more efficient operation in the future. There were concerns about the fact that anyone leaving the JPA would have to be paid their vacation accrual and these funds were not in our budget. Boardmember Cunningham's list (in the agenda packet) recommended that some of the funding for a future vehicle be transferred into the reserve funds for vacation payout. Mr. DeMaio suggested as a last resort that the JPA employees be contracted out to non-profit agencies leaving the JPA to apply for grants and other funding. Mr. DeMaio said that it appears that JPA employees participate in social security in addition to receiving their retirement pension. He said it may be possible for the JPA to opt-out of the social security program.

Boardmember Slater-Price said that many years ago government agencies had the option whether to participate in Social Security or not. She said she was pretty sure that once the decision has been made, you can't change it later.

Brian White, CEO of the County Retirement System, said that we are governed by the state law of 1937 which governs 20 counties in the State of California. This act does allow employers to terminate from the plan but he was not aware of any agency that ever had. This Act requires a vote of the majority of employees to terminate. A rate is established upon hiring based on the age of the new employee. Mr. White said that he is researching this situation and collecting information from other agencies to better understand what the ramifications of termination are. There are costs that will need to be paid out to the employee upon termination. A study to calculate the exact savings would have to be conducted.

Director Bobertz stated that Deputy Director Carter would be excused from further negotiations since no other employee but himself has a contract.

Chair Earnest said that it is always good to look at expenses with a fresh eye which we are trying to do with this accounting exercise. He felt that the JPA is a very dedicated organization and it is very important to understand the full benefits package and budget so that we can cut costs where necessary and run the organization as efficiently as possible.

Boardmember Slater-Price stated that she felt that Mr. DeMaio appears to be focused on cutting costs in the JPA budget in order to eliminate the City of San Diego's member agency obligation. Mr. DeMaio assured

the Board that it is important to address all the budget and benefit issues to run a more efficient organization and it is important to impress on the City of San Diego that the River Park is a cost-effective resource to continue funding.

Boardmember DeMaio made a three part motion to request staff to return analysis on the following:

1. Looking at the Budget Accounts 51000 identify which are discretionary and if they are discretionary provide a process for reducing or eliminating.
2. Request from SDCERA the actuarial costs and the protocol for withdrawing from SDCERA in the next fiscal year.
3. Staff report back on policy changes recommended on vacation and sick leave accrual to insure that the JPA has a suitable financial reserve for these obligations as well as creating caps for each category. Boardmember Diaz seconded with the addition to number 2 to include analysis on the 401K and contribution rate possibilities. All in Favor

Boardmember Pryde asked if the City of San Diego is funding the San Diego River Park and Mission Trails Park and not the San Dieguito River Park. Boardmember Lightner stated that she would research this question but she did feel that grant funds had been used for the San Diego River Park. Boardmember DeMaio said that Mission Bay has a dedicated funding source.

Director Bobertz said that the staff and some of the Board members are having a meeting with Gary Gallegos (the Executive Director of SANDAG, which was instrumental in starting the San Dieguito River Park) this afternoon with the hope that some new funding ideas might be found.

#### 4. Ownership of Old El Camino Real Bridge

**Recommendation: Approve attached resolution in conceptual support of taking ownership of Old El Camino Real Bridge as a trail.**

Planner Shawna Anderson reminded the Board of the great news about the utility undergrounding and the widening of El Camino Real and Via de la Valle project. The news about the widening and undergrounding was presented by a City of San Diego planning employee who spoke at the CAC' Project Review Committee meeting and was well received news. The PRC was very pleased to hear about the incorporation of the undergrounding feature and the roundabouts that are being proposed. Ms. Anderson said that staff and the PRC have been working very hard on issues regarding the replacement of the old bridge on El Camino Real which is being offered to the San Dieguito River Park for free if we agree to maintain it. This offer would allow us to use the bridge as an extension of our Coast to Crest Trail. A new EIR will be issued in the near future which shows the old bridge left in place and a new wider bridge constructed to the east of the old one. Ms Anderson said that this item has been brought to the JPA Board because the City of San Diego is asking the JPA to take ownership of the bridge. The JPA had previously raised concerns about liability issues and maintenance costs. This widening is slated to be underway in 2014 so it is not an issue for our budget at this point but we do need to make a decision on whether we are interested in the bridge offer. The draft resolution, which is included in the agenda package, is a conceptual statement of interest in keeping the old bridge for a trail link. If the JPA Board does not feel that the ownership of the old bridge would be beneficial then we are asking that the new bridge have a cantilever attached for access for trail users.

Boardmember Slater-Price said that she was conceptually in favor of the gift of the bridge but asked about the wildlife undercrossing issue. Ms. Anderson said that the phase that is under construction now is addressing this issue of the undercrossing with a single span structure which is replacing the existing triple box culvert. We will have to do some habitat restoration in the future to make it more inviting for animals to use.

Boardmember Lightner recused herself from this item due to the fact that this bridge item will come to City Council in the future for review and a vote.

Speaker Jacqueline Winterer said that it is a very big decision and she is asking the River Park to consider the fact that the only reason to keep the old bridge would be so that equestrians would be accommodated on the old bridge. Ms. Winterer said that the old bridge is not earthquake reinforced and this would cause future costs for repairs. There are other options for the horses to cross on the proposed cantilever or use the riverbed crossing that is being used now in the valley.

John Degenfelder said that as a equestrian his horse crosses water but some horses do not. He said that in Ramona they just saved an old bridge and it is working out very nicely.

Boardmember Pryde asked if the Board approved this resolution today would we be able to rescind it in the future.

Shawna Anderson said that she understands the budget concerns but that we cannot allow horses to ford the river as it is illegal and we would not be able to call the riverbed crossing a designated trail. Ms. Anderson said that we would never get a permit for this trail crossing, and then that would force us to build a bridge over the riverbed at a considerable cost.

Chair Earnest said that he is prepared to support this item with reservations but he would like to have more research on the cost that we will incur if we accept the bridge.

Boardmember Slater-Price made a motion to approve the resolution and Boardmember Pryde seconded.  
Vote: Yes 4 and 2 abstentions ( Lightner/DeMaio )

Boardmember DeMaio left the meeting.

5. Support for SB1177 (Greenway Bill)

**Recommendation: Support attached Senate Bill 1177**

Deputy Director Carter said that last December there was a press conference held by Senator Kehoe to introduce legislation for a minimum 100 ft greenway from I-5 Freeway west to the railroad tracks, on the north side of the river on the Fairgrounds property. The greenway would include a public trail. The bill specifies the involvement of the Department of Fish and Game and the Department of State Parks and Recreation to determine what the greenway would be. Ms. Carter said that Senator Kehoe's office had explained that this bill is at the beginning of the legislative process and would undoubtedly be revised before it was final. She recommended that the Board support the bill as written, and continue to work with Senator Kehoe's office as it progresses.

Boardmember Lightner recused herself as this item would be on the City of San Diego agenda in the future.

Chair Earnest call for a vote on this issue. Vote: Yes 4 1 abstention ( Lightner)

## INFORMATION

### 6. Coordination Reports

- a. San Dieguito River Valley Conservancy- Craig Adams said that they are raising funds for the Volcan Mountain property acquisition. Mr. Adams said that the Conservancy is not interested in contracting River Park operations as suggested in this meeting today. Mr. Adams strongly encouraged the Board to save the Environmental Planner position as it is essential to the River Park operation.
- b. Friends of the San Dieguito River Valley- None
- c. Volcan Mountain Preserve Foundation- None
- d. San Dieguito Lagoon Committee- None

### 7. Status Reports

- a. River Park Projects

Executive Director Bobertz said that the office reconstruction is proceeding and we are hoping that we will be in our office later this year. The current office space that we rent from the City of San Diego has a leaky roof and it has caused problems. Deputy Director Carter said that Sikes Adobe is proceeding and we have been getting quotes for wallpaper and the manta ceiling. We are planning on the grand opening on June 26<sup>th</sup>, 2010. Ms. Carter said construction on the WB Bike Path is continuing in the segment from Rancho Bernardo Community Park Drive through the parking lot, but we have had to stop construction south of there due to the Redtailed Hawk nest that is 300 ft from the construction. She said that the State Parks grant application for the Lagoon Center is due on July 1, 2010 for a maximum application of \$7 million dollars. Shawna Anderson said that the Heritage Trail is almost complete but needs some signs. This trail will connect with the Poway trails and be an important link to the trail system.

8. Jurisdictional Reports Becky Bartling said that they have a meeting with Senator Kehoe on the grave concerns that the 22<sup>nd</sup> District has regarding SB 1177, due to the elimination of several uses for the fairgrounds and its impacts their operations. Ms. Bartling hopes that Ms. Kehoe will understand the impacts and offer some solution. Ms. Bartling said that she felt that the San Dieguito River Park should be included in the planning of the greenway also. The current version of the bill does not mention the San Dieguito River Park or the existing trail.

9. Communications- Letter to Mayor of San Diego from JPA 2/19/10

Chair Earnest adjourned the meeting at 11:25.

These minutes approved by Board Action

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director

DRAFT