

SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK  
JOINT POWERS AUTHORITY  
Minutes of June 18, 2010

MEMBERS PRESENT REPRESENTING

Richard Earnest -Chair	City of Del Mar
Dave Roberts	City of Solana Beach
Pam Slater-Price	County of San Diego
Dianne Jacob	County of San Diego
Carl DeMaio	City of San Diego
Tom Golich	Citizens Advisory Committee

VISITORS/STAFF PRESENT

Wayne Brechtel	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
Natalie Borchardt	SDRP Ranger
Barbara Baker	SDRP staff
Anne Cooper	SDRP staff
Jason Lopez	SDRP Ranger
David Hekel	SDRP Ranger
Tom Cook	Old World Bernardo
Stephen Van Wormer	Self
Susan Walter	Self
Dan Winne	Happy Trails
Phil Pryde	Self
Max Kiltz	Self
Bill Porter	San Diego Mountain Biking Assoc
Philip de Barros	Palomar College

**Introduction and Announcements.**

Chair Earnest convened the meeting at 9:35 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Chair Earnest explained that the JPA Board would be going into a special Closed Session and directed Counsel Brechtel to take the board into that session.

Counsel Brechtel said that the purpose of this Closed Session meeting under Government Code 54957.6 to confer with its designated representative, Executive Director Dick Bobertz to review the employee pension plan budget proposal which is in the regular agenda on page 31. There will be no final action taken during the Closed Session which will only be discussion on the item and prior to the Closed Session anyone wishing to speak on the item going into Closed Session can do so before the session begins. Mr. Brechtel reminded the speakers that they would also get a chance to speak during the regular agenda item discussion.

**Public Comment-**

Speaker, Max Kiltz, spoke about his support of the River Park and the impossible dream getting as far as the River Park has gotten. He felt that the staff of the River Park does not deserve the actions being taken by the Board and there should be more appreciation of all the efforts that staff has given. He hopes that the JPA Board will stop disrespecting the staff and find alternatives to help them.

Boardmember Slater-Price thanked Mr. Kiltz for speaking and for his support.

Speaker, Tom Cook, spoke about his plan to find funds for the Sikes Adobe Historical Farmstead with wagon rides that will net \$6K a year. He proposed a cluster of sites called "Old World Bernardo" at Sikes Adobe Farmstead which would have a produce operation, activities and educational opportunities. Mr. Dan Winne would like to bring in a petting zoo and ponies to ride which will net about \$30,000 a year. Mr. Cook hopes that the JPA Board will keep Museum Manager, Anne Cooper on the staff.

Boardmember Jacob thanked Mr. Cook and Mr. Winne for their ideas and support.

Speaker, Phil Pryde said he endorsed the proposal as brought to you from the staff so we can close out this unfortunate situation and staff can get back to doing their job working on the world's greatest river park.

Speaker, Bill Porter, who is a boardmember of the San Diego Mountain Bike Association. Mr. Porter said that the association would like to support keeping all the rangers because this is a large park and the problem users on the trails need a ranger presence to keep things good for all users. The Mountain Bike Association would like to offer support in the form of trail building and access to volunteers.

Speaker, Susan Walter, said that she has been involved with Sikes Adobe Farmstead for many years. Ms. Walters was there for the first restoration and furnishing and then viewed the burned remains with much sorrow. Ms. Walters feel that the Sikes Adobe is a fabulous and unique resource which is now coming back as a Phoenix. When she heard that Museum Manager, Anne Cooper, might be losing her position with the River Park she was stunned as this facility cannot be left unattended after all the work that has gone into the reconstruction. Ms. Walters also implored the JPA Board to keep all the staff together to resume their important work.

Speaker, Steven Van Wormer, said that he has been a volunteer with many organizations and I have seen that volunteers without a staff person will not succeed.

Speaker, Philip de Barros, archaeologist at Palomar College who helped with the excavations at Sikes Adobe before it was rebuilt said he was impressed with the leadership and vision of Ms. Cooper and hopes that the JPA Board will retain her as Museum Manager.

Speaker, Carol Carr, CAC Member of 11 years and the Trails Committee Chair urged the JPA Board to support the staff of the River Park by not pursuing any changes to the staff pay or benefits. Ms. Carr said that she retired on a government pension and has been doing volunteer work ever since. She believes when you take away a defined pension plan from employees, it can be devastating to morale of the employees. You will lose your hardworking and dedicated staff and by making them pay from their pocket for the financial commitment that the City of San Diego agreed to and now refuses to pay. Ms. Carr said that the volunteers that work at the River Park need guidance by the staff and she urged the Board to get revenue from alternative sources and from the City of San Diego Water Department.

Speaker, Natalie Borchardt, said that the River Park has a very small staff of 9 people and she personally works with 40 volunteers at a time and they need guidance and education about the environment. Ms. Borchardt stated that the few staff members work so hard and asked that they try to preserve what little incentives are offered. She felt that the staff members are all very dedicated and could command larger salaries in other positions but chose to work in the jobs that they are dedicated to. While she must make her personal financial obligation with furlough days deducted from her paycheck she still pays her taxes to the City of San Diego of which she is a resident. She asked that the JPA Board make any further cuts and deductions on a temporary basis and feel that her defined pension is the only fiscal incentive that she has for a sustainable retirement.

Boardmember DeMaio asked what the extent of the noticing was for the special Closed Session and purpose of the meeting. Mr. DeMaio wanted to make sure that the commitment to the public that the Closed Session will be to discuss the compensation proposal of the staff and he will not participate in discussion of anything that strays from the topics covered under the Brown Act.

Counsel Brechtel read the purpose of this Closed Session meeting under Government Code 54957.6 to confer with its designated representative, Executive Director Dick Bobertz to review the employee pension plan budget proposal and compensation, and retirement. This session is to discuss the proposal brought forward from the River Park Staff.

Boardmember Jacob thanked all the people who came to support the River Park and she hopes that all of you will go to the next City of San Diego Council Meeting and any future meetings to make clear the importance of the River Park and their agreed upon contribution.

Boardmember Slater-Price agreed with Boardmember Jacob and suggested that anyone who would like to speak on this matter go to committee meetings that are held. At these meetings you can address the City Council members and there is press in attendance and it is televised. Ms. Slater-Price announced that the City of San Diego has found 4 million dollars that they did not know that they had and maybe they can use some of that to make their financial obligation to the River Park.

Boardmember DeMaio said that he and Ms. Lightner have come up with a proposal that might bring in some funding for the River Park. He said that he recently voted against the City of San Diego budget because of their failure to make investments in organization like the JPA. Mr. DeMaio said that he does not want to cut services but when you do not find the funds to balance the budget something must be cut.

The JPA Board went into closed session.

Counsel Brechtel announced that the Board met in Closed Session on the item previously disclosed and no final or reportable action was taken. Any action will be taken in Agenda item # 4. The special meeting is adjourned. The regular meeting of June 18, 2010 went back into session.

Boardmember Golich introduced the CAC members in attendance as Freda Reid, Jacqueline Winterer, Carol Carr, Phil Pryde.

Chair Earnest announced the reopening of the Sikes Adobe Farmstead on June 26<sup>th</sup> from 10:00 a.m. to noon and asked the public to attend.

**Approval of Minutes of May 21, 2010** -Boardmember Slater-Price Pam made a motion to approve the minutes of May 21, 2010 and Boardmember Roberts seconded. All in favor.

**Executive Director's Report-** Director Bobertz announced that Southern California Edison has begun construction on the Coastal Access Path extension of the trail which was a condition of the Wetland Restoration project. This section will allow the public to use the Hwy 1 Bridge to get over the river to access the beach. This construction will be done by July 4<sup>th</sup>, 2010. Mr. Bobertz said that we have received notification that the California Coastal Conservancy approved a grant to the River Park for \$317,000 for a study of alternatives for a section of Coast to crest trail that goes from I-5 to the beach and the construction of the north and south trail segments at the San Dieguito Lagoon. As a reminder, we have received \$349,670 from the Environmental Enhancement Mitigation Grant to install the trail link across the Horsepark property and a \$50,000 grant from Southern California Edison for construction along Via de la Valle which will fulfill most of our trail needs in the coastal section.

### **CONSENT**

1. **CAC By-Law Amendments**

**Recommendation:** Concur with the attached Citizens Advisory Committee By-Law Amendments

2. El Camino Real- Portola Expedition Remnant

**Recommendation:** Authorize the Chair to sign the attached letter requesting preservation of a historic site and remnant of Old Camino Real.

Boardmember Golich made a motion to approve the Consent items and Boardmember Slater-Price seconded. All in favor.

### **ACTION**

3. Issues Relating to Work on City of San Diego Property or in City Jurisdiction

**Recommendation:** Consider modifying direction to staff to suspend any work on property belonging to the City of San Diego. Continued to the July 16, 2010 meeting.

4. **FY-2010/11 Budget**

**Recommendation:** Discuss options, and adopt budget and staffing/salary schedule for FY10/11

Director Bobertz reported that at the last meeting the Board adopted a budget which was premised on the staff withdrawal from the County pension program. The River Park staff unanimously declined to withdraw from the pension which has left us with a \$68,479 shortfall that we have to make up. We have also received information that our insurance is being raised \$3,300 for the coming year along with the fact that the solar panels for the Lake Hodges Bridge were stolen and will cost \$10,000 to replace. This additional shortfall will leave us \$81,779 to make up.

Speaker, Bill Porter said that the San Diego Mountain Bike association is proposing that the trails that extend to the east of the River Park not be 12' wide with DG surface and rail fence which will cut the costs considerably. Mr. Porter said that his organization advocates more narrow trails that have a natural surface. Mr. Porter offered assistance from the SDMB for volunteers and consultation on trail building.

Boardmember Jacob suggested the SDMB to put their offer in writing and thanked Mr. Porter for his suggestions.

Speaker, Tom Cook said that the River Park can count on at least 6K toward the budget shortfall from income produced at the Sikes site.

Speaker, Dan Winne said that he agrees with the Mountain Bike Association that the trails need to be narrow and natural surface for the protection of the equestrians and the bike users. Secondly, he offered to donate services that will generate substantial funds for the River Park.

Chair Earnest thanked Mr. Winne and Mr. Cook for their offer and generosity and directed staff to get something more formal for the Board to review.

Speaker, Susan Walter spoke about a school program that she did for children in the past and this could also be done at Sikes Adobe Farmstead.

Speaker, Steven Van Wormer spoke of the difficult decisions that the JPA Board has to make but reminded the board that laying off staff will only cause programs to fail.

Speaker, Craig Adams stated that he is aware of the difficult decisions that the board has to make along with the emotional toll this brings. He does hope that the goal will be to bring the City of San Diego back to the table and restore their financial responsibilities. He felt that the City Council has the power to change anything on the budget that the Mayor has proposed and it is inaccurate to blame everything on him. It is difficult to read that the Otay Regional Park is being funded when they are not meeting their obligations to the San Dieguito River Park. In looking at the furlough days he felt that it was important to meet safety concerns when something goes wrong and the River Park says that they do not now have adequate staff to meet the needs of the public. Mr. Adams stated that there are new trails about to be built and maintained and furloughing staff will only delay progress. He encouraged the board to spend the reserves and keep staff at full time.

Speaker, Anne Cooper, Sikes Adobe Museum Manager, thanked everyone who came out to speak on her behalf and said that she feels that the Sikes Adobe is a work in progress and we have so much more to do. The structure is almost finished and we have our grand opening next week. The volunteers have expressed a sense of defeat if they do not work under the direction of a staff person. Ms. Cooper said that we need to develop educational and interpretive programs and hopes that the board will recognize the need to keep the cultural resource open to the public.

Boardmember Jacob said there are no easy decisions but she was looking at Executive Director Bobertz' original recommendations to retire his position, drop the Environmental Planner to ½ time, to decrease the flex credit, to eliminate the bookkeeper position and cancel furloughs. On the offset it will be a pay cut but this way we will be able to retain our employees including the Sikes Adobe Manager. For the remainder of the shortfall we will do a onetime dip into our reserves. Ms. Jacob wanted to include the offers that were brought forward today in our difficult decision and to work with the Mountain Bike Association. We need to give direction to Director Bobertz to work with Mr. Cook and Mr. Winne to confirm their offers of help.

Chair Earnest said it is an agonizing time and we have to consider using our reserves to keep our staff intact. He hopes that Boardmembers Lightner and DeMaio will be able to help the City of San Diego come back to the table with their financial responsibility and any cuts will be temporary.

Boardmember DeMaio echoed the boardmembers comments that we want to keep the services intact but we want to lay the groundwork for restructuring the JPA's finances for the long term so that we can be sustainable. We need to look at all our operating costs and how to restructure them along with the outside offers of financial help.

With that said, Boardmember DeMaio proposed a 5 part motion:

1. Reaffirm the Board's adoption of the tan budget which is located on page 34 of the agenda.
2. Amend the tan budget to restore the Sikes Adobe Museum Manager position
3. Amend the tan budget to reduce the Environmental Planner from  $\frac{3}{4}$  to half time.
4. Amend the budget by eliminating the offset
5. Instruct the Director to identify any additional shortfalls to be covered by the endowment reserve and to present this new budget proposal to the Board along with the recommendations on pursuit of alternatives on the Sikes site heard today as well as working with the City of San Diego on potential funding for increased costs that have come to the attention of the Board today such as the stolen solar panels.
6. Adding in the City of San Diego's assessment into the budget as expected revenue and note that any funding from the City or unrestricted monies from other sources would be used to restore the Environmental Planner to  $\frac{3}{4}$  time and restoring the reserves that we are likely to use balancing the budget.

Boardmember Jacob seconded the motion with the suggestion of a two year budget to be presented at the next meeting. Ms. Jacob asked Director Bobertz to bring forward to the next meeting the consequences of not having an Environment Planner on staff  $\frac{3}{4}$  time.

Boardmember DeMaio noted that with this motion we are asking the employees to pick up their share of the pension costs as the taxpayers are paying the employer's share. The reserves will be used for the onetime expense to pay out the vacation time of our Executive Director. The budget that we are adopting today will balance this fiscal year's expenses but the following year also. If the City of San Diego can restore their assessment in the future we can replenish our reserves and services. Mr. DeMaio stated that the City of San Diego has a \$184,000 grant through SANDAG for remediation and environmental uses in the San Pasqual Valley and he believes that the park rangers employed by the SDRP could be the recipients of this funding. He has asked for this item to be put on the Council agenda for consideration. He asked for the public to attend the City Council meetings in support of the River Park. Mr. DeMaio said he would also work to try to access the City of San Diego Solar Grant Program to pay for the solar panel replacement under a grant for renewable energy.

Boardmember Slater-Price noted the Board wanted to make sure that we did not lose any employees. In the 18 years that she has been on the Board of Supervisors she has never seen a more hardworking group of employees and efficient organization and wanted to say that she will work very hard to find funding for the Environmental Planner position because we all lose when we do not have her available. Ms. Slater-Price would like to see the City of San Diego restore its funding as agreed upon and thanked the Mountain Bike Association for their generous offers.

Boardmember Golich expressed the sentiments of the CAC members who felt that it was very important for the River Park to have the Environmental Planner at  $\frac{3}{4}$  time.

Chair Earnest asked Executive Director Bobertz to explain his recommendation to reduce the Environmental Planner position to  $\frac{1}{2}$  time. Executive Director Bobertz said that his rationale for the reduction to the Environmental Planner position was because, for the foreseeable future, we would not be able to apply for new grants to expand the trail system or accomplish other projects because we do not have the personnel to maintain new segments of trail or projects. Since some of the Environmental Planner's time is spent on doing environmental review and coordination of such projects it represents time that can be cut without jeopardizing our objective of maintaining what has been accomplished until additional funding can be found.

Boardmember Roberts stated that he did not support the motion because he does not feel that people who make such a low salary should be hit with a 7% decrease in earnings. He was upset that the City of San Diego could not make their financial commitment and suggested that the River Park look into alternative funding and additional offers of help as suggested today. He did not support the decrease in hours for the Environmental Planner and thought that we should take the extra funding out of reserves. The offset percentage is too high for each employee to absorb. The reason we are dipping into our reserves is because the City of San Diego is not paying their agreed upon assessment.

Boardmember Jacob said she had been persuaded by Mr. Roberts' argument regarding the offset, and as the seconder, she would support changing the offset reduction to 3.5% instead of totally eliminating the offset all at once, if Mr. DeMaio would agree to changing his motion. He said that he would not.

Therefore, Boardmember Jacob withdrew her second and made a new motion

1. Reaffirm the Board's adoption of the tan budget which is located on page 34 of the agenda.
2. Amend the tan budget to restore the Sikes Adobe Museum Manager position
3. Amend the tan budget to reduce the Environmental Planner from  $\frac{3}{4}$  to half time.
4. Amend the budget to a 3.5% offset
5. Instruct the Director to identify any additional shortfalls to be covered by the endowment reserve and to bring that information back to the Board along with the recommendations on pursuit of alternatives on the Sikes site heard today and other meetings as well as working with the City of San Diego on potential funding for increased costs that have come to the attention of the Board today such as the stolen solar panels.
6. Adding in the City of San Diego's assessment into the budget as expected revenue and note that any funding from the City or unrestricted monies from other sources would first be used to restore the reserves that we are likely to use balancing the budget.

Boardmember Roberts seconded.

Chair Earnest asked if the motion could be amended to make the number one priority of the Board to use any additional funding found to reinstate the Environmental Planner position to  $\frac{3}{4}$  time. The maker of the motion agreed to the amendment.

Vote 5 yes 1 no (DeMaio)

Counsel Brechtel announced that he would be attending the JPA meetings pro bono for the rest of the year to help out with the budget problems. He also clarified that the Board's action in this motion was to adopt

the FY 10/11 budget, and what staff would be bringing back next month was the amount needed to be taken as a loan from the Endowment Fund in order to balance the budget.

5. San Dieguito Lagoon Center Business Plan and Resolution Applying for Grant

**Recommendation:** Adopt attached resolution applying for grant funds.

Director Bobertz stated that we have a deadline to submit a grant for the Lagoon Nature Center and we have to submit the grant by July 1, 2010.

Boardmember Slater-Price made a motion to approve the application for the grant and Boardmember Roberts seconded. All in favor

Counsel Brechtel noted that Item 3 had been continued to the next meeting of July 16, 2010.

Chair Earnest adjourned the meeting at 12:17

These minutes approved by Board Action

\_\_\_\_\_  
Date

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

