

**SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK
JOINT POWERS AUTHORITY
Minutes of September 17, 2010**

MEMBERS PRESENT

Richard Earnest -Chair
Sherri Lightner -Vice Chair
Olga Diaz
Jim Cunningham
Dave Roberts
Pam Slater-Price
Dianne Jacob
Tom Golich
Becky Bartling

REPRESENTING

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

VISITORS/STAFF PRESENT

Ken Cariffe
Dick Bobertz
Susan Carter
Shawna Anderson
Jan Lines
Tom Cook
Dan Winne
Freda Reid
Bill Michalsky

JPA Counsel
San Dieguito River Park JPA
Rancho Bernardo Historical Society
Happy Trails
San Dieguito Lagoon Committee
San Dieguito Lagoon Committee

Introduction and Announcements

Chair Earnest convened the meeting at 9:31 a.m. in the County Administration Building, 1600 Pacific Highway, Room 302/303, San Diego, CA 92101

Boardmember Golich introduced the CAC members in attendance as, Tom Cook and Freda Reid.

Approval of Minutes of July 16, 2010

Boardmember Roberts made a motion to approve the minutes of July 16, 2010 and Boardmember Pryde seconded the motion. All in favor

Boardmember Lightner asked if we have special insurance to cover our volunteer Executive Director from liability. Director Bobertz said that he conferred with our attorney before he made the decision to continue as Director without pay and it was cleared by counsel.

Executive Director's Report- Director Bobertz said that Volcan Mountain Preserve Foundation is continuing to purchase property in Julian and another escrow is closing soon. We are pleased to announce another structural engineers' award for the David Kreitzer Lake Hodges Bicycle/Pedestrian Bridge from the

Women's Transportation Society of San Diego. Mr. Bobertz reported on an event at the Sikes Adobe Farmstead which was a BBQ hosted by the Rancho Bernardo Historical Society that was well attended and brought attention to our newly renovated project.

Public Comment- None

CONSENT

1. Resolution Applying for State Environmental Enhancement Mitigation Program Funds-

Recommendation: Adopt attached resolution applying for EEMP grant funds for acquisition of Del Mar parcels.

Boardmember Roberts made a motion to apply for the EEMP grand funds and Boardmember Slater-Price seconded.

2. Resolution Applying for State Department of Justice ORI Number-

Recommendation: Adopt attached resolution applying for State Department of Justice ORI Number.

Deputy Director Carter explained that staff recommended that a background check be conducted on all volunteers who work with the public and/or represent the JPA in an official-appearing capacity to ensure that they don't have violent criminal records or sex offender status. The Department of Justice offers a finger print scan check that is economical, but requires approval by the State Department of Justice. Although we have not had any problem in the past, the seriousness of the consequences was brought to light with the tragic event this year in Rancho Bernardo. Ms. Carter explained that we have many different kinds of volunteers and that the ones that come out for a day to help with trail work would not be subject to a background check, nor would the CAC members. Boardmembers discussed the different aspects of this background check and suggested that if a volunteer represents several different organizations that only one background check is necessary. It was discussed whether it was really necessary to have the background checks, but the consensus was that it was necessary for public safety. Boardmember Roberts said that is critical that we do background checks and Boardmember Slater-Price stated that we don't want people who refuse to have a background check performed. The Boardmembers requested that staff review other agencies' policies and bring a draft background check policy back for adoption at a future meeting. The policy should address privacy concerns and be clear about what past convictions would disqualify a volunteer applicant. It was also recommended that someone on staff should go through the process so that we know what is entailed. The issue of cost reimbursement was raised, and it was discussed that the JPA would pay for the cost of the background check up to a cost of \$20 per person. Motion to adopt the resolution, Boardmember Roberts, seconded by Boardmember Slater-Price. All in favor

3. Award Fencing Contract for Lagoon Trail (segment 8)

Recommendation: Award Contract to Sierra Pacific Fence for Fencing Installation at Lagoon Trail.

Boardmember Roberts made a motion to award the contract to Sierra Pacific Fence for Fencing installation at Lagoon Trail (Segment 8). Boardmember Jacob seconded . All in favor

ACTION

4. **Report from the Finance Committee re Long-Term Operational Funding Alternatives-**

Recommendation- Receive Finance Committee Report and Discuss

Director Bobertz reported that the Finance Committee is going to meet on a regular basis to examine various long-term potential alternative funding sources for the JPA's operational needs. Mr. Bobertz stated that we have enhanced our budget with the funding received for land management and will continue to explore new avenues of funding for managing property through mitigation. It was explained that with the limited staff that we have now, and our obligations to the wetland restoration management, much additional land management obligations would spread our ranger staff too thin. We have tried to find other ways to generate funds - one of which was the Iron Ranger that has envelopes to donate funds on the trail. Not much money has been raised from this optional system. Ideas were raised concerning "annual passes" and how they might be implemented. Mr. Bobertz explained each of the 9 revenue sources that were discussed at the last committee meeting and how each one might play into our revenue plan. One of the revenue ideas was the cell tower access on Bernardo Mountain and it sparked a discussion on issues concerning cell tower impacts. Shawna Anderson explained that the CAC's Project Review Committee has come up with language in a policy about this issue which Boardmember Jacob requested to see at the next meeting. Boardmember Pryde thought that we should look into the possibility that the area on Bernardo Mountain might be sacred land. Boardmember Lightner said that the City of San Diego has a fund for front-ending a Community Benefit Enhancement District, so the JPA could look into some type of community financing district. Regarding the Water Department land management, Boardmember Roberts asked if the City of San Diego might be required to pay the River Park for doing maintenance on their property. Mr. Bobertz stated that he had a meeting with the Director of Public Utilities, Alex Rodriguez, after this meeting today to discuss this issue.

Boardmember Roberts made a motion to accept the report and Boardmember Cunningham seconded.

5. **Sikes Adobe Historic Farmstead**

Recommendation: Staff recommends that your Board approve the attached agreement with Happy Trails, and provide input to staff regarding the Master Plan.

- a. **Agreement with Happy Trails Livestock Company LLC-** Deputy Director Carter said that Mr. Winne with Happy Trails is here today to answer any questions that the Board might have about the agreement. The Draft agreement is a one year term agreement that the Board discussed in June and July board meetings this year. Part of the agreement will split the profits on wagon and pony rides which we hope to generate additional funding for staffing and operations of the adobe. Boardmember Roberts asked about the reference to no structure will be erected at the site without the permission of the JPA Director (page #23 item #2). Mr. Bobertz

said that he will review the structures proposed for the site. It was suggested that the wording of Item 2 should be changed to “No additions to the site” (instead of “structures”) Shawna Anderson said that the parcel is zoned AG11 which is limited but we might be able to work with the restrictions.

Boardmember Lightner said that she understood that the San Pasqual Planning Group had raised objections. Deputy Director Carter said that she had described this draft agreement to the San Pasqual Planning Board, as well as that we are preparing a Master Plan for the Sikes Adobe Historic Farmstead. She said the feedback was mixed. Some members said that farmers don’t make a lot of money from Farmers Markets because there are so many of them now. But she explained that other members of the Planning Group had been supportive, and had seen this as an opportunity to promote San Pasqual Valley farming.

Mr. Winne said that he knows most of the farmers in San Pasqual and would not do anything to cause problems for them. He said he should have gone to the Planning Group meeting; if he had, he would have said that he doesn’t want to compete, he wants to supplement, and wants their support.

Boardmember Lightner said that funding for the rides and gift counter should be put in a separate account.

Boardmember Jacob made a motion to approve staff recommendation to approve the agreement with Happy Trails as amended and Boardmember Slater-Price seconded. Ms. Jacob said this is exactly the kind of public/private venture we should do more of. Vote: Yes 7 Opposed 1 (Lightner)

b. Status Report on Master Plan-

Deputy Director Carter reported that she is working on the business plan part of the Master Plan and Anne Cooper, Museum Manager, is working on the interpretive plan section. Although the goal is to be self supporting we do need to keep in mind that the plan should primarily focus on the integrity of the site. A main concern of the historical period is the significant authenticity of the farmstead so there is a challenge to mix the need for revenue with the responsibility of keeping the site preserved. Boardmember Slater-Price reminded staff that historical weddings would be a good source of revenue.

Chair Earnest said that there was no action needed on this issue. Boardmember Cunningham thanked staff for the speed that this matter is being addressed.

6. I-5 North Coast Corridor Project Draft EIR/EIS-

Recommendation: *Direct staff to send comment letter in response to the I-5 North Coast Corridor Draft EIR.*

Shawna Anderson said that plans to widen the I-5 corridor and the extension along the 27 mile -long stretch of highway has several different options incorporated into it. The PRC and CAC have made their comments and are incorporated into this letter that addresses noise issues and community enhancements. Ms. Anderson said that SDRP was not included in the community enhancement list. The CAC has approved the letter with a proposed buffer, but not noise walls. Boardmember Roberts recommended that all the JPA boardmembers sign the comment letter with the addition that the EIR should be recirculated after the comments have been included. It was also suggested that we send an extension request letter immediately. Several Boardmembers made suggestions about the comment letter and additions and exclusions were noted.

Speaker, Bill Michalsky said that the Del Mar Lagoon Committee and Friends of the SDRP have concerns about the widening. Their concerns are about the noise and they feel that SANDAG needs to be involved in this decision. Mr. Michalsky said “Don’t pave over paradise”.

Jan McMillan of Del Mar said that the HOV lane is shadowing the lagoon and any mitigation should be require CEQA . Her concerns are to get the letter done and mailed requesting an extension.

Boardmember Roberts said that the CALTRANS is doing a new surface in Solana Beach called “whispering” in which the surface is marked in swirls to deflect the noise.

Chair Earnest said that all the JPA board members should sign the letter and appointed Boardmembers Lightner, Roberts, and Slater-Price as an ad hoc committee to coordinate with Shawna Anderson to create a letter with all the comments discussed today.

Boardmember Lightner asked staff to prepare a letter immediately asking for an extension. Boardmember Roberts seconded. All in favor

7. Marine Life Protection Act (MLPA) EIR-

Recommendation: Direct staff to send comment letter in response to the Draft EIR

Shawna Anderson said that the California Department of Fish and Game has released a Draft EIR for modification to the Marine Life protection Act call the South Coast Marine Protection Areas Project. A comment letter has been drafted and is due on October 4, 2010. Ms. Anderson said that the preferred project alternative would not add State Marine Reserve status and would in fact remove the existing state designation. This would allow for fishing in the lagoon which is a concern to the JPA. Boardmember Jacob suggested a letter from all agencies to their legislative representative.

Boardmember Slater-Price made a motion to research the official proposing this change and contact this person with our objections against the removal of our marine status and make it clear that we will be contacting other organizations to help us as this is a newly restored area and home to countless fish hatcheries. Boardmember Roberts seconded and stated that all the Boardmembers should sign the letter. All in favor

Craig Adams stated that the Coastal Fish and Game along with the fishing lobby had a large part in this issue.

INFORMATION

8. Coordination Reports (oral)

- a. San Dieguito River Valley Conservancy- Craig Adams said that the Volcan Mountain is continuing to purchase property. Mr. Adams requested that JPA Boardmembers attend the upcoming Conservancy fundraiser on Oct 17th at the Rancho Valencia Resort. He felt that the boardmembers' participation would be seen as very favorable to the other participants.
- b. Friends of the San Dieguito River Valley- Freda Reid said that the Friends have been concerned about the expansion of I-5 and to please visit their web page FSDRV.org.
- c. Volcan Mountain Preserve Foundation- None
- d. San Dieguito Lagoon Committee- None

9. Status Reports

a. River Park Projects

Deputy Director Carter said that the West Bernardo Bike Path has resumed construction after the delay due to the bird nesting season. Ms. Carter said that they hope to complete the bike path by January 15th, 2011. The David Kreitzer/Lake Hodges Bridge will be closed for a few weeks for resurfacing from Oct 4 -18th. At that time equipment grading and dredging will be done on the bike path cantiliver. Ms. Carter said that the new solar panels will be re hooked up next week and the contractor is putting in double security nuts so that they will hopefully keep us from having another theft. We are pleased to announce that on the 3rd week of October we will be moving back to our office and will send out invitation to stop by to see our new place.

10. Jurisdictional Status Reports- Boardmember Diaz said that the Escondido Creek is being studied by students at Cal Poly, Pomona. The students have created a film on their findings and will be presenting it on August 19th. Ms. Diaz said that anyone can see the results on the web at www.Revealthecreek.Org. Boardmember Slater-Price congratulated Ms. Diaz on her diligence on getting this project going.

11. Communications

Chair Earnest adjourned the meeting at 11:55.

These minutes approved by Board Action

Date

Executive Director