

**SAN DIEGUITO RIVER PARK  
JOINT POWERS AUTHORITY  
Minutes of November 21, 2014**

**MEMBERS PRESENT**

Dave Roberts - Chair  
Don Mosier – Vice Chair  
Jim Cunningham  
Dave Zito  
Mark Kersey  
Tom Golich  
Becky Bartling

**REPRESENTING**

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

**VISITORS/STAFF PRESENT**

Yin Ho  
Dick Bobertz  
Susan Carter  
Mark Ochendusko  
Shawna Anderson  
Brenda Miller  
Jacqueline Winterer  
Jan Lines  
Margaret Schlesinger  
Sachiko Kohatsu  
Natalie Borchardt  
Leana Bulay  
Nico de Paolo  
Chris Khoury  
Colleen Bradley  
Randall Sioblau  
Bill Michalsky  
Trish Boaz  
Phil Pryde  
Jeff Barnouw  
Tiffany Vinson  
Cory Hao  
Jan Fuchs  
Peter Shapiro  
Wayne Brechtel  
Terry Badger  
Dustin Fuller

JPA Counsel  
San Dieguito River Park JPA  
Friends of the San Dieguito River Valley  
San Dieguito River Park Volunteer  
League of Women Voters (CAC)  
Supervisor Robert's Staff  
San Dieguito River Park Staff  
San Dieguito River Park Staff  
San Dieguito River Park Staff  
San Dieguito River Valley Conservancy  
Volcan Mountain Foundation  
Resident  
Sierra Club (CAC)  
San Dieguito River Valley Conservancy  
Audobon Society (CAC)  
Friends of the San Dieguito River Valley  
Councilmember Kersey's Staff  
San Dieguito River Valley Conservancy  
CAC – Carmel Valley Planning Board  
San Dieguito River Valley Conservancy  
Worden Williams  
CAC – Central Property Owner  
Del Mar Fairgrounds

**Introduction and Announcements**

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

### **Approval of Minutes of**

Boardmember Cunningham made a motion to approve the minutes of October 17, 2014, Boardmember Zito seconded the motion. Yes votes: Roberts, Mosier, Golich, Cunningham and Zito. No votes: 0. Absent: Jacob, Diaz, Lightner and Kersey.

### **Chair's Report**

Chair Roberts stated that this is such a major occasion that the Board must take a moment to honor two people for all that they have done for the River Park over all the years. The San Diego County Board of Supervisors voted to pass proclamations honoring Executive Director Dick Bobertz and Deputy Director Susan Carter. Chair Roberts read from the proclamation to Director Bobertz that noted several important accomplishments during the sixteen years he lead the River Park: acquired 2,264 acres of natural open space, almost 30 million dollars of land acquisitions, recovery after the 2007 fires, 31.2 miles of trails added (longest contiguous section of trails - 22 miles), and the construction of the David Kreitzer Bridge.

Chair Roberts also presented a proclamation to Deputy Director Susan Carter. He mentions that Ms. Carter secured over \$60 million in grant funding for many park projects, designed the first webpage and continue to manage its content and re-construction, Sikes Adobe, Pedestrian Bridge, Del Dios Bridge trail bridge, Lagoon Birdwing, and all of the great things. Chair Roberts commented that Deputy Director Carter and Director Bobertz were the dynamic duo and we can't thank them enough. He awarded her a proclamation from himself, Supervisor Jacob and all of the County Supervisors. Friday, November 21, 2014 is also declared Susan Carter and Dick Bobertz Day.

### **Executive Director's Report**

Executive Director Bobertz gave his last report and said he was pleased that the San Diego Chapter of the American Institute of Architects has honored the Birdwing project with an Orchid Award this year. This continues a tradition of the River Park of implementing award winning projects in the River Park. The award winning projects are the Birdwing, the Administrative Office, Sikes Adobe Historic Farmstead twice, Lake Hodges Bicycle Pedestrian Bridge, and Strawberry Stand Wetlands Learning Center.

### **ACTION AGENDA**

Chair Roberts moved Item 3 to be heard first on the agenda.

3. Status of Revision of Joint Exercise of Powers Agreement (JEPA) (page 11)

### **RECOMMENDATION:**

It was recommended that the Board of Directors review the Working Group Recommendations Paper and Project Completion Schedule for the Joint Exercise of Powers Agreement, provide conceptual approval of the recommended revisions, and direct that a revised Joint Exercise of Powers Agreement consistent with the noted recommendations be placed on the December 2014 Board of Directors Meeting Agenda for consideration of approval.

Interim Executive Director Mark Ochenduszkowski reported that earlier this year, the JPA board formed an Ad Hoc subcommittee consisting of Chair Roberts, Vice Chair Mosier, Boardmembers Kersey and Lightner. A Working Staff Group Staff worked on a new JEPA for the future. The Working Group Recommendations Paper was reviewed by the Ad Hoc subcommittee on October 22, 2014. The goal is for the hopeful approval of a new JEPA by this Board in December, shortly thereafter by all of the member agencies, going into effect March 1, 2015.

The major recommended changes to the JEPA are:

New Term of JEPA 50 years with a review every 5 years

Alternative vote to current tally system of weighted vote only if member asks for it and it has a fiscal impact on JPA based on member agency contribution percentages

Acknowledge each member agency retains land use and management authority over land it owns within the park boundary

Bylaws and operating guidelines will be developed and will not be a part of the agreement, but will be required in the agreement

Contribution formula will be in JEPA agreement with an attachment showing current year

Trail maintenance standards noted in agreement

Within 90 days the Board will look at public policy positions on land use matters (P90-1)

Acknowledge that JPA may only dispose of property it owns

Purpose section – sue or be sued being taken out. JPA retains the authority.

Financial reporting will now require how – and where money spent in each member jurisdiction

Performance review of Executive Director annually by the JPA Board

Voting rights of agency electing not to contribute will be suspended until nonpaying agency member pays up their contribution for current year and six months of unpaid contributions for the previous year

Public access agreements will be required and developed for land owned by member agencies

All other issues will remain the same. Interim Executive Director Ochenduszkowski noted that both the Ad Hoc subcommittee and the Working Group reached a consensus regarding the new terms of the agreement.

Boardmember Kersey arrived at 11:15 am.

Staff is seeking approval from the Board to bring back a revised agreement with the changes noted for approval, and then the agreement will go to each member agency for approval and implementation by March 1.

Interim Director Ochenduszkowski stated that this process has been a collaborative, cooperative undertaking by all of the agencies. There have been eight meetings of the Working Group. Mr. Ochenduszkowski's recommendation is to approve the proposed changes in concept and calendar the matter for final approval at the December JPA Board meeting.

Ad Hoc Chair Mosier stated, as a member of the Ad Hoc Subcommittee, that they had a productive meeting in October, had a good draft, the process was good, and we are making progress. He noted this is a short timeline and alerted the member agencies that their councils need to be prepared to act on the JEPA. He concluded by stating he is not thrilled with every aspect of the agreement, but that it required compromise. Board members Cunningham and Zito also commented on the proposed terms of the agreement, and expressed concerns about the weighted vote methodology and property ownership upon dissolution.

The motion was made by Boardmember Cunningham to proceed with the working group recommendations, and to consider all the Boardmember's comments. Boardmember Kersey seconded the motion.

Yes votes: Roberts, Mosier, Golich, Cunningham, Zito, Kersey. No votes: 0, Abstain: 0, Absent: Jacob, Diaz and Lightner.

1. Appoint Nominating Committee for JPA Board Officers (page 3)

**RECOMMENDATION:**

Appoint Nominating Committee for Calendar Year 2015 Chair, Vice-Chair and Committees

Chair Roberts made motion to appoint a nominating committee chaired by Boardmember Golich, consisting of Boardmembers Cunningham and Diaz. Vice-Chair Mosier seconded the motion.

Yes votes: Roberts, Mosier, Golich, Cunningham, Zito and Kersey. No votes: 0. Abstain votes 0. Absent: Jacob, Diaz, Lightner.

Chair Roberts excused himself and turned the meeting over to Vice-Chair Mosier at 11:38 am.

2. Approve Contract for Engineering Consulting Services for Osuna Valley Bridge Feasibility Study (page 7)

**RECOMMENDATION:**

Award Time & Materials Contract for Engineering Consulting Services for Osuna Valley Bridge Feasibility Study to Kleinfelder/Simon Wong for an Amount Not to Exceed \$77,000.00.

Shawna Anderson introduced this item and made a correction that the project contract price is not to exceed \$77,500. She recommended that the JPA budget be amended to appropriate the funds. Ms. Anderson stated that the budget is a separate document that all Boardmembers received a copy of and stated that the corrected total project budget is \$77,500.

Boardmember Cunningham made the motion to award the Time & Material Contract for engineering consulting services for the Osuna Valley Bridge Feasibility Study to Kleinfelder/Simon Wong. Boardmember Golich seconded motion.

Yes votes: Mosier, Golich, Cunningham, Zito, Kersey. No votes: 0. Abstain 0. Absent: Roberts, Jacob, Diaz and Lightner.

4. Double-Tracking/Seasonal Rail Platform Environmental Assessment (page 33)

**RECOMMENDATION:**

Direct staff to write EA comment letter to SANDAG addressing the issues noted in this report or as determined by your Board.

Shawna Anderson said there was a correction to this recommendation asking the Board to direct the Chair to send a letter from the JPA to SANDAG addressing the issues discussed in this staff report.

Shawna Anderson described the project, showed a power point presentation with an aerial view of the location. The double railroad tracking/seasonal platform at the west end of the 22<sup>nd</sup> Agricultural District property (fairgrounds) is a long time coming project still in the planning stages. It is not scheduled to come on line according to SANDAG until 2030. At this time SANDAG is conducting environmental and engineering studies on the project and comments on the Environmental Assessment are due December 1, 2014. The project area is a 2.1 mile long section of the LOSSAN rail corridor from Lomas Santa Fe Drive in Solana Beach to just north of Coast Boulevard in Del Mar. The project will replace the trestle bridge with a new double track railroad bridge over the San Dieguito River. The Environmental Assessment addressed three alternatives for the new bridge and platform, an East Side Loading Alternative, a West Side Loading Alternative and an East Center Loading Alternative. In addition the project will include a 1000 foot Special Events Platform. JPA staff has been attending the technical working group meetings established by SANDAG for this project and has gotten a lot of information about the project details from these meetings.

Boardmember Cunningham made the motion to approve sending a letter expressing concern about the platform locations relative to an easement for the Coast to Crest Trail. Boardmember Zito seconded the motion.

Yes votes: Mosier, Golich, Cunningham, Zito. No votes: Kersey. Abstain 0. Absent: Roberts, Jacob, Diaz and Lightner

Shawna Anderson stated that the letter will include the policies from the Concept Plan that we are basing our statements on and will include the vote.

### **INFORMATION**

5. Park Project Status (oral)
  - a. Ranger Station

Deputy Director Carter stated that the Coastal Development Permit application has been submitted to the Coastal Commission for the Lagoon Ranger Station. SDRP has received comments back asking for additional information. Part of the requested response is to justify the proposed location of the future Lagoon Center. The initial six acres (was square shaped) is now narrower and longer within the same area. The Coastal Commission would like SDRP to document and justify why the Ranger Station and Visitor Center cannot be sited in the northwest corner of the property.

b. Pamo Valley Trail

Deputy Director Carter stated that a permit application for this trail has been submitted to City of San Diego. The City responded seeking additional information. The primary issue on this project is archeological, due to sensitive Native American sites in the area. SDRP has done its best to design the trail to avoid impacts to sensitive sites. Additional work will need to be done.

c. Founders Tribute

Deputy Director Carter said only one meeting has been held regarding the Founders Tribute and the committee will meet again soon.

d. Interpretive Center at the Lagoon

Deputy Director Carter said the proposed Interpretive Center was discussed at the last CAC meeting. The entire concept was presented to the CAC again for a new look at the project. It first was presented to the CAC and JPA Board in 2009. In general, the CAC is in favor of the project. They like the location, but recommended that the size be scaled down from 6000 square feet to 4000 square feet. Despite the recommended size reduction the CAC feels the Center can still retain the essence of what is intended to be accomplished with the building. This matter is something staff will bring back to the Board at a future meeting for further consideration.

e. Santa Ysabel Interpretive Center

Deputy Director Carter indicated the Santa Ysabel Interpretive Center was reviewed on the JPA Board agenda at the last meeting. Board member Jacob wanted to keep it on the agenda as a reminder. No new information was provided.

Coordination Reports (oral)

a. San Dieguito River Valley Conservancy

SDRVC Executive Director Trish Boaz said the Conservancy is happy for Dick & Susan upon their retirement. Ms. Boaz announced a Bikes and Beer event that will be held November 29<sup>th</sup> with 20% of funds raised going to the Conservancy. The event will not be held on the River Park trails and will not use SDRP resources. Information is available on the SDRVC website.

b. Friends of the San Dieguito River Valley

Jacqueline Winterer organized a lagoon walk to observe historical events that have had an impact on the lagoon area. Sixteen people participated.

c. Volcan Mountain Preserve Foundation

Coleen Bradley expressed pleasure in attending the meeting and excitement for Dick and Susan's retirement. Ms. Bradley introduced the Watershed Explorer's Program. The program will have a soft opening in March and having a strong program in the fall.

d. San Dieguito Lagoon Committee

Alice Brown stated the Lagoon Committee had a meeting on Wednesday, October 15. At the meeting a new subcommittee was formed to plan and design a new river path trail that will be between Jimmy Durante and the Grand Avenue Bridge.

7. Jurisdictional Status Reports

Boardmember Becky Bartling stated that the Del Mar fall race meet began on November 7 and it is going well. She also noted that it has been a pleasure working with Dick and Susan and she appreciates everything they have done for the organization.

Boardmember Cunningham announced that the City of Poway has proclamations for Dick and Susan. He stated his fondest memory of Susan was a 10 mile hike. He also said that he got to know Dick very well after hiking the 72 mile "Crest to Coast" trail with him. He appreciates Dick's passion and noted the day that the City of San Diego funding was lost and Dick crossed off his salary and benefits from the budget and said he thought the San Dieguito River Park could go on because Dick was not going to take pay going forward. Boardmember Cunningham congratulations both on a well-deserved retirement.

Public Comment-

Vice-Chair Mosier stated that public comment is not an action item and that because of the time constraint he asked all of the speakers to limit their time to three minutes. At this time Boardmember Kersey excused himself from the meeting.

Jan Fuchs, chair of the CAC Project Review Committee, stated that seven members of the Project Review Committee are in attendance to answer any questions regarding the letter that was sent from the Committee to the JPA Board regarding St. John Garabed Church. The CAC was not clear on what actions were taken at the October JPA Board meeting. The Project Review Committee (PRC) was interested in relaying the strong feelings the PRC has regarding the project, and would like the JPA to state the real concerns it has to the Coastal Commission regarding the major conflicts the project has with the SDRP concept plan.

Cory Ha'o, member of CAC, Project Review Committee, Friends of the San Dieguito River Valley, expressed concern about the St. John Garabed Church project setting a precedent for future open space issues. He stated that he is also concerned with encroachment issues in the wildlife corridor and understands that this violates the Multiple Species Conservation Program's intent. He continued to say that

we need clarity of the trail easements around that property. He feels that there is ambiguity in the plan and thinks it was absent from the Environmental Impact report. He stated his concerns are for the future and that this project could set precedence.

Bill Michalsky, member of CAC and Project Review Committee, supports the CAC letter to the JPA Board regarding the St. John Garabed project. He stated that this project has been discussed many times over the years and that the issue is the scale of project and closeness to the wildlife corridor. He asks that the JPA take a stronger position with the Coastal Commission.

Jacqueline Winterer indicated that while the JPA is in discussions with the City of San Diego that this is not a time to irritate the City of San Diego and wishes the JPA to approve the project.

Vice-Chair Mosier adjourned the meeting at 12:32 pm.

THE NEXT REGULARLY SCHEDULED JPA MEETING WILL BE DECEMBER 12, 2014.

These minutes approved by Board Action

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Date

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