

POLICY NO. P15-01

POLICY OF THE BOARD OF DIRECTORS OF THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE
PARK JOINT POWERS AUTHORITY

BOARD AND STAFF COMMUNICATIONS RELATED TO LAND USE PROJECTS

PURPOSE

On April 17th, 2015, the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) Board of Directors (Board) adopted the *AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITIES OF DEL MAR, ESCONDIDO, POWAY, SAN DIEGO AND SOLANA BEACH CREATING THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY* (JEPA). It became in full effect once each member agency's governing body approved and executed the JEPA. In the case of the City of San Diego, the final agency to execute the JEPA, City Ordinance O-2015-114 was adopted by the City Council on June 30th, 2015, which authorized the Mayor to execute the JEPA on behalf of the City. The Ordinance took effect 30 days after City Council adoption, on or about July 30th, 2015.

Section 11(b) of the JEPA states, "*The Board shall review and revisit the Board Policy No. P90-1 adopted on May 18, 1990 and Communication Policy No. P14-01, adopted June 20, 2014 within 60 days of the Effective Date of this Agreement.*" This policy is intended to comply with this provision in the JEPA.

This Policy combines and supersedes existing Board Policies: P90-1 *PROJECT REVIEW AND COMMENT (as revised through 2005)*; P96-2 *ABSTENTION ON LAND USE PROJECTS*; and P-14-01 *COMMUNICATION*. Each of these policies address separate but related procedures for JPA Board, staff and Citizens Advisory Committee (CAC). This Policy incorporates the restated language in the aforementioned policies as well as amended language where necessary as directed by the 2015 JEPA or Board direction. Combining the aforementioned policies into one policy will give the Board, staff and CAC comprehensive guidance on how each body communicates internally and clarify how the Board will officially convey agency comments related to land use projects that affect the purposes of San Dieguito River Park.

The specific purpose section of the following restated and amended policies has not been restated here, but rather can be found in their original form.

POLICY – ABSTENTION ON LAND USE PROJECTS (originally adopted 1/19/96 as P96-2)

It is the Policy of the JPA that Board members look first to the adopted policies of his or her own member agency for direction regarding participation in the JPA's review and comment on privately initiated land use development projects over which the member agency has land use decision making authority.

In the absence of adopted member agency policy, it is the policy of the JPA that Board members representing the JPA member agency which has final land use authority should abstain from voting on

privately initiated land use development projects when they come before the JPA Board for review and comment to the land use agency. This policy would not require Board members to leave the room or refrain from discussion. This policy would not affect Board members' participation in park planning or voting on public agency development or planning proposals or JPA initiated plans and projects.

All comment letters approved by the Board will clearly reflect the Board members present and absent at the meeting including the votes by each Board member and abstentions.

POLICY – PROJECT REVIEW AND COMMENT (originally adopted 5/18/90 as amended)

It is the policy of the JPA that the focus of the JPA and CAC efforts should be limited to implementing the goals and objectives of the Park. The JPA and the CAC will review and comment, when appropriate, on only those projects which are within the focused planning area, contiguous or immediately adjacent to the focused planning area and/or have a direct impact on the Park. Comments will be confined to the relationship of the project to the Park and any impact it may have on park plans, goals and objectives.

Members of the JPA and the CAC may comment on projects outside of the park which do not directly impact the park as individuals only or as representatives of other organizations. In no case are they to represent themselves as speaking for the JPA or the CAC.

When a project has no significant impact on the park, and no comments by the JPA are deemed to be necessary, it may be handled administratively or at the committee level and not taken to the JPA Board. A project need not be referred to the Board where the Executive Director or the Project Review Committee (PRC) of the CAC determines the project does not impact the focused planning area. When a project clearly falls within policies the Board has previously adopted or policy statements the Board has previously issued, the Executive Director has the discretion to authorize comments that refer to such policies or previously authorized Board comments.

This policy is not intended to restrict JPA staff interaction with potential project proponents that seek early input from JPA staff on the potential effects that their project may have on the Park. Planning department staff from the agencies who have final land use decision making authority, regularly seek input from JPA staff and often direct project proponents to consult with JPA staff early in their project planning to discuss potential conflicts and design modifications related to existing Park plans and policies. These early consultation communications do not represent the JPA, JPA Board nor the member agencies in an official capacity. This level of communication may be in verbal, written or electronic form and will clearly state that any official comments by the JPA may be forthcoming pursuant to formal Board action. Such communications will also follow the protocol outlined in the Communication Policy below.

COMMUNICATION POLICY (originally adopted June 20, 2014)

It is the policy of the JPA that all communications commenting on private or public projects that are sent out by staff but have not been approved by the JPA Board will be sent on letterhead that does not include Board member names in the masthead and will clearly state that they are staff level comments and do not necessarily reflect the official position of the JPA Board until authorized by Board vote.

Communications commenting on private or public projects that are approved by the JPA Board will be sent on letterhead that includes Board member names in the masthead, and the communication will list specifically how each Board member voted including members present/absent, and abstentions. The Board's vote results will be included in the communication if approved. The Board may direct staff to include approved Board minutes for the meeting in which the vote was taken.

This policy was adopted at the JPA Board Meeting on September 18, 2015

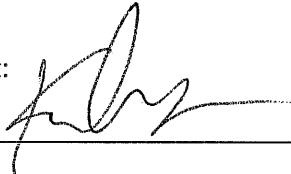
Motion: Golich

Second: Roberts

Vote: Yes - Mosier, Jacob, Roberts, Golich, Grosch, Zito

Absent- Diaz, Kersey, Lightner

Attest:

A handwritten signature in black ink, appearing to read 'Kevin McKernan', written over a horizontal line.

Kevin McKernan,
Executive Director