

San Dieguito River Park
Joint Powers Authority
18372 Sycamore Creek Road
Escondido, CA 92025
(858) 674-2270 Fax (858) 674-2280
www.sdrp.org

**JOINT POWERS
AUTHORITY BOARD OF
DIRECTORS**

Chair Dwight Worden
Del Mar City Council

Vice-Chair Dave Grosch
Poway City Council

Tina Inscoe
Escondido City Council

Joe LaCava
San Diego City Council

Marni von Wilpert
San Diego City Council

Joel Anderson
Supervisor, County of San Diego

Terra Lawson-Remer
Supervisor, County of San Diego

Kelly Harless
Solana Beach City Council

Jeff Barnouw
Citizens Advisory Committee

Dustin Fuller, Ex Officio
22nd District Agricultural
Association

Shawna Anderson
Executive Director

**AGENDA
SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
VIA TELECONFERENCE ONLY
Friday, September 17, 2021 - 11:00 A.M.**

Pursuant to the State of California Executive Order N-29-20, and in the interest of public health, San Dieguito River Park is temporarily taking actions to reduce the spread of the COVID-19 pandemic by holding the Board Meeting via teleconference. All Board members and staff will be participating remotely.

To Join Zoom Meeting

<https://zoom.us/j/99988232354?pwd=SmRIQ1BPRWZBbVhVVnhXRvprMTJlUT09>

To join this meeting via Teleconference

Please dial: 1-669-900-9128

Meeting ID: 999 8823 2354

Passcode: 440149

Public Participation/Comment: It is highly recommended to call in to the meeting or log in to the waiting room **at least 15 minutes** prior to the commencement of the meeting. Persons wishing to address the Board on matters not on the agenda may do so under Public Comment. Those wishing to speak on items on the agenda may do so when the item is being considered. To make a comment, please use the raise hand feature of Zoom or let the moderator know by using the chat function. You may also participate in the meeting by emailing comments to Brenda@sdrp.org by 3:00 p.m. the day prior to the meeting. The subject of your e-mail should clearly state the item number you are commenting on. All comments will be e-mailed to the Board of Directors prior to the start of the meeting. If you desire to have your comment read into the record during the meeting, please note that in the e-mail subject line. Comments may be mailed to the Board, but to be considered, must be received on or before the meeting date. Written comments should be mailed to: San Dieguito River Park, 18372 Sycamore Creek Road, Escondido, CA. 92025.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Brenda Miller at 858-674-2270. Please notify Brenda at least 48 hours prior to the Board meeting.

Approval of the Minutes of August 20, 2021 (Page 3)

Executive Director's Report

Public Comment

This portion of the agenda provides an opportunity for members of the public to address the Board on items of interest within the jurisdiction of the Board and not appearing on today's agenda. Comments relating to items on today's agenda are to be taken at the time the item is heard. Pursuant to the Brown Act, no action shall be taken by the Board on public comment items.

DISCUSSION/ACTION

1. Approval of JPA Records Retention Policy & Schedule (Page 7)
2. Approval of Outdoor Equity Grant Authorizing Resolution R21-2 (Page 22)
3. Approve Purchase of New Tractor (Page 33)
4. Future JPA Meeting Procedures (oral)

INFORMATION

5. Coordination Reports (oral)
 - a. San Dieguito River Valley Conservancy
 - b. Friends of the San Dieguito River Valley
 - c. Volcan Mountain Preserve Foundation
 - d. San Dieguito Lagoon Committee
 - e. Friends of Sikes Adobe

6. Jurisdictional Status Reports (oral)

An opportunity for the Board members to report on actions taken within their jurisdictions to further the park planning process.

THE NEXT REGULAR JPA MEETING WILL BE October 15, 2021. If you have any questions, please contact Shawna Anderson at shawna@sdrp.org or (858) 674-2270 Ext. 13

**SAN DIEGUITO RIVER PARK
JOINT POWERS AUTHORITY
Minutes of August 20, 2021**

MEMBERS PRESENT

Dwight Worden – Chair
Tina Inscoe
Joe LaCava
Marni vonWilpert
Kelly Harless
Joel Anderson
Jeff Barnouw
Dustin Fuller

MEMBERS ABSENT

Dave Grosch – Vice-Chair
Terra Lawson-Remer

VISITORS/STAFF PRESENT

Shawna Anderson
Ayden Zielke
Brenda Miller
Wayne Brechtel
Brenda Miller
Ricky Flahive
Maggie Brown
Crystal Benham
Kim Wehinger
Greg Kazmer
Carol Kerridge
Phil Pryde
Deanna Spehn
Eric Jones
Rebecca Smith
Candace Bowman

REPRESENTING

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

REPRESENTING

City of Poway
County of San Diego

San Dieguito River Park JPA
San Dieguito River Park JPA
San Dieguito River Park JPA
JPA Counsel
San Dieguito River Park JPA
San Diego City Council District 1
Friends of San Dieguito River Valley
San Diego County Parks
City of San Diego
County of San Diego District 2
San Dieguito Lagoon Committee
Audubon Society
Policy Director for Senator Toni Atkins
Volcan Mountain Foundation
County of San Diego District 3
Friends of San Dieguito River Valley

Introduction and Announcements

Chair Worden convened the meeting at 11:00 a.m. A roll call was taken and a quorum of 7 boardmembers were present to begin the meeting.

Approval of Minutes of May 21, 2021

Boardmember Barnouw made the motion to approve the minutes of May 21, 2021. Boardmember Inscoe seconded the motion. There was no public comment. A roll call vote was taken.

Yes votes: Anderson, Barnouw, Harless, Inscoe, LaCava, vonWilpert, Worden

Absent: Grosch, Lawson-Remer

Executive Directors Report - Executive Director Shawna Anderson reported that JPA staff is working with the Watershed Explorer Program team to submit an Outdoor Equity grant application in October. She reported that the JPA's grant submitted in June to the Wildlife Conservation Board Public Access grant program for the Sutherland segment of the Coast to Crest Trail was not selected for award. The JPA is in discussions with a new operator for the Sike's Farmer's Market to begin in the spring of 2022. Director Anderson reported on the June and July tours given to JPA board members Anderson and Lawson-Remer's staff. Ms. Anderson reported on the results of a meeting held with Surf Cup Sports and others August 19 regarding scheduling a work party event to start restoring the segment of CTC Trail on the property. She also reported on a successful Belgian Waffle Ride bike event held along a portion of the CTC Trail and the sponsor's donation for trail operations. Director Anderson reminded the board about the upcoming San Dieguito Lagoon Ranger Station Open House on September 12, 2021. The JPA, in partnership with the San Dieguito River Valley Conservancy, was awarded a \$20,000 grant from Edison International Corporate Giving Program to pay for a monument sign for the Ranger Station.

Public Comment—No public comment.

DISCUSSION/ACTION AGENDA

1. Approval of Revisions to San Dieguito River Park JPA Employee Manual

Recommendation: Approve the revised SDRP JPA Employee Manual.

Counsel Wayne Brechtel reported that a comprehensive update was done on the JPA Employee Manual to incorporate new language, rules and existing policies. Counsel Brechtel highlighted the updated discrimination definition and policies, abusive conduct policy, discrimination and abusive conduct training, managing digital data, lactation policy, leave of absence policy and expanded employee discipline section. Boardmember LaCava thanked Counsel Brechtel for the good work done to stay current with the laws. Boardmember LaCava moved the staff recommendation with an additional revision to ensure that the language in the manual is non-gender and non-binary. Counsel Brechtel ensured that the revisions would be incorporated into the final document. Boardmember von Wilpert seconded the motion. A roll call vote was taken.

Yes votes: Anderson, Barnouw, Harless, Inscue, LaCava, vonWilpert, Worden

Absent: Grosch, Lawson-Remer

2. San Dieguito Lagoon Phase Two Wetland Restoration Project (W-19) Status Update

Executive Director Shawna Anderson reported on the status of the W-19 project. Community outreach is planned to inform neighbors of the project before the beginning of construction in the fall or winter of 2021. Information on the project will be available at the Ranger Station. The Dust Devil Nature Trail will be closed on weekdays during construction to protect public safety and will reopen for use on most weekends. Public noticing will inform trail users of future trail closures. Director Anderson is working with SANDAG staff to amend the JPA's agreement to add the project construction phase. Boardmember LaCava offered to assist with community outreach. Chair Worden asked for a one-page summary of the project to share with the boardmembers. Director Anderson offered to present the project to any of the member agency councils or boards.

3. **Approval of SDG&E Easement Acquisition and Right of Way Use Agreement**

Recommendation: Approve SDG&E acquisition of utility easements on JPA property and approve right-of-way use agreement and authorize Executive Director to finalize and sign final documents.

Executive Director Shawna Anderson presented the agenda item and draft easement and agreement documents. She explained that SDG&E will be relocating existing power poles in the W-19 project restoration footprint to the utility corridor in order to accommodate the W-19 restoration. SDG&E easements will be expanded along the utility corridor and El Camino Real onto JPA property to accommodate the relocated poles. A new trail will be built to connect the Dust Devil Nature Trail the Coast to Crest Trail, which will cross the SDG&E easement requiring a use agreement. SDG&E's easement acquisition offer to the JPA is \$98,000 and Director Anderson explained that the funds will be used for San Dieguito River Park mission projects. Counsel Brechtel stated that the JPA's approving resolution allows for minor changes to the document language. Following discussion Boardmember LaCava made the motion to approve staff's recommendation and Boardmember Barnouw seconded the motion. A roll call vote was taken.

Yes votes: Anderson, Barnouw, Harless, Inscoc, LaCava, vonWilpert, Worden

Absent: Grosch, Lawson-Remer

4. **Potential Sale of Volcan Mountain North Preserve Parcels**

Executive Director Shawna Anderson introduced the agenda item regarding two properties donated to the JPA in 2003t. The two parcels total 169 acres adjacent to land owned by the Volcan Mountain Foundation a partner of the River Park. Director Anderson was approached by California Department of Fish and Wildlife about the potential to acquire these parcels and Anderson is asking for authorization to engage in negotiations for a potential sale combined with the adjacent VMF properties to add to the CDFW San Felipe Valley Wildlife Area. Director Anderson explained that the JPA has not disposed of properties in the past but this is a unique situation. She cited clause 12A of the JEPA requires that prior approval of the public agency jurisdiction where the property is located is required, in this case in County of San Diego jurisdiction. Director Anderson read a written comment from VMF into the public record; "Volcan Mountain Foundation strongly supports this action. With a combined size of 220 acres, VMF's and San Dieguito River Park's remote and rugged parcels on the east ridge of the Volcan Mountains range have important conservation values. This land will be best managed long-term by CDFW as an addition to the San Felipe Valley Wildlife Area." After discussion Chair Worden stated that by unanimous consent the JPA Board of Directors authorizes Director Anderson to negotiate with CDFW on details of a potential sale of the two parcels to CDFW. Director Anderson will report back to the Board on details of any negotiations and/or sale offer made by CDFW.

5. **Future JPA Meeting Procedures**

Executive Director Shawna Anderson began the discussion of in person versus Zoom meetings. Counsel Brechtel noted that the Governor's public meeting order expires September 30th unless it is extended.

Chair Worden suggested that this topic be discussed at the next board meeting which will be held on Zoom. Chair Worden also made the suggestion that the Board hold a Boardmember retreat in the future.

INFORMATION

6. Coordination Reports

a. San Dieguito River Valley Conservancy- Chair Worden reported that the first quarterly meeting between the JPA and SDRVC board chairs and directors was held in August. The next meeting will be in October.

b. Friends of the San Dieguito River Valley- Maggie Brown thanked JPA staff for taking the PRC on a tour of the W-19 project and thanked Boardmember Joe LaCava and staff for their support on issues relating to the Surf Cup Sports lease.

c. Volcan Mountain Preserve Foundation – President Eric Jones stated that the location of the Volcan Mountain parcels is very rugged terrain and would be kept in wilderness preserve status. Hunting is not permitted in that part of the San Felipe Valley preserve

d. San Dieguito Lagoon Committee- Carol Kerridge extended the invite to the Ranger Station Open House on September 12.

e. Friends of Sikes Adobe- No Report

7. Jurisdictional Status Reports – No Reports

8. Communications – Two newspaper articles were included; one on safe hiking and one on moving the power poles at the lagoon.

Chair Worden adjourned the meeting at 12:09 pm.

These minutes approved by Board action.

Date

Executive Director

Agenda Item 1

September 17, 2021

TO: JPA Board

FROM: Staff

SUBJECT: JPA Retention Policy

RECOMMENDATION:

Approve JPA Records Retention Policy

The San Dieguito River Park JPA Records Retention Policy (“Policy”) establishes a standardized set of record-keeping requirements and retention periods for JPA documents. Documents covered by the Policy include traditional paper records and electronic records. The Policy is designed facilitate a more orderly process for retention and destruction of JPA documents and is based upon Local Government Records Management Guidelines (“Guidelines”) developed by the California Secretary of State, Archives Division. The Secretary of State was directed to provide the Guidelines due to the lack of a standardized records management program for local agencies. The Policy often relies upon analogous statutory provisions applicable to special districts and cities, such as Government code sections 34090 and 60200-60203. In addition, this Policy is designed to ensure compliance with the California Public Records Act (Government Code 6250 et seq.) and other laws governing the retention and destruction of public records.

Respectfully submitted,

Shawna Anderson
Executive Director

Attachment 1: JPA Records Retention Policy and Schedule

San Dieguito River Valley Regional Open Space Park
Joint Powers Authority
RECORDS RETENTION POLICY and SCHEDULES

PURPOSE

This Records Retention Policy ("Policy") establishes record-keeping requirements and retention periods for the San Dieguito River Valley Regional Open Space Park Joint Powers Authority ("JPA") records. In addition, it provides the JPA with legal authority to dispose of records within an organized and controlled system.

SCOPE

This Policy is drafted to be consistent with Local Government Records Management Guidelines ("Guidelines") developed by the California Secretary of State, Archives Division. The Secretary of State was directed to provide the Guidelines due to the lack of a standardized records management program for local agencies. The Policy often relies upon analogous statutory provisions applicable to special districts and cities, such as Government code sections 34090 and 60200-60203. In addition, this Policy is designed to ensure compliance with the California Public Records Act (Government Code 6250 et seq.) and other laws governing the retention and destruction of public records.

DEFINITIONS

Documents covered by the Policy include traditional paper, electronic (including emails), microfilm, magnetic/paper tapes, and any other document produced, received, owned, or used by the JPA regardless of its physical form or characteristics.

Definitions and examples of records are as follows:

JPA Records: Any writing or document, including electronic files, containing information relating to the conduct of the JPA's business that is prepared, owned, used, received, or retained by the JPA, regardless of physical form or characteristic.

*Non-Record: Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, library/research materials, publications, blank forms. Also documents such as preliminary drafts, works in progress, preliminary electronic records used to create a final version, copies of original records, hand-written rough notes, and other material used in the preparation or analysis of other documents. **An exception to this general rule is preliminary drafts and working documents prepared as part of an environmental review process pursuant to the California Environmental Quality Act (CEQA). Such documents must be retained for a specified retention period.***

RECORD RETENTION SCHEDULE

The Record Retention Schedule ("Schedule") is a comprehensive list of records sorted by departments or category that identify the length of time each JPA Record must be retained based on its operational, fiscal, regulatory, referential, legal, and historical value. Records listed on the Schedule are JPA Records unless otherwise specified.

POLICY

When records have fulfilled their administrative, fiscal, or legal function they should be either sent to the JPA's archive facility, recycled, and/or destroyed as soon as possible in accordance with the JPA's Retention Record Schedule (Attachment A). Destruction of paper records shall be by shredding and destruction of electronic records shall be by deleting from the system on which they reside. Deleted electronic records, including emails are considered to have been destroyed once they have been deleted from the active computer system.

PROCEDURE

Designated department staff shall periodically review/purge department paper, electronic files, and emails according to the Retention Records Schedule (Attachment A) and as follows:

1. Paper Files:

- Paper files that require storage at the archive facility shall be boxed and labeled, then provided to the Office Manager for coordination of pick-up of boxes.
- If paper files have reached the end of their retention period, then they shall be boxed and labeled, then provided to the Office Manager. The Office Manager will complete a destruction approval form that lists the record's title and retention period end date. The form will need to be signed by the Executive Director approving the destruction of the records.
- The Office Manager will then coordinate the pick-up of boxes and will receive a certification of destruction form after the records have been destroyed by the archive facility.
- The Office Manager will update the storage log and destruction of documents log, once the documents/files have been destroyed.

2. Electronic Files:

- Electronic files that are stored on the server/network in folders will need approval before deletion. Once the record has reached its retention period, the file should be transferred to the "Review and Approval for Destruction" folder on the server/network. A list of files to be destroyed and the retention period end date will be provided to the Office Manager and signed by the Department Manager. The Office Manager will complete a destruction approval form with the names of the files and the retention period end date. The form will need to be signed by the Executive Director before the records are deleted. A destruction list of electronic records will be maintained by the Office Manager.

3. Emails:

- Employees are responsible for the management of their email boxes. All users of JPA computers and/or electronic communication resources should review their email at least weekly and emails that qualify as JPA Records should be filed appropriately in a separate folder on the server/network. Once these emails have reached their retention period they should be transferred to the "Review and Approval for Destruction" folder on the server/network. Destruction of emails that are JPA Records should follow the same procedures as electronic files listed above.

4. Non-Records:

- Drafts used to create a final version shall be deleted after the final version or electronic file is completed, or if retained, shall be subject to the Schedule applicable to the document category.
- All other Non-Records shall be destroyed during the normal course of business when the item is no longer needed.

- Non-Record emails should be deleted in the normal course of business, generally after reading.
- Non-work-related emails should be immediately and permanently deleted (the same day the message is received).

5. Duplicate Records:

Duplicate copies of Records do not have to be maintained. For example, if an electronic copy of a record exists and can be stored for the requisite retention period, duplicate paper copies of the same record can be destroyed.

RETENTION OF DOCUMENTS BEYOND THEIR SCHEDULED RETENTION PERIOD

The Retention Records Schedule sets forth the minimum time records must be retained. Records may be retained for longer periods. However, excess document retention has the potential to overwhelm physical and digital storage capacities and make responding to broad Public Records Requests especially time consuming and burdensome. As such, JPA staff should review the status of document retention on an annual basis to ensure documents that no longer have a useful purpose are not being unnecessarily stored beyond their scheduled retention period.

LITIGATION HOLDS

When litigation is threatened or pending against the JPA or its employees, the law imposes a duty to preserve all relevant documents and records. A litigation hold directive must be issued to the legal custodians of those documents.

A litigation hold directive overrides this Policy, as well as any records retention schedules that may otherwise call for the transfer, disposal, or destruction of relevant documents, until the hold has been cleared.

Email and accounts of separated employees that have been placed on litigation hold status must be maintained by the JPA until the hold is released.

No employee who has received a litigation hold directive may alter or delete an electronic record that falls within the scope of that hold. Those employees are required to provide access to, or copies of, any relevant electronic records that they have downloaded and saved or moved to some other storage account or device.

ROLE & RESPONSIBILITIES

Supervisors and/or Managers are responsible for providing records retention guidance to staff within their respective department. The guidance provided must be in accordance with this Policy.

Originators and custodians of electronic messages, records, and information that have lasting value are responsible for:

- Appropriately identifying and retaining such records in accordance with this Policy;
and
- Seeking assistance when unsure about how to categorize specific types of messages.

JPA employees who have been notified by management of a litigation hold are responsible for preserving all messages, records, and information that fall within the scope of the hold.

Attachment A
Records Retention Schedule

Agenda Item 1
September 17, 2021

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Administration	General Correspondence	Current year + 2 years	Current year + 2 years	GC 34090; 60201
Administration	Agreements - leases, equipment, services/supplies (through completion/termination) (excluding CIP)	Completion/Termination + 5 years	Current year + 5 years	CCP 337.2, 343
Administration	Professional Services Agreements	7 years	7 years	GC 60201
Administration	Records Retention Schedules	Active until revised	until revised/rescinded	GC 60201
Administration	Policies and Procedures	Active until revised	until revised/rescinded	GC 60201
Administration	Legal Advertising (public notices)	Current year + 4 years	Current year + 4 years	GC 34090; CCP 343, 349 et seq.; GC 911.2
Administration	Public Records Request	Closed + 2 years	Closed + 2 years	GC 34090
Administration	Inventory of Records	Current year + 2 years	Current year + 2 years	GC 34090; 80 OPS Atty. General 106
Administration	Records Mgmt Disposition Certification	Permanent	Permanent	GC 34090
Administration	Plaques	Permanent	Permanent	Historic value

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Administration	FPPC/Form 700	4 years (copies)	4 years (copies)	FPPC Regulations (original forms are filed at the County office)
Administration	Goals & Objectives	2 years	2 years	GC 34090
Board	Board Correspondence	2 years	2 years	GC 60201
Board	Board Meeting Audio Recordings	Current + 3 months	Current + 3 months	GC 54953.5 (b); GC 34090.7
Board	Resolutions	Permanent	Permanent	GC 34090 (d); 60201
Board	Agenda Packets with Staff Reports	2 years	2 years	GC 34090 (d) (original agendas, special meeting notices, including cert. of postings, summaries, and attachments)
Board	Minutes	Permanent	Permanent	GC 34090; 60201
CIP/Development	Correspondence (working documentation)	2 years	2 years	GC 34090 (d)

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
CIP/Development	Permits, Construction (includes encroachments, grading)	Permanent	Permanent	GC 34090
CIP/Development	Permits, Other	Closed + 2 years	Closed + 2 years	GC34090a
CIP/Development	As Built Records, Trail Drawings	Permanent	Permanent	GC 34090 (a)
CIP/Development	Engineering Studies, Special projects	Closed + 2 years	Permanent	GC 34090 (d)
CIP/Development	Surveys (recording data and maps)	Permanent	Permanent	GC 34090 (a)
CIP/Development	Trail Specifications	2 years	Permanent	GC 34090 (a)
CIP/Development	Reports, Federal and State	Permanent	Permanent	GC 34090 (a) (records that may contain records affecting title to real property/liens)
CIP/Development	CIP/Trail Projects (planning, design, construction/modification of local government- owned facilities, structures and systems)	Permanent	Permanent	GC 34090 (a)
CIP/Development	Final Environmental Reports such as Environmental Impact Reports under CEQA and related studies, soil reports, etc.	Permanent	Permanent	GC 34090 (a)
CIP/Development	Draft CEQA documents, notes, and correspondence and all other documents required to be included in an administrative record	Final Action on Proposed Activity plus applicable time period for legal challenges, generally 30 to 180 days	Final Action on Proposed Activity + two years	PRC 21167.6(e) ;GC 34090 (a)(d)
CIP/Development	Acquisition/Disposition of right-of-way, easements and property by JPA including Deeds and Ownership Records	Closed + 10 years	Permanent	GC 34090 (a); GC 6254

Attachment A
Records Retention Schedule

DEPARTMENT	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
CIP/Development	Soil Reports	Permanent	Permanent	GC 34090 (d)
CIP/Development	Environmental Review (correspondence, consultants, issues, conservation)	3 years	Close of Project + 5 years	GC 34090 (d)
Rangers/Maintenance and Operations	Maintenance & Operations (work orders, inspections, repairs, cleaning, reports and complaints)	Current Year + 2 years	Current Year + 2 years	GC 34090 (d)
Rangers/Maintenance and Operations	Facilities (Correspondence)	Current Year + 2 years	Current Year + 2 years	GC 34090
Rangers/Maintenance and Operations	Daily Work Logs/Schedules		2 years	
Rangers/Maintenance and Operations	Event Application Forms and Event Sign-in Forms		2 years	
Finance	Vehicle Ownership & Title	life	life	VC 9900 et seq.
Finance	Accounts Payable via County	Audited year + 4 years	Audited year + 4 years	GC 34090
Finance	Accounts Receivable via County	Audited year + 4 years	Audited year + 4 years	GC 34090

Attachment A
Records Retention Schedule

DEPARTMENT	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Finance	Bank Reconciliation (statements, summaries for receipts, disbursements & reconciliation)	Audited year + 4 years	Audited year + 4 years	GC 34090; 26 CFR 16001-1
Finance	Billing records (customer name, service address, usage, payments, applications/cancellations)	Audited year + 2 years	Audited year + 2 years	GC 34090
Finance	Budget adjustments and account transfers	Audited year +2 years	Audited year + 2 years	GC 34090
Finance	Journal Entries	Audited year +2 years	Audited year + 5 years	GC 34091
Finance	checks (includes payroll, canceled & voided)	Audited year + 5 years	Audited year +5 years	GC 34090
Finance	Deposits, Receipts	Audited year + 4 years	Audited year + 4 years	GC 34090
Finance	Invoices (copies sent for fees owed, billings)	Audited year + 2 (3) years	Audited year + 4 years	GC 34090
Finance	General Ledger	Permanent	Permanent	GC 34090; CCP 337

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Finance	Adopted Budget	Permanent	Permanent	GC 34090
Finance	Inventory of fixed assets	Audited year + 4 years	Audited year + 4 years	GC 34090; 26 CFR 301 65-1 (F)
Finance	Disposal of surplus property	Audited year + 4 years	Audited year + 4 years	GC 34090
Finance	Payroll Adjustments	Audited year + 4 years	Audited year + 4 years	GC 34090; 29 CFR, 516.5 - 516.6
Finance	Employee Time Sheets	Audited year + 6 years	Audited year + 6 years	GC 34090; 29 CFR, 516.2
Finance	Register (labor costs by employee & program	Permanent	Permanent	GC 34090; GC 37207
Finance	Salary Records (deduction authorization, beneficiary designations, unemployment claims, garnishments)	Termination + 3 years	Termination + 3 years	GC 34090; CCP 337
Finance	Bids, RFQ's, RFP's Successful	Audited year + 5 years	Audited year + 5 years	GC 34090; CCP 337
Finance	Bids, RFQ's, RFP's Unsuccessful	3 years	3 years	GC 34090; CCP 338
Finance	Vendor Register	Permanent	Permanent	GC 34090

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Finance	Audits	Permanent	Permanent	GC 34090
Finance	Federal & State Tax (forms 1096, 1099, W-4 & W-2)	Audited year + 4 years	Audited year + 4 years	GC 34090; 29USC 436
Finance	Labor Distribution (costs by employee & program)	Audited year + 2 years	Audited year + 2 years	GC 34090
Finance	State Controller reports	Permanent	Permanent	GC 34090
Finance	Bank Statements	Audited year + 2 years	Audited year + 2 years	GC 34090
HR/Personnel	Employee Handbook (general employee info. Including benefit plans)	Superseded + 2 years	Superseded + 2 years	GC 34090
HR/Personnel	Employee Rights (May include arbitration, grievances, union requests, sexual harassment, civil rights, complaints, disciplinary actions)	Termination + 2 years	Termination + 2 years	GC 13946; 29 CFR 1602; 29 USC 211 (e); 203 (m); 207 (g)
HR/Personnel	Hourly Employees	Termination + 6 years	Termination + 6 years	GC 12946; GC 34090; labor relations sect. 1174

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
HR/Personnel	I-9 forms	Termination + 1 year	Termination + 1 year	Immigration Reform Act
HR/Personnel	Medical leave (certifications, tests, W-4)	Closed + 30 years	Closed + 30 years	FMLA 1993 US OSHA; 29 CFR; 1910.20
HR/Personnel	Motor Vehicle Pulls (DMV)	Closed + 7 years	Closed + 7 years	GC 12946; USC 1324(a); CA 91009
HR/Personnel	Negotiation (notes, correspondence, contracts, and MOU)	Permanent	Permanent	29 USC Sections: 211 C, 203 (m), 207 (g)
HR/Personnel	Personnel records (copies)	Current year + 2 years	Current year + 2 years	GC 34090; GC 6250
HR/Personnel	Recruitment (applications, resumes, alternate lists/logs, answer sheets, job bulletins, eligibility; electronic databases)	Closed + 3 years	Closed + 3 years	GC 129446; GC 6250 et seq; 29 CFR 1602 et seq; 29 CFR 1607; 29CFR 1627.3
HR/Personnel	Personnel training documenting internal & external training including employee training logs	Termination + 7 years	Termination + 7 years	GC 34090
HR/Personnel	Safety certifications/designations	Current year + 2 years	Current year + 2 years	GC 34090
HR/Personnel	Volunteer Information Forms		Three years from the date of form or last date of volunteer service, whichever is later	

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Information Services/IT	Management of policies/supporting docs. relating to internet/WWW	Superseded + 2 years	Superseded + 2 years	GC 34090
Information Services/IT	Inventory of IT (hardware/software inventory logs, manuals)	Superseded + 2 years	Superseded + 2 years	GC 34090
Information Services/IT	Network Information Systems (LAN/WAN -config. Maps&Plans)	Current year + 4 years	Current year + 4 years	GC 34090; CCP 337.2; 343
Information Services/IT	Program files and directories (Annual backup)	Current year + 2 years	Current year + 2 years	GC 34090
Information Services/IT	Program files and directories (daily backup)	Current year + 2 months	Current year + 2 months	GC 34090.7
Information Services/IT	Program files and directories (monthly backup)	Current year + 1 year	Current year + 1 year	GC 34090
Information Services/IT	Program files and directories (weekly backup)	Current year + 6 months	Current year + 6 months	GC 34090
Information Services/IT	Security Camera Video Footage/Surveillance recordings	1 year	1 year	GC 53160

Attachment A
Records Retention Schedule

DEPARTMENT	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Legal/Legislative	Appeals (civil)	Current year + 3years	Current year + 3years	CCP 583.320 (a)(3); GC 34090
Legal/Legislative	Opinions (confidential)	Superseded + 2 years	Superseded + 2 years	GC 34090; GC 6254
Legal/Legislative	Logs, Attorney Service requests	2 years	2 years	GC 34090
Legal/Legislative	Case records - includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statements (unless minors 3 years after attaining 18 years)	Closed + 7 years	Closed + 7 years	GC 34090
Public Information/Outreach	Media Relations (includes cable, newspaper, radio, message boards and presentations)	Current Year + 2 years	Current Year + 2 Years	GC 34090
Public Information/Outreach	Brochures, publications, newsletters, bulletins	Superseded + 2 years	Superseded + 2 years	GC 34090

Attachment A
Records Retention Schedule

DEPARTMENT OR DOCUMENT CATEGORY	TYPE OF RECORD	LEGAL RETENTION PERIOD	JPA RETENTION	GOV'T CODE/STATUE
Risk Management	Accident Report (relating to property)	Closed + 7 years	Closed + 7 years	CFR 1904.6
Risk Management	Bonds and Insurance policies insuring JPA property and assets	Permanent	Permanent	CCP 337.2; 343
Risk Management	Claims/Damage (Paid & Denied)	Closed + 5 years	Closed + 5 years	GC 34090; GC 25105.5
Risk Management	Incident Reports (includes theft, arson, vandalism, property damage / similar occurrence)	Closed + 7 years	Closed + 7 years	29 CFR 1904.2; 29CFR 1904.6
Risk Management	Insurance, Joint Powers Authority Agreement	Permanent	Permanent	GC 34090
Risk Management	Insurance Certificates (filed separately from contracts, includes filed by licensees)	Permanent	Permanent	GC 34090
Risk Management	Insurance, Liability/Property (may include certificates of participation, deferred, use of facilities)	Permanent	Permanent	GC 34090
Risk Management	Insurance Workers Compensation (indemnity; PERS - working files; original w/ Administrator)	Permanent	Permanent	GC 6410; 29 CFR 1910.20
Risk Management	Photographs	Closed + 2 years	Closed + 2 years	GC 34090
Risk Management	Reports (Federal OHSA forms; loss analysis reports, safety reports; actuarial studies)	Closed + 5 years	Closed + 5 years	OMB 1220-0029; 29 CFR 1904.4; GC 34090
Risk Management	Workers Compensation (claim files, reports, incidents (working files w/ Administrator)	Permanent	Permanent	CCR 14311; 15400.2; CA Labor Code 110-139.6

Agenda Item 2

September 17, 2021

TO: JPA Board

FROM: Staff

SUBJECT: State Outdoor Equity Grant Application

RECOMMENDATION:

Approve the State Outdoor Equity grant authorizing resolution, which authorizes the Executive Director to submit a grant application and sign all related grant documents if awarded.

SITUATION and BACKGROUND:

The San Dieguito Watershed Explorers Program (WEP) was initially established in 2015 by the JPA and San Dieguito River Valley Conservancy, along with several other partners. A Memorandum of Understanding (MOU) was approved and signed in 2016 by the WEP partner organizations (Attachment 1). The purchase of two passenger vans for the program was funded by donations from the San Diego Foundation and County of San Diego. JPA staff wishes to apply for a state grant program called Outdoor Equity Grant to help support the WEP.

The WEP committee consisting of representatives from each partner organization implements the program and administered by San Dieguito River Valley Conservancy and JPA staff. Program operations have typically been funded by private donations.

As a related matter, but not part of the action before your Board today, the JPA and its partners are in the process of updating the existing WEP MOU based on changes to program administration discussed and implemented recently by the JPA and Conservancy. The MOU provisions allow amendments as needed.

Grant Application:

The SDRP Watershed Explorers Program takes youth and families to the outdoors to learn about our watershed providing transportation (Explorer passenger vans) and guides to locations within the San Dieguito watershed including the San Dieguito Lagoon, Lake Hodges/Sutherland, Sikes Adobe Historic Farmstead, the San Diego Archaeology Center, and Volcan Mountain. See Attachment 2 for WEP October 2021 program.

The recently released California Parks and Recreation's Outdoor Equity grant program is an excellent opportunity to financially support and broaden the Watershed Explorers

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Program. A subcommittee of the WEP committee has been meeting to organize an application for submittal by the grant deadline of October 8, 2021. The grant submittal package requires the applicant (JPA) to submit a resolution signed by its governing body authorizing the organization's grant application (Attachment 3).

The SDRP WEP targets many of the same objectives as the Outdoor Equity grant program:

- The focus of the Outdoor Equity grant program is to provide underserved communities with access to healthy educational outdoor experiences on public lands and provide transportation and logistics for those experiences. The WEP is well-suited for the grant objectives and meets many of the grant selection criteria. The WEP has a track record of providing an educational outdoor program to targeted schools and communities. One of the WEP goals is to serve underrepresented and low-income populations including Title I schools. Grant funds, if awarded, would be used to operate the WEP's outdoor programs for 3-4 years.
- The Outdoor Equity grant criteria requires applicants to identify a "Community Home Base" as the program's target for educational activities and outdoor trips planned from the home base. The WEP committee selected the Escondido Public Library as its home base and met with library officials to confirm the details for the proposal. The home base meets the grant criteria and would be the focus for providing WEP outdoor activities.
- Outdoor trips and education required by the State grant program would be provided by the already established WEP. Most of the WEP outdoor program is already developed and operating, which makes it well-suited for this grant opportunity.

According to the State granting agency, grant awards will be announced in Spring 2022 with a grant performance period of 3-4 years (2022-2026).

CAC RECOMMENDATION

The CAC supports the Watershed Explorers Program and its partner organizations who are members of the CAC. JPA staff informed the CAC of this grant opportunity at the August CAC meeting.

FISCAL IMPACT

It is anticipated that the Outdoor Equity grant funds, if awarded, would fully fund the proposed WEP project operations for the three-year performance period. If funds are not

Agenda Item 2

September 17, 2021

awarded through this program, then JPA and its partners would continue to seek other donations and grants to operate the WEP.

ALTERNATIVES

1. Approve staff's recommendation to submit the grant application.
2. Do not approve staff's recommendation and give staff other direction.

RECOMMENDATION

Approve the State Outdoor Equity grant authorizing resolution, which authorizes the Executive Director to submit a grant application and sign all related grant documents if awarded.

Respectfully submitted,

Shawna Anderson
Executive Director

Attachments:

1. Watershed Explorers MOU
2. October 2021 WEP flyer
3. Draft JPA Outdoor Equity Authorizing Resolution

MEMORANDUM OF UNDERSTANDING BETWEEN
THE SAN DIEGUITO RIVER VALLEY LAND CONSERVANCY (SDRVC)
SAN DIEGUITO RIVER PARK JOINT POWERS AUTHORITY (SDRP)
VOLCAN MOUNTAIN PRESERVE FOUNDATION (VMF)
SAN DIEGO ARCHAEOLOGICAL CENTER (SDAC)
FOR THE SAN DIEGUITO RIVER WATERSHED EXPLORERS PROGRAM

This Memorandum of Understanding (MOU) sets forth the agreements among SDRVC, SDRP, VMF and SDAC for the purpose of administering the San Dieguito River Watershed Explorers Program and was approved and executed by all parties as of _____, 2016.

WHEREAS, the Watershed Explorers Program will provide an opportunity for students to get outdoors and learn what a watershed is and why its health is important for preserving wildlife and plants, supplying water and keeping water clean. As they experience the outdoors, traveling from Volcan Mountain 55 miles west to the San Dieguito Lagoon, students develop a "sense of place" and appreciation for the environment - recognizing they play a role in keeping the natural community a thriving ecosystem.

WHEREAS, each of the parties to this MOU want to expand their individual nature education programs to the entire San Dieguito watershed. Although each watershed is unique, the intention in developing this program is that it be a model for use in other watersheds in the region. Students will visit different areas with diverse wildlife and habitat types and focus on different themes within the watershed, starting at the headwaters on Volcan Mountain then heading west to Lake Sutherland, the SDAC, Sikes Adobe Historic Farmstead/Lake Hodges and finally, the award-winning Birdwing Open Air Classroom at the San Dieguito Lagoon.

WHEREAS, SDRVC is a non-profit, public benefit corporation duly organized and existing pursuant to the laws of California, and pursuant to Section 501(c)(3) of the federal Internal Revenue Code, for the purposes, generally, of furthering and promoting an open space/natural habitat park in the San Dieguito River Valley as specified in more detail in the Conservancy's Articles of Incorporation and Bylaws; and

WHEREAS, the JPA is a governmental entity comprised of the County of San Diego and the Cities of San Diego, Poway, Escondido, Del Mar, and Solana Beach organized and operating under the laws of California and pursuant to the JPA's Joint Powers Agreement for the purpose, generally, of furthering and promoting an open space/natural habitat park in the San Dieguito River Valley as specified in more detail in the JPA Agreement; and

ATTACHMENT 1

WHEREAS, The VMF is a non-profit, public benefit corporation duly organized and existing pursuant to the laws of California, and pursuant to Section 501(c)(3) of the federal Internal Revenue Code, for the purposes, generally, of furthering and promoting an open space/natural habitat park in Volcan Mountain as specified in more detail in the Foundation's Articles of Incorporation and Bylaws; and

WHEREAS, the SDAC is a non-profit, public benefit corporation duly organized and existing pursuant to the laws of California, and pursuant to Section 501(c)(3) of the federal Internal Revenue Code, for the purposes generally, of caring for, managing and curation of archaeological artifacts found throughout the San Diego region as specified in more detail in the Center's Articles of Incorporation and Bylaws;

NOW, THEREFORE, the parties agree to cooperate as follows:

1. Coordination and Management

The SDRVC will administer coordination and management of the Watershed Explorers Program through a variety of mechanisms, including contracts with independent contractors. The Watershed Explorers Committee, which includes a representative from each partner, will meet regularly to discuss the program and provide guidance on the administration of the program.

2. Transportation

Transportation vehicles used for the Watershed Explorers Program will be stored at SDRP facilities. Ongoing maintenance, insurance and rental of the transportation vehicles by other groups will be the responsibility of the SDRP. Only drivers with Class B licenses are allowed to drive the Watershed Explorers vans. The SDRP will develop a lease agreement to be utilized by other organizations that would like to use the van for their educational programs.

3. Roles & Responsibilities

The following sets forth the roles and responsibilities of the parties to this MOU. Activities at each location may change based on feedback from the students and discussions among the parties to this MOU.

a. SDRVC:

- Schedule, attend, chair and participate in Watershed Explorer Committee
- Oversee administration of program and contracts with independent contractors including the Program Coordinator and van drivers for the Watershed Explorers Program. The Program Coordinator will:

- Serve as central point of contact for program
- Conduct outreach & schedule/coordinate site visits
- Steer development of curriculum, teacher's guides, field trip guidelines
- Develop & administer program evaluation surveys
- Assist with website development
- Host/lead Lake Sutherland Site Visit

Activities at Lake Sutherland (SDRVC) - Students will learn about the importance of this area to overall watershed vitality and health. They will be introduced to monitoring and management efforts being conducted within the San Dieguito watershed and become citizen scientists for the day collecting valuable data for the SDRP. Specifically, they will get hands on experience with water quality testing, mammal tracking & camera traps, and herp surveys.

b. SDRP:

- Attend and participate in Watershed Explorer Committee meetings
- Host Sikes Adobe/Lake Hodges site visit
- Coordinate with Independent contractor hired by SDRVC to lead Sikes Adobe activities

Activities at the Sikes Adobe Historic Farmstead (SDRP/Independent Contractor) – Students will learn what it was like to be a pioneering family, how the community functioned through crop production, trading and animals that provided food and milk, and the importance of the natural environment in daily living.

- Host/lead San Dieguito Lagoon site visit

Activities at the San Dieguito Lagoon (SDRP) - The students will engage in six stations to learn about the importance and diversity of the lagoon. They will observe the diversity of birds found at the lagoon and utilize plant materials collected from the Lagoon to create artwork giving them the opportunity to express their nature experience through art.

Students will study animal skulls to learn more about the animals found in the Park. Topics will include predator-prey relationships, animal habitat adaptations, and classification. Students will observe lagoon aquatic species up close while ecologists discuss their significance. A Park Ranger will discuss the importance of the lagoon ecosystem and history of the 115-acre San Dieguito Tidal Wetland Restoration. Students will test water samples from different locations at the lagoon. Samples will be tested using instruments for pH, dissolved oxygen and salinity. Students will be led on an interactive walk along the Lagoon Trail observing and discussing the natural history of the Park. Students will use the SDRP App to locate, identify and report plant and animal sightings.

- Store, maintain & provide insurance for passenger vans
- Develop policy and manage use of passenger vans by outside organizations (see attached San Dieguito River Park Van Usage Agreement)

c. VMF:

- Attend and participate in Watershed Explorer Committee meetings
- Host Volcan Mountain site visit
- Independent contractor to lead field trip activities until new Education Coordinator hired

Activities at Volcan Mountain (VMF) - Students will observe the watershed from the top of the Sky Island Trail. We will stop at the year round spring that feeds the San Dieguito River. At the Nature Center property they will explore the riparian habitat and its inhabitants. There they will use a hands-on watershed map. We will test the water for its ability to support the life in the watershed. We will finish with a reflective moment at the Watershed Trail streambed.

d. SDAC:

- Attend and participate in Watershed Explorer Committee meetings
- Host/lead SDAC Diego Archaeological Center site visit

Activities at San Diego Archeological Center (SDAC) - The objectives of this program are to introduce students to the cultural history of the region, including the use of natural resources in the valley. An important scientific tool (observation and inference) will be taught and practiced. The importance of preserving and protecting archaeological sites will be emphasized.

4. Amendment

This MOU is intended to be an informal outline of the understanding between the parties to further facilitate productive cooperation. It may be amended and updated at any time by agreement of parties.

5. Termination

Either party may terminate this MOU at any time upon thirty (30) days written notice to the other. Such termination shall be without penalty of any kind.


6. Effective Date

This MOU shall take effect on the date it has been approved and signed by all parties.

APPROVED by the SDRVC Board of Directors on _____.

By: _____
Name:
Title:

APPROVED by the SDRP Executive Director on MARCH 29, 2016

By: 
Name: KEVIN MCKERNAN
Title: EXECUTIVE DIRECTOR

APPROVED by the VMF Board of Directors on _____.

By: _____
Name:
Title:

APPROVED by the SDAC Board of Directors on _____.

By: _____
Name:
Title:

Community Watershed Explorers

October 2021



Join us for the first time as we open the Watershed Explorers Program to the community. Watershed Explorers is an outdoor education program that provides youth an opportunity to travel and experience the length of the San Dieguito Watershed. The explorers journey includes the headwaters of the San Dieguito River on Volcan Mountain, Lake Hodges, the San Diego Archaeological Center, Sikes Adobe Historic Farmstead, and the award-winning Birdwing Open Air Classroom at the San Dieguito Lagoon.

Each location focuses on a different theme providing a unique opportunity for participants to experience and learn about the many facets of the watershed from the natural world to its history and cultural significance. As they experience the outdoors, explorers develop a “sense of place” and appreciation for the environment – recognizing they play a role in preserving and protecting the natural and cultural resources of the watershed.

Each event begins at 10:00 a.m. and will run until around 12:00 p.m. Be sure to wear comfortable clothes, sun protection, and bring plenty of water. Specific directions/instructions will be emailed prior to the event. Due to the pandemic transportation will not be provided.

October 2	VOLCAN MOUNTAIN
October 9	LAKE HODGES
October 16	SAN DIEGUITO LAGOON
October 23	SAN DIEGO ARCHAEOLOGICAL CENTER
October 30	SIKES ADOBE HISTORIC FARMSTEAD



Reserve your spot today:

<https://forms.gle/XsPBtGs81MZnytxk730>

Resolution No: R21-2

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN DIEGUITO RIVER PARK JOINT POWERS AUTHORITY
APPROVING THE APPLICATION FOR
OUTDOOR EQUITY GRANTS PROGRAM GRANT
FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Outdoor Equity Grants Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope program.

NOW, THEREFORE, BE IT RESOLVED that the San Dieguito River Park Joint Powers Authority hereby: APPROVES THE FILING OF AN APPLICATION FOR THE ESCONDIDO EXPLORERS IN THE SAN DIEGUITO WATERSHED PROPOSAL); AND

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the program(s) included in this application, the sufficient funds to complete the program(s); and
2. Certifies that if the grant is awarded, the Applicant has or will have sufficient funds to operate the program(s) as described in the Grant Selection Criterion response, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the JPA's Executive Director to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Approved and Adopted the 17th day of September, 2021.

I, the undersigned, hereby certify that the foregoing Resolution Number R21-2 was duly adopted by the Board of Directors of the San Dieguito River Park Joint Powers Authority by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

CLERK

CHAIR

Agenda Item 3 September 17, 2021

TO: JPA Board
FROM: Staff
SUBJECT: Purchase of Tractor

RECOMMENDATION:

Authorize Executive Director to purchase Kubota tractor in accordance with the JPA's procurement policy.

JPA's park rangers use a Kubota diesel tractor purchased with JPA operating funds in 2008 for various construction and maintenance tasks including constructing and maintaining trails and firebreaks in the SDRP. A second Kubota tractor purchased with the Coast Budget funds is stored at the coast ranger station and used to maintain the lagoon trail system. After 13 years of heavy use, the JPA's inland tractor needs replacing. Costs and frequency of repairs have increased substantially making it financially inefficient to keep the existing tractor. Section 5.4 of the San Dieguito River Park JPA's Procurement Policy requires Board approval for purchases of equipment and supplies over \$25,000 (Attachment 1).

Two quotes were obtained in August 2021 from a local North County dealer and one from a dealer in South Bay. One quote was for a John Deere tractor similar in type to the Kubota. However, staff would like to continue its practice of interchanging attachments and parts between the coast tractor and inland tractor, which would not be possible with a John Deere tractor (the John Deere tractor quote was also substantially higher than the Kubota quote). Staff is recommending that the JPA purchase the Kubota tractor from the Escondido dealer (Pauley Equipment Co.) closest to the JPA headquarters and used by the JPA for repairs and service. The written quote with government discount is \$26,452.08, which is the lowest quote received.

Most of the funds to purchase the new tractor would come from the JPA's Equipment Reserve fund (\$25,869, which would practically zero out the reserve) with the remaining balance from the Capital projects fund. Staff is also looking into salvage or resale of the existing tractor.

Respectfully submitted,

Shawna Anderson
Executive Director

Attachments:

Agenda Item 3
September 17, 2021

Attachment 1: JPA Procurement Policy

Policy No. P18-03

**SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS
AUTHORITY**

PROCUREMENT POLICY

1. Purpose

The purpose of this Policy is to establish the requirements and procedures for the procurement of all goods and services required by the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA). To the extent not covered by this Policy, state laws governing procurement and contracting by the County of San Diego shall apply to the JPA.

2. Policy

It is the Policy of the JPA that:

- 2.1. JPA shall procure required goods and services commensurate with acceptable quality at the lowest possible cost.
- 2.2. Appropriate internal financial controls shall be exercised over all procurements.
- 2.3. No procurement shall be authorized unless sufficient funds have been appropriated pursuant to JPA's budgetary processes.
- 2.4. The Executive Director shall implement this Policy and to ensure that the procurement of all goods and services are properly documented and conform to this Policy.
- 2.5. The Executive Director may, at his/her discretion, delegate duties under this Policy.
- 2.6. The Board of Directors may, at its sole discretion, waive all or any part of this Policy, unless such waiver is prohibited by State or Federal Law.

3. Duties and Definitions

- 3.1 Purchasing Agent: For purposes of the California Public Contract Code (Public Contract Code), the Executive Director is the designated Purchasing Agent for the JPA.
- 3.2 Managers: For the purposes of this Policy, the following JPA Staff have a high level of accountability for purchasing oversight and project level or line item budget tracking):
 - Office Manager
 - Principal Planner
 - Resources and Trails Manager
 - Senior Ranger/Trails Manager

- Manager of Interpretation and Outreach

3.3 Professional Services: For purposes of this Policy, Professional Services are services that are specialized in nature and do not include the physical construction or maintenance of JPA buildings and structures or the physical installation and maintenance of JPA equipment. Services in this category include engineering, design, architectural services, biological and environmental consultants, public information services, financial services, strategic planning services and legal services. Other similar services would also be part of this category.

3.4 Staff: All employees and contract labor supervised by Managers or the Executive Director are accountable for purchases within their authority level and for adhering to proper approvals as outlined in this Policy.

4. Open Market Procurement of Materials, Supplies, Equipment (\$5,000 or less) and Professional Services (\$25,000 or less).

The Executive Director is authorized to purchase materials, supplies and equipment up to an amount for each purchase that does not exceed \$5,000.00 and contract for Professional Services up to an amount that does not exceed \$25,000.00, without a competitive bid process. Such purchases shall comply with the terms of this Policy, and the Executive Director shall make reasonable efforts to secure goods of suitable quality or, in the case of services, the best qualified consultant, at the lowest possible cost and shall document such procurements as appropriate.

5. Informal Procurement of Materials, Supplies and Equipment (\$5,001 to \$50,000)

Materials, supplies and equipment up to an amount for each purchase that that is greater than \$5,000.00 and less than \$50,000.00 shall be procured through an informal, competitive bid process which shall include, as a minimum:

5.1 Specifications: An appropriately detailed request for quote with specification of the items to be procured, considering the value, availability and technical complexity of the items to be procured ("Request for Quote").

5.2 Request for Quote Distribution and Evaluation: Unless impracticable, JPA shall distribute the Request for Quote to at least three (3) suppliers and evaluate the responses received to determine the lowest responsive and responsible quote that meets or exceeds the Request for Quote specifications.

5.3 Quote Documentation: The JPA shall document the quotes received and the results of the evaluation. If less than three (3) quotes were received and evaluated, a brief explanatory statement will be provided.

5.4 Award: The Executive Director shall award the procurement to the lowest responsive and responsible bidder if the total dollar cost of the procurement is \$25,000 or less. If the total dollar cost of the procurement is \$25,000.01 or more, the purchase must be approved by the Board of Directors.

5.5 Delegation of Authority to Award: The Executive Director may delegate his or her authority to award procurements by administrative procedure specifically identifying such delegates and the dollar limit of each delegate's authority.

- 5.6 Documentation of Award. The Executive Director shall establish a contract file that contains the Request for Quote documentation per Sections 5.1 through 5.5 of this Policy, signed contract and any additional documents prescribed by administrative procedure.

Nothing in this Policy shall prohibit staff from utilizing a formal bid process if deemed to be in the best interest of the JPA.

6. Informal Procurement of Professional Services (\$25,000.01 to \$50,000):

Professional Services at a cost for each contract that is greater than \$25,000.00 and less than \$50,000.00 may be procured through an informal, competitive bid process which shall include, as a minimum:

- 6.1 Request for Proposal (RFP). The RFP shall include an appropriately detailed Scope of Work considering the value availability and technical complexity of the services to be procured,
- 6.2 RFP Distribution and Evaluation. Whenever possible, dependent on the services required, JPA shall distribute the RFP to three or more candidates and obtain and evaluate at least three (3) proposals. If less than three (3) proposals were evaluated, a brief explanatory statement shall be included in the file for the matter. The Executive Director will determine the best qualified proposer based on professional competency and their ability to satisfy the Scope of Work.
- 6.3 Negotiations. The Executive Director shall negotiate with the best qualified proposer. If the Executive Director is unable to successfully complete such negotiations, the Executive Director shall negotiate with the remaining proposers, in the order that their proposals are most beneficial to JPA, until negotiations are successfully completed.
- 6.4 Coordination, Review and Approval. The Executive Director will assign staff and, if necessary, JPA Counsel to generate a contract or related documents. All informal procurements for services will require a written contract.
- 6.5 Award. The Executive Director shall recommend that the Board of Directors award the contract to the best qualified firm with whom JPA successfully completed negotiations. The Board shall award procurements of services with a total dollar cost from \$25,000.01 to \$50,000.00.
- 6.6 Documentation of Award. The Executive Director shall establish a contract file that contains the RFP documentation per Sections 6.1 through 6.5 of this Policy, signed contract and any additional documents prescribed by administrative procedure.

Nothing in this Policy shall prohibit staff from utilizing a formal bid process if deemed to be in the best interest of the JPA.

7. Formal Procurement of Materials, Supplies and Equipment (\$50,000.01 and over)

Formal Procurement of Materials, Supplies and Equipment shall comply with the Informal Procurement requirements of this Policy, and in addition, include a formal bid process that meets the following standards:

- 7.1. Formal Bid Process and Request for Sealed Bids (RFB). In addition to the requirements for Informal Procurements, the formal procurement process shall include a formal bid process and request for Sealed Bids.
- 7.2. Public Notice. Public Notice Inviting Bids for a RFB must be published in a newspaper of general circulation at least ten (10) days prior to the bid opening date.
- 7.3. Bid Opening. All sealed bids are opened in public and apparent low bidder is identified at the bid opening.
- 7.4. Bid Evaluation. After the bid opening, all bids will be evaluated to ensure compliance with the bid specifications and for acceptable quality to determine the lowest responsive and responsible bidder. All bids and bid information shall be public unless otherwise specified in the bid specifications.
- 7.5. Award. All sealed bid procurements shall be awarded to the lowest responsive and responsible bidder who meets or exceeds the specifications of the RFB. All formal procurements must be approved by the Board of Directors.

8. Formal Procurement of Professional Services (\$50,000.01 and over)

Formal Procurement of Professional Services shall comply with the Informal Procurement requirements of this Policy, and in addition, include a formal bid process that meets the following standards:

- 8.1. Formal Request for Proposals (RFP) and Request for Qualifications (RFQ). The Executive Director shall prepare an RFP and/or RFQ for the required services.
- 8.2. RFP. An RFP may be used alone or in conjunction with an RFQ and shall include:
 - A detailed Scope of Work itemizing the services required,
 - Proposed schedule,
 - Preliminary criteria upon which proposals shall be evaluated,
- 8.3. RFQ. RFQs may be used alone or in conjunction with an RFP. RFQs shall request submission of a Statement of Qualification (SOQ) to establish the professional competency and capability of each firm to perform and satisfy the project's Scope of Work. Once Statements of Qualifications (SOQ) are received from interested firms, the Executive Director, or a panel of evaluators selected by the Executive Director, will determine which firms, in his or her opinion, are best qualified to meet the Scope of Work identified in the RFQ. The Executive Director shall identify at least three (3) qualified firms, when feasible, and if applicable, evaluate their RFPs. If the RFQ did not include a request for RFPs, the Executive Director may request that the qualified firms submit proposals for evaluation.
- 8.4. Public Notice. Public notice of the RFP/RFQ must be published in a newspaper of general circulation at least ten (10) days prior to the proposal / Statement of Qualification (SOQ) due date.

- 8.5. Proposal Evaluation. Pursuant to the criteria established for that RFP and any additional criteria necessary and appropriate to advance the best interests of the JPA, the Executive Director, or a panel of evaluators selected by the Executive Director, shall review each proposal and may interview each firm to determine an ordinal ranking of the proposing firms. The ranking will be primarily based on the professional competency of the firms.
- 8.6. Negotiation. The Executive Director shall enter into negotiations with the top ranked firm to establish the contract price and fees. If a fair price cannot be reached with the top ranked firm, then that firm shall be eliminated from consideration and negotiations shall be initiated with the next highest ranked firm.
- 8.7. Award. All formal procurements for services must be approved by the Board of Directors.

9. Alteration and Repair Work on JPA Owned Buildings and Improvements.

- 9.1 The Executive Director is authorized to enter into contracts for the alteration or repair of JPA owned buildings and improvements up to an amount for each contract that does not exceed a combined total of \$25,000.00 for materials and labor, without a competitive bid process.
- 9.2 The Board of Directors may approve Contracts for the alteration or repair of JPA owned buildings and improvements that have a combined amount that is greater than \$25,000.00 and does not exceed \$50,000.00.
- 9.3 The JPA shall make reasonable efforts to secure goods of suitable quality or, in the case of services, the best qualified contractor, at the lowest possible cost and shall document such procurements as appropriate.
- 9.4 Contracts for alteration or repair of JPA owned buildings and improvements that exceed \$50,000.00 shall comply with the bidding and contract requirements set forth in California Public Contract Code and be approved by the Board of Directors.

10. New Public Works

- 10.1 The Executive Director is authorized to enter into contracts for new public works, as defined by the California Public Contract Code, up to an amount for each project that does not exceed \$3,500.00 for materials and \$6,500.00 for labor without a competitive bid process. The Executive Director shall make reasonable efforts to secure materials and services from the best qualified contractors, at the lowest possible cost and shall document such procurements as appropriate.
- 10.2 Contracts for new public works that exceed \$3,500.00 for materials or \$6,500.00 for labor shall comply with the bidding and contract requirements set forth in California Public Contract Code. Subject to compliance with the Public Contract Code, the Executive Director may approve contracts for new public works in an amount that does not exceed \$25,000.00. All other new public works contracts must be approved by the Board of Directors.

11. Emergencies and Exceptions

The following exceptions shall apply to the foregoing bidding procedures. When an exception applies, supplies, equipment and/or services may be purchased following whatever procedures are determined necessary under the circumstances as determined by the Executive Director, at his or her discretion.

11.1 Sole Source Procurement

- A. In certain instances, goods and services may be obtained from only one vendor due to unique circumstances. These circumstances include:
- The good or service is of such a unique, proprietary or technical nature that it is only manufactured or provided by a single vendor.
 - The good or service must match or be compatible with other goods or service, currently in use by JPA, obtained from a certain vendor. In this instance, it must be demonstrated that the matching or compatible good or service can only be supplied by this same vendor.
 - When the procurement is for services from a provider with unique knowledge, skill, or ability not available from other sources.
- B. All sole source purchases for goods over \$5,000 and sole source procurements for services over \$25,000 require a written explanation justifying the sole source procurement under this Policy.
- C. Sole source procurements shall comply with all award threshold requirements set forth in this Policy.

11.2 No Competitive Advantage

Competitive bidding can be waived if the Executive Director, for work within his or her authority, or Board of Directors, for all other work, make written findings that bidding would not be in the public interest and that no competitive advantage would be gained by soliciting bids. Examples of work that could qualify, include, but are not limited to, work performed by non-profit organizations, such as the California Conservation Corps, potential loss of funding due to delays resulting from the bidding process or legal or contractual requirements that limit use of specified funds. Findings must describe the benefits of the proposed contract and why no competitive advantage would be gained by soliciting bids.

11.3 Emergency

If an emergency arises and there is insufficient time to comply with the otherwise applicable procurement procedures, an exception shall apply. An emergency may be determined by the Executive Director if there is no time for a Board meeting; otherwise a finding of emergency shall be made by the Board. If the Executive Director determines an emergency existed and the procurement exceeded his or her approval authority as established in this Policy, the actions taken shall be reported to the Board of Directors at its next regular meeting.

12. Additional Options and Limitations

- 12.1 Rejection of Bids/Proposals. The Executive Director or Board of Directors, at their discretion, may reject any and all bids or proposals / SOQs and proceed pursuant to this Policy.
- 12.2 Continuing Services. Where a vendor or firm has satisfactorily completed one phase in the development of a project and the Executive Director, or as may be required by this Policy, the Board of Directors, determines that it is in the best interest to retain this vendor or firm for a subsequent phase of work, the Executive Director, or his designee, shall be authorized to proceed directly with the negotiations for compensation with this entity. If required by this Policy, the Board of Directors shall approve the resulting contract or amendment. In the event that a fair price cannot be reached, then the appropriate procurement requirements set forth in this Policy shall apply.
- 12.3 Governing Law. Nothing in this Policy is intended nor shall be deemed to supersede any applicable State or Federal laws.

The policy was adopted at the JPA Board meeting on April 20, 2018

Motion: Jacob

Second: Barnouw

Vote: Yes – Grosch, Jacob, Worden, Barnouw, Hegenauer, Bry, Kersey

Absent – Gaspar, Diaz

Attest:



Kevin McKernan
Executive Director