

NOTICE OF PUBLIC MEETING

SAN DIEGO RIVER CONSERVANCY (SDRC)

The public meeting of the Governing Board of the SDRC will be held

Friday, October 13, 2006

9:30 am – 12:00 pm

San Diego City Hall 202 "C" Street

Council Chambers

San Diego, California 92101

Contact: Ann Van Leer

(858) 452-2027

MEETING AGENDA

1. **Roll Call and Introductions** (*Chairperson Frye*)
2. **Approval of Minutes**
The Board will consider adoption of the August 11 and September 26, 2006 public meeting minutes.
3. **Public Comment**
Any person may address the Governing Board at this time regarding any matter within the Board's authority which is not on the agenda. Submission of information in writing is encouraged. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Presentation times may be reduced depending on the number of speakers.
4. **Chairperson's and Governing Board Members' Comments**
These items are for Board discussion only; the Board will take no formal action.
5. **Deputy Attorney General's Report** (*Hayley Peterson*)
This item is for Board discussion only and the Board will take no formal action.
6. **Authorizing Proposition 50 Application – San Diego River Conservancy**
The Board may consider adoption of tentative Resolution 06-12 authorizing the Conservancy to apply to the Resources Agency for Prop 50 River Parkway funds for the acquisition of properties in the El Monte Valley to preserve wildlife habitat, provide recreational opportunities and protect the historic San Diego flume.
7. **Authorizing Proposition 40 Application – San Diego River Conservancy**
The Board may consider adoption of tentative Resolution 06-13 authorizing the Conservancy to apply to the Resources Agency for Prop 40 River Parkway funds for the acquisition of properties in the El Monte Valley to preserve wildlife habitat, provide recreational opportunities and protect the historic San Diego flume.
8. **Support for Prop 40 Application – Ramona Trails Association**
The Board may consider adoption of tentative Resolution 06-15 supporting the Ramona Trails' Association application to the Resources Agency for Proposition 40 River Parkway funds to support *Phase Two* improvements to the San Diego River Gorge Trail.

9. Closed Session

Closed session to discuss appointment of Executive Officer. Session will be closed to the public pursuant to Government Code Section 11126(a)(1).

Pursuant to Government Code section 11126, a state body may hold a closed session during a regular or special meeting to consider the appointment, employment, evaluation of performance, or dismissal of a public employee.

10. Reconvene Regular Session

Announcement on action taken in closed session.

11. Adjournment

Accessibility

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call Ann Van Leer at 858-452-2027 at least five days prior to the meeting.

State of California
San Diego River Conservancy

**CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006**

ITEM: 1

SUBJECT: **ROLL CALL AND INTRODUCTIONS**

State of California
San Diego River Conservancy

CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006

ITEM: 2

SUBJECT: **APPROVAL OF MINUTES**

The Board will consider adoption of the August 11 and September 26, 2006 public meeting minutes.

PURPOSE: The minutes of the August 11 and September 26, 2006 Board Meeting are attached for your review.

RECOMMENDATION: Approve minutes

San Diego River Conservancy (SDRC)
MINUTES of AUGUST 11, 2006 PUBLIC MEETING
(Draft Minutes for Approval October 13, 2006)

Chairperson Frye called the August 11, 2006 Meeting of San Diego River Conservancy to order at approximately 9:30 a.m.

1. Roll Call and Introductions (Chairperson Frye)

Members Present:

Donna Frye, Chair (City Council of San Diego)
Toni Atkins (Public at Large, Appointed by Assembly)
Jim Peugh (Public at Large, Appointed by Senate)
Andrew Poat (Public at Large, Appointed by Governor)
Norman Roberts (Public at Large, appointed by Governor)
Mayor Jerry Sanders (Mayor City of San Diego)
Anne Sheehan (Director of Finance Designee)
Pat Kemp (Secretary of Resources Agency Alternate Designee)
Eric Anderson (San Diego Regional Water Quality Control Board Alternate Designee)
John Donnelly (Wildlife Conservation Board Alternate Designee)

Others Present:

Deborah Jayne, Executive Officer
Hayley Peterson, Deputy Attorney General
Lissa Adams, Executive Assistant

Absent:

John Minan, Vice Chair (San Diego Regional Water Quality Control Board Designee)
Ann Haddad (Public at Large, Appointed by Governor)
Karen Scarborough (Secretary of Resources Agency Designee)
Al Wright (Executive Director, Wildlife Conservation Board)

Chairperson Frye introduced three new board members: Eric Anderson-alternate for John Minan, Anne Sheehan-Department of Finance and Andrew Poat-San Diego Regional Economic Development Corporation. Mr. Anderson, Ms. Sheehan and Mr. Poat took the oath of office and were sworn in as new Board Members by Deputy Attorney General Hayley Peterson.

Board members Bartell and Hector were replaced by Governor Schwarzenegger appointees Poat and Haddad. Chairperson Frye also asked the Executive Officer to prepare a resolution of appreciation for each of the board members who are no longer serving and to have those agendized for the next meeting.

2. Approval of Minutes

Board Member Peugh moved approval of the minutes of the June 9, 2006 public meeting. The motion was seconded by Board Member Atkins and adopted by a voice vote of 5-0-3. Board members Sheehan, Kemp and Poat abstained.

3. Public Comment

Any person may address the Governing Board at this time regarding any matter within the Board's authority which is not on the agenda. Submission of information in writing is encouraged. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Presentation times may be reduced depending on the number of speakers.

There were no public comments on non-agenda items.

4. Chairperson's and Governing Board Members' Comments

These items are for Board discussion only; the Board will take no formal action.

Chairperson Frye announced that on August 10 Mayor Sanders, Councilmember Frye, Councilmember Faulkner, Michael Katz from the Presidio Little League, Deborah Jayne, Rob Hutsel with the San Diego River Park Foundation, and Kathy Keehan with the San Diego Bicycle Coalition all attended a press conference at Sefton Field to announce plans for the first dedicated public park in Mission Valley. It was an extremely exciting event because this is the first actual dedicated public park land in Mission Valley. Chairwoman Frye also announced that on Wednesday Sept. 6 at 7pm at the Doyle Recreation Center which is located at 8175 Regents Road a hearing will be held for members of the public to come and discuss things such as the name of the new park, and what they would like to see as part of that park.

5. Executive Officer's Report (Deborah Jayne)

This item was deferred.

6. Deputy Attorney General's Report (Hayley Peterson)

The Deputy Attorney General had no comments.

CONSENT ITEM

URGENT REQUEST FOR FUNDS – Action Needed Today

7. Conservancy Acquisition of Historic Flume Trail

El Monte Valley; APN# 39614033; 2.25 mile long parcel

The Board will consider adoption of Tentative Resolution 06-04 authorizing the Executive Officer to make a grant in an amount not to exceed \$100,000 to the Lakeside's River Park Conservancy for the purchase of the Historic Flume Trail property at the September 2006 bankruptcy auction. Upon subsequent approval by the Public Works Board, Lakeside's River Park Conservancy will gift the property to the San Diego River Conservancy. This acquisition is included in the Conservancy's adopted Five Year Strategic and Infrastructure Plan (Program 1, Project 1.2) and will utilize funds in the Conservancy's Special Deposit Fund Account.

Board Member Sanders moved to adopt Tentative Resolution 06-04. The motion was seconded by Board Member Atkins. Board Member Sheehan announced that she would abstain as she chairs the Public Works Board. The motion passed 7-0-1 with Board Member Sheehan abstaining.

DISCUSSION ITEMS

8. Executive Session – Dismissal of Executive Officer

The Governing Board will adjourn into closed session to consider dismissal of the Executive Officer. Authority: Government Code Section 11126(a).

Before the Governing Board adjourned into closed session they heard a number of speakers give testimony regarding this item. Following is a list of the speakers (18 in all) who gave testimony with a brief synopsis of their comments:

Tina Terrell, Forest Supervisor of the Cleveland National Forest expressed her support of Deborah Jayne.

Andrea Zenko, City Heights resident and Historiographer expressed her support of Deborah Jayne.

Laura Hunter, representing the Environmental Health Coalition expressed her strong support for Deborah Jayne.

Tricia Stone, citizen of San Diego expressed her support for Deborah Jayne.

Katt Eaton, resident of San Diego expressed her support for Deborah Jayne.

David Barker, Supervising Engineer with the San Diego Regional Water Quality Control Board expressed his strong support for Deborah Jayne.

Arthur Coe, Assistant Executive Officer of the San Diego Regional Water Quality Control Board expressed his strong support for Deborah Jayne.

Bill White, with the California History and Culture Conservancy expressed his support for Deborah Jayne.

Dan Block, personal friend and resident of the San Francisco Bay area expressed his strong support for Deborah Jayne.

Michael McCann, Supervising Engineer with the San Diego Regional Water Quality Control Board and alternate San Diego River Conservancy Board member expressed his support for Deborah Jayne.

Bruce Reznik, Executive Director of San Diego Coastkeeper expressed his support for Deborah Jayne.

Jahida Nadi, San Diego resident expressed her support of Deborah Jayne.

Leigh Johnson, Marine Advisor for the University of California in the Seagrass Extension Program expressed her support of Deborah Jayne.

Nat Cohen, member of the San Diego River Park Coalition, the Mission Valley Community Council, founding president, and member of the Mission Valley Unified Planning Committee expressed his support of Ms. Jayne.

Lissa Adams, Executive Assistant of the SDRC and local resident expressed her strong support for Deborah Jayne.

John Robertus, Executive Officer of the San Diego Regional Water Quality Control Board expressed his strong support for Deborah Jayne.

Jonathan Michel, representative of the Kids of Santee who want to help save the San Diego River expressed support for Ms. Jayne.

Dr. Suzanne Michel, representing the League of Women Voters of San Diego County expressed the League's support of Deborah Jayne.

After all public comments were heard, Chairperson Frye asked Ms. Jayne for her comments. Ms. Jayne responded with comments regarding the many accomplishments of the Conservancy during her short tenure as Executive Officer and the enormous amount of momentum that had

been created in just two years. She urged the board to stay the course and maintain her as Executive Officer.

During discussion, Assemblymember Lori Saldana arrived and Chairperson Frye invited her comments. Ms. Saldana commented that she had recently been looking into some of the things going on with the San Diego River Conservancy based on communications received from constituents and others regarding concern about the Conservancy being left out of specific funding for Prop 84. Ms. Saldana was concerned that the River Conservancy was conspicuously left out of funding while every other Conservancy was earmarked for funding directly related to the passage of that measure. She was also concerned that no justification could be given for the River Conservancy being left out of the billions of dollars that will be going into other wetlands agencies around California including other Conservancies. Ms. Saldana also commented that she was going to continue to investigate how this happened and why the Conservancy has been left out to dry and why it is not getting the support that she believes it needs to succeed. Finally, Ms. Saldana asked that the board to look at some of the reasons why the Conservancy perhaps has not made progress as quickly as possible and that they take into account outside circumstance and that it is not the responsibility of one individual or even of the board members.

Board member Kemp made a motion to convene into closed session. The motion was seconded by Board member Sheehan.

Discussion ensued and Ms. Jayne was asked her preference for open or closed session. Ms. Jayne responded that she would like the deliberations to be held in open session. The vote was called and failed 3-5-0.

Chairperson Frye adjourned the Governing board into executive session.

After the executive session, Chairperson Frye reconvened the public meeting in open session to report that the Board took a vote to accept Ms. Jayne's resignation. That vote passed with 6 in favor of accepting the resignation and with two opposed to accepting the resignation. The Chair and Board member Peugh voted against accepting Ms. Jayne's resignation.

A discussion ensued regarding next steps. Board member Kemp made a motion to select a panel to find a new Executive Director and to retain the current Executive Director for no longer than 30 days. The motion was seconded by Board member Sheehan.

Further discussion ensued that it was unrealistic to hire a new Executive Officer within 30 days. The motion was then amended to read "Maintain the Executive Officer until a new one is hired and a two person committee of the Chair and Resources will put together a process and come back to the full board with recommendations on hiring and a search process." The motion was adopted by a voice vote of 8-0-0.

9. **Executive Session – Real Property Negotiation and Request for Prop 40 Funds**
Property APN# 43735005 & 43735006; Larry Sherman Property Negotiator
This item was postponed.

10. **Trail Segment Projects (4) and Request for Prop 40 Funds**
The Executive Officer will update the Board on the status of four trail segment project proposals and the Board may consider adoption of Tentative Resolutions 06-06 and 06-07. The first two Prop 40 proposals and funding requests are nearly complete and ready for submittal to the Resources Agency. The last two proposals are in early development and funding will be needed. All trail segment projects

are included in the Conservancy's adopted Five Year Strategic and Infrastructure Plan (Program 2, Projects 1.1, 1.6 East, and 1.9).

- a. **Thornbush Trail (San Diego Country Estates to Cedar Creek Falls Trail via Upper San Diego River Gorge).** Headwaters Reach with partners Cleveland National Forest and Helix Water District. A significant portion of this trail is outside Conservancy jurisdiction (Tentative Resolution 06-06).
- b. **Lakeside Trail East.** Lakeside Reach with partner Lakeside's River Park Conservancy. This trail is fully within Conservancy jurisdiction (Tentative Resolution 06-07).
- c. **Lakeside Trail West.** Lakeside Reach with partner County of San Diego. This trail is fully within Conservancy jurisdiction.
- d. **Bicycle Trail Extension from Fashion Valley to Hazard Center below I-163.** Mission Valley Reach with partners City of San Diego and San Diego Bicycle Coalition. This trail is fully within Conservancy jurisdiction.

Board member Sheehan moved to adopt Tentative Resolutions 06-06 and 06-07. The motion was seconded by board member Peugh and was adopted by a voice vote of 8-0-0.

11. Real Estate Acquisition Projects (11) in Various Stages of Investigation or Development and Request for Prop 40 Funds

The Executive Officer will update the Board on the status of 11 real estate projects currently in various stages of investigation or development and in need of funding. The Board may consider adoption of Tentative Resolution 06-08. All acquisition projects are included in the Conservancy's adopted Five Year Strategic and Infrastructure Plan (Program 1, Projects 1.1, 1.2, 1.5; Programmatic Issues, Project 2).

Board member Sanders moved to adopt Tentative Resolution 06-08, supporting the San Diego River Park Foundation's Prop 40 application for the purchase of Eagle Peak Preserve, Phase 3. The motion was seconded by board member Atkins and was adopted by a voice vote of 8-0-0.

12. Other Priority Projects and Request for Prop 40 Funds

The Executive Officer will update the Board on the status of three other priority project proposals. All three proposals are in the early planning stages and in need of funding. The Board will consider adoption of Tentative Resolution 06-09. All projects are included in the Conservancy's adopted Five Year Strategic and Infrastructure Plan (Program 2, Project 2.1; Program 3 Projects 1.1 and 1.2).

- a. **Sefton Field Park.** Mission Valley Reach with partner City of San Diego.
- b. **Estuary Signage.** Estuary Reach with partner San Diego River Park Foundation.
- c. **Invasive Species Mapping and Removal.** Commencing downstream from El Capitan Dam (El Monte Valley) with partner Endangered Habitats League.

This item was postponed.

13. Administrative Matters

No administrative matters were heard.

**14. Arrangements for Next Meeting and Adjournment
Friday, October 13, 2006**

9:30 am to 12:00 am

Chairwoman Frye adjourned the meeting at approximately 12:30.

**San Diego River Conservancy (SDRC)
PUBLIC MEETING MINUTES**

September 26, 2006

San Diego City Hall, 202 C Street, 12th Floor
Council Chambers

Tele-Conference Location
1416 Ninth Street, Resources Agency Conference Room 1305
Sacramento, CA 95814

Chair Frye called the meeting to order at approximately 12:00 pm

Roll Call:

VOTING MEMBERS PRESENT:

Donna Frye, Chair
Karen Scarborough
Vince Brown
Anne Haddad
Andrew Poat
Norman Roberts
Jim Peugh
Toni Atkins

NON VOTING MEMBERS PRESENT:

Jack Minan
John Donnelly

Deputy Attorney General Hayley Peterson swore in Director Anne Haddad.

Public Comment:

There were no public comments.

Item 3:

Board member Karen Scarborough moved that the Board acknowledge Ann VanLeer as the Interim Director of the Conservancy effective immediately; Ms. VanLeer to act under her current contract with the Coastal Conservancy to continue and expand as needed the existing working relationship we have with the Coastal Conservancy. Board member Toni Atkins seconded the motion. After some discussion, the Board voted 8-0 to approve the motion.

Adjournment:

Chair Frye adjourned the meeting at approximately 12:20 pm.

State of California
San Diego River Conservancy

CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006

ITEM: 3

SUBJECT: PUBLIC COMMENT

PURPOSE: Any person may address the Governing Board at this time regarding any matter within the Board's authority which is not on the agenda. Submission of information in writing is encouraged. Presentations will be limited to three minutes for individuals and five minutes for representatives of organizations. Presentation times may be reduced depending on the number of speakers.

State of California
San Diego River Conservancy

CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006

ITEM: 4

SUBJECT: **CHAIRPERSON'S AND GOVERNING BOARD
MEMBER'S COMMENTS**

PURPOSE: These items are for Board discussion only and the Board will
take no formal action.

State of California
San Diego River Conservancy

**CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006**

ITEM: **5**

SUBJECT: **DEPUTY ATTORNEY GENERAL'S REPORT**
This item is for Board discussion only and the Board will take
no formal action. (*Hayley Peterson*)

State of California
San Diego River Conservancy

**CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006**

ITEMS: 6 and 7

**SUBJECT: AUTHORIZING PROPOSITION 50 AND
PROPOSITION 40 APPLICATIONS –
SAN DIEGO RIVER CONSERVANCY**

PURPOSE: The Board may consider adoption of tentative Resolutions 06-12 and 06-13 authorizing the Conservancy to apply to the Resources Agency for Proposition 50 and Proposition 40 River Parkway funds for the acquisition of properties in the El Monte Valley to preserve wildlife habitat, provide recreational opportunities and protect the historic San Diego flume.

**STRATEGIC PLAN
CONSISTENCY**

These items, along with Item 7 approved by the Governing Board at its meeting of August 11, 2006; help to implement Program 1, Project 1.2 and Program 2, Project 1.5 of the Five Year Strategic and Infrastructure Plan.

BACKGROUND:

At the Conservancy Meeting of August 11, 2006, the Governing Board approved resolution 06-04 authorizing a grant to Lakeside's River Park Conservancy (LC) for the purchase of a 2.25 mile portion of the historic flume near Lake Jennings in the El Monte Valley. At the time of the Board's action, the property was scheduled to be auctioned at a non-judicial foreclosure sale. The Conservancy was unable to participate in the auction because of State rules prohibiting transactions outside of escrows. The property was sold at auction on September 20, 2006 when the property reverted to the beneficiary. Lakeside's River Park Conservancy did not bid at the sale as investigations determined that the title would not be completely cleaned as a result of the foreclosure.

The LC will now work with the new owner to implement a mutually agreeable transaction. Upon subsequent approval by the Conservancy's Governing Board and the Public Works

Board, the LC will gift this first flume transaction to the San Diego River Conservancy.

THIS ACTION:

The action is for the Governing Board to approve two tentative resolutions, 06-12 and 06-13, authorizing the Conservancy to apply to the Resources Agency for Prop 50 and Prop 40 River Parkways funds for the acquisition of properties in the El Monte Valley to preserve wildlife habitat, provide recreational opportunities and protect the historic San Diego Flume. The properties included in this action support the preservation of the flume east of the 2.25 mile flume parcel referenced above and protect key properties in the valley. The Prop 50 grant application must be submitted by October 17, 2006.

The San Diego River Conservancy has been working with those property owners in the El Monte Valley owning property along the San Diego flume between Lake Jennings and the El Capitan Reservoir. This effort has been undertaken with assistance from the County, the Endangered Habitats Conservancy and the Lakeside River Park Conservancy

These conversations have resulted in a number of property owners agreeing to advance to more detailed discussions about conservation of their properties. It is for those properties that we propose in this item to seek grant funding from the Proposition 50 and Proposition 40 River Parkways grant programs.

The goal of this effort is to seek permanent conservation protections for the flume and other associated valley lands, consistent with the Conservancy's enabling statute and its Five Year Strategic and Infrastructure Plan.

San Diego River Area:

Most of the properties targeted by this action are located completely within the Conservancy's half mile San Diego River Area. However, this item includes a request to authorize funding to purchase one property that "straddles" the half mile line as preservation of this property would leverage a greater conservation outcome for the valley. As in previous actions where this straddling has occurred, the Deputy Attorney General has opined that the decision to proceed is essentially a policy call by the Governing Board. Should funds be awarded, the Conservancy could grant funds to a partner to complete this particular transaction.

Long-Term Preservation and Management:

Flume Land:

The long term goal for the flume, once secured and restored, is to serve as part of the San Diego River Trail along this six mile portion of the river. It will also serve to provide access to future loop trails to be developed in the El Monte Valley as part of the Endangered Habitats Conservancy's proposed restoration of the Helix property (see comments under *El Monte Valley Land*, below).

The flume bench is generally in good condition in the project area though some sections have been eroded. There are also areas where washes cross the flume from above where bridges will be required. Once the properties are secured, an analysis of the flume and a plan to preserve it for public use will be required. One concept under consideration is to cross the flume washes with bridges designed to look like the trestles that would have been located in those same washes when the flume was actively used to transport water. Interpretation of the flume and the history of water use in the San Diego area could occur along this same route.

Discussions have occurred among the partners about possible long-term managers of the flume; these discussions will likely result in a partnership for the Conservancy to consider at a future Board meeting, where the Conservancy retains ownership and one or more of the partners serve as managers.

El Monte Valley Land:

For those properties that include valley land, the goal would be to preserve the lands in a natural state, restoring them as required to enrich their habitat value. The habitat throughout the El Monte Valley is fairly healthy though removal of invasive species throughout the valley will be required as well as an assessment of opportunities to enhance habitat in the valley consistent with restoration work proposed by the Endangered Habitats Conservancy on the Helix property. The Helix Water District and the Endangered Habitats Conservancy (EHC) are working to reconcile remaining issues associated with EHC's proposed restoration of 450 acres of Helix owned land in the valley.

Discussions have occurred among the partners about possible long-term ownership and management of the habitat lands

included in this action. While additional discussion and Conservancy Board action is required, the partners agree that the valley lands should be held and managed consistent with the restoration proposed by the EHC for the Helix owned land in the valley.

LEGAL CONCERNS: None.

FISCAL IMPACT: None.

SUPPORTING
DOCUMENTS: 1. Tentative Resolution 06-12
2. Tentative Resolution 06-13

RECOMMENDATION: Adopt Tentative Resolutions 06-12 and 06-13

Resolution No. 06-12
RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY

APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE WATER SECURITY, CLEAN DRINKING
WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 (Proposition 50)

WHEREAS, the Legislature and Governor of the State of California have provided Funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the Project

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the San Diego River Conservancy

1. Approves the filing of an application for the ***San Diego River Conservancy Flume Project: Preserving the Land and its History for Future Generations***;
2. Certifies that Applicant understands the assurances and certification in the application, and
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the Project(s) consistent with the land tenure requirements; or will secure the resources to do so, and
4. Certifies that it will comply with the provisions of Section 1771.8 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 50 Funds, and
5. If applicable, certifies that the Project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained, and
6. Appoints the Conservancy's Chair, or their designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned Project(s).

Approved and adopted the 13th day of October 2006. I, the undersigned, hereby certify that the foregoing Resolution Number 06-12 was duly adopted by the San Diego River Conservancy's Governing Board.

Following Roll Call Vote:

Ayes: _____
Nos: _____
Absent: _____

Donna Frye, Chair
San Diego River Conservancy

Resolution No: 06-13
RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY

APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR,
SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the State Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application by the applicant's governing board before submission of said application to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the project

NOW, THEREFORE, BE IT RESOLVED that the San Diego River Conservancy Governing Board

1. Approves the filing of an application for the ***San Diego River Conservancy Flume Project: Preserving the Land and its History for Future Generations;***
2. Certifies that applicant understands the assurances and certification in the application form, and
3. Certifies that applicant has or will have sufficient funds to operate and maintain the project; and
4. Certifies that applicant has reviewed and understands the Special and General Provisions contained in the Sample Project Agreement shown in the Procedural Guide; and
5. Appoints the Conservancy's Chair, or their designee, as agent to conduct all the negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

Approved and adopted the 13th day of October 2006. I, the undersigned, hereby certify that the foregoing Resolution Number 06-13 was duly adopted by the San Diego River Conservancy's Governing Board.

Following Roll Call Vote:

Ayes: _____
Nos: _____
Absent: _____

Donna Frye, Chair
San Diego River Conservancy

CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006

ITEM: 8

SUBJECT: **SUPPORT FOR PROP 40 APPLICATION –
RAMONA TRAILS' ASSOCIATION**

PURPOSE: The Board may consider adoption of tentative Resolution 06-14 supporting the Ramona Trails' Association application to the Resources Agency for Proposition 40 River Parkway funds to support *Phase Two* improvements to the San Diego River Gorge Trail.

STRATEGIC PLAN
CONSISTENCY

This item, along with Item 10 approved by the Governing Board at its meeting of August 11, 2006, implements Program 2, Projects 1.1 and 1.2 of the Five Year Strategic and Infrastructure Plan.

BACKGROUND:

At the Conservancy Meeting of August 11, 2006, the Governing Board approved a resolution authorizing the submittal by the Conservancy of a Proposition 40 *Phase One* grant to the Resources Agency for construction and rehabilitation of the San Diego River Gorge Trail. The Forest Service had originally brought this project to the Conservancy's attention due to urgent public safety concerns associated with the existing informal steep trail created by hikers seeking access to Cedar Creek Falls at the bottom of the gorge. The *Phase One* grant for trail construction and rehabilitation in the San Diego River Gorge was submitted to the Resources Agency and is now under review.

The *Phase One* trail improvements are located partially within the one half mile San Diego River Area. Approval of the resolution on August 11 was found consistent with the Deputy Attorney General's opinion that for projects not completely within the San Diego River Area, the decision to proceed is essentially a policy call by the Governing Board.

THIS ACTION:

The action today is for the Governing Board to approve a resolution in support of an application by the Ramona Trails' Association and/or the Forest Service to the Resources Agency for Proposition 40 funding for *Phase Two* Trailhead Construction at the West San Diego River Gorge trailhead. The project area for these proposed *Phase Two* improvements is located entirely outside the San Diego River Area.

This second phase of the San Diego River Gorge trail improvement effort will result in the installation of trailhead enhancements at the West San Diego River Gorge Trailhead, the most heavily utilized trailhead, located in the San Diego Country Estates in Ramona. This new facility will include a public restroom, shaded picnic area, trash receptacle, and a drinking fountain.

Grant funds will be used by the Ramona Trails' Association under the direction of the Forest Service to support contractors to provide the necessary services and materials associated with the construction of these trailhead improvements. Funds will also be used to pay annexation costs to the Ramona Water District.

LEGAL CONCERNS: None.

FISCAL IMPACT: None.

SUPPORTING DOCUMENTS: Tentative Resolution 06-14

RECOMMENDATION: Adopt Tentative Resolution 06-14

Resolution No: 06-14

RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO RIVER CONSERVANCY

SUPPORTING THE APPLICATION FOR GRANT FUNDS FOR
THE RIVER PARKWAYS GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR,
SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 BY THE
RAMONA TRAILS' ASSOCIATION OR THE U.S. FOREST SERVICE

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the State Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the project; and

WHEREAS, the Governing Board of the San Diego River Conservancy finds the application of the Ramona Trails' Association or the U.S. Forest Service to support *Phase Two* Improvements to the San Diego River Gorge Trail to be consistent with the Five Year Strategic and Infrastructure Plan of the San Diego River Conservancy, especially Program 2, Projects 1.1 and 1.2.

NOW, THEREFORE, BE IT RESOLVED that the San Diego River Conservancy Board of Directors

Supports the filing of an application for the ***San Diego River Gorge Trail Construction and Rehabilitation Project PHASE TWO*** by the Ramona Trails' Association and/or the U.S. Forest Service.

Approved and adopted the 13th day of October 2006. I, the undersigned, hereby certify that the foregoing Resolution Number 06-14 was duly adopted by the San Diego River Conservancy's Governing Board.

Following Roll Call Vote:

Ayes: _____

Nos: _____

Absent: _____

Donna Frye, Chairwoman
San Diego River Conservancy

State of California
San Diego River Conservancy

CONSULTANT'S SUMMARY REPORT
Meeting of October 13, 2006

ITEM: 9

SUBJECT: CLOSED SESSSION.

PURPOSE: Closed Session to discuss appointment of Executive Officer.
Session will be closed to the public pursuant to Government
Code Section 11126(a)(1).

*Pursuant to Government Code section 11126, a state body may
hold a closed session during a regular or special meeting to
consider the appointment, employment, evaluation of
performance, or dismissal of a public employee.*