



**Rancho Bernardo Community Planning Board**  
 12463 Rancho Bernardo Road #523, San Diego, CA 92198  
[www.rbplanningboard.com](http://www.rbplanningboard.com)

**December 21, 2023, 7:00 PM**

**Meeting Agenda**

**InPerson: 7 Oaks Community Center 16789 Bernardo Oaks Dr, San Diego, CA 92128**

| <b>2023 RB PLANNING BOARD</b> |  |                   |  |                                      |  |                            |           |
|-------------------------------|--|-------------------|--|--------------------------------------|--|----------------------------|-----------|
| <b>P = present</b>            |  | <b>A = absent</b> |  | <b>ARC = arrived after roll call</b> |  |                            |           |
| Robin Kaufman                 |  | Sara Nucci        |  | Steve Dow                            |  | June Smith                 |           |
| Benjamin Wier                 |  | Vicki Touchstone  |  | Hugh Rothman                         |  | Sujata Yellaepeddi         |           |
| Gary Long                     |  | Donald Bertsch    |  | Sonny Googins                        |  | Keith Mikas                |           |
| Rebecca Rapp                  |  |                   |  |                                      |  |                            |           |
|                               |  |                   |  |                                      |  | <b>Total Seated</b>        | <b>13</b> |
|                               |  |                   |  |                                      |  | <b>Total in Attendance</b> |           |

- ITEM #1      **Call to Order/Roll Call:** Chair will call the meeting to order and take roll call
  
- ITEM #2      **Chair Remarks:**
  
- ITEM #3      **Non-agenda public comment (3 minutes per speaker):** To discuss items not on the agenda, yet within the jurisdiction of the RB Planning Board. Board members should limit discussion of non-agenda items so as not to detract from the time available for agenda items.
  
- ITEM #4      **Government Staff Reports:** **Information Item**  
 Various government staff has an opportunity to present updates to the Board.
  
- ITEM #5      **Modification and Adoption of Agenda:** **Voting Item**
  
- ITEM #6      **Administrative Items:** **Voting Items**
  - a. Approve November, 2023 Meeting Minutes
  - b. Approve Treasurer’s Report
  
- ITEM #7      **Approval of Letter to City Regarding Streets:** **Voting Item**  
 Approve drafted letter with residents input regarding the condition of the community’s streets.
  
- ITEM #8      **Update from Election Committee:** **Information Item**  
 Election committee to provide an update on the upcoming elections for 2024
  
- ITEM #9      **Review of New Bylaws and Supporting Docs:** **Voting Item**  
 Vote on the new bylaws and supporting documents to be submitted to the City.
  
- ITEM #10     **Request Community Members to Identify Themselves if Interested in Appointment to Open Vacancies in Districts A, B, C, E, F and G and Appoint Qualifying Candidates:** **Voting Item**
  
- ITEM #11     **Sub-Committee Reports:** **Information Item**
  - Development Review..... Benjamin Wier
  - Regional Issues..... Vicki Touchstone
  - Traffic & Transportation..... Hugh Rothman

|                 |   |                                     |
|-----------------|---|-------------------------------------|
| <b>ITEM #12</b> | <b><u>Liaison Reports:</u></b>              | <b>Information Item</b>             |
|                 | Community Council.....                      | Robin Kaufman (Report Attached)*    |
|                 | Community Planners Committee (CPC).....     | Vicki Touchstone (Report Attached)* |
|                 | Recreation Community Group.....             | Robin Kaufman (Report Attached)*    |
|                 | SANDAG.....                                 | Steve Dow                           |
|                 | San Dieguito River Park .....               | Vicki Touchstone (Report Attached)* |
|                 | San Pasqual/Lake Hodges Planning Group..... |                                     |
|                 | Commercial Representative .....             |                                     |

**ITEM #13      OLD BUSINESS ITEM:**

**ITEM #14      NEW BUSINESS:**

**ADJOURNMENT:**

**Community Group Summary Reports:**

**Rancho Bernardo Community Council:** Via Robin Kaufman

- The Group approved the use of the Council name on the Power San Diego’s website;
- The Group approved the new student member, who will begin her position in January;
- The Group approved the annual election ad hoc committee (elections are in June);
- The Group approved usage of funds collected at the annual safety fair to purchase items on fire station #33’s wish list.

**Rancho Bernardo Community Recreation Group:** Via Robin Kaufman

-The Group held a special meeting on December 13 as a follow up for usages of the old lawn bowling area. 2 RFP processes failed to obtain an interested entity to lease the property since it’s vacancy in 2015. The Park and Recreation Department proposed to convert the area to natural turf for multi-purpose recreation usage. The Community Recreation Group unanimously approved this proposal, which can be accomplished in a few months.

**Meeting Notes - December 1, 2023**

**Via Vicki Touchstone**

**San Dieguito River Valley Regional Open Space Park Citizens Advisory Committee**

Executive Director’s Report: Two new rangers have been hired. The River Park is working on a new website, should be up soon.

Presentations:

1. City Public Utilities on Lake Hodges Level and Status of the Dam Project

Presenter: Megan Hickey, City of San Diego

The dam must be maintained and operated in compliance with State Dam Safety Regulations. To address dam safety issues, the City prepares the required safety review and design of proposed repairs. The dam, which was constructed in 1918, is a roller compacted concrete dam. It has been classified by the State as an extremely high hazard because over 1,000 people live downstream of the dam. This designation is not related to conditions, just potential effects of failure.

The dam is currently considered in unsatisfactory condition requiring maintenance and actions to address the potential for failure due to a seismic event. There is not a concern for dam failure in the absence of an earthquake. At elevation 315 MSL (mean sea level), the dam can hold 30,000 acre-feet of water. Due to the unsatisfactory condition rating, it is only permitted to retain 6,000 acre-feet.

The first restriction on water storage occurred in 2019, with elevation 295 MSL as the maximum water level (about ½ the maximum storage capacity). When a 2020/2021 design and near-term repair project was implemented, additional issues were discovered. In 2022, emergency repairs were conducted. In 2023, the State mandated that the water level cannot exceed 280 feet MSL to avoid deaths associated with a 7.0 earthquake or larger, which would be expected to result in complete dam failure. An elevation of 280 feet, there is no threat to downstream residents.

The City is monitoring the grebe colonies on the lake to understand if and how breeding and hatching success is being affected by the lower lake elevations. Nesting is limited, but nests that are present have not be abandoned. The City will avoid moving water during the nesting season.

Downstream monitoring of periodic releases of water from the dam are also monitored for sediment accumulation and impacts to native riparian vegetation.

Consequence modeling and preliminary design for a replacement dam is underway and an Environmental Impact Report will be prepared. Scoping for the EIR is expected to occur in 2025, and the EIR should be issued in 2029.

## 2. Overview of the Programs Implemented in the River Park

Presenter: Leana Bulay, Senior Interpretive Ranger

The presentation was an overview of the many programs and trail experiences available for the public, including various educational programs. Programs range from making seed balls to learning about the flora and fauna in the River Park. There is a pollinator program, interpretive hikes, ethnobotany discussions, a Park Ambassadors program, senior center programs, working at the interpretive gardens at Sikes Adobe, and much more. Visit the River Parks website (<https://www.sdrp.org/>) for more information.

The meeting was adjourned following reports to the CPC from staff.

## 3. Reach the Beach Fairgrounds Trail and SDRP Gateway

Presenter: Shawna Anderson, Executive Director

Shawna provided an update on the Beach Fairgrounds Trail and SDRP Gateway. The Coast to Crest Trail currently ends just to the east of Jimmy Durante Boulevard. The ultimate plan is for the trail to end at the beach, but there are numerous obstacles to achieving that goal, including sea level rise, but the City of Del Mar continues to work on solutions. There is an area west of Jimmy Durante Boulevard along the north side of the San Dieguito River lagoon and south of the fairgrounds that has been set aside for a trail by the Agricultural District. This segment would have to end east of the railroad tracks. The available space for a trail and buffer along the lagoon is currently 25 feet, but will ultimately be 100 feet when the Agricultural District completes upgrades in this portion of the fairgrounds. James Hubble and his son have designed a gateway for this area that complements the gateway they designed and installed at the start of the Coast to Crest Trail near Volcan Mountain in Julian. The gateway will include a small space for sitting. Planning is still in process.

There were some concerns raised because the trail would not end on the beach. The logistics of extending the trail from proposed site to the beach are significant, including the need to cross both the lagoon and the railroad tracks. There are good views of the beach from the proposed location of the gateway. Del Mar will also continue to evaluate the potential of crossing on the south side of the lagoon. The gateway (art/structure piece) will be constructed so that it can be moved in the future if a feasible option for ending on the beach is identified.

## **Notes from the Community Planners Committee Meeting of November 28, 2023**

### **Via Vicki Touchstone**

Full meeting notes will be available at <https://www.sandiego.gov/planning/community-plans/community-planners-committee#undefined> prior to the next meeting, scheduled for January 23, 2024.

ITEM #4 - 6:35 INCLUSIVE ENGAGEMENT GUIDE - (INFORMATION ITEM): Anisha Gianchandani (Planning Department) presented the Inclusive Engagement Guide the city has been working on. Equity Forward is a comprehensive approach to creating a more equitable, healthy and enjoyable place for all San Diegans. The creation of an Inclusive Public Engagement Guide was identified as an implementation action within the Parks Master Plan and Climate Resilient SD Plans adopted by City Council in 2021. The City will create an inclusive public engagement strategy to promote inclusive public engagement and community participation on plans, programs, and

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policies, particularly for people who have historically experienced barriers to public participation. The Inclusive Public Engagement Guide will serve as the foundation for City employees to implement a meaningful public engagement program that provides guidelines for how City decisions consider input from community members representative of the population's demographics so that these decisions ultimately improve San Diegans' quality of life. A fact sheet describing Equity Forward is available at: <https://www.sandiego.gov/sites/default/files/equity-forward-fact-sheet.pdf> and you are encouraged to take a survey – see <https://www.sandiego.gov/equity-forward/inclusive-public-engagement-guide>. A worksheet for the CPC was provided and was supposed to be posted, but to date, it is not available online. Once available, it will be provided the Board.

ITEM #5 - 7:05 MOBILITY MASTER PLAN - (INFORMATION ITEM): Phil Tom, Mobility Department, presented an overview of the Draft Mobility Master Plan that was publicly released on October 6, 2023. The Mobility Master Plan is a comprehensive transportation planning effort to create a balanced, equitable, and sustainable mobility system for the City of San Diego. It will combine community, mode, and objective-specific planning into one comprehensive document to prioritize mobility projects and to identify programs that will have the largest benefit in our communities and on the environment. Additionally, the Mobility Master Plan will ensure that Citywide mobility initiatives support investments in areas with the greatest needs, promote Vision Zero, and advance the goals of the Climate Action Plan and the General Plan. The Mobility Master Plan will focus on projects, programs and actions that will help make walking, rolling, bicycling, and using transit more convenient, efficient, and affordable. More information about the plan, as well as the draft plan, are available at: <https://www.sandiego.gov/sustainability-mobility/mobility/mobility-master-plan>. This is an operational guide, it does not require adoption by the City Council, but will be presented to the appropriate City Council Committee. Deadline for feedback will be February 2024. A worksheet will be provided to the planning groups to provide input. Comments on the plan can be provided at the above website. (Note: the Regional Issues Committee will draft comments at the Committee's January meeting.) There was good discussion and a number of questions/comments about the City's assessment of how far someone can walk to the bus stop. Those who use the bus stated that it is not just the walk to the bus, but also the walk from the bus to the final destination – this needs to be considered as it adds more time to the trip. And the issue of the potential need for multiple stops was also raised, along with comments about the fact that San Diego's population is aging. All of these factors should be considered when evaluating the transportation needs of residents. Mr. Tom encouraged comments and participating in the online survey.

ITEM #6 - 7:35 GRAND JURY SUBCOMMITTEE - (ACTION ITEM): Paul Coogan, provided a recommended letter in response to the Grand Jury Inquiry about Development Impact Fees (DIF) for review and approval by the CPC. Because the Grand Jury that reviewed this issue as been dismissed, the letter will be presented to the City Council and copied to the presiding Jury for the previous grand jury. Below is the letter as presented to the CPC. Minor revisions were made prior to the approval by the CPC. These changes will be described in the formal meeting minutes for this meeting of CPC, once those are available, they will be provided to the Planning Board members, likely with the January meeting agenda.

Here is the Draft Letter that was approved with minor amendments-

We, the Community Planners Committee (CPC), would like to address several areas of concern in the recent Grand Jury Report filed May 30, 2023, titled CITY OF SAN DIEGO DEVELOPMENT IMPACT FEES: What's the DIF? as well as the inadequate response provided by the Independent Budget Analyst (IBA), approved by the City Council on November 6, 2023.

The CPC, as a representative of Community Planning Groups (CPG), has both direct involvement with the recommendations of the Grand Jury and continues to be a 'key stakeholder' and focus for community input on Capital Improvement Projects (CIP). Page 13 of the Grand Jury report states, 'While community planning groups are a key stakeholder, hearing from a broader cross-section of our City's residents is critical to ensuring equitable community input on the City's CIP. Only by improving and changing the community input process on the City's CIP budget can the City begin to deliver critically needed infrastructure that truly meets the needs of residents.'

We do not disagree that input beyond the CPG is needed; however, there are several issues brought to light by the Grand Jury report that require resolution. Therefore, we kindly request your attention and action on the following matters:

### **1. Disparity in Fund Balances**

We urge you to address the reported disparity in fund balances, specifically the \$500 million reported by the Grand Jury and the \$222 million reported in Todd Gloria's press release *Mayor Gloria Launches 'Build Better SD' to*

*Improve Neighborhoods Faster* on 2/18/22. We request a detailed accounting explanation to be provided, ensuring transparency and clarity in the financial reporting.

## **2. Journaling Details for DIF in Lockboxes**

To ensure accurate and auditable fund management, we recommend conducting a comprehensive accounting by recording and making public the DIF lockbox collection details. This should include information such as the source, payee, deposit date, and assigned community planning area/group for each DIF, including projects invoiced but not collected.

## **3. Administration Fee Determination**

We seek clarification on the rationale behind setting the DIF Lockbox administration fee at 8%. It is important to understand the factors considered, especially considering that overhead costs for fund administration may not be directly tied to the deposit amount. We request insights into how this percentage was determined.

## **4. Use of DIF Lockbox Funds**

We request clarification on the process of loaning DIF lockbox funds between communities for larger projects. If DIF loaning is possible, we would like to know whether new DIF collected in the “borrower community” would be used to repay the DIF lockbox borrowed amount or would be deposited into Build Better SD accounts.

## **5. City Wide Fund Reporting**

We seek clarification on how collected DIF under the Build Better SD plan will be managed. Specifically, we would like to know if funds will be collected via four individual DIF related to the four spending categories or if collected DIF will be held in a pool for distribution to the Build Better SD spending categories. If the funds are to be commingled, we request information on how spending will be mapped to the impact nexus in order to remain compliant with state law.

## **6. DIF Nexus**

We urge you to provide details on the process of utilizing nexus analysis for determining the spending of DIF on CIP. We are concerned that relying solely on surveys may exclude large portions of historically underserved communities, such as non-English speaking and/or digitally challenged individuals. We also request clarification on who conducts the nexus analysis and the vetting process with Community Planning Groups to ensure transparency and community input.

Furthermore, we would appreciate an explanation of the strategies that will be implemented under Build Better SD to ensure that communities with lower rates of new construction can accumulate sufficient DIF fees for necessary CIP. It is crucial that a nexus rule is applied to the collected DIF while addressing the needs of these communities.

We highly value your commitment to ensuring the effectiveness and fairness of our DIF management system, aligning it with the needs and expectations of our communities. Your attention and action on these matters will contribute significantly to building trust and maintaining transparency in our city's governance.

Thank you for your time and consideration.  
Sincerely,

### **Referenced Documents:**

IBA response (Nov. 6, 2023 City Council meeting) <https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/IBA%20Report%2023-30%20Proposed%20Response%20to%20Grand%20Jury%20Report%20City%20of%20San%20Diego%20.pdf?meetingId=5811&documentType=Agenda&itemId=227558&publishId=796223&isSection=false>

Grand Jury Report

<https://www.sandiegocounty.gov/content/dam/sdc/grandjury/reports/2022-2023/City%20Of%20San%20Diego%20Development%20Impact%20Fees.pdf>

IBA Power Point

[https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/ITEM%20201%20-%20Proposed%20Response%20to%20Grand%20Jury%20Report\\_City%20of%20San%20Diego%20Developm.pdf?meetingId=5811&documentType=Agenda&itemId=227558&publishId=796225&isSection=false](https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/ITEM%20201%20-%20Proposed%20Response%20to%20Grand%20Jury%20Report_City%20of%20San%20Diego%20Developm.pdf?meetingId=5811&documentType=Agenda&itemId=227558&publishId=796225&isSection=false)

IBA Staff Report [https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/Staff%20Report%20for%20-%20%20\(\).pdf?meetingId=5811&documentType=Agenda&itemId=227558&publishId=796220&isSection=false](https://sandiego.hylandcloud.com/211agendaonlinecouncil/Documents/ViewDocument/Staff%20Report%20for%20-%20%20().pdf?meetingId=5811&documentType=Agenda&itemId=227558&publishId=796220&isSection=false)

