

PALA - PAUMA COMMUNITY SPONSOR GROUP
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REGULAR MEETING, AUGUST 7, 2012,
APPROVED MINUTES

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Date: August 7, 2012

Scheduled start time: 7:00 PM

Place: Pauma Valley Community Center
16650 Hwy. 76
Pauma Valley, Ca. 92061

1. **CALL TO ORDER: 7:00 PM.** Roll Call and quorum established: Five Group Members were present: Andy Mathews, Chairman; Bill Winn, Vice Chairman; Fritz Stumpges, Secretary; Jim Beezhold; and Robert Smith. John Ljubenkov and Ron Barbanell were absent.
2. **OPEN FORUM:** There were no comments from the community at the open forum.
3. **ADMINISTRATIVE MATTERS:**
 - a. The re-corrected minutes for June 5, 2012 had been circulated to all members. Bill made a motion to accept them as submitted, Jim made a second and they were approved unanimously, 5-0. The minutes of the July 3rd meeting had also been submitted, corrections made and re-submitted to all members. Bill made a motion to accept these amended minutes, and Jim gave a 2nd. There was no discussion and they were approved unanimously 5-0.
 - b. There were no operating expenses. Fritz wanted it noted that the county had paid all past rent invoices for the monthly community center rental and was currently paid up through June.
4. **DISCUSSIONS:**
 - a. Ted Marioncelli, a representative for AT&T's new proposed cell antenna site, gave a briefing and request for our approval recommendation. It is proposed to be added to one of the two sites presently existing at 10690 Pala Temecula Road. This is the hill west of Pala containing the large power lines. It is proposed to be added just below T-Mobil's antenna on their "Tree". Verizon is also on the site on their own monopole. Andy asked why they need this site and Ted replied that current coverage was probably through past agreements with T-Mobil and since the merger didn't go through AT&T needed their own antenna. Fritz gave an opinion that it was a perfect site, with sharing an existing "Tree" and Andy moved to support the application. Bill gave a second and it was approved 5-0.
 - b. We considered the request of the Department of Public Works to the San Diego County Traffic Advisory Committee (SDTAC) to establish a length and/or weight restriction along Pala Temecula Road (PTR) and the possible determination of any recommendations or subsequent actions on the part of PPCSG. First Andy reviewed the current local restrictions. There is a 45 foot maximum length bus restriction that exists on Hwy 76 from the quarry near I 15 to PTR and then again from the Valley Center Road junction all the way east to its end at Hwy 79. The question then becomes what will happen if we place an additional similar restriction on PTR. We heard from Kenton Jones, Traffic Engineer with DPW and secretary of the San Diego County's Traffic Advisory Committee. He was here in order to determine the community's opinion and learn firsthand the realities present on PTR. There has been a lot of damage to the guard rails at the sharp corners so 6 months ago the Traffic

Engineering Office elected to erect new length warning signs: Over 40' not advised... So far there has not been much response from the public/truckers. After the destruction continued along the road, the field crews asked the Engineers if 'now' is not the time to change to mandatory limits. They are engaging all local players concerned with the road. Temecula, Pala, we and others are invited to respond. Andy asked if we could divide the discussion into Commercial and Busses since the busses are currently already limited on Hwy 76 and how else could they get out here? Kenton said they studied traffic times along the PTR from Temecula/Riverside County to Pala and got an average of 18 minutes for the 9 miles; this is to be compared to the route down I 15 to 76, and assuming a change in regulations there allowing this larger traffic east bound, then the distance doubled to 18 miles and the time grew 50% to 27 minutes. Fritz expressed his opinion that the PTR was much more dangerous when it came to large vehicles and that opening up 76 seemed the only solution to pinching off PTR to them. Kenton said that possibly incremental restrictions might work, just limit the largest first. Andy asked if 40' busses were a practical alternative and Robert Smith said that there just weren't currently any available this size. He added that his concern was water trucks, auto carriers and many other vehicles just going around the scales on I 15. He doesn't see the CHP enforcing this. Discussion continued as to length / king pin restriction options and came back to weight as a limit for non-busses. Kenton reiterated that the main problem was length and that there is no way to lay out a 40/45' bus on those turns without crossing over lanes and embankments. Andy asked for Kenton's suggestions and he replied "cautious monitoring". Andy added to encourage more CHP enforcement. Robert agreed. Bill stated that the only real solution was to widen/straighten primarily 76. Andy pressed for opinions as to a possible recommendation from us as to weight restriction. Kenton mentioned a weight study there that on an average weekday 9,000 trips, they found 130 "Heavy 7-10 Ton Class" trips and 70 trips on a weekend. He said that a 10 ton limit would be what they call a 1% impact for a regulation of that specification. Andy then summed up our recommendations which are included in addendum 1 and were sent to the SDTAC. Bill moved to approve, Fritz seconded it and after some discussion it was carried 5-0.

- c. We then considered our priorities towards traffic remediation and other impacts of developments within the PPCSG. The two immediate developments we have are the Warner Ranch and Rincon/Harrah's Casino expansion which will each have major impact on traffic. Andy started by describing Highway 76 between the Quarry and Pala Casino as having a rating Level of E / F and highly susceptible to rapid degradation by continued growth. What can we do to retain the desired meandering County Scenic Highway designation? After extended discussion of growing traffic problems with this section of highway, Andy suggested that our number 1 priority was to make the section of State Hwy 76 west of Pala a safer and easier road to drive? Bill offered that this is true if and only if Warner Ranch continues as planned. Otherwise our main concern reverts to Valley Center Road and Cole Grade Roads. Andy then added the qualification that this number one priority was conditioned on the premise that Warner Ranch would be approved in some form close to what is proposed. Then our second concern will be the signalization on Highway 76 at Cole Grade, Pauma Reservation Road, and Valley Center Road. Bill then questioned Rincon's proposed two lights and how we could work together with their priorities to join their traffic with SR76 and Andy asked the Fallbrook group present about their priorities on the west end. Jack Wood, Fallbrook group responded that their priorities didn't project out into our area yet but they were concerned with Rice Canyon intersection and the proposed 200 condominiums plus single family project that was just denied there. The current owner has accepted the new general plan amendment of 1du / 10 acres so there will be a maximum of 40 homes there. He added that 76 is scheduled to be completed to Mission Road junction this year and then work will begin on completing it to I 15. The final plan for the 76/15 intersection hasn't even been finalized but is estimated at about \$70 million. Andy then suggested that we should continue these discussions next month. No objections. Bill asked Kenton to look into the possible roundabout we discussed for VC Road and Hwy 76 intersection; he said he would.

- d. We considered coordinating and communicating with Valley Center, Fallbrook and Rainbow planning groups and the possible determination of any recommendations or subsequent actions we might take. This item has been agreed to before but was specifically here to introduce Item e.
- e. In particular, we've been asked to support other PG's efforts to ask the DPLU to readdress and revise the county noise ordinance. One specific concern is vehicle noise levels. We discussed Ordinance No. 9962 (N.S.) a regulatory county ordinance pertaining to "Noise Control and Abatement". Andy stated that the groups were wanting to 1) encourage the county sheriffs to more actively enforce the ordinance and 2) to address issues in open country where noise is not absorbed by buildings, trees and other urban structures. An example of this is when Rincon has an outdoor concert and everyone in the valley listens to it and where they can hear the words and dance to it. Bill made a motion to support the New Noise Abatement revisions proposed and to better define how it can be enforced. Fritz gave a second and Jim offered some discussion as to the modification of motorcycles to which Fritz stated that was what the CHP officers presentation said was their preferred method of enforcement. It is easy to spot and to enforce with a ticket. Bill wanted information from the county noise level officer mentioned in the current Ordinance to which Andy said he would work on it. The vote was then taken and it was approved 5-0.
- f. The last item on our agenda was consideration of the Draft Site Implementation Agreements ordinance proposed by the Board Of Supervisors with the intent of providing our response by the August 20th deadline for comments. The purpose of this ordinance will to be to summarize in one recorded place all of the restraints that exist in regard to a specific development. Bill felt that it did not do much good as it was full of a lot of legalese. Andy clarified that it would contain in one recorded document all of the planning and land use restrictions and would be recorded with the site and assessor maps. Then the county, owner, developer, and potential buyers could all know what is required. Fritz thought that it would have to be a huge document and a possible way to get around subtle requirements hidden in CEQA's etc. He questioned the cost and who would be responsible to ensure and check that all of the details are transferred to it? Bill still felt that if it could help then we should support it. Jack Wood of Fallbrook asked if we had a sub regional plan, to which Andy confirmed. Jack stated that it already contained a summarization of the requirements for a project. Fritz was still concerned about the details of which he had not heard; such as what if it left out concern for historic burial ground? and then one was found there. Would the developer then just be able to say that you didn't specify that before so we are not bound by this? Andy then offered to summarize a response given our concerns, circulate it for our feedback and submit it. Bill made a motion to this effect, Robert gave a second and it was approved 5-0. Our Response to County Site Implementation Agreements is being made attachment, Addendum 2.

5. ADJOURNMENT:

Robert moved to adjourn, Bill gave a second, all were in favor and the meeting was adjourned at 8:20 PM

Fritz Stumpges, Secretary, PPCSG

These minutes were circulated to all group members and were approved as amended at the September 3rd meeting. Bill made the motion, John the second and it was approved as amended 7-0.

Recommendations of Pala Pauma Community Sponsor Group regarding the possible application of weight and/or length restrictions to Pala Temecula Road.

On August 7, 2012 the Pala Pauma Community Sponsor Group (the “PPCSG”) held a public meeting at which was present a representative Mr. Kenton Jones the secretary of the Traffic Advisory Committee (the “TAC”) of the County of San Diego. In response to a request of the Department of Public Works Traffic Engineering (“DPW”), PPCSG considered the possible application of weight and/or length restrictions on Pala Temecula Road from its intersection with Pala Mission Road to the County line (the “Road”). These recommendations are prepared as authorized by a resolution unanimously adopted at the above meeting.

I. Recommendation

Because PPCSG is of the view that there would be (i) a significant benefit to public safety and the safety of DPW personnel and contractors, (ii) a reduction in the damage presently occurring to guard rails that are an essential safety feature of the Road, and (iii) a reduction in the level of frustration experienced by drivers following large, heavy slow moving vehicles thereby leading to an improvement in traffic safety, PPCSG recommends that:

- i Vehicular use of the Road be permitted only by vehicles, including tractor trailer doubles, whose overall length does not exceed 45’ (forty five feet); and,
- ii Vehicular use of the Road be permitted only by vehicles whose gross vehicular weight rating (GVWR) does not exceed 14,000 pounds (fourteen thousand pounds); and,
- iii The County examine the practicality of providing additional passing lanes in both directions of travel; and,
- iv California Highway Patrol (CHP) be encouraged to routinely enforce not only any newly adopted access restrictions but also the existing restrictions on SR-76 particularly with regard to (a) vehicles driving at a speed causing them to cross the center lines, (b) heavy vehicles seeking to avoid the CHP weigh station, and (c) any vehicle code requiring slow moving vehicles to pull over to allow following vehicles to pass; and,
- v DPW continue to monitor traffic and traffic safety to determine if additional or other actions would be appropriate, including the two curves on SR-76 which have a particularly tight radius and exceptionally short lines of sight.

II. Local Access

Access from the west or the north to Pala and Pauma Casinos, Pauma Village, and Harrah’s Casino and Valley Center via Valley Center Road (the “Vicinity”) is directly possible only via SR-76 and/or the Road. Included in this traffic are commercial, contract buses bringing patrons from afar to the casinos.

i SR-76

Caltrans District 11 Over-length Bus & Motorhome Map prohibits such vehicles in excess of 40’ on SR-76 west of its intersection with Pala Mission Road (west junction) and east of its intersection with Valley Center Road. Given those restrictions, the industry prevailing 45’ commercial bus traffic can conveniently only reach the Vicinity from the north and west by using the Road. An alternative route would involve an extremely long and impractical detour using I-15/Old Castle Road/Lilac Road/Valley Center Road.

Caltrans District 11 Truck Networks Map defines SR-76 west of its intersection with

Pala Mission Road (west junction) and east of its intersection with Valley Center Road as a California Legal Advisory Route with a KPRA recommendation of 30' (thirty feet).

ii Level of Service (LOS)

The recently adopted San Diego County General Plan classifies SR-76 from Pala del Norte Road to Sixth Street Pala (essentially the same as Pala Mission Road - west junction) as 2.1D Community Collector w/ Improvement Options and accepts a LOS E/F, because the County considers it more appropriate to retain a road classification that could result in LOS E/F rather than increase the number of lanes. In practice SR-76 is a conventional; two-lane highway passing through mountainous terrain and characterized by a number of curves with restricted lines of sight and little or no passing opportunity. The speed limit ranges between 40 and 55 mph, with chevron warning signs of curves with posted advisory limits as low as 20 mph. For this reason traffic flow is impeded and the usually anticipated capacity of such a road class is not available. A June 2011 manual count study found the ADT at around 10,200 vehicles and a traffic study completed in conjunction with an anticipated expansion of Harrah's Casino projected that section of SR-76 soon falling to LOS F.

III. Recommendation rationale.

- i Because of the Bus length restriction on SR-76 it is not practical for buses carrying casino patrons from the north to access other than by the Road. Conversely, the bus length restriction on SR-76 should be uniformly enforced so that operators who ignore that restriction do not receive a commercial advantage. It is to be hoped that this action will encourage casinos and operators to contract for 40' vehicles, thereby using SR-76 and reducing traffic on the Road.
- ii As undesirable as additional traffic maybe on SR-76, given the gradient, short sight lines, and small radius curves of the Road, the balance of consideration of safety issues argues for diverting long and heavy traffic off the Road. Given a 45' bus length restriction, it would seem that the limitation on overall length for all vehicles (including tractor trailer doubles) should be the same 45'. While it is probable that the radius of some curves on the Road are such that vehicles of 45' length would have to drive slowly to avoid crossing the center line, whenever possible, it appears illogical to restrict vehicles other than buses to a length shorter than 45'.
- iii Because of the gradients of the Road, and especially low radius curves on a steep incline, sometimes with an adverse camber, a weight restriction would add to safety and reduce frustration from slow moving traffic; which frustration often leads to unsafe driving patterns.

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Charles Mathews,
Chair Pala Pauma Community Sponsor Group
August 8, 2012

Comments of Pala Pauma Community Sponsor Group regarding the POD 08-006 Draft Site Implementation Agreement - County Regulatory Code Amendments.

On August 7, 2012 the Pala Pauma Community Sponsor Group (the “PPCSG”) held a public meeting at which it considered POD 08-006 Draft Site Implementation Agreement - County Regulatory Code Amendment. These comments are prepared as authorized by a resolution unanimously adopted at the above meeting.

I. Support

PPCSG is of the view that it would support an amendment to the County Regulatory Code to introduce a new form of Site Implementation Agreement (the “SIA”) provided that a SIA:

- i Does simplify the recording of implementation conditions to ensure that a development does not adversely affect applicable land use plans and that environmental regulations are met (the “Conditions”); and,
- ii Does not result in the recording of Conditions on more than one document, potentially resulting in a need to reconcile conflicting Conditions and confusion regarding which Conditions are applicable; and
- iii Exhaustively contains all of the Conditions applicable to a particular development.

II. As drafted comments

PPCSG is of the view that the Site Implementation Agreement as drafted does not completely meet the above support provisions and respectfully suggests that:

- i 86.802 (e)
The conditions needing to be set forth in the SIA should not just be “On-going” but should also include Conditions applicable during construction or development; and,
- ii 86.803
A SIA should not only be a prerequisite for projects where “a CEQA document has shown” a need for mitigation requirements but for all developments for which any condition is deemed to be applicable whether or not it is as a result of CEQA (so that the “other applicable requirements necessary” of SEC 86.80 c will be fulfilled); and,
- iii 86.805
There should be no waiver under any conditions so that the SIA may serve its purpose of providing a single point reference, among other things, to conditions of a development project which “runs in perpetuity with the entitled land” thereby providing a valuable single point source for beneficial owners and lenders subsequent to the developer; and,
- iv 86.808
The Approval Process should include a review by the applicable Community Planning or Sponsor Group; and,
- v 86.808 (a) and 86.809 (a)
The Approval Process should ensure that all mitigation measures identified or other applicable requirements necessary for the development applicable both during and subsequent to development are incorporated into the SIA; and,
- vi 86.811
It appears that only judicial remedies are available for failures to comply. As such can take a long time, would it not be prudent and practical to include an administrative

penalty – such as the withdrawal of issued building permits or a civil assessment in the event of failures to comply.

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Charles Mathews,
Chair, Pala Pauma Community Sponsor Group
August 16, 2012