

PALA - PAUMA COMMUNITY SPONSOR GROUP
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REGULAR MEETING, FEBRUARY 4, 2014,
APPROVED MINUTES

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Date: February 4, 2014

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.

- a. Roll Call and quorum established: Five members were present: Andy Mathews, Chairman; Fritz Stumpges, Secretary; Ron Barbanell; Brad Smith; and Ben Brooks. Stephanie Spencer was ill and unable to attend. We are still 1 member short of full potential.

2. APPROVAL OF PREVIOUS MINUTES:

- a. Andy advised that the minutes of November 12, 2013 had been circulated for review prior to this meeting and asked if there were any comments and if not if we could get a motion to approve. Ron moved to approve the November minutes and Ben gave a second. They were approved 5-0.

3. PUBLIC COMMUNICATION, OPEN FORUM:

- a. There were no comments from the public.

4. ACTION ITEMS:

- a. Next on the agenda we were to review a revised submission of Shadow Run Ranch (TM 3100 5223) as a proposed 248.2 acre development of 44 residential lots, each over 2.0 acres, one 91.3 acre biological open space lot to protect Fry Creek, one 39.0 acre agricultural lot of preserved orange grove and one 7.6 acre recreational open space lot for the residents. It is located in Pauma Valley bounded by SR-76 on the south and Adams Drive on the East. This is their second presentation before us and will deal primarily with our original recommendations (see attachment #1) but also finish our discussions prior to their submittal to the County of their major use permit and EIR for the project. Mark Thompson, TRS Consultants, spoke first and felt that they had solved all of our concerns. He introduced Ron Deuschendorf who is the owner's representative and project manager and Dan Masson their traffic engineer. The major issue that has been solved this last year is a new full intersection onto SR-76 agreed to by Caltrans. Dan then described the new intersection on SR-76. The development's new access roadway onto SR-76, to be known as Haas Grove Lane, has been aligned to intersect with SR-76 across from Pauma Ridge Road. The project includes widening SR-76 to add left turn/deceleration lanes into the development and south onto Pauma Ridge Road. Each of these left turn/deceleration lanes will be 530 ft. long. Andy asked if there was a westbound deceleration right turn lane into the project and an acceleration lane for leaving westbound. They replied that Caltrans was not in favor of any additional lanes at this time because there is such a long view in both directions when leaving. They said that the ADP was estimated at 530 trips per day. The new entrance on SR-76 has allowed the questionable access onto Adams Drive to become a secondary access which is anticipated to see relatively little use. It will intersect with Adams Drive approximately 2500' north of SR-76 toward the northern end of the

development. The project will also widen the north side of SR-76 east of Adams Drive to construct a bus stop turnout and a right turn lane onto Adams Drive. The committee commented positively on these changes to the roadway plans. Andy suggested that they have a conversation with the Adams Drive PRD 6 people.

Next Andy mentioned that the project map still refers to SDG&E for gas and electric when they do not have gas out here and they will be required to permit all propane tanks throughout the project. They acknowledged this and will correct the map. Then Brad mentioned our concerns over visibility of the project from SR-76. They replied that they have a dedicated 100 foot buffer zone with protected mature trees for full screening. Andy suggested that they make some agreement for the protection of the vegetation on the west side of Adams; especially since it is owned by the same person who owns the land proposed for development. Ron then asked that we now address each of the specific issues we had raised on the official "Recommendations..." document. They said that they have a written response and handed out copies of it and the draft CC&R's (attachments #2 & #3). Andy asked if they had considered the option of making their park a public one and thereby spend the PLDO fees within the project. They responded that currently the park is seen as private but they would consider this option. Fritz asked if there would be any access to the agricultural or open space areas and they said that they and the county do not want people accessing these areas. Andy reiterated our position that the future landowners be required to maintain the agricultural element of their parcels, yet the draft CC&R's, II.4. state that they may remove their grove and only be required to make the resulting land 'fire safe'. Ron suggested that they sustain the milieu that we all have come here for. The people who come here for the stated purpose of this development should be in some way required to maintain that milieu. Ron Deutschendorf responded that he was attempting to have his lawyer make this a legal part of the development. Fritz questioned the legal authority of forcing someone to maintain a grove when the water rates are skyrocketing out of their control. Andy then asked for clarification of the draft CC&R IV.1. provision of grove irrigation water. Ron Deutschendorf responded that the current system of wells, reservoir, and non-potable water lines will be maintained for all residents and be required to be supported by the HOA. He mentioned that with the current draught the water availability may be in jeopardy and that they are attempting to get inclusion of possible ag. water in the annexation to Yuima water district. Fritz then mentioned all of the bureaucracy involved in selling Yuima water from other wells and then being required to be part of Yuima and buy it back at very high rates! Mark then added that because of this sale of water and the provision of ag. water, that this project is water net neutral and would not require any imported water. Brad stated that there would probably be a net decrease in water usage just by converting a substantial portion of the grove to development; to which Mark agreed and stated that it was projected to be a 10% decrease. Andy stated that there would still be a net increase in demand on Yuima's potable water resources and that this should be studied thoroughly and presented back to us. All members of our group then commended the developers on their desire for a compatible development and the progress that they have made, especially the SR76 intersection. Andy finally questioned their request for a waiver to 81.4 sections I & H of the subdivision code. Dan then responded that the new design of the intersection deleted this need and that it had just not been taken off of the map.

5. ADMINISTRATION:

- a. We then considered the two applications which we received to fill the vacant seat we have on the group. We have an application from Robert Boehm and from Robert Smith again. Andy stated that we can either take action on these applications tonight or differ this action to next meeting. Brad then asked for Ron's opinion because he had previously expressed feelings about

this. As secretary, I felt that Ron's response was very important to our greater understanding of this valley and wanted to present his full talk as best I could. This is his entire presentation:

This is really important to me. I'm thanking Chairman Smith for being here tonight. He is the first amongst not so many equals. I'd like to read what I wrote and sent out two nights ago. Because I feel as though I've self appointed myself (with no authority) to be a kind of growing interface between Native Americans and Non Native Americans, I think I need to speak to how special Chairman Smith is, and how special Chairwoman Stephanie Spencer is, and I'd like to put it in the context of a great deal of thought. So with that, recently I had a discussion with some others because I have been trying to move to get more Native American involvement in our Sponsor Group. Because I consider this group a defacto government in this valley, it is the closest thing to a government that this valley visibly seems to have.

As I've grown to learn and understand how the valley works in a governmental sense, I've grown and made relationships with lots of people and this is my first opportunity to participate in government at this level. I've never had a chance to be involved in a community before so this is number one on my bucket list: be involved in my community.

Some people evaluating my recent efforts concluded that I was unsuccessful at bringing a second Native American to join us and therefore there was reason to move forward to find any willing qualified candidate.

Therefore, I presented yesterday to Robert Smith this document that I wrote and then I begged, but he didn't need to be begged, and he immediately said that he would reapply for the open position on the Sponsor Group.

It was also a position of some of those to whom I spoke that perhaps Natives in the community were indifferent; and I can understand if people don't dig beneath the levels of what we see, that you can interpret Native thinking as they're being indifferent and in other cases worse, hostile. I have to thank my friend Mike Fitzsimmons who has grown up here and feels in his heart, from almost 70 years of experience, the hardship of the Natives in this community, and he has Native friends who have grown with him during those 70 years.

And so I pondered why I was so ineffective at getting someone to join our group. Chairman Smith has repeatedly tried to help me reach out to the other tribes. I kind of had to ask myself, when I was called upon other people, why isn't there any interest? And Blue Sheppard, who was going to apply for this position as a caretaker only, gave me a book called Three Paths Along The River, and I suddenly was exposed to the history of this valley that I never knew. It was written in 1963 and Mike, generously over the weekend, gave me a book written in 1907, about the history of Warner Ranch. And then I thought back to how ICAP (Inland Community Action Partnership) got started.

Based upon that memory, I'm now going to read the mission statement of ICAP, which Mike wrote:

"The purpose of the group is to break down prejudices between non-Indian and Indian community members through increased educative dialogue, thereby achieving a community better integrated by ties of mutual respect and more inclusive in defining and promoting common community interests." Within that statement was the answer to my dilemma. I had to search no further as to why many Natives just didn't simply jump on to my overture, or Chairman Smith's overture.

Mutual respect must be earned. It's my own conclusion that there is a basis for us to earn respect from our Native members who are indigenous to this valley. Their memories of blatant injustices are raw and need not be passed down from grandparents. There are people sitting in this room who can tell you stories from their own lives.

I've made it well known that I'm Jewish. My mother was a Holocaust survivor. The Native Holocaust is not the same as the Holocaust that took place in Europe. That Holocaust is arguably over with. This Native Holocaust in certain ways continues to go on. And that is what has happened with the San Luis Rey River Indian Water Authority lawsuit, that's gone on now for probably 43 years. The Federal Government (also a plaintiff in that suit) itself has reneged upon signing the settlement. Instead the Federal Government is asking the Natives who are co plaintives in this case to forsake other federal obligations related to water rights granted over 100 years ago as a condition of signing the settlement. This is another example, defacto of a continuing Native Holocaust. This discrimination towards Natives; this inability to live up to commitments, real laws and real treaties, is inexcusable.

So I wrote this factual basis (Attachment #4) to explain the reluctance and hesitance exhibited by the Indigenous Peoples of our valleys which is, simply, superficially and erroneously, shrugged off as indifference. Far from indifference, I expect a mind boggling effort is likely to be made each time a Native negotiates or even attempts to interface between Native Americans and Non-Native Americans. The wounds of historical injustices are fresh and open. There is insufficient basis for automatic respect and trust. Trust still needs to be earned because the deals are still being broken. I offer a local history that should be embarrassing to every American. We need to go no further than the injustices that have ongoing in the over 42 year old lawsuit to realize that yesterday is still today for the Natives of our community.

So with that in mind, considering that Mr. Boehm isn't here, and considering that Chairman Smith is willing to work with us again, I move that we vote tonight and I move that we accept Chairman Smith to our committee once again and gratefully accept his overture.

Then Andy said that we have a motion on the floor, and Ben gave the second. Andy asked if there was any further discussion to which Ben then asked Chairman Smith, considering that he was on this group before, why do you want to serve and what has changed? Chairman Smith replied that, because it affects all of us, he was trying to get more Native leaders of the valley to step up. He tried to get other tribal members to join, but none did. He felt he should be engaged, join, and partner with those who were reaching out. Fritz asked if he thought that he would now have more time from his very busy schedule, to make more meetings. Chairman Smith responded that he felt it important to make a commitment now and work with us. Fritz then made one more comment that he strongly felt that we should have more time to consider new applicants before receiving the application at a meeting and then have to vote immediately, without adequate time to review and get to know the applicant. He appreciated that Andy asked this time how we felt about this, and that this time, he already knew and could support Chairman Smith wholeheartedly. Ben then added that he knew Mr. Boehm and that he would have made a solid contribution, but he felt really good that we now had a chance to bring on someone who has a chance to make such a great contribution to the valley. We then voted unanimously, 5 to 0 to approve Chairman Smith's nomination to the group. Andy then reviewed the next steps in the process which were that our nomination would be submitted to the Board Of Supervisors and our representative, Bill Horn, would introduce it for approval by them. Chairman Smith will need to complete online training from the county and if not already done, the conflict of interest training, and also have completed the Form 700 Economic Conflict of Interest disclosure, all before being able to sit and vote with us. Everyone then congratulated and welcomed Chairman Smith back.

- b.** Andy then gave an update on the two Code Compliance issues that were reported at a previous meeting. Andy had submitted requests to the county on November 26th to investigate a possible illegal grading and a possible issue with excess multiple residences on a single property. The county reported back that they visited the possible illegal graded lot on December 9th and there was illegal, unpermitted grading and the owner was given until February 9th to submit a grading plan to plan check. As to the multiple residences on one lot, the owner was given 3 weeks to

prepare for inspection which was subsequently completed on January 29th. They did find illegal, unpermitted residences in addition to the two permitted residences. They will be given 30 days to remove two kitchens and two bathrooms.

- c. Communications received: There were none received.
- d. Approval of possible Operating expenses: Fritz presented a hall rental invoice for the last quarter of last year at \$35 / month. Andy moved that we approve the payment of the \$105 invoice. Fritz gave the second and it was approved 5-0. Then he presented a letter from Sue Stockton, president of the Community Association, which stated that another invoice for the previous quarter of July, August, and September, had been submitted to the county for payment on October 1st 2013 and noted that only two of the 3 months were paid for. There was no mention of what the \$70 was for, nor why only two of the 3 months were paid. The group reviewed that we had a lease to rent the hall and that this is to be paid whether or not we actually have a meeting. Fritz was directed to send these items to our county coordinator, Lisa Fitzpatrick.

6. ADJOURNMENT:

- a. Brad moved to adjourn, Ron gave a second and with no further discussion we voted 5-0 to adjourn at 8:30.

Fritz Stumpges, Secretary PPCSG

These minutes were approved at the March 4th meeting. Brad made the motion to approve; there were some discussions and an agreement to add Amendment #5, Second Comments of PPCSG on Shadow Run Ranch development proposals, 5 pages. Ben then gave the second to approve and they were approved unanimously 7-0.