

**JAMUL DULZURA COMMUNITY PLANNING GROUP
DRAFT MINUTES
JANUARY 28, 2020
Oak Grove Middle School Library
7:30 p.m.**

1. **Dan Neirinckx, Chair, called the meeting to order at 7:30 p.m.**

2. **ROLL CALL:**

Present: Dan Neirinckx, Eve Nasby, Preston Brown, Darren Greenhalgh, Joe Stuyvesant, Streeter Parker, Steve Wragg, Summer Piper, and Kevin May, Ed Mollon, Michael Casinelli

Absent: None

Excused: Janet Mulder

Vacant Seats: 9, 13, &14.

3. **Motion for APPROVAL of the agenda for January 28, 2020, and the Final minutes for the meeting of December 10, 2019 passed unanimously. Preston objected to the approval of the Final Minutes for January 14th in that additions he proposed had not yet been added. The Chair tabled the approval of the Final Minutes for January 14, 2020 until next meeting. Please note the February 11 meeting was cancelled and the January 28 meeting brought up the question whether or not names had to be listed who voted “no on a motion” so the approval of the minutes was held for next meeting. There were no meetings held in March due to the virus restrictions, so approval of the January 28 Final Minutes is scheduled for April 14, 2020.**

4. **OPEN FORUM:**

Streeter Parker he received an email from Dennis Moser saying he represented investors in the Village 14 project. Streeter replied that it was inappropriate to reconnect at this time as he believed it would not be in accordance with the Brown Act. Streeter also commented that he had worked with Dennis Moser in the past on his own Peaceful Valley Ranch project and had no contact with him since 2013. The Chair and other members of the PG expressed that there was no apparent Brown Act violation in this matter. The Chair thanked Streeter for making this known to all.

Michael Casinelli thanked the CPG members who volunteered for “officer” positions. He also commented that the CPG should be acting in the best interest of the community when reviewing projects.

Steve Wragg said that he had heard that someone has filed plans for a 3rd gas station at the SR-94 and Steele Canyon Rd intersection. He also said that he had worked with Dennis Moser on other than the Village 14 project.

FROM the COMMUNITY:

Jeremy Adams, the new President of the Jamul Fire Safe Council (JFSC) introduced himself last meeting and wanted to follow up with introducing other members of our local fire fighters: **Patrick Walker**, Cal Fire Battalion 3 Chief, and **Bret Brunno**, Liaison Cal Fire. The Jamul Fire Safe Council has an office at the Jamul Cal-Fire Station at 14024 Peaceful Valley Ranch Rd. and is conducting an outreach with the community. The JFSC is presently working on the Evacuation and Defensible Space Projects as well as seeking community members to join the Council.

Steve Wragg asked what their responsibilities would be. Jeremy replied that they would organize “Grant Funding Help” for the elderly, have community outreach using social media; function as a “neighborhood watch”; coordinate with the Sheriff; and review evacuation routes. The JFSC will be connected with the Dulzura and other Fire Safe Councils. In addition, they will have meetings once a month and be coordinating with SDGE and the humane society for animal evacuations.

Carlos D Carreon, a partner specialist from the Census Bureau, offered them help with the Red Cross co-ordination.

Interested residents of Jamul can contact Jeremy Adams at **619 490 6826** or JamulisfireSafe@yahoo.com

Preston Brown thanked him for this work and said it was invaluable to the community. That like the JDPCG it could function like a “router” to relay information and connect people.

Jack Smith, President and board member of the Dulzura Community Center, said he would like to be on the JDCPG. He can be reached at jack82492@gmail.com

- 5. PDS2019-SPA-19-001, PDS2019-19-STP-19-029, PDS2019-VTM-5616R, and LOG NO. PDS2019-ER-16-19-006A (OTAY RANCH VILLAGE 14 AND PLANNING AREA 19. Proposed Project Amendment (Located along Proctor Valley Road.) Liz Jackson and Rob Cameron updated the Group on the Project Amendment changes for Village 14.**

- 1. SUB COMMITTEE Meeting Review:** Prior to the Regular Meeting we held a Sub-Committee Meeting. **Liz Jackson** and **Rob Cameron** attended. The main topics discussed were:
 - A. Dan said he spoke with **Greg Mattson**, County Planner, this week and **Greg** said the applicant has not changed plans for sewer in PA-19. **Dan** objected to this and said that this part of the project greatly increase the chance of sewer extension into the rural/semi-rural areas and the resulting urbanization of the Jamul Village core.
 - B. Dan mentioned that there is no proposed mitigation for the traffic increase that will undeniable impact Proctor Valley between SR94 and Echo Valley. This is currently a neighborhood road and will be elevated to at least a “minor arterial road” if not a major one. There are no bike or pedestrian lanes and it will turn a rural residential road into a feeder road.

- C. Dan also mentioned 192.5 acres not used for development will be turned over to the POM (Preserve Owner Manager), a Joint Powers Agreement between the City of Chula Vista and the County. Dan questioned whether this was necessarily a positive arrangement. Other lands will be deeded to the California Department of Fish and Wildlife (CDFW) in exchange for some CDFW controlled lands near the project.
- D. Would the development be taxed under a Mello-Roos arrangement? The answer was yes.

The Chair opened with a review of the concerns expressed at our subcommittee as listed above. Dan asked the developer why they were not doing mitigation for the impacted segment of Proctor Valley. **Liz Jackson** replied that they are paying a TIF fee of 5 million dollars and these should be used for mitigation. It was mentioned that this fee often doesn't go back to the area to fix problems from which they were taken. **Liz** said that this was the County's responsibility and that we should make a deal with them. In response to the sewer concern, Liz and Rob reiterated that the County had approved the sewer. **Preston** reminded the developer that they did have a viable and legal alternative of OSWTS (On site Waste Water Treatment Systems). **Dan** emphasized that this was injurious to our community plan to stay rural. **Dan** also mentioned that the road study in the EIR was lacking and incomplete. It was noted that the new Village 14 plan was consolidated into a central area in Proctor Valley and eliminated the very negative traffic impact on Whispering Meadows Lane. Also the new design would lessen the traffic into Jamul and that more traffic from the project would inevitable be going south to Chula Vista. **Preston** mentioned again that the traffic study from the EIR did not take into consideration round trip visits to the casino from the project site nor did it analyze fire emergency evacuation routes to the north into the community of Jamul in a wildland fire event.

Michael Casinelli stated that we are charged as a group to look out for the best interest of our community when reviewing projects.

The Chair commented that the Group had recommended approval of the project with conditions and the County conveniently ignored the specific conditions. This project amendment puts more homes in a smaller area, fosters unnecessary sewer in PA 19, and does not provide for meaningful road safety. **Kevin May** expressed his great concern about the future use of the Proctor Valley segment going from a rural road to a feeder road to SR94. He also objected to allowing sewer into the Echo Valley area.

Eve Nasby said that even if half of the people from Village 14 came through Jamul that would be a large increase to traffic on SR-94.

Ed Mollon said he has lived here 25 years and knows of no one who wants the sewer. It is unacceptable to keep adding project traffic to our roads without making improvements.

Preston Brown said that one of the jobs of the PCG is to do "due diligence" and investigate fully the impacts of a project from the point of view of our community. The County Planners say they have met all the requirements for traffic and fire based on the models from SANDAG. And from their point of view, they have done their job but we have to do ours and see the areas where they fall short and point out the problems and dangers that we see that only someone who lives in this area might instinctively know. Questions about how traffic will interact with our community have to be address in the EIR and they were not. The interaction and impact on our community during a wildland fire emergency was ignored. The County said they did not have to consider this. And yet this is what they are being sued for a violation of CEQA, which requires that a developer analyze the "cumulative and long term impact of a project especially the impacts on the surrounding communities.

Summer Piper said that this project puts the Jamul community vulnerable to the same trap as

Paradise Valley. She objects to the statement that Proctor Valley Road improvements will give Jamul additional safe access and fails to mitigate traffic impacts. She also objects to the idea that this is affordable housing. The County is responsible to mitigate the off project negative impacts. **Darren Greenhalgh** said he respects property rights, whether for big or small developments, you cannot just say no to all developments. The way you develop criteria is from how the state laws are set up. Cal Fire said this project meets the legal requirements. The Proctor Valley Road traffic circles were designed intentionally to be difficult. County and State regulations have identified what SANDAG models require. We need to move this project forward and he stated that he is in favor of the proposed plan amendment.

Joe Stuyvesant asked about PLDO funding from the project. **Rod Cameron** said that the project would not produce PLDO funds as the required park land was being dedicated within the project. Joe said he thinks the changes are improvements and further pointed out that the PG did recommend approval of this project previously. He believes the Fire and traffic issues are in accordance with established regulations and supported by Fire Chief Nissen. Traffic is an important concern and the study has it right; it will flow in a southerly direction. Road improvements will not happen until we have more people. It is the chicken and the egg thing. Affordable housing is not our responsibility but we do not want to be closed off and we need to grow. It does have multi-family units. We do not want to be like Marin County where no one can afford houses. Our kids cannot get houses today. If we always say no we run the risk of being marginalized. **Joe** thinks there are people that share his view in the community. **Steve Wragg** said that the project had been approved and that the amended project is better. He also noted that the Whispering Meadows thru-traffic concerns are resolved. We can argue about adding a paved access road for our community on Proctor Valley. The land swap design concentrates the high density portion of the project in a more compact area and reduces the fire edge effects. Protecting wildlife corridors is a plus I think. It is not affordable housing but our kids cannot get housing today. Ballot Measure "A", if passed, will limit development to village infill and infrastructure projects and approve development only by the public approval process. **Steve** stated we don't want to be that group where the County roles their eyes. We are better than that and he'd rather find a solution than just say no, so **Steve** supports the project.

Michael asked how **Steve** felt about the sewer as it has already been approved.

The applicants, Liz Jackson and Rob Cameron gave their summary of the changes and benefits of the new proposal. The CDFW raise issues and they sat down with them and the USFW to address them and work out a deal. This is a process and they are pursuing this process. They point out they have an approved plan and a specific plan amendment. They reject the idea that CDFW believes it is a bad trade, and they are recommending approval. The increase in units is compliant with the General Plan. They point out that they are giving back the heart of the project, by eliminating the million-dollar homes, building more smaller homes. The 150 multifamily town homes create a transition option for upwardly mobile homeowners. They feel the roads will be safe and are paying TIF's and are proud of this project. It is far better for Jamul. They have a large buffer around the village like Camp Pendleton surrounded by preserve lands. **Patrick Walker**, Cal Fire 3rd Battalion Chief said that Tecate is the biggest problem along SR-94, and that 80% of the traffic on SR 94 is from Tecate commuters. He pointed to the map of Village 14 and said we can more easily protect this grouping of housing. It is not a "Paradise Valley" trap situation. He said he did not have any comments about the Casino traffic.

Jack Smith, a Dulzura resident, talked extensively about the traffic dangers with speed and congestion on 94 going south to Tecate. He said he makes monthly trips to the CHP in El Cajon to

lodge his concern. The Chair confirmed this very dangerous and growing public safety situation.

The requirements are very tough and never easy for the applicant. I trust the veracity of the project is now generating enough traffic to justify improvements to the north by their models. The process is rigorous.

Preston said that even with the models, not everyone agrees on how to interpret them. He said that Harry Mums, Chief of Operations of the City of Chula Vista Fire Department, had raised a number of concerns and questions in their formal response to the EIR. And the County was very dismissive and replied in effect that they had done their job and did not need to address his concerns. He certainly recognized there would be interaction and necessary co-operation in the event of a wildfire emergency.

Liz stated that the City of Chula Vista had reached an agreement with the Project over their various concerns expressed. **Preston** asked if they have a copy of the Agreement. **Liz** stated that they did. (NOTE: **Liz** handed to the Group a letter confirming this. It is enclosed as **Attachment A**)

Dan said he wanted to make a motion that was not easy for County PDS to misrepresent at the Planning Commission and Board of Supervisors (BOS) hearings. At the Planning Commission and BOS hearings for this project PDS was asked if the PG had recommended approval and the response was intentionally misleading. The “CONDITIONAL APPROVAL” aspect was omitted. He recognizes that his motion is more negative than in the past. He proposes to make a motion to reject the project and give the reasons why. We should include our original remaining conditions of approval comments. The comments on the new proposal is that the elimination of PA16 is an improvement. The defensible area with a consolidated village may be good. The traffic studies are inadequate to meet current conditions even if performed in good faith. Funds from the TIF tax need to be used to mitigate Proctor Valley Road between 94 and Echo Valley and designated for mitigation as part of this project. Recommend designation of all of PA16 to open space preserve.

Dan moved to reject the project including our original concerns as well as recognizing that the elimination of PA16 is an improvement, and the defensible area within a consolidated village may be good, the traffic studies are still inadequate to meet current conditions even if performed in good faith. In addition, the funds from the TIF tax need to be used to mitigate Proctor Valley Road between 94 and Echo Valley and designated for mitigation as part of the project. In addition, PA 19 would be recommended as designated open space preserve.

Motion Failed 6 for and 5 opposed. Voting yes: Neirinckx, Casinelli, Nasby, May, Brown and Piper. Voting no: Parker, Mollon, Greenhalgh, Stuyvesant and Wragg.

After discussion, and taking ideas from Summer Piper and Ed Mollon, Darren Greenhalgh moved that we propose approval of the project on the condition that the TIF money is kept within our planning area including improving Proctor Valley Road and recommending no sewer in PA19.

Motion Failed 6 for and 5 opposed. Voting yes: Parker, Mollon, Greenhalgh, Stuyvesant, Wragg and Piper. Voting no: Neirinckx, Casinelli, Nasby, May and Brown.

Planning Group discussion followed with concerns voiced on all sides as

Joe asked what are the conditions that they ignored? **Dan** said the studies on traffic and fire are inadequate and sewer is unacceptable. **Joe** asked on what basis are we to challenge the experts?

Summer said she supported the idea of 4 lanes for Proctor Valley.

Ed said he would accept the advice from the experts that the project is defensible.

Eve said we are not experts in traffic, but we crawl on the 94 and common-sense dictates that if you add 1,200 new homes at least 300 to 400 hundred extra homes will impact us negatively.

Darren believes that 95% will go to Chula Vista even if the time takes longer. This is based on the models, and that is what you have to argue with.

Michael said the model is wrong. It has 125 as a non-toll road. It is not all or nothing. But there are a lot of injustices and you have to vote your conscience. Originally a 4 lane road was proposed for P.V. and we did not support 4 lanes as it would encourage a higher traffic volume.

Preston said it was our job to challenge the experts and ask questions. We formed a sub-committee for that reason to hear independent experts in traffic and fire review and critique the conclusions and assumptions made by in the EIR. We researched the recent data from the wildfire over the last 3 years in California that has been produced by different sources including the FRAP science and research department of CALFIRE. Assumptions are being made all the time about what will happen, if we do this we will get this result and all the assumptions concerning wildland fires are being turned on their heads.

Bret Brunno, liaison of CalFire, said that a lot has changed since the 2007 fires and there are now more stringent “hardening” requirements for fire resistivity. **Preston** pointed out that the statistics from the recent wildfire in California showed that homes built to the highest standards burned at almost the same rate as older homes.

Dan, as Chair, thanked the firefighters from the County and CalFire for attending and said we had done a lot of research and hope we can all share information as we go forward.

6. 2020 CENSUS INFORMATION: Mr. Carreon presenting.

Carlos D Carreon, a Partnership Specialist for the US Census Bureau, gave a brief explanation why the census is so important and valuable to communities. By not getting everyone counted we risk losing \$2,000 per person of Federal dollars. The Census officially begins on March 13th. You can do this by mailing in your postcard or you can do it online at “2020census.gov”. They need census takers and will be hiring people to be “enumerators” to go through the community, door to door, to hand out forms and inform people. You have to be 18 years old and will be paid \$21 per hour. This is a great opportunity for the young folks to make some money and help out the community. You do not need a resume or experience and no questions are asked. He estimates that Jamul will need about 150 people. They also will pay 58 cents per mile for using a private vehicle. Work a maximum of 8 hours a day and 40 hours a week.

Howard Betts will do the recruiting in the area. He will be holding meetings and training and is looking for large meeting room assembly spaces to use. The Barret Lake Café and the Dulzura Community Center are possible venues.

7. ADJOURNMENT: The chair adjourned the meeting at 9:55pm

Respectfully Submitted:

Preston Brown, Acting Secretary (for Janet Mulder) and Dan Neirinckx

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY, February 11, 2020

OAK GROVE MIDDLE SCHOOL LIBRARY

Meeting minutes and agendas can be accessed at

<http://www.sdcountry.ca.gov/pds/CommunityGroups.html>

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