
Jamul Dulzura

Community Planning Group Unincorporated County of San Diego

FINAL MINUTES

December 13, 2022

Location: On-Line Zoom

Recorder: Preston Brown

1. **CALL TO ORDER**: 7:33pm

2. **ROLL CALL**

Present: Preston Brown, Kevin May, Eve Nasby, Steve Wragg, Dan Neirinckx, Michael Casinelli, Janet Mulder, Ed Mollon, Paul Dombkowski

Guests: Steve Mattia, Alejandro Barrancha, Janet Leuchet, Mary Piscitelli

Excused: Paul Romero, Rachel Vedder, Summer Piper

Vacant Seats: 2,9 and 14

3. **APPROVAL**: Agenda for December 13, 2022. **Dan Neirinckx** moved that we approve the Motion passes unanimously.

4. **CONTINUANCE of THE TELECONFERENCING MEETING OPTION**

Dan Neirinckx made the Motion to approve: A motion to find the Jamul Dulzura Community Planning Group has reconsidered the circumstances of the State of Emergency and state and local officials continue to recommend measures to promote social distancing, "Pursuant to Government Code section 54953(e)(3), " The motion passed unanimously.

5. **OPEN FORUM**

- **Kevin May** CPG training. All communication including announcements of meeting minutes need to keep up to 2 years. Even if you retire. Up to 2 years. Have a folder where we put emails. Communications on projects, meeting announcements.
- **Michael Casinelli** State has lifted Zoom capabilities in 2023. Going to face to face. Allowing exceptions for a member. A member can be on Zoom no more than 2 times in a year.
- **Preston Brown** Announced a press release that is a great piece of news on December 1st. The Newland Sierra planned community that was going to be built on the top of mountains where they were going to spend 10 years moving boulders flattening it out so that they could build a very large housing community up in San Marcos up near Deer Springs. The Spa Resort "Golden Door" announced its acquisition of the 1988-acre property that will focus on environmental stewardship efforts in Northern San Diego County. **Supervisor Nathan Fletcher** stated, "Purchase of this rural site known as Newland Sierra ensures the critical Wildfire habitat areas of the property will be protected for generations to come. This is a unique win-win opportunity for the region."

- **Kathleen Lippitt** Evidence based drug policies she listed to BOS meeting today. 34 consent agenda items that were rolled together. Many of the items are controversial and are of great public interest. The board majority was passed in one fell swoop. A110 retires the prohibition of drug use in county public housing. Supervisor Anderson did not request the item be pulled. That item passed along with 34 other consent items. They said that they want to be compliant with state goals. The state goals were there to help those in recovery get housing.

6. MEETING WITH SUPERVISOR JOEL ANDERSON: Discussion and preparation for the JDCPG meeting with Supervisor Anderson to discuss the concerns raised by our group in our Response Letter to the Tribal Environmental Impact Report (TEIR) of the Jamul Casino Expansion Project.

Preston Brown We have previously sent a letter to the BOS requesting that they get involved in directing county staff in negotiating the new MOU/IGA and not leave this staff alone. Sup Joel Andersen had sent out an FAQ to people that wrote him letters. It brings up the basic concerns that we have.

1. Key questions are “Does the County Board of Supervisors need to vote on the project?”. He answers “NO”. Our response in our letters was that they do have a role and that the BOS is responsible for enforcing the first MOU and has to approve the newly negotiated MOU. This is not a simple NO answer. It is deceptive and a little misleading. **Janet Mulder** agreed that he is wrong on this and asked about the status of the case challenging the legality of the casino. **Preston Brown** responded that that case was denied in appeal in the 9th District and is dissolved. A new case would have to be filed. Our next step is to talk to the Supervisors office. **Janet Mulder** said we cannot let this fail. I will put my word into Joel’s office. WE need to get his support and attention on this.
2. Most of these Q&A is very basic and general and would be helpful to anyone not familiar with the subject.
3. “Is the project subject to any approvals by the Federal government?” “ANS: “No. According to the TEIR, the project is subject to the Tribe as Lead Agency.” Preston Brown said that there is a legal question here as to whether under CEQA the Tribe can act as its own “lead agency”. We are seeking a legal opinion on this.
4. The “soil nails” on the offsite construction issue we have mentioned will eventually be decided by the Wildlife Conservation Board.
5. Preston Brown stated that since there are off reservation impacts there should be help to mitigate that from Local and State government.
6. On Caltrans comments: They are asking and or requiring that the original agreements for mitigation on SR-94 be completed.
7. On Traffic, the JDCPG is asking for a new full comprehensive study.
8. Our subcommittee can continue to work on trying to set up a meeting with Supervisor Anderson. **Michael Casinelli** said we need to get the group to approve that the subcommittee to represent the group to Joel Anderson. He moved “That a certain number of representatives solely comprised of the subcommittee meet with Joel Anderson to express our concerns that have not been adequately addressed yet.” Motion passed unanimously.

7. ABC Permit Application for PDS2022-ABC-22-005: “Steele Canyon Fuel” (Gas Station); Project Manager, Alexandro Barrenechea, Applicant: Suttail Mattia. Dan Neirinckx introduced the project. It for liquor License not to consume on site but to sell of beer and wine. This is at the intersection of 94 and Steele Canyon. The feed store will stay and a gas station will be added. Policy I-21 asks The Sheriff to determine if the project could create

public drinking, drunkenness, littering, vandalism, illegal drug use or violent behavior. It is our wish that this does not become a hangout and customers do not drink on the site. The Sheriff department do not oppose project. No establishments would be adversely affected.

Alexandro Barrenechea Is the manager PDS. No concerns from the Sheriff or Environmental Health. We have not heard back from Health and Human Services Agency. **Oday Yousif** I am representing the applicant. This is an off-sale permit and for beer and wine. The convenient store is brand new. This is a Circle K franchise and they have standards to maintain. **Dan Neirinckx** Our area is familiar with this operation of the feed store and it has always been run very well. Members of the group expressed concerns of more alcohol being sold in the area and we don't need more.

General Facts

- There will be 12 pumps at the station
- The architecture and landscaping look very good.
- Hours of Operation: 24 hours. Beer and Wine state regulations.
- There was a report of a dumpster fire some time ago across the street at the 7-11.

Dan Neirinckx This shows to be a well-run business. The convenience of getting beer at the store could reduce congestion in the intersection as they don't have to make 2 stops and cross the street to the 7-11. "I propose a motion that we do not oppose the license to this project."

Motion did NOT pass:

YES: Preston Brown, Kevin May, Dan Neirinckx, Michael Casinelli, Ed Mollon, Rachel Vedder

NO: Eve Nasby, Janet Mulder,

8. ABC Permit Application for PDS2022-ABC-22-007: "Jamul Trading Inc. Hookah Lounge": Project Manager, Mary Piscitelli: Applicant: Wally Wadea

Oday Yousif introduced the Project. It is currently open. Now called ZOOM Hookah Lounge. The current owner remodeled. Separated areas of uses smoking, drinking etc. Beer and wine sold only. Cannot take it outside. They would like customers to be able to stay inside. They will not allow customers to go out back to smoke and hang out where the dumpster fire happened years ago. **Mary Piscitelli** is the Planner. No objections from the Sheriff. DEH not violations form this history. Is there too much saturation in the area? We have not heard back from HASA, Health and Human Services Agency. We are still talking with them.

General Concerns of the Group and Facts

- Concerned with more alcohol that adds to all the potential drunk drivers.
- Hookah lounge defined as selling types of tobacco, an addictive item. Add this with beer and wine and the tobacco may induce heavier drinking.
- How much time do people spend in a Hookah Lounge? ANS: Comparable to a restaurant ,2 hours. Order of 2 bowls.
- Is food served to counter act the effect of the alcohol? Can people bring in food. ANS: They do currently sell an array of chips, popcorn, nuts. You can bring in food.
- It is not an internet café. It has a big screen TV.
- What are the laws concerning number of Licenses in a specific area? ABC provides a form for Census Tract 213.05 and number of licenses allowed, total 5. 14 are existing and approved by the State. Sale for on-site and beer and wine. 1,000 feet radius boundary is used.
- Census tract does not coincide with our planning group. But it includes a lot more than Jamul.
- ABC provides the most recent data. Census tract studies the demographics. Does not break down commercial vs housing. Does not consider commercial transit corridors and highways.

- Census tract is another way to divide land.
 - The additional licensees are a discretionary process.
Interestingly Rancho San Diego is included in the census tract but Steele canyon is not. We are cut in half. The Jamul Casino is a different tract. Population of our census tract is 3,837. Licenses can be close in proximity but in different tracts.
 - The State is the final say for approval.
 - The intersection is very dangerous and is planned for a major improvement by Caltrans to fix it. People make illegal turns daily to maneuver into the lanes they need to get to.
- Michael Casinelli** made a Motion: “Our group **opposes** this on-premise sale of beer and wine for reason we have stated, ingress egress problems, lack of food service with it, combination of tobacco and the fact that it adds one more establishment that facilities on premise sale of beer and wine.”

Motion Passed Unanimously

9. SDG&E: Review of Draft Letter to Public Relations (previously DON PARENT), seeking better cooperation and communication concerning disruptive road projects.

Michael Casinelli wrote a letter asking for greater communication with SDG&E especially for the road work that disrupts traffic and they should communicate with us on these disruptive events. Our group needs a liaison like the relationship we had with Don Parent and someone to give us a heads up. Citizens don’t know who to contact. Our group could post notices on Facebook about disruptive road projects.

Preston Brown moved that a letter with this request be sent to SDG&E.

Motion passed Unanimously

10. “Wildland Fire and Fire Protection” DPW Guidelines Update: The County of San

Diego intends to adopt an update to the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Wildland Fire and Fire Protection. Deadline for public comment December 30, 2022.

Preston Brown introduced this and cannot make any recommendation for additions or changes.

Lisa Hodgson mentioned a problem in the defensible space requirements that might need to be updated to allow for some exceptions in the very rural areas especially for succulent and heritage grapes. **Lisa** will review this and find out if we need to have a meeting in December 27 to make comments for this.

11. Proposal for new Advisory Board Member to SANDAG: To bring equity to the Unincorporated Areas, that this member should be from one of the 28 elected Community Planning Groups Chairs and appointed Community Sponsor Groups Chairs. Proposal by Robin Joy Maxson, Chair Ramona CPG.

- **Robin Joy Maxson** Chair of the Ramona CPG held a meeting after the quarterly chair meeting made the appeal that the other CSPGs in the County support her letter and request to the SANDAG Board that they add an advisory chair for a representative from one of the CSPGs. Half of Chairs attended and it got very strong support and I think this is a really good idea. I want to participate in this and I think it will unite the CPSPGs and start them coordinating together. Preston Brown read the following section from the Letter. I want to participate in this and I think it will unite the CPSPGs and start them coordinating together.
“SANDAG's Board is composed of representatives from each of the region's 19 local governments and additionally empowers and recognizes the contributions and needs of advisory representation. These members hold unchecked and unequal power over the planning and funding of the unincorporated communities without providing a balanced voice for a

population of approximately 500,000 residents - which comprises the second largest community in the County. SANDAG's "Commitment to Equity" is on the line. This new San Diego County Unincorporated Communities" Advisory Board Member requires a seat at the table of regional power."

Preston urged that the group participate in this opportunity. He thinks it will unite the CPSPGs and start them coordinating together. I will schedule this for an Agenda item next meeting and we can write a letter in support of this idea and vote on it.

11. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS

No announcements.

12. ADJOURNMENT: 10:35 pm

ATTACHED LETTER TO SUPERVISOR JOEL ANDERSON: Request for a meeting with Subcommittee

December 19, 2022

Joel Anderson, Supervisor

Board of Supervisors
1600 Pacific Hwy
Room 335
San Diego, CA 92101
joel.anderson@sdcounty.ca.gov

Subject: Meeting with the Jamul Dulzura Community Planning Group Subcommittee on the TEIR and FTEIR of the Jamul Casino

Supervisor Anderson,

Our Community Planning Group met last Tuesday evening and voted unanimously for our Subcommittee to follow up with you and communicate the real long-term negative repercussions of off-reservation impacts from this casino expansion that we discussed in our Response Letter to the JIV.

We read through your FAQ Sheet and it helped us understand your current outlook on the numerous issues. As our representative, you are the key political person that would take the lead in negotiating a new MOU and enforcing the old MOU/ IGA. County staff cannot negotiate in a vacuum without political leadership and the contributions of the direct experience and knowledge of the local communities affected by this casino and its proposed expansion project.

Jay La Seur, former assemblyman of the 77 the District, attended one of the biggest public meetings our community has ever had to voice our objections to what was then the "Lakes Gaming Casino" proposal back in 2002. He announced that he had walked through the neighborhoods of Jamul and knocked on 100 doors and asked if they were in favor of this casino. 97 opposed it and 3 were for it. He stated that he was voicing his opposition to this project. Today there is still tremendous opposition to this.

Duncan Hunter Senior wrote a very good letter opposing the project and highlighted the inherent dangers in overloading SR-94, an already aged and burdened historic highway.

Penn National Gaming arrived as the 4th Developer around 2011 when Lakes Gaming was near bankruptcy with lingering questions of legitimacy for gaming status for the JIV. Documents from the BIA have clearly stated that the JIV did not qualify. But Penn National was able to get the approvals through the BIA and then the DOI in contradiction to the earlier claims by the BIA. On this fact the community feels run over by the system and the laws.

Now, we have a second phase of the casino, a new project. It is a very significant expansion which will exacerbate the unresolved and unmitigated impacts felt from the existing casino. With your influence, you are uniquely positioned to negotiate with the JIV. In the past the practice of the Board of Supervisors has been to ignore public input and let the lawsuits make the determination. The path carved out by the JIV crosses into new legal territory and challenges the goals of our sub-regional plan in a much more flagrant way.

We invite you to listen to us. Can we set up a time after the holidays to meet with you? Please let us know. We look forward to meeting and talking with you.

Respectfully,

Preston Brown, Chair

Jamul Dulzura Community Planning Group

NOTICE OF NEXT REGULAR MEETING

TUESDAY January 14, 2023 @ 7:30 P.M.

VIRTUAL MEETING

Meeting Minutes and Agendas can be accessed at

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

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JAMUL-DULZURA COMMUNITY PLANNING GROUP

MISSION STATEMENT

“The mission of the Jamul-Dulzura Community Planning Group is to represent the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1.”

PURPOSE STATEMENT

The purpose of the Jamul-Dulzura Community Planning Group is:

- *To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.*
- *To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.*

APPROVED 5/12/2020