

**JAMUL DULZURA
COMMUNITY PLANNING GROUP
FINAL Minutes
Tuesday July 8, 2014
Approved July 22, 2014
Oak Grove Middle School Library
7:30 p.m.**

1. **CALL TO ORDER** - Dan Neirinckx called the meeting to order at 7:34 p.m.

2. **ROLL CALL**

Present: Janet Mulder, Dan Neirinckx, Jean Strouf, Randy White, Michael Casinelli, Elizabeth Kelly, Rich Marzec, Steve Wragg, Bill Herde, Preston Brown, George Novinger, Judy Bohlen, Preston Brown.

Excused: Joan Kouns

Absent:

Vacant Seat # 7 (Ray Deitchman resigned - Joe Stuyvesant's recommendation has been sent to Board of Supervisors)

3. **APPROVAL OF AGENDA** for July 8, 2014 and minutes of June 24, 2014 regular meeting correcting the minutes on Item 8 to show that Perry Farahani is the owner of the land at SR-94 and Barratt Smith Road (proposed ATT site) and Danielle Weizman is the owner of the Consulting company for whom Doug Munson works. The correction is reflected in the final minutes for July 8, 2014. Motion carried unanimously.

4. **OPEN FORUM: Opportunity for public comment on any item not on the agenda – 3 minute time limit**

A. Rich Marzec, Earl Katzer and Jean Strouf will all be absent on July 22 meeting. In addition, Dan Neirinckx and Bill Herde may both be absent as well.

B. Jean Strouf brought copies of the Authorization for Candidate's Representative to file for election. All members of the even numbered seats to be turned in between July 14 and August 8 for those running for re-election. Even numbered seats include the following: Judy Bohlen, Janet Mulder, Randy White, Michael Casinelli, Jean Strouf, Richard Marzec, and Bill Herde.

5. **SEX OFFENDER ISSUE IN JAMUL/DULZURA -- Presentation by Representatives of S. D. County District Attorney's Office, John Rice and S.D. County Sheriff's Department, Tom Janenko.** Their objective is to answer any questions and give us general information regarding the issue of sex offenders in our Jamul area. There are

approximately **84,320 in California. San Diego has 4562 on the streets** with approximately 450 on parole. There are four levels of registrations for sex offenders. Sexual violent predators, full post, (which means that if you go to Megan's post you would find name and address, full description). The third level has only zip code listed and a fourth level will not show up in the public side, but only law enforcement can view the list. Approximately 20-30% are considered in the fourth level of registration. Penal Code Section 290 has a complete list of types of offenses. A question was asked about listing in Megan's Law and **Tom Janenko** pointed out that the crimes that are committed determine whether or not the publishing will be made public. There are registered sex offenders not listed on the public web-site. **John Rice** stated that in San Diego County of the 4566 registered, there is full posting on 2460, listed by zip code are 914 and 983 are no-post...208 have been excluded by the courts or changes in the law. The law went into effect in 1947 and the list was then only available to law enforcement. In 2004, Megan's Law was inaugurated and more names and locations were made available to the public. In our 91935 zip code, there are 13 sex offenders ...5 are full information and 4 zip codes only, and 4 no info. None of the ones in Jamul are classified sexually violent predators. If a sexual offender does not have an address, they are considered transient which means they must check in every 30 days. The top tier (SVPs) are often transient, but are often the ones that apply themselves to the available treatment.

A Sexually violent Predator is one who has served a sentence for a sexual criminal offense; has undergone a psychological evaluation and returned to the County for a jury trial to determine if they are likely to commit a sexual crime again. If found to be a SVP, they are committed to the State Hospital for an indeterminate time. If they go through a treatment program and then are classified as an out-patient and treated within the community. There is a public hearing and the public can give testimony as to the appropriateness of them residing in the community, but if they do not have a residence, they will be considered transient. They are required to report to the law enforcement agency where they are residing at the time each month they must register. The City Task Force monitors these reports and if the sexual offender is out of compliance, they follow through and launch an investigation. They search for the offender and turn them over to the District Attorney's Office for follow through. The last registering location is where the investigation begins and the arrest warrant is issued. They routinely do audits on the location of the sexual offenders and follow through, making sure they register. They must register once a year and some have gps tracking.

It is important to realize that is the responsibility of the sexual offender to register once a year no matter how long after the conviction was made. The reason the sheriff's office and the District Attorney's office came to us is to help us see the importance of following through if we see anything suspicious. **Randy White** asked what they used to justify sending a sexual offender back into an area after they violated parole? **John Rice** stated the usual plan is to return the person to his own community. However, Jessica's Law, states that they can't be located closer than 2000 feet from a school or a park where children congregate, but it did not list the penalty for the crime, so it only is enforced for those on probation and parole. **Randy White** pointed out the

problem that occurred when a sexual offender stayed within 50feet of a bus stop where children had to wait for the bus. **John Rice** pointed out that the law states they can't be "in a park" and a bus stop is "not a park". **Leslie Peiffer** asked if there are any studies that show they can be successfully put back into society without any problems. **John Rice** points out that the recidivism rate is not as great as one might think. There are many different types of sexual offenders. The ones who are sexually offending children and have a psychiatric problem must go through an extensive program before they are released. **Leslie** again pointed out that they might not be okay to return back into society, and **John Rice** stated that things like Megan's Law help us to keep track. **Michael Casinelli** asked how the sites are selected for the first time. **John Rice** pointed out that people coming out of prison on parole are usually placed within their community. Ones coming out of the hospitals who have been there for a sexually violent crime, are harder to place and the County must look to make sure they can get a residence not close to schools or parks. Liberty Health Care which is state agency tasked with supervising sexual out-patient takes care of that. **Mark Roesch**, thanked them for coming and asked if anyone is notified when a sexually violent predator is released into our community. **Tom Janenko** said if they are an SVP the community is notified, however if they have gone through treatment the Sheriff's Dept looks at the threat this person might have towards the community and decides whom to notify. The easiest way for the public to know if and when anyone is being released into their community is to go online to Megan's Law. The question is how can this notification be improved that would allow the public to be pro-active. Today, the sheriff determines the area that needs to be informed. **If we suspect a problem with a registered sex offender, contact Tom Janenko of the Sheriff's Department Sexual Assault Felony Enforcement (858) 268-5322) or email him at tom.janenko@sdsheriff.org.** **Julia Allen** asked how many in the Sheriff's Department work on this and Tom stated that there are 3 of them in his department but urged us to remember in addition, there is the DA's office and the seriousness of the case would determine how many agencies in the County would be involved. **John Rice** reminded everyone that to use Megan's Law exclusively for their own personal use, as it is a misdemeanor to just share it with others, except to ensure the protection of children. **Tom Janenko** reminded us that the overwhelming number of people who commit these sex crimes are people who you know or are familiar with. Both of the gentlemen urged us to be aware and to contact them with any problems.

6. SUB-COMMITTEE REPORT ON ECHO VALLEY TRAIL ACCESS – Jean Strouf, Chair –suggested that items 6 and 7 be combined as they blended together in the Sub-Committee meeting. Jean read the minutes of the sub-committee meeting to the JDCPG as follows:

Jamul Dulzura Community Planning Group
Sub Committee Meeting on US Fish & Wildlife San Diego Wildlife Refuge
Monday, June 30 2014

- 1) Attending: Jean Strouf, Dan Neirinckx, Joe Stuyvesant, David Braithwait, Rob & Drew Castetter of Echo Valley Rd. Invited but unable to make meeting: Jay Haron, Maryanne Vancio.

- 2) Joe suggested letter written & meeting requested to/with Duncan Hunter (and US Senators) regarding access off Echo Valley for residents, due to precedence & safety for equestrians & hikers to keep them off Proctor Valley with traffic. Rob Castetter agreed to draft letter, with help of other Echo Valley Residents, and include petition to re-open with horse gate to keep out motorized traffic but allow for equestrian & pedestrian use of long term existing trail entry point. Copy of letter to JDCPG, BOS for further support.
- 3) Dan N. will contact Maryanne Vancio, County Parks & Rec/Trails Advisory Coordinator to get maps drawn originally with help of Jamul Trails Council about 7 years ago that show various equestrian trails in the Wildlife Refuge.
 - a. David B. & Joe S. will indicate various trails that have existed for some time and are crucial to be kept open for public use. These trails include, but may not be limited to:
 - i. Luna Loop: Proctor Valley/Echo Valley Figure 8 that follows Red Line, goes to water towers/Luna House. 3-4 miles
 - ii. Top of Millar Ranch Road, to SDG& E Easement Road & horse gate.
 - iii. Corridor that goes next to Proctor Valley to Otay Lakes
 - iv. Faraday Ridge with equestrian easement paralleling Steele Canyon up McGinty Mtn
 - v. Hiking Trail Only at Las Montanas.
 - b. Hopefully, these trails will be noted prior to August 1.
 - c. Meet with Maryanne Vancio, with marked trails, get her blessing & additions if needed.
 - d. Draft request to US F&W to include these trails in any corridor options they pick.
 - i. Get endorsements from Dianne Jacob
 - ii. Get endorsements from Duncan Hunter
 - iii. Get any additional endorsements needed.

Dave Braithwaite, resident, has ridden trails from Bonita to Jamul and beyond for over 30 years and was part of the original Trails Council. He suggested that Fish and Wildlife needed to be aware of the routes of the trails in San Diego County which includes detailed trails mapped with Maryanne Vancio who represented San Diego County Parks and Rec. This detailed trails maps shows many in what is now the Fish and Wildlife Area. Some of those trails are the original carriage trails.

Randy White pointed out that the residents could be present at the meeting at Steele Canyon High School next Tuesday for the Federal Fish and Wildlife Refuge. The question was asked if any of the corridors being proposed by Fish and Wildlife were the same as those shown on the County Trails Map and the Braithwaite's stated that some of them are. **Dana Braithwaite is President of Jamul's Trails Council**, and will be present **at the Fish and Wildlife Area meeting**. **Joe Stuyvesent**, stated that he feels that it would be good to get the Fish and Wildlife people to work with the community and the JDCPG sub-committee to identify trails. They need to realize that if they work with the community they will have better luck keeping the land more pristine. **Judy Bohlen pointed out that the Fish and Wildlife people will want to close the land and we need to stand up and be counted as to the importance of opening the trails to the public**. **Rich Marzec** pointed out that in Alternative D they proposed hunting in the south-west corner of the Refuge. He pointed out that the Border Patrol made many of the "Jeep trails" as

corridors from San Miguel Mountain to Proctor Valley Road. **Jean Strouf moved that, in her absence as she will be out of town, we appoint Joe Stuyvesant to represent the JDCPG and the Sub-Committee at the Fish and Wildlife Public Meeting on Tuesday at Steele Canyon at 6 p.m. with other members Judy Bohlen and Rich Marzec. Motion carried unanimously.**

7. SUB-COMMITTEE REPORT ON S.D. National Wildlife Refuge Draft Conservation Plan – Jean Strouf, Chair – completed under Item 6

- 8. PDS2005-3100-5460 SIMPSON FARMS UPDATE– Gotham – Preston Brown**
Nothing to report – It is in the process of being cleaned up and apparently there is a former Charger who is working on developing an area for youths to come and work in the country with animals utilizing the old Barrett House which he plans to renovate. **Steve Wragg invited him to come to the JDCPG meeting and tell us about his plans.**

9. JAMUL INDIAN VILLAGE UP-DATE

Dan Neirinckx and Michael Casinelli met with Richard Berg in a teleconference on Friday, June 27, as Fish and Wildlife wanted to set the record straight. Unlike the statements put forward by JIV, the Fish and Wildlife have **not** negotiated with Caltrans or JIV in regards to road right of way and easements. The State Fish and Wildlife did authorize an “easement of sorts” to allow for sub-surface soil nails. They want to see a CEQA first before they decide on a road access easement. Michael pointed out that their one charge is to protect the fish and wildlife, and the casino traffic could be a problem especially if it is on the Fish and Wildlife property.

10. JDCPG OFFICER’S ANNOUNCEMENTS AND REPORTS

- a. Dan Neirinckx reported in answer to a question from last meeting that PLDO Funds can only be used on active recreational activities.**
- b. Conflict of Interest – Dan cautioned us that if anything comes up that might impact your property, please recuse yourself and do not comment on the subject.**
- c. Shopper had information that advertised the new email address for people with concerns on road repairs. JDCPGSD@gmail.com for comments.**
- d. Thousand Trails Cell Site has been approved by Planning Commission with our recommendations.**
- e. Traffic Guidelines 2014 Update – given to Earl Katzer to review and report back.**
- f. Zoning Ordinance Update – Given to Steve Wragg, Judy Bohlen, George Novinger and Dan Neirinckx to review and report back.**
- g. Michael Casinelli reported that Dave Nissen, Fire Chief, said he would be happy to come and give us an update on JRFD. He will be invited to an upcoming meeting.**

Adjournment: Dan Neirinckx, Chair, adjourned the meeting at 9:36 pm.

Respectfully submitted,
Janet Mulder, Secretary

**NOTICE OF NEXT REGULAR MEETING:
7:30 P.M. TUESDAY, JULY 22, 2014
OAK GROVE MIDDLE SCHOOL LIBRARY**

Meeting minutes and agendas can be accessed at

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