



**MINUTES
SAN JOAQUIN RIVER CONSERVANCY BOARD**

Wednesday, August 21, 2013

Meeting Location:

Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

MEETING AGENDA

GOVERNING BOARD

Manuel Nevarez, Chairman
Madera County Board of Supervisors

Steve Brandau, Vice-Chair
Councilmember, City of Fresno

Andreas Borgeas, Supervisor
Fresno County Board of Supervisors

Donald E. Holley
Mayor Pro Tem, City of Madera

Barbara Goodwin, Director
Fresno Metropolitan Flood Control District

Carl Janzen, Director
Madera Irrigation District

Jeffrey Single, Regional Manager
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent
Department of Parks & Recreation

John Donnelly, Executive Director
Wildlife Conservation Board

Patrick Kemp, Assistant Secretary
Natural Resources Agency

Michael McKown, Designee
State Lands Commission

Karen Finn, Program Budget Manager
Department of Finance

Bryn Forhan
vacant
vacant
Citizen Representatives

Melinda S. Marks
Executive Officer

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chairman Steve Brandau convened the meeting at 10:03 a.m. and led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon-ference	Absent	Late
Mr. Manuel Nevarez, Chair			X	
Mr. Steve Brandau, V. Chair	X			
Mr. Andreas Borgeas	X			
Mr. Donald E. Holley	X			
Ms. Barbara Goodwin	X			
Mr. Carl Janzen	X			
Dr. Jeff Single	X			
Mr. Kent Gresham	X			
Mr. John Donnelly	X			
Mr. Patrick Kemp			X	
Mr. Michael McKown	X			
Ms. Karen Finn			X	
Ms. Bryn Forhan	X			

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

Mr. Michael Shaddix, representing Mr. Hector Avila, who is interested in partnering with Mr. Jim Perez to purchase the Islewood Golf Course

lease from Mr. Don Jones, requested the Board to favorably consider amending the lease to remove the clause allowing the Conservancy to buy-out the lease. His clients are interested in making major improvements to the site. The amendment would provide them time to realize their investment.

Ms. Marks commented that Conservancy staff and legal counsel will work with the parties to reach a mutually beneficial solution, and bring a recommendation to the Board.

Mr. Cliff Tutelian, partner and principal at Park Place Holdings, LLC located at corner of Palm and Nees avenues, commented that the Conservancy should turn its focus from acquiring additional lands to managing the lands it already owns and providing access and other services to the public. Mr. Tutelian suggested the funds available to the Conservancy should be "re-characterized" so that they could be used for land management, public health and safety.

Mr. Borgeas commented that he would like the Conservancy to initiate a campaign for state operations and maintenance funds and to increase public support for funding.

Mr. Janzen mentioned that Proposition 21 (2010), a ballot measure to support state parks and conservancies through a surcharge on vehicle registrations, was defeated by the voters. He commented that some of the lands the Conservancy is proposing to purchase include opportunities for management through leases and concessions.

Mr. Brandau commented on the complexity of management, policing, and fire protection along the river due to the many jurisdictions involved. He also noted the city-wide problems with a homeless population, and its effect on lands along the river.

Mr. Holley noted the City of Madera is having the same issue with homeless along the Fresno River.

Ms. Goodwin noted that the Board packet included item F-5, Progress Report on Development of Regulations for Public Access and Use of Conservancy Lands, which is related to the Conservancy's capabilities to manage its lands.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b) (2))

None.

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may now identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

None.

E. MINUTES

E-1 Approve Minutes of June 19, 2013

A motion to approve the minutes as presented was made by Mr. Holley, seconded by Ms. Forhan, and unanimously passed by the voting members. Mr. Borgeas and Mr. Gresham abstained as they were not present at the June meeting.

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Report on Sycamore Island North Channel Crossing Construction

Staff Recommendation:

This report is provided for informational purposes only. No Board action is recommended.

F-2 Progress Report on San Joaquin Fish Hatchery Visitor Improvements

Staff Recommendation:

This report is provided for informational purposes only. No Board action is recommended.

F-3 Authorize Agreement to Continue Utilizing Office Space and Administrative and Technical Services with Fresno Metropolitan Flood Control District

Staff Recommendation:

It is recommended the Board authorize an agreement not to exceed \$15,000 with the Fresno Metropolitan Flood Control District commencing in September 2013 and extending through December 31, 2014, providing reimbursement to the District for utilities and janitorial costs associated with the Conservancy's occupancy of three office spaces, hourly administrative and technical support services, and other direct costs.

F-4 Public Workshop Announcement for River Vista Planning Project

Staff Recommendation:

This report is for informational purposes. No action of the Board is recommended.

F-5 Progress Report on Development of Regulations for Public Access and Use of Conservancy Lands

Staff Recommendation:

This item is presented to provide the Board information on the progress staff and legal counsel have made to develop effective regulations for public access and use of Conservancy lands. No action of the Board is recommended.

A motion to approve and accept the items on the consent calendar as presented was made by Ms. Forhan, seconded by Mr. Holley, and unanimously passed.

G. DISCUSSION

G-1 Continuation of Board Workshop on San Joaquin River Parkway Master Plan Update: Affirm Refined Buffer Policies to be Analyzed in Draft Environmental Impact Report

Staff Recommendation:

It is recommended the Board review refinements to the buffer policies presented at the Board workshop on May 15, 2013, and included in the June 19, 2013, board packet, and provide direction to staff. The Board may by majority vote or consensus, accept, further refine, or revise the recommended draft policies, subject to evaluation in the draft San Joaquin River Parkway Master Plan update Environmental Impact Report and future approval.

Ms. Marks reviewed the direction of the Board at the May 2013 meeting to refine the proposed buffer policies in the draft San Joaquin River Parkway Master Plan update by inserting additional language to: make it clear the buffers may vary based on site-specific, project-specific review; distinguish between the buffers as they apply to the primary multiple-purpose trail vs. other types of trails; and improve interpretation of the graphics. She noted that all proposed policies were reviewed by a technical advisory committee and the Interagency Project Development Committee. The buffer policies will help mitigate impacts of Parkway development on habitat and neighbors. When future projects conform to Master Plan policies, the environmental review for those projects can be minimized. Ms. Marks briefly reviewed the proposed refinements to the policies and graphics included in the staff report.

Public Comments:

Dr. Peter Mehas, Bluff Homeowners Association, stated support for site-specific flexibility built into the buffers. He noted the problems currently occurring on the river with unauthorized access, and stated that the Parkway needs to create and provide a safe place for people to recreate on the river.

Mr. Dave Koehler, San Joaquin River Parkway and Conservation Trust, pointed out examples where the buffer policies have been utilized and adjusted for site-specific conditions, including the Riverside Trail on the bluff behind Riverside Golf Course.

Mr. Tutelian urged the Board to direct staff to prepare a Master Plan with greater specificity.

Board Comments:

Mr. Borgeas asked whether it was necessary to have both a protected riparian corridor and a buffer between the corridor and Parkway improvements. Ms. Marks explained that the riparian corridor provides space for habitat, and buffers protect habitat from nearby development.

Mr. Borgeas inquired whether the Board will ultimately decide how to apply the buffer policies to specific projects; staff responded that the Board has that discretion when it is lead agency for a project.

The Board engaged in discussion of the draft language, and how plan policies may be applied.

A motion was made by Mr. Borgeas to add language to the buffer policies presented in the staff report further noting the Board's flexibility in determining buffers for specific projects and adding a footnote to that effect in the buffer diagrams. The motion was seconded by Ms. Goodwin and unanimously approved.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Organizations

H-1a RiverTree Volunteers

Mr. Richard Sloan reported that RiverTree has been painting over graffiti, installing bollards, and picking up trash, shopping carts and tires, including nearly daily trash removal on the Conservancy's Van Buren Unit (Proctor, Broadwell, Cobb).

H-1b San Joaquin River Parkway and Conservation Trust

Mr. Dave Koehler stated that the Parkway Trust would support and help work on a campaign to develop operations and maintenance resources. He reported on the success of River Camp for 2013, and on the many employment opportunities provided by the Trust's summer programs.

H-2 Deputy Attorney General

No report.

H-3 Executive Officer

Ms. Marks reported that Marile Colindres, Staff Services Analyst will be leaving her position to take a promotion at another state agency at the end of the month.

H-3a Committee Reports

None.

H-4 Board Members' Reports

Mr. Holley commented that he will not be at the September meeting due to a medical procedure.

Mr. Borgeas stated that he met with members of the Madera County Board of Supervisors to discuss public safety issues.

I. EXECUTIVE SESSION

I-1 Government Code Section 54596.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment

Property: Ball Family Trust, Cemex plant site
Fresno County (APNs 300-007-56 through 60)

Negotiating Parties: David Wasemiller, Realtor, agent for Ball Family Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

I-2 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Riverbend Ranch
Madera County ("Parcel A": APNs 049-660-002, 003, 005, 006, 007, &
011; and "Parcel B": APNs 049-660-004, 008, 009, 010, & 013)

Negotiating Parties: Bank of New York
Erik Vink, Trust for Public Land

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

I-3 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Moosios
Madera County (APNs 048-212-009 & 049-091-007)

Negotiating Parties: Ernie Moosios
Erik Vink, Trust for Public Land
Dave Koehler, San Joaquin River Parkway and Conservation Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Scott McFarlin, Wildlife Conservation Board

I-4 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations relating to request to grant access easement, including price and terms of payment.

Property: San Joaquin River Conservancy
Fresno County (over and across APNs 401-021-33ST, 401-021-35ST,
402-030-24ST, 402-030-68ST, & 402-030-69ST)

Negotiating Parties: Dave Koehler, San Joaquin River Parkway and Conservation Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
Michael L. Crow, Deputy Attorney General, Department of Justice

Mr. Crow reported out of executive session that with regard to item I-1, the Board provided staff with direction to pursue the purchase of the property as recommended in the staff report. With regard to items I-2 through I-4, the Board gave staff and counsel further direction to pursue negotiations.

J. NOTICE OF BOARD AND ADVISORY COMMITTEE MEETINGS

None.

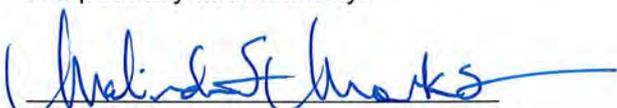
K. NEXT BOARD MEETING DATE

The next meeting of the Board will be held September 18, 2013, at 10:00 a.m. (This meeting and the October meeting were subsequently cancelled.)

L. ADJOURN

Vice-Chairman Brandau adjourned the meeting at 12:36 p.m.

Respectfully submitted by:



Melinda S. Marks
Executive Officer