

OPINION

Annual beach trip shows what difference cooperation makes

Water district completes \$79 million in capital improvements

Praises grand jury report on water district

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Annual beach trip shows what difference cooperation makes

By Gail Papanian

I have always appreciated the opportunity to dress up in red, white and blue and celebrate the birth of our country on July 4th. When I met and married Bill Papanian, I felt further honored to be married to a WWII decorated Marine who happened to be born on July 4th. I always referred to him as my personal patriot.

We lived in Solana Beach for 10 years and made a number of good and lasting friends. I just returned from my annual trip to the beach where we celebrated the 4th, toasted Bill and watched the fireworks. The conversations drifted their usual way: what each of us was up to, a brush with local politics and what good things were happening in each of our communities

Since I was the visitor, I got to update my comrades about what I was doing and how things were progressing/regressing in Banning. We went on to discuss the competence/incompetence in our various cities. I was pleased/saddened to learn that Banning's problems were not unique; although they had particular impact on me as a person who lives and works in this community.

We then launched into a discussion as to what each city was paying its city attorney/firms of attorneys. Now Solana Beach, Del Mar, Carlsbad and Rancho Santa Fe have a more highly educated citizenry who possess a lot more spending power. When I told them that Banning city attorneys Burke, Williams & Sorensen had earned over \$196,000 in one month, even the barristers in the group were incredulous! More on that later in the column S.

We spent the morning and afternoon at the San Diego Fair in Del Mar. Most of the time was devoted to eating, watching pig races and buying yet another 75 foot tangle-free hose that always manages to tangle when I rewind it to be left-handed.

I had promised my friend I would help her in a booth for a couple of hours. What does the retired first mayor of Solana Beach do with her time? There is her husband, children, grandchildren, friends, travel and one particular passion she has been working on for 25 years.

Supported by a number of public and private organizations and thousands of people who want to see the park built, the completion of the San Dieguito River Park has been a longtime passion of Margaret Schlesinger. When she was an elected official, she served on the Joint Power Authority board. As a private citizen, she continues her work as a member of the Citizen's Advisory Committee.

The Joint Powers Authority board is composed of two elected officials each from the County of San Diego and the City of San Diego, one elected official each from the cities of Del Mar, Escondido, Poway and Solana



Beach, and one public member representing the Citizens Advisory Committee. This is what I mean about regional cooperation. This JPA has been in effect since 1989. This "Coast-to-Crest Highway runs from the Pacific Ocean between Del Mar and Solana Beach to the Volcan Mountain in Julian, 55 miles away.

The San Dieguito River Conservancy is a non-profit environmental conservancy dedicated to sustainable management of the natural resources of the San Dieguito Watershed. The main function of the conservancy is to acquire land to be placed in the Focused Planning Area.

With government entities, volunteers and the membership of the 1,000-plus conservancy, many advancements continue to be made. Edison was due to spend \$80 million in mitigation for the damage done at San Onofre. Many entities vied for these dollars. It went to the San Dieguito River Park where part of the money will be spent to restore wetlands that were destroyed.

Over \$20 million in state grants has been acquired to purchase land. The process of eminent domain is not used. All private sales are done willingly and the park board has adopted a Private Property Rights Protection Act. The park board cannot condemn private property.

It is an overwhelming task to assemble and protect this much land but it is being done. Future generations should find themselves grateful that so many people wanted to protect this land for them. I would say our two hour stint in the Conservancy booth brought several hundred people over to look at the maps, proposed planning areas and existing trail sites. The San Dieguito River Park is funded by contributions. The Conservancy encourages membership, bequests, gifts of assets, charitable land trusts, corporate sponsorships, employer donation matches and the countless hours invested by volunteers.

While I have asked our own John Machisic to please stop referring to projects' completion as, "not in my lifetime," the San Dieguito River Valley Park may not occur in a number of people's lifetimes. The reality is, it is occurring and will continue to do so until the trails, designated for pedestrians, bicycles and horses (on separate trails) go the 55 miles from the coast to the mountains.

I wish them success. We can all take a lesson from this extraordinary group of employees and dedicated volunteers. No one city, no one anything could have launched and sustained this level of commitment. I hope folks in the Pass Area take note and preserve some of our assets before they are paved over forever. Almost as important as preservation is the ability of multiple entities to work together.

While I was away, I took the time to look for information about what was doing in Banning. What headline did I see? "City, developer spar over fees." The story told me that Banning Finance Director Bonnie Johnson said SunCal (developers of the Banning Bench project) owes Banning \$143,892.65 in legal fees. That's what I like \$ billing right to the penny.

It appears that SunCal has already paid the city over \$150,000 to cover its legal fees. Wouldn't you think that would be enough based on some of the legal performance we have been getting?

Because former city manager Randy Anstine had a deep and long association with Burke, Williams and Sorensen, it seems that everything possible was run before our brilliant barristers. I think I'm on pretty firm ground if I assume that none of this legal work was done pro bono.

As a matter of matters, maybe SunCal should bill Burke, Williams & Sorensen and the city for misinformation. I'm going to be assuming again that some form of legal oversight was used to view the faulty Urban Management Water Plan as put forth by the city as gospel. So if a developer like SunCal uses this report as fact-based and makes conclusions based on this information and it turns out that a judge throws it out because the facts are wrong, who pays the piper? I believe if a bank

teller's cash drawer is short at the end of the day, they make up the difference. Can the same be said for attorneys' conclusions? If their legal work is the cause of a domino effect, do they bear financial culpability or do they disclaim themselves protected by invoking the oft-times-government used "oops" factor?

Stay tuned for the next edition of "As the Stomach Turns." It seems to me interviews should be held soon to those who responded to the city's request for lawyers or firms to apply for the city attorney position for the City of Banning.