

MINUTES
Del Mar City Council Meeting
Tuesday, January 21, 2014
Del Mar Communications Center
240 Tenth Street, Del Mar, California

CALL TO ORDER/ROLL CALL - 6:01 P.M.

Mayor Haydu, Deputy Mayor Corti, Council Members Mosier, Parks and Sinnott.

City Manager Huth, Assistant City Manager Delin, Assistant City Attorney Schultz, Administrative Services Director Potter, Planning and Community Development Director Garcia, Assistant to the City Manager Crane, and Senior Management Analyst Terwilliger.

PLEDGE OF ALLEGIANCE

Mayor Haydu led the Pledge of Allegiance.

COMMUNITY ANNOUNCEMENTS AND PRESENTATIONS

ITEM 1

PROCLAMATION HONORING LIBRARIAN GRETCHEN SCHMIDT (Clerk's File No. 1201-5)

Mayor Haydu presented the proclamation to retiring Librarian Gretchen Schmidt.

ITEM 2

PROCLAMATION HONORING LOU TERRELL (Clerk's File No. 1201-5)

Mayor Haydu presented the proclamation to Carol Isackson and family.

Deanna Spehn, Policy Director, and representative for Assembly Member Toni Atkins, relayed condolences to Lou Terrell's family and shared that the Assembly was adjourned in Lou's honor on January 9, 2014.

RECESS AND CALL TO ORDER - 6:15 P.M.

Mayor Haydu recessed the meeting at 6:15 P.M. and called it back to order at 6:21 P.M. All Council Members were present.

ITEM 3

PRESENTATION ON THE CALIFORNIA 10/20 RACE (Clerk's File No. 1202-7)

Peter Douglas, Turn Key Operations, and producer of the U-T California 10/20 Race, provided an update on the developments of the race planned for February 16, 2014. He indicated that the race course is 10 miles through Del Mar, Solana Beach and Encinitas with the start/finish line at the Del Mar Fairgrounds.

He noted that the Union Tribune is the title sponsor with live local bands throughout the course with a headliner act concert at the finish line. He thanked staff for their help through the process. He stated the race benefits the American Cancer Society with additional local contributions to Del Mar Community Connections and the Del Mar Village Association.

ITEM 4

PRESENTATION BY DANIEL FOSTER, EXECUTIVE DIRECTOR OF THE OCEANSIDE MUSEUM OF ART (OMA) REGARDING THE OMA SATELLITE LOCATION IN DEL MAR (Clerk's File No. 1201-4)

Daniel Foster, Executive Director, Oceanside Museum of Art (OMA), spoke about expanding their programs throughout North County. He talked about the new facility in downtown Oceanside and the opportunity to bring assets to South Fair in Del Mar. He talked about the October 5, 2013 exhibition of Herb Turner and Helen Montgomery-Drysdale's work presented by the OMA at South Fair. He encouraged Council to attend the next opening on February 7, 2014 from 6:00 to 8:00 p.m. He noted that artists will be presenting 50 to 60 pieces of artwork in the windows at South Fair. He stated that OMA brings art offerings to local neighborhoods.

GOVERNING BODY ACTIONS/COMMENTS

Mayor Haydu announced the current committee vacancies for the Design Review Board, the San Dieguito Lagoon Committee, the Sustainability Advisory Board, the Traffic and Parking Advisory Committee and the Parks and Recreation Committee. She indicated that interested citizens may download the Citizen Interest Form from the City's website or pick one up at City Hall.

CITY MANAGER REPORTS

City Manager Huth introduced two new City employees: Kristen Crane, Assistant to the City Manager; and Jon Terwilliger, Senior Management Analyst.

City Manager Huth introduced Planning and Community Development Director Garcia.

Planning and Community Development Director Garcia provided feedback on the City Hall planning survey. She provided a PowerPoint presentation which showed the many options for accessing the survey from the City's website. She reported that postcards were sent to 5,000 people, consisting of residents, property owners, business owners and business license applicants. She indicated that the Del Mar Village Association (DMVA) and the Del Mar Community Connections (DMCC) also have postcards to circulate, and DMCC can help seniors take the survey. To date, the survey has been advertised by e-mail blasts, the Del Mar Times, Facebook, Twitter and the City Manager Weekly Update and has had 170 respondents to date.

ORAL COMMUNICATIONS

Bill Michalsky, Drawer O, introduced Jose Aponte, San Diego County Library Director.

Library Director Jose Aponte introduced Del Mar's new librarian Polly Cipparone.

CONSENT CALENDAR - 6:44 P.M.

Administrative Services Director Potter read the titles of Items 5 through 8 on the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER MOSIER, SECONDED BY COUNCIL MEMBER SINNOTT, TO ADOPT THE RECOMMENDATIONS FOR ITEMS 5 THROUGH 8 ON THE CONSENT CALENDAR. MOTION PASSED UNANIMOUSLY.

ITEM 5

APPROVAL OF MINUTES: JANUARY 6, 2014 (Clerk's Minutes Book)

Council approved the minutes on consent.

ITEM 6

RATIFICATION OF LIST OF DEMANDS, DATED JANUARY 21, 2014. (Clerk's File No. 201-3)

Council ratified the List of Demands in the amount of \$961,423.76 on consent.

ITEM 7

WAIVER OF READING OF ORDINANCES ON AGENDA. (Clerk's File No. 401-4)

Council waived reading of ordinances on consent.

ITEM 8

MODIFICATION OF INSURANCE REQUIREMENTS FOR U-T CALIFORNIA 10/20 RACE (Clerk's File No. 1202-7)

Council waived the insurance requirements set forth in Resolution 2009-46 and set the liability insurance requirements for the U-T California 10/20 Race to standard City limits, on consent.

CITY COUNCIL OTHER BUSINESS

ITEM 9

ENCROACHMENT PERMIT EP-13-07, A REQUEST TO CONSTRUCT LANDSCAPE SITE WALLS WITHIN THE PUBLIC RIGHT-OF-WAY ADJACENT TO 334 LA AMATISTA ROAD. APPLICANTS: MICHAEL AND ROBIN KHOURY. (APN: 330-234-08) (Clerk's File No. 802-1)

Planning and Community Development Director Garcia provided the staff report and PowerPoint presentation. She indicated that Council has twice reviewed the Encroachment Permit for approval as constructed, and with a proposed revision to lower the wall height and pull back and curve the southwest corner of the improvements. In both cases, the City Council determined that the improvements encumbered too much public land and adversely affected the character of the right-of-way. She explained the proposed revisions to the project. She also described the findings to deny the issuance of the encroachment permit as designated in Del Mar Municipal Code 23.28.100. She indicated that if Council determined that the revised project complies with the standards of review and is an appropriate use of the public right-of-way, then EP-13-07 should be conditionally approved. She explained the Standards for right-of-way and the potential considerations for new development within the City public-right-of-way.

Mayor Haydu opened the item to public comment and the following person spoke:

Michael Khoury, La Amatista

Mayor Haydu closed the item to public comment.

Council discussed the redesign and felt the applicant applied the suggestions provided in September 2013. Council indicated the need for clarity in the encroachment permit process on what is permissible in the City right-of-way, and taking a more proactive approach with guidelines.

IT WAS MOVED BY COUNCIL MEMBER SINNOTT, SECONDED BY COUNCIL MEMBER MOSIER, TO APPROVE THE ENCROACHMENT PERMIT WITH THE LISTED CONDITIONS, AND FOR STAFF TO RETURN WITH PROPOSALS FOR CHANGES TO THE ENCROACHMENT PERMIT PROCESS. MOTION PASSED UNANIMOUSLY.

ITEM 10
SIDEWALK, STREET, AND DRAINAGE PROJECT UPDATE AND REVIEW OF FUNDING OPTIONS (Clerk's File No. 1506-1)

Public Works Director Minicilli provided the staff report and PowerPoint presentation. He reviewed previous Council direction to move forward on the three segments of the sidewalk, street, and drainage project that were included in the current two year budget cycle for construction. The segments total approximately \$3,000,000 in construction costs and include Camino del Mar - Downtown (Segment 1); Jimmy Durante Boulevard from San Dieguito Drive to Plaza (Segment 2); and Camino del Mar - Beach Colony, 22nd Street to 29th Street (Segment 3). He reported the new recommendation for the proposed financing option is to finance the entire \$3 million with *TransNet* Revenues. He noted that in doing so, the City is retaining cash on hand which allows flexibility to have cash available for transportation projects, and reduces borrowing costs for other capital projects. He provided an overall project update for the three segments and explained the benefits of the project by improving drainage issues in the Beach Colony, pedestrian safety improvements, pedestrian crossing upgrades at 25th and 29th Street, a variety of ADA compliance improvements at corners, private driveway interface with private property owners and advanced notification and special outreach to those 10 - 12 residents that are impacted. He noted there would be tree removal permits occurring over the next several weeks. The

project also includes new planting areas. He talked about the project schedule and challenges.

City Manager Huth reported that this is the largest Capital Improvement Project in 20 to 30 years, with a majority of the project in the public right-of-way. He noted that there would need to be an aggressive public outreach to the property owners. He also indicated that the project has a very narrow timeframe for completion prior to the 2014 San Diego County Fair.

Mayor Haydu opened the item to public comment and the following person spoke:

Harvey Furgatch, Camino del Mar

Mayor Haydu closed the item to public comment.

City Manager Huth invited the public to do a walk-through with staff. He noted that only a few of the property owners have permits for their encroachments into the right-of-way. He noted that the City may need to bridge the costs with owners to address the project issues.

IT WAS MOVED BY COUNCIL MEMBER MOSIER, SECONDED BY DEPUTY MAYOR CORTI, TO ADOPT RESOLUTION 2014-05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, REQUESTING THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG), ACTING AS THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, TO PROVIDE ADVANCE FUNDING THROUGH DEBT FINANCING FOR THE SIDEWALK, STREETS, AND DRAINAGE PROJECT. MOTION PASSED UNANIMOUSLY.

Council Member Corti reported that the Finance Committee recommends that to the extent possible, the City should borrow as much funding through *TransNet* because of the low rate.

OLD BUSINESS

ITEM 11
SHORES PARK MASTER PLAN PROCESS (Clerk's File No. 103-8)

Planning and Community Development Director Garcia presented the staff report and PowerPoint presentation. She described the subject property and provided background information beginning in

August 2007. She indicated that on November 18, 2013, Council directed staff to move forward with the full master planning process using a consultant. She stated the Request for Proposal (RFP) will be assessed on 1) project understanding and approach; 2) fee and schedule and; 3) qualifications. She reported that the proposals that meet the minimum submittal criteria will be reviewed by staff and the highest ranking proposals will be reviewed and interviewed by a selection committee proposed to be composed of: two City Council liaisons, two Park Master Plan Committee members, and one staff Project Manager. She asked Council for direction to determine if a Park Master Plan Committee is desired, and if so, the charge and mission of the committee; the makeup of the members; and process for appointments to the Park Master Plan Committee. She stated that staff would return with a selected consultant, contract, work plan, schedule and budget based upon the selection committee's direction if that is the Council's direction. She described the role for the proposed Park Master Plan Committee.

Mayor Haydu opened the item to public comment and the following people spoke:

Joe Sullivan, Ocean Front
Chris Underwood, Rimini Road
Lynn Gaylord, Ocean Front

Mayor Haydu closed the item to public comment.

Council discussed the importance of moving forward. They talked about their concerns regarding the role of the Park Master Plan Committee and the need for them to not only represent the City, but the community and to make sure the process is done well, reaches consensus in the community, and that all interests are heard. Council supported the use of a consultant to help speed the process and ease staff time to stay focused on other projects. Council suggested that staff move forward with the RFP during the recruitment for committee members. Council stressed that it was important to have a well-balanced committee. Council indicated the process with the consultant should include outreach to the community in the forms of gathering data, polling the community and workshops to identify and prioritize the proposed uses and preferences for the property.

Planning and Community Development Director summarized the direction by Council. Council approved the formation of a Park

Master Plan Committee and directed staff to return with a charter/mission statement for the committee; return with proposed language for advertising the committee vacancies; schedule candidate interviews at a later date; and based on Council's discussion, make refinements to the Request for Proposal as needed.

RECESS AND CALL TO ORDER - 8:31 P.M.

Mayor Haydu recessed the meeting at 8:31 P.M. and called it back to order at 8:38 P.M. All Council Members were present.

ITEM 12
IMPLEMENTATION PLAN FOR LAW ENFORCEMENT STUDY RECOMMENDATIONS
(Clerk's File No. 1101-2)

Assistant City Manager Delin presented the staff report and PowerPoint presentation. He reviewed previous direction by Council on November 18, 2013 to return with an action plan on how to address consultant recommendations regarding the existing Sheriff's contract, and measures to evaluate performance. He reported that the Finance Committee continues their evaluation of costing out the stand-alone police department option and alternatives to augment law enforcement services. He reported that staff had reviewed the consultant's report provided at the November 18, 2013 meeting and performed a reassessment of the existing law enforcement services. Staff concluded that the City is well-equipped with safety resources with the Sheriff, Park Ranger, Lifeguards, Fire and Code Enforcement, however, improvement is needed in coordinating the safety departments and personnel so that they function as one team and provide the highest possible level of service. Additionally, improvement is needed in connecting the Sheriff's Department with the community. He listed recommendations into three categories: Visibility and Connectivity; Improve coordination and communication with City departments; and customer service and response times.

Sheriff's Captain Robert Haley addressed the recommendations from staff regarding visibility and connectivity. He talked about the change to the Sheriff's staffing schedule to improve visibility, the beat and patrol plan, and the business outreach program. He indicated he has worked to put law enforcement information on the City Website, and is using Social Media for crime alerts. He also talked about the Community Advisory Group, Coffee with Community, and the Volunteer patrols and neighborhood watch

program. He provided information in response to improving coordination and communication between the Sheriff's Department and City departments, which includes sharing staff schedules and duty rosters; phone communications with duty staff; conducting a monthly coordination with Sheriff and City safety staff; working to improve radio and/or phone communications; and a more formal staff orientation to help integrate Sheriff's staff into the City team. He also provided information relating to customer service and response times. He indicated they are looking at ways to simplify call priority classifications to give clearer picture to the public. He stated the Crime analyst will separate into high priority calls. He stated the Customer Service survey will help define performance measures. They have worked to reduce response times by scheduling Deputies to match the days/times of highest calls for service. He stated the Detective will work patrol on occasion, such as the summer during the fair or races. He also indicated that the Sheriff works with other departments and the citizens to ensure the Sheriff is called for any other service needs.

City Manager Huth stated the consultant's report challenged the City to look harder at City services relating to Code Enforcement, Parking Enforcement, the Ranger Program, Lifeguards, and to some extent the Fire Department. He emphasized the need for integration in order to provide good quality service to the community. He noted that the City Manager's office will coordinate an orientation for every new Deputy and the importance of finding the right Deputy who understands the community's needs.

City Manager Huth reviewed the eleven recommendations from the Consultant's report and their status that were listed in the PowerPoint presentation.

City Manager Huth explained the next steps which include returning to Council with data on response/call types and performance measures; to receive the results of Sheriff's survey conducted December 2013; work with the Finance Committee to formulate questions for the Citywide customer service survey to be reviewed by Council; and to seek guidance from Council on a Citizen Advisory Committee concept including membership.

Mayor Haydu opened the item to public comment and the following people spoke:

Jim Benedict, 2020 Christy Lane
Barry Entous, 411 11th Street

Mayor Haydu closed the item to public comment.

Council discussed their appreciation for the improved coordination of City Services. Council recommended that the metrics to track and evaluate performance be developed over the next six months in order to determine what percent of the Deputy's work day is spent in Del Mar. Council requested feedback within the next 12-18 months. Council encouraged residents to volunteer and join the Senior Patrol Program to increase visibility. Council supported a Citizens Advisory Committee concept. Council emphasized the importance of utilizing the services of the Sheriff's Department and encouraged residents to call them when needed.

City Manager Huth confirmed Council's direction that a more robust analysis of the 2013 data was needed to better understand how to evaluate performance, which will provide a better opportunity to address response times. He indicated that if Council was comfortable with the Citizens Advisory Group, then staff can return with information about members.

COUNCIL PRIORITIES - REPORTS

ITEM 13U

OTHER COMMITTEE -SUBCOMMITTEE REPORTS (Clerk's File No. 1201-6)

Council Member Sinnott reported that a letter will be distributed to the Beach Colony residents asking for volunteers to host Community Outreach meetings in their area to discuss the past summer season and how to improve City services in summer 2014.

ITEM 13B

NORTH SAN DIEGO COUNTY TRANSIT DEVELOPMENT BOARD (NCTD)
(MOSIER/CORTI) (Clerk's File No. 1506-20)

Council Member Mosier reported on the North County Transit District (NCTD) Board meeting discussions of rail safety and the number of accidents that have occurred on the rail corridor. He indicated that rail incidents have been higher than in past years. He stated that NCTD Executive Director Matt Tucker is undertaking a study to reduce pedestrian versus train incidents. He indicated that NCTD owns the rail corridor and is looking at

other options. He stated that he would provide any future action by NCTD related to this matter to Council when it becomes available.

Council received the oral reports.

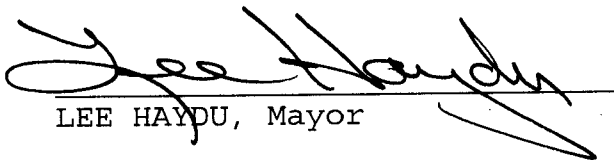
ADJOURNMENT - 9:28 P.M.

Mayor Haydu adjourned the meeting at 9:28 P.M.



ANDREW POTTER, ADMINISTRATIVE SERVICES DIRECTOR

ATTEST:



LEE HAYDU, Mayor