

# **Del Mar City Council Meeting Agenda**

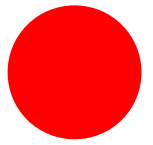
Del Mar Communications Center  
240 Tenth Street, Del Mar, California

## **September 8, 2015 City Council Meeting**

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# City of Del Mar Memorandum



TO: Honorable Mayor and City Council Members

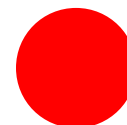
FROM: Kathleen A. Garcia, Planning and Community Development Director

DATE: September 8, 2015

RE: Items 10 and 11, Resolutions of Intention to Vacate Portions of Serpentine Drive (SV15-001, Filanc/Tucker) and Luneta Drive (Stein)

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Regarding the items on the September 8, 2015 City Council Agenda listed above, additional research and analysis performed by the Planning and Community Development Department has raised questions regarding the underlying ownership status of the subject areas of land for which the vacation requests have been submitted. The type of interest the City has in the land dedicated through the City's early subdivision maps may result in different ramifications for processing the vacations. Therefore, staff is requesting that the City Council continue both Items 10 and 11 to a future meeting in order for staff to work with the City Attorney to determine the type of ownership/interest given to the City through the original dedications of the subject streets.



**From:** Kit Leeger <kleeger@leegerarch.com>  
**Sent:** Tuesday, September 08, 2015 9:30 AM  
**To:** Al Corti; Donald Mosier; Sherryl L. Parks; Terry Sinnott; Dwight Worden  
**Cc:** Andrew Potter  
**Subject:** City Council 9-8-15 Agenda Items 10, 11 and 16

**RE: 9/8/15 Agenda Items #10 & 11 (Intent to Vacate a Public ROWs) and #16 (Membership of the DRO Ad-Hoc Committee)**

**TO: The Mayor and City Council Members**

I SUPPORT THE APPROVAL OF VACATING SV15-001 AND SV15-002  
I RECOMMEND AMENDING THE DRO AD-HOC COMMITTEE SELECTIONS

A letter submitted by Arthur Olson in opposition of Item #11 (Attachment F), is an example of why the community has no confidence in the current DRO Ad-Hoc Committee and the process used for selection.

The Applicants for vacating SV15-001 and SV15-002, the Planning Department, the Public Works Department and the Planning Commission, worked out mutually beneficial, reasonable decisions with the proposed vacating of remnant right-of-ways.

Arthur Olson's rejection of the decisions demonstrates his bias toward no development for any reason.

The Council's Resolution was to select diverse, non-biased members for the DRO Ad-Hoc Committee.

Specifically addressing SV15-001, there is no reasonable reason to deny vacating an 1174 square foot piece of slope that the City will never use. Mr. Olson's letter specifically states his objection is that the private property owners *could* increase their floor area.

This particular property on Serpentine Drive, is surrounded on three sides by the road. This minuscule increase in lot size, along with the required setbacks that severely limit the buildable area, will have no measurable effect.

This type of spiteful, blanket, no-development bias by a DRO Ad-Hoc Committee member is unacceptable.

Please redo the selections made on this VERY IMPORTANT committee.

Sincerely,

Kit Leeger

**LEEGER ARCHITECTURE**

[www.leegerarch.com](http://www.leegerarch.com)

P.O. Box 2310, Del Mar, CA 92014 (office: 1442 Camino Del Mar #215)

**760-815-4713**

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**Subject:** FW: City Council Packet Item #13 red dot

**From:** rick ehrenfeld  
**Date:** September 4, 2015 at 3:06:17 PM PDT  
**To:** "Kathleen A. Garcia" <[kgarcia@delmar.ca.us](mailto:kgarcia@delmar.ca.us)>, Andrew Potter <[apotter@delmar.ca.us](mailto:apotter@delmar.ca.us)>  
**Cc:** Scott Huth <[shuth@delmar.ca.us](mailto:shuth@delmar.ca.us)>, Adam Birnbaum <[ABirnbaum@delmar.ca.us](mailto:ABirnbaum@delmar.ca.us)>  
**Subject:** **City Council Packet Item #13 red dot**

I would like to clarify my comments from the City Hall item at the DRB meeting on August 26th:

**Synopsis of DRB Comments**

DRO consistency issues:

3) Sound, light and noise pollution on residential from parking [DRO §23.08.077.F, K] (RE)

- a. Surface lot effect of heat island
- b. Light, noise and fumes from garage and lot

Suggestions for improvement:

- Close upper level of parking garage (RE)
- Add wall along west edge of parking lot (RE)

I recused myself from the DRB on this item and spoke as a private citizen, not as a DRB member. These comments should be placed in the Community Comments.

Thanks,  
Rick Ehrenfeld



## Andrew Potter

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**From:** dwightworden@gmail.com on behalf of Dwight Worden <dworden@roadrunner.com>  
**Sent:** Saturday, September 05, 2015 5:26 PM  
**To:** Terry Sinnott - Private; Scott Huth; Andrew Potter  
**Subject:** Revsied One Paseo Draft letter  
**Attachments:** draft letter re revised one paseo (1) ddw edits.docx

Team:

I have received some comments on the draft One Paseo letter that I think are worth including, so please find attached a revised letter (in redline). Andrew, can you treat it as a red dot from me, along with this email?

In short, I added language:

1. To clarify that not just the earlier proposed housing, but the affordable housing, will be included.
2. To call for a timeline as part of the transit implementation plan.

See you all Tuesday.  
Dwight

Honorable Sherri Lightner  
San Diego City Council President  
202 C Street  
San Diego, CA. 92101

One Paseo Development Team

Dear President Lightner and members of the One Paseo Development Team:

The City of Del Mar has closely followed the various planning and development projects in the Carmel Valley area since the 1975 adoption of the first Carmel Valley Community Plan by the San Diego City Council (Resolution No. 212692). Del Mar is impacted in a variety of ways by these neighboring planning and development activities. Earlier this year, Del Mar reviewed and commented critically on the then proposed One Paseo project, supporting its denial and supporting the referendum effort to overturn it. Del Mar supported a scaled down project as a much better alternative.

We now write to express our compliments that the new One Paseo development team appears to be making a genuine effort to work more closely with the community and to revise the project in significant ways to address community and Del Mar concerns. Overall, the new draft plans substantially reduce the project's size and intensity by reducing the amount of office space by 58%, reducing the amount of retail space by 62% while leaving the proposed residential component of the project unchanged.

This is the kind of reduction in scale that Del Mar has advocated, allowing the overall ADT to be cut roughly in half thereby meeting the settlement cap of 14,000 ADT, while retaining the needed housing **and we presume the previously proposed affordable units**, lowering the profile of some of the larger buildings, improving traffic circulation, and achieving various other improvements not possible with the earlier project. We also compliment the new development team on the quality process being used to carry forward the revised project. We see real, and meaningful, community engagement, all to the good.

Del Mar still has concerns, however, as set out below:

**TRANSIT. The project still lacks meaningful public transit.** The original Carmel Valley Community Plan contains an extensive discussion of transit calling for an integrated public transit system to minimize reliance on the automobile. The community plan's public transit requirements are still on the books today. See, Carmel Valley Community Plan page 99 et seq. A system including at least two lanes for transit on major roadways servicing buses and other transit vehicles is called for (page 103) as part of a four tier public transit system: regional express, sub-regional, intra- community, and a local feeder system. (page 108). Unfortunately, the called for integrated public transit system has not been implemented, nor is it currently proposed as part of the revised One Paseo project. We question how the revised One Paseo project can be found consistent with the community plan absent some effort to implement the public transit components of that community plan.

We recognize that the responsibility for implementing integrated transit planning cannot all be loaded on the backs of this private developer. The cooperation and participation of the City, MTS, CALTRANS, and SANDAG are all required. But, the City can and should insist that a transit implementation plan with a specific timetable be included as part of the One Paseo project setting out what the private developer will do, what the city will do, and how the called for integrated planning will be carried forward in a timely manner. Inclusion of such an implementation plan will give the community, including Del Mar, assurance public transit will occur to the extent feasible.

As one specific item we urge adoption of an east-west bus service program to move forward in conjunction with One Paseo, with the city doing its part and the private developer doing its part. Attached as Exhibit A is a more detailed analysis of how this proposal can be carried forward. While not the cure all for public transit in the area, the provision of such east-west bus service would be a major improvement and a positive step toward achieving the integrated public transit goals for this area that have been planned for so long.

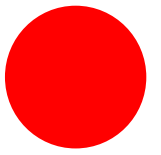
**FIRE AND EMERGENCY SERVICE.** Del Mar remains concerned that the revised One Paseo project will have significant adverse and unmitigated impacts on Del Mar and its emergency services. Put simply, Del Mar and San Diego emergency services cooperate. Del Mar responds to calls for service in the City of San Diego's Carmel Valley area, which Del Mar often can do more quickly and efficiently than San Diego, depending on all the factors that go into emergency response timing and activities. With the addition of a revised One Paseo project the number of emergency service calls in this area will increase significantly pulling Del Mar services out of Del Mar more frequently and leaving Del Mar more exposed. This is especially true as Del Mar has only one fire station. We reiterate our prior comments that this issue needs to be studied as part of One Paseo review, and appropriate mitigation needs to be included in project approval.

Del Mar is pleased overall with the new direction for One Paseo and the active and positive community engagement occurring as the revised project takes shape. Addressing public transit and Del Mar's emergency service concerns remain, however, as topics that need to be addressed.

Sincerely

Al Corti

Mayor



**Andrew Potter**

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**Subject:** FW: Design Review Process Advisory Committee  
**Attachments:** Design Review Process Advisory Committee SINNOTT Suggestions Aug 19 2015 V2.docx

----- Forwarded message -----

**From:** Terry Sinnott [<mailto:sinnottdelmar@gmail.com>]  
**Sent:** Thursday, August 20, 2015 3:00 PM  
**To:** Scott Huth  
**Subject:** Design Review Process Advisory Committee

Scott,

Would you distribute to the Council and include in any agenda item.

Thanks

Please do not respond to this note.

Members of the City Council

On July 24th I distributed an outline of some recommendations on how to insure the work of the DRB Advisory Committee was well received by the entire community.

Since that time I have gotten a lot of good input from our residents and observed the results of the Committee so far.

I would like to modify my recommendations in two ways.

1. I don't think we need to expand the committee or appoint any new members at this time. The Committee seems to be working well as a diversified group. They are already moving forward in developing a work plan. They are all very qualified people and are going to be as objective as possible. I encourage the Committee to move forward.

2. I would add one suggestion that could improve the inclusiveness of the process (#7).

All my other suggestions are still very appropriate and I would encourage the Liaisons and the Council to support their implementation.

Thanks,

Terry Sinnott

[858 449 0846](tel:8584490846)

## ATTACHMENT E

Design Review Process Advisory Committee

Since I was one of the sponsors of establishing this committee, I thought I would share my thoughts on how we should proceed.

It is very apparent that there are those in the community that feel that this Ad Hoc Committee is established with an anti-development bias, constituted with only no-build members, and led by liaisons who are not objective. There is an underlying opinion that the Council was too quick to establish the Committee and made a mistake in not interviewing all possible candidates.

Regardless of the truth, if we don't take steps to address these concerns, we will re-ignite a split in the community that will be harmful to everyone. So we must alter our efforts in a way that does not stop the process, but that opens it to more diverse opinions and gives confidence that the review is as objective as possible.

So here are my suggestions:

1. Slow the process down. The Committee does not need to proceed so quickly that outside people cannot keep up with what is going on from meeting to meeting.
2. Split the work into at least 3 phases:
  - a. Problem identification.....*is there a problem and what is its magnitude?*
  - b. Problem analysis .....*what is the root cause or causes of the problem?*
  - c. Solutions / Recommendations ....*what solutions will solve the problem(s)?*
3. Hire an outside facilitator who knows problem analysis to help the Committee work through these three phases. This is important since it relieves the Liaisons from that responsibility, adds more credibility to the process, and keeps the participants focused on logical analysis, not unfounded opinion.
4. Hold at least two public workshops (after Phase 1, and Phase 2), to get public input on the Committee's work.
5. If the problems are complex, consider breaking the work into sub-groupings with each subcommittee assigned to a specific problem area, such as:
  - Education / Communications
  - Process / Decision Making
  - Enforcement
  - DRO Regulation Changes
  - Neighborhood Involvement
6. After the problem identification phase, the Advisory Committee can be organized around problem areas (above), with working subcommittees tackling each group of problems. That provides an opportunity to add interested members of the community as volunteers to each subcommittee, which can broaden the involvement of the community in the process.
7. If consensus on a recommendation cannot be reached, consider allowing a minority report on the item.

ATTACHMENT E

8. Before any final recommendations are published and before recommendations go to City Council, have DRB, PC, Staff and Legal review the report and make their comments a part of the final report.

I hope that is helpful and that you will discuss these ideas at the Council's next meeting in September.

Terry Sinnott  
8/19/2015



FRIDAY SEPT 6, 2015

To : The City Council of Del Mar

Regarding: Establishing a new Ad Hoc DRB Committee

The Honorable Mayor – Al Corti

Council Members -

Don Mosier

Sherryl Parks Deputy Mayor

Terry Sinnott

Dwight Worden

Council Members and Mr. Mayor,

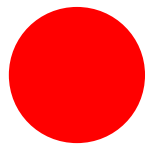
My name is Jack Jaeger living at 129-10<sup>th</sup> St, Del Mar, for 34 years and I would like to state my strong position for a "Re-Do" of the current DRO nine-member "Committee" attempting to assist the DRB in analyzing the Ordinance procedures.

I do not believe the current members of that Committee are a true and correct reflection of the entire Del Mar populous, but are instead, a very vocal minority!

I believe the selection procedure was faulty, leaving the opportunity for very qualified broader-scoped minded Del Mar Citizens to be represented. Respectfully-

Handwritten signature: Jack Jaeger  
Handwritten phone number: (619) 884-7566

September 6, 2015



TO: The Mayor and City Council of Del Mar

Dear Mayor Corti and Members of the City Council:

I am unable to attend your meeting on September 8, so I'm writing you regarding the Ad Hoc Development Review Process Citizens' Advisory Committee.

In my view, the Council's appointment of the current members of the Ad-hoc Committee was and remains fully responsive to the larger Del Mar community and your selections were entirely appropriate. You established this committee in response to the community's collective concerns about our city's design review process, and the obvious problems caused by recent residential development that is changing the character and quality of Del Mar's neighborhoods.

Despite the protestations of those not selected, I urge you to stand firm behind your choices. Those now serving on the Ad-hoc Committee are clearly well qualified for the position; all nine members are experienced, hardworking, dedicated to public service, and come without any financial conflict of interest or political agenda. Indeed, this may be one of the most qualified committees ever to have served in Del Mar.

Their approach and demeanor have been exceptionally open and even-handed. At every meeting, under Chairman Harold Feder's leadership, they have operated more like a "workshop" than any other of our City's committee meetings, ad hoc or otherwise, offering open dialogue with the audience throughout the meetings. Those who oppose the committee and are now clamoring for a "do-over" have attended all meetings, and have been welcomed to speak at length each time. Their ideas and concerns have been acknowledged and incorporated as the committee gathers community input—precisely as was requested by you, the City Council.

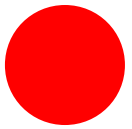
In terms of the size of the committee, nine is an ideal number to ensure varied points of view yet manageable in terms of process, productive discussion, and decision-making. To increase the size further would diminish its effectiveness, particularly given the openness of this process, where the audience participates so openly.

I urge you to encourage your Ad Hoc Committee to continue with the good work it is doing, and to stand firm against any attempts at political intimidation. The great majority of citizens will support you in your efforts to preserve and enhance the quality of life in Del Mar.

Thank you.

John Farrell

██████ Via Alta



**Subject:** FW: Short Term Vacation Rentals - Steve Todoruk  
**Attachments:** SCF42015090315270.pdf

-----Original Message-----

From: Steve Todoruk [<mailto:STodoruk@sprottglobal.com>]  
Sent: Friday, September 04, 2015 2:04 PM  
To: Adam Birnbaum  
Subject: FW: Short Term Vacation Rentals - Steve Todoruk

Hello Adam.

My home is located just outside of the Del Mar city limits and falls within the City of San Diego limits but since I am located so close to your community, I thought it might be useful to share my short term vacation rental experiences and concern on this timely subject such that it might help your council board members shape new rules and regulations.

I didn't know that our HOA did not allow short term rentals but had been renting my home out in the Sea Village complex for just over one year up until recently when I was notified by my HOA that I had to stop doing so for any rentals being less than 30 days (which rarely happens and has never been a booking for me).

For your statistics, over the last year I have had 31 short term vacation rentals. The longest was for 2 weeks by one person but most are for 3 to maybe 4 days and are usually over the weekend.

I charged \$350 for week nights, \$400-\$450 for weekend nights and \$600 for long weekend and holiday bookings.

In 31 stays, I have never had anyone complain to me or my HOA that there were loud parties.

I went before my HOA committee last week and they told me they really don't have a problem but that some busy body in the complex pointed out to them that I was advertising my place to rent for short term stays less than 30 days and that person wanted the committee to enforce our rules.

The committee members told me that they know that other owners are renting their homes out for one and two weeks but that gets done through real estate agents and brokers and is therefore not posted on popular sites like airbnb and vrob so the busy bodies don't see that and haven't complained so the committee isn't going out of their way to find those people and shut them down.

One committee member said right there that he has a neighbor two doors down that rents his place out in such a manner but nobody has reported him so they just let it lie.

I live in a very good neighborhood and charge lots of money to stay in my house. I want good vacationers. I don't want party people. I am all for good noise and other sensible rules and regulations.

Steve Todoruk  
[REDACTED] Caminito Mar Villa

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## Vacation Rentals

Hello.

As many of our Sea Village homeowners know, vacation rentals are quite common in the Del Mar area. The Del Mar Times estimates that 10% of all of the houses in Del Mar get rented out. There has been a long history of this tied to the Del Mar Horse Races and also because of our close proximity to our beaches.

Tourists want to come and stay and play in our backyard and over the many years, homeowners have opened up their homes to enjoy the profits of renting out their house.

The setting in Del Mar is quite different to that in more popular vacation rental areas like Pacific Beach, Mission Beach and Ocean Beach. It is very unlikely that the young party crowd that commonly desires to stay in those beach areas will want to stay in Del Mar because the party atmosphere with all the bars is just not in our neighborhood.

With the high real estate values in Del Mar, a different type of tourist is looking to stay in our neighborhood. They are prepared to pay more for their accommodation which in essence weeds out the younger party crowd.

The cities of San Diego (which we live in) and Del Mar, along with many other communities in the US, are currently wrestling with establishing new rules and regulations pertaining to vacation rentals. The next Del Mar city meeting scheduled to further discuss these imminent changes will be held on September 8, 2015.

Our HOA currently allows only 30 day minimum vacation rentals.

The Sea Point HOA immediately below us changed their CC&R a number of years ago such that they don't have any rules on rentals, rather they just default to the City of San Diego's regulations.

Carlsbad, near the beach, has no minimum nightly stay required but rather they just let the market dictate what will work best.

It is almost certain that the cities of San Diego and Del Mar are going to allow homes to be rented out for less than 30 days with certain rules and regulations. A number of people speaking out feel strongly that with no noise outside (say after 10pm) strictly enforced, owner accountability and being responsible for their guest renters, respectfulness of other neighbors and use of common areas like pools and hot tubs – that one stay a week should be very manageable and not a nuisance to other neighbors.

We live in a tourist city and area and many of the local businesses in our community strongly rely on these vacation rentals being there and available for them to come and stay in our area. Homeowners that choose to rent their homes out to these tourists should also be allowed to enjoy in this enterprise.

Many tourists that desire to come and visit our community do so for weddings, graduations, business meetings and beach fun. Many of these people do not have the time nor need to come for 30 days or more. They have usually 3-4 days in which to come.

In 1997, I built a ski cabin with 3 friends and we have been renting it out to people since then and have had an extremely good rental experience from that and am certain a similar experience would be gained in our neighborhood with the right rules and regulations in place.

Would you please strongly consider voting in favor of changing our CC&R to allow for less than 30 rental stays (specifically one stay per week, or none at all).

I would be happy to come and discuss this with you at your convenience or you may feel free to call me or e-mail me.

Sincerely,

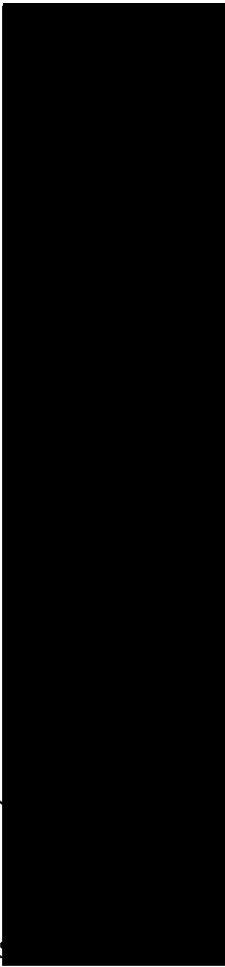
Steve Todoruk

██████████ Caminito Mar Villa

Del Mar, CA

Cell: ██████████

e-mail: [stodoruk@gmail.com](mailto:stodoruk@gmail.com)

Date	Type	Confirmati	Start Date	Nights	Guest	Listing	Details
12/30/2014	Payout						Transfer to
12/30/2014	Misc Credit						Make #One
12/28/2014	Payout						Transfer to
12/28/2014	Reservatio	EJKTMQ	12/26/2014	8		Del Mar Beach Villa & I	
11/29/2014	Payout						Transfer to
11/29/2014	Reservatio	MZDKSC	11/27/2014	4		Del Mar Beach Villa & I	
11/26/2014	Payout						Transfer to
11/26/2014	Reservatio	BTFYXE	11/24/2014	3		Del Mar Beach Villa & I	
10/20/2014	Payout						Transfer to
10/20/2014	Reservatio	XQABX8	10/19/2014	7		Del Mar Beach Villa & I	
10/17/2014	Payout						Transfer to
10/17/2014	Reservatio	PZYHJJ	10/16/2014	3		Del Mar Beach Villa & I	
10/11/2014	Payout						Transfer to
10/11/2014	Reservatio	KRHMRY	10/10/2014	5		Del Mar Beach Villa & I	
9/29/2014	Payout						Transfer to
9/29/2014	Reservatio	A9C9CP	9/28/2014	7		Del Mar Beach Villa & I	
9/23/2014	Payout					Transfer to	
9/23/2014	Reservatio	X5YSAK	9/22/2014	5	Del Mar Beach Villa & I		
9/13/2014	Payout					Transfer to	
9/13/2014	Reservatio	AHN2KE	9/12/2014	3	Del Mar Beach Villa & I		
8/30/2014	Payout					Transfer to	
8/30/2014	Reservatio	BME3RW	8/29/2014	3	Del Mar Beach Villa & I		
8/19/2014	Payout					Transfer to	
8/19/2014	Reservatio	PK3MCF	8/18/2014	5	Del Mar Beach Villa & I		
8/10/2014	Payout					Transfer to	
8/10/2014	Reservatio	9PTWPA	8/9/2014	7	Del Mar Beach Villa & I		
7/23/2014	Payout					Transfer to	
7/23/2014	Reservatio	A4BN2S	7/22/2014	13	Del Mar Beach Villa & I		

73      13 renters in 2014

in 2014, I had 13 different renters that stayed 73 nights in total.

Date	Type	Confirmati	Start Date	Nights	Guest	Listing
8/15/2015	Payout					
8/14/2015	Reservation	FDQR9K	8/13/2015	5		Del Mar Be
8/8/2015	Payout					
8/8/2015	Reservation	ZF3B9F	8/6/2015	3		Del Mar Be
8/1/2015	Payout					
7/31/2015	Reservation	3ZYH8W	7/30/2015	3		Del Mar Be
7/26/2015	Payout					
7/26/2015	Reservation	WMJJ2D	7/24/2015	5		Del Mar Be
7/20/2015	Payout					
7/20/2015	Reservation	FPCPAB	7/18/2015	4		Del Mar Be
7/10/2015	Payout					
7/10/2015	Reservation	SM3SNY	7/8/2015	4		Del Mar Be
7/4/2015	Payout					
7/3/2015	Reservation	AZEYHM	7/2/2015	3		Del Mar Be
6/29/2015	Payout					
6/28/2015	Reservation	DBHQZ2	6/27/2015	3		Del Mar Be
6/19/2015	Payout					
6/18/2015	Reservation	D34M4R	6/17/2015	6		Del Mar Be
6/15/2015	Payout					
6/14/2015	Reservation	JAMFPK	6/13/2015	3		Del Mar Be
5/24/2015	Payout					
5/24/2015	Reservation	NA2R4Q	5/22/2015	3		Del Mar Be
5/19/2015	Payout					
5/19/2015	Reservation	53XDEZ	5/17/2015	3		Del Mar Be
4/7/2015	Payout					
4/7/2015	Reservation	QQZF8F	4/6/2015	6	Del Mar Be	
3/29/2015	Payout					
3/29/2015	Reservation	5K5XZR	3/28/2015	4	Del Mar Be	
3/22/2015	Payout					
3/22/2015	Reservation	SEJSXW	3/20/2015	4	Del Mar Be	
3/7/2015	Payout					
3/7/2015	Reservation	WDCSK8	3/5/2015	5	Del Mar Be	
2/12/2015	Payout					
2/12/2015	Reservation	3CA4TX	2/10/2015	7	Del Mar Be	
1/18/2015	Payout					
1/18/2015	Reservation	SKPWWC	1/16/2015	3	Del Mar Be	

74 18 renters

so far in 2015, I had 18 renters that stayed  
74 nights, in total.

**\*\*\*\* PLEASE KEEP GARAGE LOCKED AT ALL TIMES AS I HAVE GOOD MOUNTAIN BIKES, SKIS, etc. in there\*\*\*\***

**My Homeowners Association is very strict and conservative so please respect our quiet neighborhood during your stay. Please keep my front gate closed at all times. While over in the pool, if you move any furniture or umbrellas around, please replace where it was originally as the pool is looked after by elderly people on a volunteer basis.**

**\*\*\*\* My home is non-smoking. If guests do smoke out on my patio, please DO NOT throw cigarette butts over my fence onto the dirt. With our drought that is an absolute fire hazard. \*\*\*\***

**Out of respect for my neighbors, please limit the number of people in my home during your stay to 10 or under and limit any partying or loud noise and/or music – especially out on the patio.**

**Wifi Code is XXXXXXXXXX**

**Garbage and recycling day is Monday** for both blue and green bins in garage. Can you please put both bins out on the street Monday morning and then bring them in after emptied later in the day.

**Key for pool/spa (across the street) is the blue MAUI key chain.** It's my only pool key so please be careful not to lose it.

There are empty dressers in the lower bedroom and the bedroom just at the top of the stairs. I have cleared out 3 drawers in the masterbedroom dresser and the side stands with lamps are empty for your use also.

### **FISH FEEDING**

Would you please feed my fish once a day or at least once every two days during your stay?

Fish flake food is under the aquarium. Fill the glass measuring cup with a scoop of water from the tank. Lift the top brown wood tank cover with both hands. It's a bit heavy so be careful. Please don't let the cover drop back as you open it and allow it to slam on the wood when opening or closing it.

Then from the plastic flake food container, take 4 pinches (about 1/3 teaspoon each) of the flakes and over the measuring cup grind each pinch with your fingers into smaller flakes. Let the flakes settle/sink for 2-3 minutes then pour measuring cup into the tank. This process allows the flakes to get soaked and they then sink in the aquarium getting to the fish.

Close the wood tank cover gently and put the measuring cup and food back under the aquarium and close the door.

My fish tank guy comes twice a month but I will discuss him coming with you. Ideally, he won't come during your stay. If you notice anything wrong with my tank, please contact me immediately.

### **FUSE BOX**

If fuses go, my fuse box is out the front door and outside the gate. Open the white wooden slat door on the garage side wall by sidewalk to driveway. Lift the grey metal hood cover to see the fuse box.

### **BBQ**

First open the two doors below the bbq. Fully open the valve on the propane tank from it's closed position. Then turn on the bottom of the three switches then press the ignitor button and the bbq should light. If bbq doesn't catch right away then close the propane tank valve completely for 30 seconds and repeat the process.

Keep the bbq hood closed when lighting.

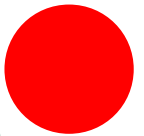
After the bbq ignites, turn on the middle and/or top bbq switches.

When done bbqing, close the propane valve completely then wait a few seconds to let the propane bleed out of the hose then switch off the bbq switches on the right side of the bbq.

**Hike the Torrey Pines Trails starting from my house down to the beach – see attached map.**

**Cleaning supplies** – are kept out in the garage in cupboards next to the white stand up freezer.

**Area Restaurants** – I have a collection of restaurant menus in the drawer to the left of the stove. I have pinned most of these on my [www.airbnb.com](http://www.airbnb.com) site.



R. Paul Allen

rpadelmar@yahoo.com

██████████ Santa Fe Avenue  
Del Mar, CA 92014



September 7, 2015

**To:** City of Del Mar Mayor and Council Members  
Del Mar, California

Dear Mayor and Council members,

Having lived here on Santa Fe Avenue since 1973, myself and many of my neighbors are seriously concerned about the deterioration of our community by allowing residential short-term vacation rentals for transient use that **serves investors, not residents.**

With the global economy and international real estate investments on the rise, tied in with the internet rental companies specializing in residential short-term/vacation rentals, the overwhelming future **downside for Del Mar is clear.** Want some current examples, just look what has happened to previously nice residential communities like Pacific Beach and La Jolla.

However, this community destruction is not being allowed to happen in cities like Coronado, Carmel, Pacific Grove, Saint Helena, San Francisco, Yountville, Napa and other cities and counties that value a **sense of community.** A sense of community that exists only because the residing families prefer this over the transient nature of vacation rentals, filled with visitors who only want to enjoy their vacation and then leave...regardless of the consequences to those that live in the residential community year round.

Some of these cities that **don't allow** short-term residential rentals, like Coronado, defines short term rental as "*Renting, letting, subletting, leasing or subleasing of a dwelling unit or a habitable unit for a period of 25 consecutive calendar days or less*". Since it is less than 30 days (because a 30 day duration or more is not considered transient) the city can therefore charge the TOT on the **very few vacation rentals** that are specifically allowed for in the city of Coronado.

In the other cities listed where rentals of less than 30 consecutive calendar days are **not** allowed, they have established ordinances and rental restrictions on

**long term** residential rentals that help keep neighborhoods pleasant for all. These communities also collect a tax on gross rent collected on any residential rentals of 30 days or more to enforce these good neighbor policies.

Another viable economic point to consider is that home and condo real estate prices in communities that **don't allow** short-term residential rentals stabilize to a more reasonable and affordable level for those seeking to live long-term in these communities as involved residents and citizens.

If the existing residential short-term/vacation rentals are to be considered or Grandfather Righted, then **Solana Beach** has a fairly reasonable approach. Hermosa Beach, Imperial Beach and Solvang also. Paso Robles also has some good restrictions in their vacation rental ordinance that should be added.

A **dramatic detail** that stands out as a **reason to completely ban** short-term residential rentals is in your "**Attachment B of the 2015 Survey on Short-Term Rentals**". The city of **Big Bear** that currently allows residential vacation rentals is evidently fed up as indicated under the column "**Issues, Status, Problems**": *"A Current movement by long time property owners to **eliminate** (short-term rentals) due to the **explosion of vacation rentals** in existing year-round neighborhoods."*

Also note that the city of Pacific Grove's City Council just passed an urgency ordinance prohibiting issuance of new permits for short-term rentals. **These examples indicates the insidiousness of allowing residential vacation rentals in a community to begin with.**

I, and most of my neighbors, encourage the city to **not allow** any additional short-term residential vacation rentals, and only Grandfather Right those existing into a limited amount of months each year and with rentals of no less than 7 consecutive days up to 29 consecutive days. These Grandfathered existing residential rental properties should eventually be phased out over a period of time, or immediately if sold, transferred, or through any other title change to that specific property.

These existing residential vacation rentals, **and also any long-term rentals**, shall have a complete and thorough set of '**Good Neighbor Controls**' required as part of a rental ordinance, with a revocation clause for repeated violations of the ordinance governing these rentals.

City permits should also be mandated along with a TOT of 13%, annual permit renewal fees, annual fire inspection including limitation on the number of persons occupying the rental, a 24 hour contact person, permitted amount of

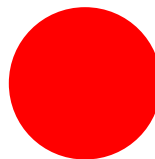
street parking, and other clauses to protect the pleasant livability of neighbors. The TOT and other fees should be dedicated to the enforcement of the ordinance for both the existing residential short-term rentals and all long-term rentals.

Please take immediate action to ban residential short-term vacation rentals and set controls on existing short and long-term rentals in our fine city of Del Mar. Let's don't let Del Mar become a Pacific Beach or La Jolla...now an insufferable place for family living.

Thank you.

*RPAllen*

R. Paul Allen  
[REDACTED] Santa Fe Avenue  
Del Mar, CA 92014  
[REDACTED]



**RECEIVED**

SEP 08 2015

City of Del Mar  
Administrative Services Dept.

TO: DEL MAR CITY CLERK  
FROM: STEPHEN SCOLA  
ITEM: 17

WILL YOU PLEASE INCLUDE THE ATTACHED:

FAVORABLE REVIEWS FROM GUESTS

FAVORABLE COMMENTS FROM MY NEIGHBORS  
(MOST NEIGHBORS ARE STILL AWAY ON VACATION AND NOT  
AVAILABLE TO SIGN MY PETITION)

THANK YOU,  
STEVE SCOLA

*Steph Scola*  
*(858) 254-4819*

Search

Search Mail Search Web Home Stephen



Compose Delete Move Spam More

- Inbox (9999+)
- Drafts (116)
- Sent
- Spam (202)
- Trash
- Smart Views
  - Important
  - Unread
  - Starred
  - People
  - Social
  - Travel
  - Shopping
  - Finance
- Folders (76)
- Recent

Fwd: Vacation rental

cjkinney1  
To scolacompany@yahoo.com

Sep 7 at 8:09 AM

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

----- Original message -----  
 From: cjkinney1 <cjkinney1@att.net>  
 Date: 09/06/2015 8:06 PM (GMT-07:00)  
 To: Steve Scola <scolacompanu@yahoo.com>  
 Subject: Vacation rental

We live next door to the Scola property. This property has been a vacation, short term rental for approximately 5 years. At no time have we been inconvenienced or had a problem with any guest. All have been a welcome addition to the neighborhood.

Cliff and Jan Kinney  
9th Street

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

HTTP ERROR: 404

Problem accessing /yax/<iframe%  
 20width="160"%  
 20height="600"%  
 20marginwidth="0"%  
 20marginheight="0"%  
 20scrolling="no"%  
 20frameborder="0"%  
 20src="https://cdn.w55c.  
 Reason:

Not Found

Powered by Jetty://




113 MELANIE WAY  
DEL MAR, 92014

WE LIVE ON MELANIE WAY AND HAVE NO OBJECTION TO  
STEVE SCOLA RENTING HIS HOME BY VRBO.

THE GUESTS HAVE BEEN COURTEOUS, WELL MANNERED AND  
HAVE NOT BEEN A PROBLEM FOR US.

Lilla Montchen  
129 10th Street, Apt. F  
Del Mar, CA 92014  
858-205-5475



Tom & Jerri Grudik  
116 Melanie Way  
Del Mar Ca (619) 990 9587  


Barb Roland  
156 Melanie Way

courteous guests  
at Scola rental

Listing Details

(/haod/321.487759.1070940/manage-listing.html)

Personal Details

(/haod/up/basic.html)

Settings

(/gd/rm/settings/l-321.487759.1070940)

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([http://www.propertydamageprotection.com/?icid=IL\\_ownerdash\\_pr\\_o\\_banner\\_pdp\\_loth\\_VRBODashReviews](http://www.propertydamageprotection.com/?icid=IL_ownerdash_pr_o_banner_pdp_loth_VRBODashReviews))

Date of Stay ▾	Request Review	Post Guest Comment
<p>clbosarge@bellsouth.net said... Aug 12, 2015</p>	<p><b>Beautiful home!</b></p>	<p>★★★★★ +</p>
<p>Alex said... Aug 7, 2015</p>	<p><b>Gorgeous beach home</b></p>	<p>★★★★★ -</p>
<p><b>Date of Stay</b> July 11, 2015 <b>Helpful votes:0/0</b></p>	<p>We stayed at this gorgeous house for 2 weeks in July 2015 and loved it. Steve was so friendly and helpful, he made sure we had really everything we needed for the house and the beach. The best feature was the indoor/outdoor living area where we spent almost every morning and evening watching dolphins, surfers, and sunsets - the view is unbeatable, the neighborhood is quiet and the neighbors are friendly too. The space and garden were perfect for our family of 4, the only item to be aware of for families is that the stairs between upstairs and downstairs are outside, with 1 bedroom up and 1 down. However, Steve provided us with a high-end baby monitor so that we could monitor the children at night in case they needed us (our kids are 4 and 8 years old), and we had no concerns at all. We will definitely come back to Steve and this house! Thank you for a wonderful vacation!</p>	
	<p><b>Recommended for:</b> Girls Getaway, Tourists without a Car, Adventure Seekers, Romantic Getaway, Families with Teenagers</p>	
	<p><i>My Response</i></p>	
	<p>Thank you for taking the time to write a review You were perfect guests and I hope I do See you all again Sreve</p>	
	<p>Edit your Response</p>	

FEEDBACK

Diane said...  
Jun 21, 2015

**Del Mar Charmer**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
May 26, 2015  
**Helpful votes:**0/0

We recently spent a delightful week at this charming home in Del Mar. It was our desire to have an unimpeded view of the ocean and also to be able to walk to town and the beach. This home offers both and so much more. The view, the location, the quiet neighborhood and the attentive owner, Steve, added up to a memorable week. We can't wait to return!

**Recommended for:** Families with Young Children, Age 55+, Romantic Getaway, Families with Teenagers

Response

Neil S. said...  
May 25, 2015

**Sullivan Family**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

The Taylors said...  
Jun 22, 2015

**Steve and his home are excellent!**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

Lawrence P. said...  
Jan 19, 2015

**THIS IS THE PLACE TO STAY IN DEL MAR**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

Peggy S. said...  
Jan 14, 2015

**Holiday by the Ocean with great views and easy walk into town**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

FEEDBACK

Kurt said...  
Nov 17, 2014

**Clean, great views from balcony, great owner**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
November 11, 2014  
**Helpful votes:**0/0

My wife and I came with another couple for a very pleasant 4 night stay. The owner, Steve, is an honest, friendly host who met us upon our arrival and was accessible throughout our stay. I can't say enough good things about Steve. Close to the beach, Plaza and Torrey Pines. The best things about this home is the view from the deck, the comfy beds and a great owner.

**Recommended for:** Age 55+, Romantic Getaway

*My Response*

Listing Details

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Personal Details

(/haod/up/basic.html)

Settings

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 (http://www.propertydamageprotection.com/?icid=IL\_ownerdash\_pr\_o\_banner\_pdp\_loth\_VRBODashReviews)

Date of Stay ▼	Request Review	Post Guest Comment
clbosarge@bellsouth.net said... Aug 12, 2015	<b>Beautiful home!</b>	★★★★★ <input type="button" value="+"/>
113 Melanie Way, Del Mar, CA, 92014, United States (487759)		
Alex said... Aug 7, 2015	<b>Gorgeous beach home</b>	★★★★★ <input type="button" value="+"/>
113 Melanie Way, Del Mar, CA, 92014, United States (487759)		
Diane said... Jun 21, 2015	<b>Del Mar Charmer</b>	★★★★★ <input type="button" value="+"/>
113 Melanie Way, Del Mar, CA, 92014, United States (487759)		
Neil S. said... May 25, 2015	<b>Sullivan Family</b>	★★★★★ <input type="button" value="+"/>
113 Melanie Way, Del Mar, CA, 92014, United States (487759)		
The Taylors said... Jun 22, 2015	<b>Steve and his home are excellent!</b>	★★★★★ <input type="button" value="+"/>
113 Melanie Way, Del Mar, CA, 92014, United States (487759)		

FEEDBACK

**Date of Stay** Steve went above  
**May 16, 2015** and beyond to ensure we felt welcome and comfortable in his home. It's pretty  
**Helpful votes: 1/1** much exactly what the pictures show - a cozy, comfortable yet modern home with  
a world class view. Very convenient to all of Del Mar and the highway. We had  
our two year old with us and felt safe and sound. We would definitely  
recommend and stay here again ourselves. The Taylors

May 25, 2014

113 Melanie Way, Del Mar, CA, 92014, United States (487759)

Febe said...  
Apr 21, 2014

**Great place to stay in Del Mar**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

Billy said...  
Apr 30, 2014

**The Other Paradise**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
**March 19, 2014**  
**Helpful votes:2/2**

Being from

Hawaii it is difficult to find a place that embraces the ocean and beach life, but this VRBO in the old town of Del Mar is fabulous and hits the mark. When you arrive Steve, the owner/operator is very welcoming and extremely helpful to ensure that you are all set up for what will be a great stay. The photos in the listing are great but when you are actually at the place the feeling is much better. The property is well maintained and has fabulous woodwork throughout the house with an open airiness that makes you feel like you out to sea on a beautiful wooden ship. Steve has great love for this property and it shows, his hope is that during your stay you will love it as much as he does. The nearby town center with shops and plenty of eateries, Board and Brew being one our favorites sandwich shops, offers you the ability to spend your whole time relaxing and enjoying your stay without ever getting into a car. As everyone has stated in their reviews, the top deck overlooking the ocean will keep you memorized for hours and one of the many reasons I will be having friends and family stay here. So, if you cant fly out to Hawaii but want a wonderful beach life experience with plenty of nice beach to walk on, surfing and a happy friendly place to stay this is defiantly the right VRBO for you.

**Recommended for:** Families with Young Children, Sightseeing, Tourists without a Car, Adventure Seekers, Age 55+, Romantic Getaway, Families with Teenagers

*My Response*

THANK YOU FOR YOUR VISIT. YOU WERE ALL VERY DELIGHTFUL GUESTS. REGARDS, STEVE

[Edit your Response](#)

FEEDBACK

John said...  
Jun 1, 2014

**Top notch vacation home**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

Frank & Debbie said...  
Mar 4, 2014

**Christmas in Del Mar**



Thank you. Kurt You were all wonderful guests and it was my pleasure to host you. I am also grateful that you feel your money was well spent I appreciate that you took the time to write the review Regard to you all Steve

Edit your Response

Kathryn G. said...  
Oct 2, 2014

**Relaxing vacation with family.**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
**September 19, 2014**  
**Helpful votes:0/0**

My family had a wonderful 5 day vacation in Del Mar. I researched over 100 homes and was struck by the simplicity, view, privacy, and space of Steve's home. He is a gracious host and will go above and beyond to take care of his guests. My husband and I visited with our twins who were turning 4. The home was perfect for our needs. We felt so safe - once the gate is closed the entire home is secluded. The kids played daily in the yard while we sat on the deck and watched the ocean. The home overlooks the ocean and you hear the waves at night and all day. So relaxing. This trip will be remembered for many years because of how perfect the home was, the location, and the memories we made. We will definitely come back.

**Recommended for:** Families with Young Children, Age 55+, Romantic Getaway

Response

Mike F. said...  
Feb 13, 2015

**Great House in Del Mar**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
**August 25, 2014**  
**Helpful votes:0/0**

We stayed at Stephen's beautiful house last summer. Stephen was great to work with and he personally met us at the house to cover everything and was very accommodating to our needs. The house is beautiful and has amazing views as shown in the pictures. The split level style of bedrooms would make this a perfect place for 2 couples. We had our 2 small children with us. There were some challenges with small kids in the house as trying to get the rooms dark for naps took some effort. Also, the outdoor access to the lower floor meant we couldn't put our 3 year old in that bedroom. We used the office space as a bedroom which worked great. We also could put a pack and play in the large walk in closet. The yard was great for the kids and the porch wash wonderful for everyone to hang out on. The open glass wall provided amazing open air living. The walk down to the main beach was not that far. I tried making it down the cliff one time to that beach and did not try it again with the kids. I think the house would be perfect if your kids were a little older. All in all this is an amazing house and Stephen is great to work with. We would love to come back sometime....but probably not with little kids.

FEEDBACK

Listing Details

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Personal Details

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 (http://www.propertydamageprotection.com/?icid=IL\_ownerdash\_pr\_o\_banner\_pdp\_loth\_VRBODashReviews)

Date of Stay ▼

Request Review

Post Guest Comment

**Brian said... Sep 28, 2013** **Amazing Ocean Views! Private, quiet, spacious, clean and luxurious vacation rental!**



113 Melanie Way, Del Mar, CA, 92014, United States (487759)

**Date of Stay**  
**September 21, 2013**  
**Helpful votes:2/2**

My wife and I stayed with our 2 year old kid for 4 days. The owner was great and met us at the property when we got there to show us around. He gave us great restaurant recommendations but the views from the deck were so nice that we didn't want to go out, so we ordered takeout from those restaurants and ate at the house. It was very beautiful to eat outside while watching the sunset with 180 degree ocean views! The neighborhood is very quiet so all you hear is waves crashing on the beach below. I was a little concerned about the proximity to the train tracks but these were all commuter trains and I was amazed how quiet they were compared to freight trains. The tracks are sunken about 15 feet so the noise at the house was even quieter. The property had a large, beautifully landscaped and maintained yard. It was all fenced in and even had parking behind the gate so it felt very private. The house was recently remodeled so it was very clean, modern and upscale. The house was divided into two living areas. The downstairs had a big bed (King?) and a large sitting area with a pull-out couch along with bathroom with a 2 person whirlpool tub and a laundry room with modern washer and dryer. There was a large covered patio that looked out to the beautiful backyard. The upstairs was only accessible from stairs outside so it feels like a separate living area. Upstairs had a large greatroom with modern kitchen. There are floor-to-ceiling doors that opened the whole length of the deck. This really made it feel like we were staying right on the ocean even when inside. We kept these open except while we slept or were away. Between the greatroom and master bedroom was a den that had plenty of room for a pack-n-play for our 2 year old to sleep. The den could be closed off with sliding doors so we did not disturb him. There was also a big closet and nice bathroom with a shower upstairs. We did not even use the downstairs area except to use the bathtub and laundry room. This would be a

FEEDBACK

113 Melanie Way, Del Mar, CA, 92014, United States (487759) ★★★★★

**Date of Stay**  
**October 16, 2013**  
**Helpful votes:1/1**

Steve was an excellent host. He handed us back our deposit upon our departure. We truly enjoy the gorgeous town of Del Mar. The location was just a short and enjoyable walk to the shops an restaurants. Would absolutely recommend staying here. Thank you, again, Steve!

**Recommended for:** People with Disabilities, Families with Young Children, Sightseeing, Girls Getaway, Tourists without a Car, Adventure Seekers, Age 55+, Romantic Getaway, Families with Teenagers

*My Response*

THANK YOU FOR THE KIND WORDS. I AM ALSO PLEASED THAT YOU HAD A GOOD TIME AND THAT YOUR MONEY WAS WELL SPENT. ALSO, I ENJOYED MEETING YOUR FAMILY AND HOPE TO SEE YOU AGAIN. REGARDS, STEVE

[Edit your Response](#)

11 - 20 of 22

[< \(/haod/321.487759.1070940/reviews/list.html?sort=date\\_of\\_stay&pageNumber=1\)](/haod/321.487759.1070940/reviews/list.html?sort=date_of_stay&pageNumber=1)

[1 \(/haod/321.487759.1070940/reviews/list.html?sort=date\\_of\\_stay&pageNumber=1\)](/haod/321.487759.1070940/reviews/list.html?sort=date_of_stay&pageNumber=1) 2

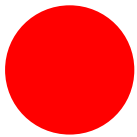
[3 \(/haod/321.487759.1070940/reviews/list.html?sort=date\\_of\\_stay&pageNumber=3\)](/haod/321.487759.1070940/reviews/list.html?sort=date_of_stay&pageNumber=3)

[> \(/haod/321.487759.1070940/reviews/list.html?sort=date\\_of\\_stay&pageNumber=3\)](/haod/321.487759.1070940/reviews/list.html?sort=date_of_stay&pageNumber=3)

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FEEDBACK



**Subject:** Item #17 Short Term Rentals 9/8/15

-----Original Message-----

From: Karen Powell [<mailto:kapow@nethere.com>]

Sent: Tuesday, September 08, 2015 11:13 AM

To: City Clerk Mail Box

Subject: Item #17 Short Term Rentals 9/8/15

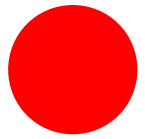
Honorable Mayor and Esteemed Members of the Council,

I am unable to attend this evening's meeting, but wanted to voice my opinion regarding short-term rentals in the City of Del Mar. As I understand it there is currently no policy in effect to deal with this issue. I strongly urge Council to implement a policy that will mandate persons owning and operating short term rentals have a business permit on file and be subject to the same TOT as our local hotels. It is time to level the playing field and allow the short term renters to contribute to the City's amenities that they so enjoy.

It is imperative that short term rentals continue to be allowed in this City which is a vacation destination for people all over the world. They bring in much needed revenue to Del Mar and it's local businesses. There are a plethora of short term events in Del Mar and it's surrounds including a myriad of activities at the Fairgrounds, Polo Grounds and beaches. With the professional golf tournaments at Torrey Pines, the addition of the Fall racing meet, and the forthcoming Breeder's Cup in 2017, local short term rentals will become increasingly in demand. Many residents choose to rent their property while they themselves vacation, and others rely on their real estate investments/vacation rentals as a source of income. We do cater to the tourist trade and need to have accommodations for those who choose to come, stay, play and pay for the privilege of being here. Please find a way to keep the short term rental programs in place. We do not need to drive away the folks that support us.

Respectfully,

Karen Powell  
[REDACTED] 10th Street  
Del Mar, CA



**Subject:** Vacation Rentals

**From:** Nina Detrow [<mailto:surfvr1@gmail.com>]  
**Sent:** Tuesday, September 08, 2015 1:16 PM  
**To:** City Clerk Mail Box  
**Subject:** Vacation Rentals

Honorable Mayor and Esteemed Members of the Council,

I so sorry that I am unable to attend this evening's meeting. I am hoping to urge the Council to implement a policy to add a registration fee for vacation rentals and/or a TOT tax but not to ban short term rentals.

I have been doing rentals in Del Mar over 10 years now. We rent only to nice families; many returning year after year. It is not just the San Diego Fairgrounds and Race Track clientele; I have many clients who come every year for the Del Mar Junior Lifeguard program, for soccer tournaments, horse shows, Polo season, home shows, concerts, farmers market and the Farmers Insurance Torrey Pines Golf Tournament.

We also host many weddings and family reunions who come to Del Mar for our obvious amazing weather, but also the close proximity to the restaurants, shops, the parks and playground at Powerhouse Park. We do not rent to college age students.

I am sure that a ban on rentals will hurt the small shops and businesses in Del Mar especially in the winter season. Most of my clients in the winter are retired, quiet, and kind renters who come from cold weather states such as Minnesota, Wisconsin and even Canada to escape the snow!

Please find a way to keep the short term rentals in place as we can all use the revenue to put towards our beautiful city.

**Nina Detrow**  
858-945-5609  
[surfvr1@gmail.com](mailto:surfvr1@gmail.com)  
CalBRE#01968523



436 15th Street  
Del Mar CA 92014



# City of Del Mar Memorandum



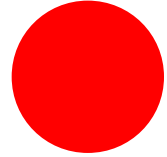
TO: Honorable Mayor & City Councilmembers

FROM: Scott W. Huth, City Manager

DATE: September 8, 2015

SUBJECT: Red Dot - Item 18 (TBID Request for Continuance)

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It has come to staff's attention that the Item 18 staff report inadvertently mixed the terminology used to describe the various public meetings required for the TBID renewal process.

Per the attached, redlined staff report, corrections have been made to correctly identify September 8, 2015 as a second "public meeting" and October 19, 2015 as a "Public Hearing." These terms are in-line with the requirements of the legal TBID renewal process.

Should the Council choose to approve the request for continuance, City Attorney Devaney will also ensure that the Council's motion correctly identifies the future dates with the appropriate terminology.



# City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Jon Terwilliger, Senior Management Analyst  
Via Scott W. Huth, City Manager

DATE: September 8, 2015

SUBJECT: Request for Continuance of Public ~~Hearing-Meeting~~ and Public ~~Meeting~~ Hearing for Renewal of Del Mar Tourism Business Improvement District (DMTBID)

## REQUESTED ACTION/RECOMMENDATION:

That the City Council review Councilmembers Sinnott and Mosier's request for continuance for the renewal of Del Mar Tourism Business Improvement District (DMTBID) as follows:

- Continue second public ~~hearing-meeting~~ to September 21, 2015
- Continue ~~public-meeting- Public Hearing~~ to October 19, 2015

## DISCUSSION/ANALYSIS:

At its July 6, 2015 meeting, the City Council adopted Resolution 2015-37, declaring its intention to renew the Del Mar Tourism Business Improvement District (DMTBID). That action prompted the need for a public ~~hearing-meeting~~ on July 20, 2015 regarding the renewal to levy assessments on lodging businesses. At its July 20, 2015 meeting, the City Council set a second public ~~hearing-meeting~~ for September 8, 2015 to address alternative options, and set a ~~public-meeting- Public Hearing~~ for September 21, 2015 for consideration of approving the DMTBID.

Councilmembers Sinnott and Mosier have subsequently requested that the second public ~~hearing-meeting~~ be continued to September 21, 2015, and the ~~public-meeting~~ Public Hearing be continued to October 19, 2015 (refer to Attachment A). In conformance with City Council Policy No. 311, "Request for Continuance of Agenda Item by Member of the City Council," the continuance shall be deemed to be granted by consensus unless:

- The law precludes a continuance; or
- One or more members of the City Council requests a vote. If a request for a vote is made, the vote shall be taken on the request for continuance and no "second" is required. The vote will decide whether the continuance is granted.

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## City Council Action:

Mayor Corti requested that the City Council discuss and vote on this request.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

None.

PRIOR CITY COUNCIL REVIEW:

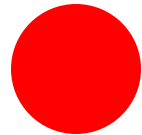
The Del Mar Tourism Business Improvement District (DMTBID) was formed on September 13, 2010 by City Council Resolution No. 2010-66.

At its July 6, 2015 meeting, the City Council adopted Resolution 2015-37, declaring its intention to renew the DMTBID.

At its July 20, 2015 meeting, the City Council set a second public ~~hearing-meeting~~ for September 8, 2015 to address alternative options, and set a ~~public-meeting~~ Public Hearing for September 21, 2015 for consideration of approving the DMTBID.

ATTACHMENTS:

Attachment A – Sinnott/Mosier Request for Continuance



**From:** Tom McGreal <tommcg@roadrunner.com>  
**Sent:** Monday, September 07, 2015 9:06 PM  
**To:** Andrew Potter; Scott Huth; Terry Sinnott; Dwight Worden-Private; Donald Mosier; Al Corti; Sherryl Parks - Private  
**Cc:** Bud Emerson; Glenn Sherman; Jim Benedict; Jen Grove; Richard Earnest  
**Subject:** TBID Red Dot  
**Attachments:** TBID Reporting metrics.docx; TBID Reporting.xlsx

Hi Folks,

As requested by Council, the Long Term Planning Subcommittee of the Finance Committee is updating the Council on its work on reporting metrics and cancellation rights related to the consideration of a TBID renewal.

Please submit this as a Red Dot letter.

Regards, Tom McGreal

**To: Del Mar City Council**

**From: Long Range Planning subcommittee of the Finance Committee**

**Dated: September 3, 2015**

**Re: TBID**

As requested by City Council, the Finance Committee made recommendations to City Council on July 16<sup>th</sup> regarding the TBID Renewal. This letter provides an update on the issues of reporting metrics and the City's annual cancellation rights. The Subcommittee members unanimously approved these recommendations.

The Subcommittee believes that both issues need to be addressed as part of a TBID renewal arrangement. If either of these issues cannot be resolved to the Council's satisfaction, the Subcommittee would recommend that the City not renew TBID, but increase TOT by 1% or 1.5% as a source of funding for the promotion of Del Mar tourism.

## **Reporting**

The attached spreadsheet provides the latest version of the Subcommittee Reporting recommendations for TBID including updated terminology that comes from the TBID digital marketing report for July 2015 (the Skiver Report), which was provided to us on August 12<sup>th</sup>.

### **What the TBID reporting accomplishes:**

The recommendation requires quarterly reporting of TBID financial results, hotel lodging revenues and occupancy rates and digital marketing metrics in a simple format that allows the City to track results, trends and performance.

### **What the reporting does not accomplish:**

The reporting does not allow the City to draw any specific conclusions about the how the TBID activity is impacting lodging revenues or occupancy for Del Mar hotels. There are no specific metrics available to accomplish this important measure.

The TBID consultant used a 6% influence rate for the 2014 results, which was intended to estimate TBID's impact on lodging revenues, occupancy and economic spending by visitors. The subcommittee does not endorse reliance upon this assumed influence rate. As stated in our earlier report this influence rate results in overly optimistic conclusions.

DMVA has more recently proposed to work with the consultant to include a financial model that includes an on-line survey and on-site hotel survey as a means of refining the determination of the website influence rate and resulting ROI going forward. The subcommittee cannot offer an opinion without examining the survey methodology.

**Reporting Conclusion:**

DMVA’s Management District Plan provides for quarterly marketing metrics but only annual financial results. The subcommittee urges Council to require quarterly financial data as proposed in our attached Reporting format.

DMVA must develop metrics that measure a direct correlation between TBID marketing efforts and lodging revenues. This measure should be required for continuation of the TBID program. Failure to produce this measure to the Council’s satisfaction over the next year should be grounds for cancellation of TBID by the City.

**City Cancellation Rights**

The Subcommittee continues to recommend that the City retain the right to assess TBID on an annual basis and to retain the right to modify or cancel the program if it is not meeting its performance objectives. As previously recommended, this can be accomplished with one-year renewal periods or a five-year renewal with annual cancellation rights tied to TBID performance.

In the Management District Plan DMVA has proposed that in the event of a decline in all of the marketing metrics, the City will meet with DMVA to agree upon corrective measures. If after 90 days it is determined that the decline in the marketing metrics is due to “improper fund management by DMVA, rather than extenuating circumstances such as a general economic downturn or decline in tourism, the City may hold a hearing on disestablishment”

The Subcommittee does not believe that this proposed approach accomplishes the objective of providing the City with annual cancelation rights for the following reasons:

- A decline in all of the marketing metrics is not an acceptable trigger for corrective action. The City and DMVA should set specific performance goals each year.
- It is not clear what constitutes “improper fund management”.
- It is not clear how a disestablishment hearing works including who has decision authority. The City Attorney must assess this process.

**City Cancellation Rights Conclusion:**

The City should retain control of the decision to fund TBID on an annual basis under any acceptable renewal scenario based upon the City's assessment of TBID performance. The subcommittee believes that the City should retain this level of control as a matter of financial management responsibility.

Long Range Planning subcommittee:

Bud Emerson, Chair

Tom McGreal

Glen Sherman

Jim Benedict

## TBID Quarterly Reporting

(FYE 9/30)

31-Dec-14		31-Mar-15		30-Jun-15		30-Sep-15	
Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget

### TBID Assessments

#### Expenditures:

Administration

DMVA

Streetscape

City Fee

Digital Marketing

Contract marketing Services

Other Marketing

**Total Expenditures**

### TBID Cash Position

#### Dream Del Mar Performance:

Total Visitors to the Site

# Clicks

# Booking Clicks

#### Hotel Results:

Del Mar Lodging Revenues

Occupancy Rate

#### Definitions:

Total Visitors to the Site - Number of times people went to the Dream Del Mar web site either through ads or directly

Clicks - Number of people who clicked on an ad and were led to the Dream Del Mar web site.

Booking Clicks - Number of people who clicked on the page inside the Dream Del Mar web site to view hotel rates / availability at a Del Mar hotel.