

MINUTES  
Del Mar City Council Meeting  
Monday, January 20, 2015  
Del Mar Communications Center  
240 Tenth Street, Del Mar, California

The minutes set forth the actions taken by the City Council on the matters stated. Audio/video recordings of the City Council proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the City Council, including Red Dots (materials provided to the City Council after the agenda was published), are available on the City's website at [www.delmar.ca.us/AgendaCenter](http://www.delmar.ca.us/AgendaCenter) or by contacting the Administrative Services Department at (858) 755-9313.

CALL TO ORDER/ROLL CALL - 6:00 P.M.

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

City Manager Huth, Assistant City Attorney Schultz, Administrative Services Director Potter and Community Development and Planning Director Garcia.

PLEDGE OF ALLEGIANCE

Mayor Corti led the Pledge of Allegiance.

COMMUNITY ANNOUNCEMENTS AND PRESENTATIONS

ITEM 1

ANNUAL UPDATE BY THE SUSTAINABILITY ADVISORY BOARD (Clerk's File No. 401-5)

Council received the presentation by Delores Davies Jamison and Anne Feeney.

ORAL COMMUNICATIONS - None

GOVERNING BODY ACTIONS/COMMENTS

Council Member Worden highlighted working with assigned committee's on their goals; his opinion article in the San Diego Business Journal about One Paseo; progress on the Parking Management Plan tasks; and the desire to discuss the role of

Council Liaisons to committee's on a future agenda. He announced the appointment of Don Mosier as Chair of the San Dieguito River Valley Open Regional Space Park Joint Powers Authority. He also announced that there would be free blue grass concerts at the Del Mar Library coming up.

Council Member Mosier announced an upcoming regional meeting for policy issues regarding the San Onofre Nuclear Waste. He also announced the Citizen Advisory Committee meeting on Tuesday, January 27, 2015 in San Juan Capistrano to discuss the closing of the San Onofre Nuclear Generating Station (SONGS).

#### CITY MANAGER REPORTS

City Manager Huth announced the "Coffee with the Sheriff" on January 26, 2015 in the Annex at 6:00 p.m. He also announced a Council Workshop that will be held on February 3, 2015 at 6:00 p.m. to discuss the goals and priorities for the next two-year budget cycle.

Administrative Services Director/City Clerk Potter announced the launch of "Engage Del Mar". He explained the purpose of the new online community engagement tool and the goal to involve the community in the planning process for several important projects.

#### CONSENT CALENDAR

Administrative Services Director Potter read the titles of Items 2 through 5 on the Consent Calendar.

Council removed Item 5 from the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SINNOTT, SECONDED BY COUNCIL MEMBER MOSIER, TO ADOPT THE RECOMMENDATIONS FOR ITEMS 2 THROUGH 4, ON THE CONSENT CALENDAR. MOTION PASSED UNANIMOUSLY.

#### ITEM 2

APPROVAL OF MINUTES: JANUARY 5, 2015 SPECIAL AND REGULAR MEETINGS (Clerk's Minutes Book)

Council approved the minutes on consent.

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ITEM 3  
RATIFICATION OF LIST OF DEMANDS, DATED JANUARY 20, 2015  
(Clerk's File No. 201-3)

Council ratified the List of Demands in the amount of \$602,077.64 on consent.

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

Council waived reading of ordinances on consent.

COUNCIL DISCUSSION

ITEM 5  
CONTINUED FROM JANUARY 5, 2015: ADOPTION OF A RESOLUTION TO EXPRESS SUPPORT FOR REFORM OF THE CITIZENS UNITED U.S. SUPREME COURT RULING (WORDEN/MOSIER) (Clerk's File No. 401-8)

Council Member Worden reported on the two U.S. Supreme Court cases that have altered the way money influences politics at all levels of government. He talked about the national, state, and local efforts underway to address campaign finances. He talked about Del Mar's strict campaign financing rules, but indicated that these local rules will not apply under the Citizens United case should a corporation, labor union, or other organization make "independent" expenditures and will not be subject to any limits. He indicated that adopting the proposed resolution would put Del Mar on record as disagreeing with the Citizens United case and as in support of an effort to put forward a constitutional amendment to overturn the decision.

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

Dianne Lane, Udall Street, San Diego  
Alexandra Kwoka, Condesa Drive  
Bob Semmer, Condesa Drive  
Ken Olson, Torrey Point Road

Mayor Corti closed the item to public comment.

Mayor Corti reported on the Red Dot correspondence received from Ken Olson, Torrey Point Road.

Mayor Corti and Council Member Sinnott indicated they are not opposed to what the resolution is trying to achieve, but feel that the resolution is beyond the scope of the Del Mar City Council.

IT WAS MOVED BY DEPUTY MAYOR PARKS, SECONDED BY COUNCIL MEMBER WORDEN, TO ADOPT RESOLUTION 2015-03, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, EXPRESSING DISAGREEMENT WITH THE CITIZENS UNITED SUPREME COURT RULING AND EXPRESSING SUPPORT FOR A CONSTITUTIONAL AMENDMENT TO OVERTURN THE DECISION. MOTION PASSED 3-2 WITH MAYOR CORTI AND COUNCIL MEMBER SINNOTT OPPOSED.

CITY COUNCIL OTHER BUSINESS

ITEM 8

PRESENTATION FROM THE FINANCE COMMITTEE REGARDING LAW ENFORCEMENT OPTIONS (Clerk's File No. 401-5, 1101-2)

Mayor Corti and Council Member Sinnott provided background information on law enforcement options.

Finance Committee Subcommittee member Jim Benedict provided the Subcommittee report. He reported that the subcommittee reviewed and evaluated the effectiveness of the current Sheriff's contract in light of the city's security needs, along with the escalating cost of the contracted services which exceed a minimum annual growth rate of 3%. He reported on actions taken by the subcommittee to develop their strategy.

Finance Committee Subcommittee member Barry Entous listed the City's options for consideration: continue with the current Sheriff's contract and work to improve response times; form a new city police department with up to 19 officers and support staff; and form a new small police department to complement the Sheriff. He provided the committee recommendation to form a small police department consisting of a chief and of one to two certified peace officers and one to two community service officers with possible synergy with parking enforcement; to renegotiate the current Sheriff's contract to allow the City's department to enforce traffic, a savings in excess of \$300,000 annually; coordinate operational issues including dispatch with the Sheriff's department; incorporate the existing Ranger program into the new city police department; with a target implementation date of September 2015. He briefly described the estimated annual cost,

the source of funds and estimated start up costs. He talked about Community Oriented Policing and its benefits.

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

James Eckmann, Ocean View Avenue  
Bud Emerson, Box E  
Ed Yuskiewicz, Coast Boulevard  
Captain Theresa Adams-Hydar, San Diego County Sheriff's Department  
Glen Sherman, Luneta Drive

Mayor Corti closed the item to public comment.

IT WAS MOVED BY COUNCIL MEMBER WORDEN, SECONDED BY DEPUTY MAYOR PARKS, TO ACCEPT THE REPORT FROM THE FINANCE COMMITTEE AND AUTHORIZE COUNCIL LIAISONS CORTI AND SINNOTT TO PROCEED WITH THE RECOMMENDATIONS PRESENTED BY THE FINANCE COMMITTEE TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING A SMALL POLICE DEPARTMENT, NOTING THE COUNCIL'S CONCEPTUAL PRELIMINARY ENDORSEMENT OF THE IDEA, AND DIRECTED THAT THE LIAISONS AND STAFF FOCUS ON THE SIGNIFICANT ISSUES FIRST THAT WERE IDENTIFIED AS DISPATCH ISSUES AND COORDINATION WITH THE SHERIFF. MOTION PASSED UNANIMOUSLY.

#### PUBLIC HEARINGS

##### ITEM 6

A REQUEST TO APPROVE A TENTATIVE PARCEL MAP (TPM14-002), A COASTAL DEVELOPMENT PERMIT (CDP14-025) AND AN ASSOCIATED SUSPENSION OF REQUIREMENTS TO SUBDIVIDE PROPERTY INTO TWO, NEW LEGAL LOTS. THIS PROJECT IS LOCATED IN THE COASTAL COMMISSION APPEALS AREA.

APPLICANT/OWNER: JOHN PROCTOR  
ADDRESS: 516-522 STRATFORD COURT  
APN: 300-321-01  
(Clerk's File No. 301-2)

Senior Planner Matt Bator provided the staff report and PowerPoint presentation.

Applicant John Proctor indicated that he was looking at options to market the property for sale to allow development.

IT WAS MOVED BY COUNCIL MEMBER WORDEN, SECONDED BY COUNCIL MEMBER MOSIER, TO ADOPT RESOLUTION 2015-04, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR CONDITIONALLY APPROVING A TENTATIVE PARCEL MAP (TPM14-002), COASTAL DEVELOPMENT PERMIT (CDP14-025) AND ASSOCIATED SUSPENSION OF DESIGN REQUIREMENTS FILED BY JOHN PROCTOR TO SUBDIVIDE PROPERTY LOCATED IN THE RM-SOUTH ZONE INTO TWO NEW LEGAL PARCELS AT 516-522 STRATFORD COURT, DEL MAR, CALIFORNIA. APN: 300-321-01. MOTION PASSED UNANIMOUSLY.

RECESS AND CALL TO ORDER - 8:17 P.M.

Mayor Corti recessed the meeting at 8:17 P.M. and called it back to order at 8:23 P.M. All Council Members were present.

ITEM 7

CONTINUED TO FEBRUARY 2, 2015: INTRODUCTION OF A MUNICIPAL CODE AMENDMENT A-14-02: A REQUEST TO AMEND THE PROVISIONS OF THE DEL MAR MUNICIPAL CODE CHAPTER 24-71 (DEDICATION: AFFORDABLE HOUSING ASSISTANCE) REGARDING THE AFFORDABLE HOUSING UNIT SET-ASIDE AND IN-LIEU AFFORDABLE HOUSING MITIGATION REQUIREMENTS FOR CONDOMINIUMS, STOCK COOPERATIVES OR COMMUNITY APARTMENT PROJECTS AND THE AFFORDABLE HOUSING REQUIREMENTS FOR SUBDIVISIONS (Clerk's File No. 401-4, 401-9)

IT WAS MOVED BY DEPUTY MAYOR PARKS, SECONDED BY COUNCIL MEMBER SINNOTT, TO CONTINUE THE PUBLIC HEARING TO FEBRUARY 2, 2015 IN ORDER TO ALLOW FURTHER REVIEW OF THE PROPOSED ORDINANCE. MOTION PASSED UNANIMOUSLY.

CITY COUNCIL OTHER BUSINESS

ITEM 9

COMMUNITY FORUM ON THE CITY HALL/CIVIC CENTER PROJECT (Clerk's File No. 307-7)

No public comment received.

ITEM 10

APPOINTMENTS TO THE AD HOC CITY HALL/TOWN HALL PROJECT DESIGN TEAM SELECTION COMMITTEE (CORTI/MOSIER) (Clerk's File No. 401-5, 307-7)

Administrative Services Director Andrew Potter provided the staff report.

IT WAS MOVED BY DEPUTY MAYOR PARKS, SECONDED BY COUNCIL MEMBER SINNOTT, TO APPOINT DAVID ARNOLD, WILLIAM CECIL, DENNIS CRUZAN, LEWIS DOMINY, AND PAT JACOBY TO THE AD HOC CITY HALL/TOWN HALL PROJECT DESIGN TEAM SELECTION COMMITTEE. MOTION PASSED UNANIMOUSLY.

ITEM 11

APPROVAL OF THE QUESTIONS AND PROCESS FOR THE "VOICE YOUR CHOICE POLL," FOR THE CITY HALL/TOWN HALL PROJECT (Clerk's File No. 307-7)

Community Development and Planning Director Kathleen Garcia provided the staff report and PowerPoint presentation. She noted that a Red Dot of the staff report with a minor change to titles, and Red Dots from Council Member Worden and community member Jan McMillan were provided to the Council.

Jose Medina, from "Everyone Counts", reviewed the online poll process, the language, and how the tabulation for the poll will take place. He reviewed the three options that will be presented to residents and the process for accessing the online poll.

IT WAS MOVED BY COUNCIL MEMBER WORDEN, SECONDED BY COUNCIL MEMBER MOSIER, TO REVIEW AND APPROVE THE PROPOSED QUESTIONS AND PROCESS FOR THE UPCOMING "VOICE YOUR CHOICE POLL," FOR THE CITY HALL/TOWN HALL PROJECT AND DIRECTED THE FOLLOWING CHANGES:

- COUNCIL LIAISONS CORTI AND MOSIER TO WORK WITH STAFF AND CONSULTANT ON THE FINAL REVISIONS.
- CONFIRMED ADMINISTERING THE POLL WITH REGISTERED VOTERS AND NOT ADD ANY ADDITIONAL SURVEY QUESTIONS.
- THROUGHOUT THE POP-UP INFORMATION PAGES AND POLL INTRODUCTORY PAGE, CHANGE THE WORD "USE" TO "FACILITY."
- IN THE INTRODUCTORY PAGE, INCORPORATE A PARAGRAPH THAT DESCRIBES THE COMMON FEATURES AMONG ALL OPTIONS.

- IN THE POP-UP INFORMATION PAGES, MAKE MODIFICATIONS TO THE PROJECT FINANCIALS, CHANGING THE DESCRIPTOR TO "ESTIMATED COSTS," SHOWING RANGES WHERE THE LOW END IS THE NET VALUE AND THE HIGH END IS THE HIGH COST WITH APPROXIMATELY 10% OR MORE ADDED, ROUNDED UP; THEN LIST A SECOND BULLET TO DESCRIBE THE "VALUE CREATED" AND WHAT IT MEANS.
- MODIFY THE INTRODUCTORY PAGE IN THE THIRD PARAGRAPH SO THAT ALL AREAS INCLUDE PRICES AND COSTS AND IN THE LAST PARAGRAPH, BETTER EXPLAIN THAT THE COST ESTIMATES ARE IN 2014 DOLLARS, AND THE EXACT COSTS WOULD BE REFINED IN DESIGN PHASES.
- TEST THE INFORMATION AND QUESTIONS IMMEDIATELY WITH KEY FOLKS THAT ARE NOT NECESSARILY INVOLVED IN THE PROCESS, AS WELL AS EVERYONE COUNTS.
- IN OPTION A, CHANGE THE PHRASE, "LIKE FACILITIES" WITH "SIMILAR SIZE FACILITIES."
- MOVE THE BULLET THAT STATES "WITHOUT NEW TAXES," INTO THE INTRODUCTORY PAGE.
- IN THE NOTIFICATION LETTER, HIGHLIGHT THE OTHER UPCOMING SURVEYS.
- INCORPORATE COUNCILMEMBER WORDEN'S PROPOSED LANGUAGE INTO THE DESCRIPTIONS, AS APPROPRIATE.

MOTION PASSED UNANIMOUSLY.

ITEM 12

DISCUSSION OF THE FORMAT FOR THE FEBRUARY 3, 2015 CITY COUNCIL PRIORITIES WORKSHOP AND REVIEW OF THE 2015 WORK PROGRAM (Clerk's File No. 401-1, 102-8

City Manager Scott Huth provided the staff report. He noted that it was important to have the priorities established in February before the budget cycle.

Council expressed their interest in having a workshop format that would be less formal, with a thought to building consensus on priorities. Council felt it was important to provide adequate time for community input about what we need to work on now, and to allow all Council Members to present priorities. Council talked about the need to know that there may be staffing constraints and

the affect on priorities. Council reviewed the 2015 Work Program. Council provided direction to staff.

COUNCIL PRIORITIES - REPORTS

ITEM 13B  
CITY HALL PROJECT SUBCOMMITTEE (CORTI/MOSIER) (Clerk's File No. 307-7)

No report received.

ITEM 130  
SAN DIEGO ASSOCIATION OF GOVERNMENTS (SINNOTT/WORDEN) (Clerk's File No. 1506-1)

Council Member Sinnott reported that Ron Roberts was selected as Vice Chair of SANDAG.

ADJOURNMENT - 10:27 P.M.

Mayor Corti adjourned the meeting at 10:27 P.M.

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ANDREW POTTER, ADMINISTRATIVE SERVICES DIRECTOR

ATTEST:

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AL CORTI, Mayor