

**CITY OF ENCINITAS
PARK AND RECREATION COMMISSION
MINUTES**

Meeting Date: September 11, 1990

1. CALL TO ORDER/ROLL CALL

Vice-Chairperson Gaare called the meeting to order at 7:00 p.m.

Present: Maureen Gaare, Ken De Groot, Buck Smith, Bob Spellman, Ron Grimes (late). Members of the Trails Committee.

Absent: Jim Curl, Nancy Orr

2. PLEDGE OF ALLEGIANCE

3. ORAL COMMUNICATIONS

Presentation of perpetual trophy made to the Encinitas Cup Committee by the Parks and Recreation Committee.

4. CLOSING AND ADOPTION OF THE CONSENT CALENDAR

A. Minutes of July 19, 1990 Meeting

C. Report on Second Meeting with Dogs on Beach Citizen's Group

COMMISSIONER GRIMES MOVED, DE GROOT SECONDED TO CLOSE AND ADOPT THE CONSENT CALENDAR WITH CORRECTIONS TO THE MINUTES OF JULY 19, 1990 AND ITEM 4B WHICH HAS BEEN PULLED. MOTION CARRIED 5-0.

B. Report on Urban Creek Restoration Grant Program

Commissioner Grimes inquired about funding availability and what measures could be taken to secure these funds.

Richard Phillips, Management Analyst, reviewed the agenda report, and the criterion used by the administering agency for evaluation of applications.

Commissioner Grimes inquired further regarding likelihood of receiving project approval for a conceptual proposal and future funding for the program.

COMMISSIONER GRIMES MOVED, GAARE SECONDED TO ACCEPT REPORT AS SUBMITTED. MOTION CARRIED. 5-0.

5. UNFINISHED BUSINESS

A. Consideration of Recreation Trails Subcommittee's Proposals for Subcommittee Bylaws, and Reorganization Plan.

Mike Wells, Management Assistant, gave a brief over view of the agenda report and attachments.

Vice Chairperson Gaare opened the floor to public input.

Gerald Bode, 3457 Bumann Road - Generally pleased with bylaws as proposed, but concerned about Meetings (3A) no set time; Voting (3D) quorum of 5, indicates 3 out of 13 members could set policies, which is 30% of membership creating policy.

Ginger Perkins, 3451 Bumann Road - Concerned with Termination of Membership (1D) failure to attend meetings too vague, should be more definitive; also would like to see regular time and date for meetings; Emergency meetings can be called (3B) meetings should follow on same day and time, perhaps additional day during the month, also members should be notified one week prior to meetings; Conflict of Interest Form (3D) their particular interests spelled out.

Vice Chairperson Gaare closed the meeting to public input, and asked for comments from the Commission.

The Commission further discussed the bylaws recommending the following changes: members can be terminated if they miss 25% of meetings during the year; majority vote of the Subcommittee is required to recommend any membership termination.

Vice Chairperson Gaare asked for clarification from the Trails Committee.

Dick Hubbard, 365 Arroyo Drive - indicated both recommendations well taken, would prefer may be terminated if they miss 25% of the meeting during the year, as several valuable members do not attend all meetings. Indicated flexibility important to maintain membership. Also questioned name of Recreation Trails Committee, who originally were appointed by the City Council, now are referred to as a subcommittee and how the name change might effect their function and actions.

Community Services Director David Wigginton clarified that the Committee was appointed as a body by Council, as an advisory body to the Commission on recreation trails issues. He further advised that the Parks and Recreation Commission is a recommending body to the Council and the items being

discussed are going to Council study session with the Commission's recommendations.

The Commission continued their discussion suggesting that Recreation Trails is a Subcommittee of Parks and Recreation Commission and reports to the Commission on all matters including appointments, terminations, etc. It was suggested that Attachments A and B could be combined for better clarification.

Vice Chairperson Gaare asked for consensus on Membership ID2, last word from change to termination or replacement.

In further discussion, the Commission noted a preference for meeting schedule. Possibly meetings could be staggered month to month, one afternoon, one evening.

Dick Hubbard, Trails Subcommittee - Explained need for flexible schedule to accommodate people's attendance, wants to fluctuate from afternoon to evening occasionally. Meetings will be publicized.

Commission discussion continued with further comments on scheduling, appreciating the need for flexibility, asking for public notice of meeting and consistent meeting schedule, with occasional changes. Additionally IIA2 change to Vice Chair; IIIA and staff should be added; with the exception of emergency meetings, all meetings should be noticed 72 hours in advance and open to the public; all meetings consistent with Brown Act.

Community Services Director clarified any meeting of a quorum falls under the Brown Act.

Dick Hubbard - Felt Brown Act very restrictive; concerned might be used against their Subcommittee.

Commission feels need for the Subcommittee to meet with the Committee again, to further clarify the bylaws and reorganization plan. Additionally prefer higher quorum for general meetings.

Vice Chairperson Gaare directed Commission to Attachment B - Reorganization Plan, for review and discussion. There were concerns regarding membership and selection procedure. It was suggested that the Park and Recreation Commission name 13 members from those who applied, a vote would be taken, with those receiving most votes given longer terms, then be appointed to Subcommittee.

Dick Hubbard - Reviewed the reason for 13 members, was concerned about retaining 7 particular members who had

extensive knowledge and experience; 2 year term would help continuity of experienced help. Additionally, felt 11 members would also work.

Commission continued indicating there should be representation from each area, with particular emphasis on Olivenhain, and Leucadia.

Staff advised there was an additional public speaker, however, the Commission in consensus, denied request.

COMMISSIONER SPELLMAN MOVED, DE GROOT SECONDED THAT THE RECREATION TRAILS SUBCOMMITTEE'S BYLAWS AND REORGANIZATION PLAN BE REFERRED TO THE SUBCOMMITTEE OF THE PARK AND RECREATION COMMISSION TO MEET WITH THE TRAILS COMMITTEE TO WORK OUT THE DETAILS AS STATED. MOTION CARRIED. 5.0.

B. Interaction between the Recreation Trails Subcommittee and the Proposed Consultant to Work on the Recreation Trails Specific Plan.

Mike Wells, Management Assistant gave a brief over view of the staff report with recommendation.

Vice Chairperson opened the floor to public input.

Gerald Bode, 3457 Bumann Road - Favors using consultant and expert advice. Questions that Trails Subcommittee should participate in hiring consultant; also questions points II C and E - we are paying a consultant for expert advice not rubber stamping.

Ginger Perkins, 3451 Bumann Road - Believes consultant should work with the Trails Subcommittee and share opinions, also work with public, homeowners associations area by area. Emphasis was on working closely with public.

Director Wigginton asked Vice Chairperson Gaare for point of clarification which was granted. How the interaction of the committee and the consultant is going to work - as far as the process, the scope of work was distributed to the Commission at their last regularly scheduled meeting and should not be an issue tonight. It was on the basis of that scope of work that you requested the information and how the Committee was going to interact with the consultant.

Vice Chairperson Gaare closed the floor to public input and asked for Commission comments.

Commission discussed importance of good job description, sees part of consultant's role as advisor to this Commission, as well as working closely with Trails Subcommittee. Consultant

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to provide technical expertise, with Trails Subcommittee providing recreation, trail, community character expertise. The consultant will be hired specifically for the development of a trails specific plan, for a specific lump sum fee.

Director Wigginton clarified that the consultant would be retained by the City, under the auspices of the Department of Community Services. A review of the scope of work for the consultant indicates that his work would be subject to review by committee and staff.

Commission would like to recommend that the Trails Subcommittee have a member on the selection committee for the consultant and the consultant makes no presentations to staff or to this Commission or City Council without first making presentation to the Trails Subcommittee and staff.

Director Wigginton recommended that Commissioners could be appointed to sit on selection panel as well as one member of staff. In response to other Commission questions, Director Wigginton reviewed the difference between a General Plan and a Specific Plan; also discussed need for a consultant as a full time staff person would not aid in this effort due to lack of equipment and mapping skills.

Commission advised that a time frame for accomplishing the scope of work as proposed was not included in items to be brought back to this meeting. They would like that as well as other information brought back to the next meeting.

Director Wigginton advised a time frame of six months.

VICE CHAIRPERSON GAARE MOVED, SPELLMAN SECONDED TO ACCEPT LIST OF GOALS FOR CONSULTANT INCLUDING RECOMMENDATION THAT PARK AND RECREATION COMMISSION SELECT MEMBERS FOR THE CONSULTANT SELECTION COMMITTEE. MOTION FAILED. 2-3.

COMMISSIONER GRIMES MOVED, DE GROOT SECONDED TO ACCEPT THE GOALS AND ADD TO THE GOALS THE FOLLOWING: THAT A COMMITTEE BE FORMED FOR THE PURPOSE OF INTERVIEWING AND RECOMMENDING SELECTION TO COMMUNITY SERVICES DIRECTOR WHICH IS MADE UP OF TWO MEMBERS OF THE RECREATIONAL TRAILS SUBCOMMITTEE APPOINTED BY THAT SUBCOMMITTEE, ONE MEMBER OF THE PARK AND RECREATION COMMISSION, APPOINTED BY THAT COMMISSION AND ONE PERSON FROM STAFF, APPOINTED BY STAFF. IN ADDITION, ADD TO THE LIST THAT ANY REPORTS, SIGNIFICANT INFORMATION OR CONCLUSIONS DEVELOPED OR ARRIVED AT BY THE CONSULTANT BE REPORTED TO THE TRAILS SUBCOMMITTEE PRIOR TO REPORTING SUCH INFORMATION TO THE PARK AND RECREATION COMMISSION, STAFF AND CITY COUNCIL. MOTION CARRIED. 3-2.

C. Policy for Specific Placement of Recreation Trails

Management Assistant Mike Wells gave an overview of the agenda report.

Vice Chairperson Gaare opened the floor to public input.

Gerald Bode, 3457 Bumann Road - Indicated need for more specific data on placement of trails. Presented photographs to the Commission showing certain problems in trails placement. Encourages greater sensitivity in planning the trails system with the future as well as the present in mind. Reminded the Commission that safety should be a primary factor in the planning of trails.

Commission reviewed photographs and advised that the placement trails as well as Trail Standards should answer some of the concerns.

Dick Hubbard, Trails Subcommittee - Advised that with the help of a consultant and with better mapping, hope to end much of the confusion and ease public concerns.

Claire McKarns, 3461 Bumann Road - Wants money that is available used to benefit the most people. Feels greater need for in town trails as opposed to urban trails. Would also like to see money spent for youth oriented facilities. Additionally, concerned about joggers and trail safety.

Eugene Mikolajczyk, 3435 Bumann Road - Concerned about the danger of using easements that are not safe, specifically the easement on his property. Reviewed correspondence with City regarding this situation. Feels the Olivenhain Water District easements not safe.

Kirk Horn, 3455 Bumann Road - Feels trails benefit small number of people. Concerned about cost of trails per person. People of Encinitas deserve specific information on all activities related to trails. Would like the public advised what other cities have accomplished.

Ginger Perkins, 3451 Bumann Road - Emphasized importance of #4 regarding the solicitation of input from property owners. Perhaps the consultant could be included in that item to have input also. Stressed getting public involved and working together. Additionally, felt #6 regarding alignment of trails within open space areas and existing public easements very important. Suggested Mitch Beecham as a possible resource for information on trail placements.

Director Wigginton advised that Trail Standards were interim, to be placed with scope of work with consultant, to be refined.

COMMISSIONER GRIMES MOVED, SMITH SECONDED TO ADOPT POLICY FOR SPECIFIC TRAIL PLACEMENT WITH THE FOLLOWING CHANGES - #1 STRIKE FIRST AND LAST SENTENCE, #6 ADD "OR AREAS LIKELY TO BECOME OPEN SPACE UPON SUBDIVISION".

Commission discussed the responsibilities of the consultant and the Trails Subcommittee and the importance of their interaction. It was also suggested that in Policy Item #3 the words "when possible" be added.

Director Wigginton further clarified that consultant will use these policies to work with specific plan.

Dick Hubbard - Discussed the fact that due to City liability responsibilities, Item #1 as stated is of great importance. Safety is a top priority.

VICE CHAIRPERSON GAARE MOVED, DE GROOT SECONDED TO AMEND ORIGINAL MOTION ITEM #1 AND ADD THE WORDS "TRAIL SAFETY IS A HIGH PRIORITY". MOTION CARRIED. 5-0.

COMMISSIONER SMITH MOVED TO AMEND ORIGINAL MOTION TO SAY INTERIM POLICY FOR SPECIFIC TRAIL PLACEMENT. AMENDMENT DIED FOR LACK OF SECOND.

COMMISSIONER GRIMES MOVED, SMITH SECONDED TO AMEND ORIGINAL MOTION AND ADD TO ITEM #3 "WHEN OR WHERE POSSIBLE". MOTION CARRIED. 5-0.

VICE CHAIRPERSON GAARE BROUGHT BACK ORIGINAL MOTION TO ACCEPT PROPOSED POLICY WITH NOTED CHANGES. MOTION CARRIED. 4-1.

D. Consideration of Proposal for General Plan Amendment regarding Recreation Trails Plan.

Management Assistant Mike Wells gave an explanation of the proposed amendments to the Recreation Element of the General Plan. Also referred to the map on the wall and explained the various colored lines - yellow existing General Plan, railroad right-of-way, and Escondido Creek corridor; yellow cross-hatched to be deleted from General Plan; blue to be added to General Plan with existing trail alignments dedicated or proposed; green to be added to General Plan with no specific trail alignment.

Gerald Bode, 3457 Bumann Road - Concerned that a trail is going through his neighborhood, had previously discussed trail placement and the fact that there is neighbor opposition with

the Trails Subcommittee. If public input is important why are these trails still here; when community input is ignored something is terribly wrong. Submitted petition containing names of 70% of those affected by trail bisecting properties on Bumann Road.

Director Wigginton clarified that this is a working document correcting some of the General Plan inaccuracies; it is a proposed plan. Will be assessed environmentally before put into use. This is not a master trail plan. Map also shows the Commission's approved trail corridor that was approved by City Council. Reminded the Commission that this is the City's General Plan map.

Commissioner Grimes made a point of order - it is approaching ten, there are other items on the calendar, I am reasonably sure that this is the first time I have seen this map and am going to have a very difficult time voting on this at all. I would like to recommend that we take public testimony, and continue to a later meeting, so that we can do a field tour and perhaps have staff go along to review. Commissioner De Groot agreed.

Director Wigginton clarified further that the Commission is not being asked to vote on anything, but to identify deficiencies in the General Plan, due to the fact that some of the General Plan's trail placements are not accurate. We are trying to come up with an accurate based document for the consultant.

Vice Chairperson Gaare opened floor to public input.

Claire McKarns, 3461 Bumann Road - Asked to have proposed loop of trail near her property be deleted. Additionally, hoped when plan revised, it would be taken into consideration that private property owners still have a few rights.

Ratko Djekich, 1524 Village View Road - Advised that 55 acres of private property has proposed trail. This area, Lake Val Sereno, not for public use.

Betty Schreiber, 1270 Elmbranch Drive - Concerned that she had trail through her home.

Ginger Perkins, 3451 Bumann Road - Showed Commission originally proposed Trails Subcommittee trails map, followed by a second map that was not the same. Feels there have been dramatic changes to original plan, with great extensions made to original map. Concerned that public input not being heard. Encourages use of existing water line, existing road and existing power line easements.

Kirk Horn, 3455 Bumann Road - Opposed to amendment for Bumann Road trail alignment; important to address problem of interaction with public. Communication should be made a priority.

Eugene Mikolajczyk, 3435 Bumann Road - Discussed safety problems of trail on his property.

Dennis Seevers, 3315 Rocking Horse Circle - Concerned about proposed trail system crossing his property. Wants the Park and Recreation Commission as well as the Trails Subcommittee to reconsider their way of mapping.

Vice Chairperson closed floor to public input and asked for Commission comments.

Commission concerned that not enough viewing time was allowed for this particular map. Feel if this document is approved, we are making a recommendation to the Council and want an idea of what they are approving. Secondly, feel map should be reviewed by public, also public should review General Plan and have an opportunity to respond.

Director Wigginton further clarified that this is not a new document, what is new about his document is the proposed deletions, this is the approved General Plan document. We have reviewed the General Plan document that has been approved, and is the City official document and noticed it is not going to work, the way it was originally adopted and we are now trying to recommend a way to meet the intent of that General Plan document and go around those areas that are not feasible for trails. The alternative is to implement the General Plan and then we have a sporadic, scattered trails system. The public hearing process is also part of the General Plan amendment process, so do we do it here and then duplicate it as part of the General Plan amendment process or do we take care of it all at once.

Management Assistant Mike Wells clarified that all trails as shown on the map are not dedicated. Map also shows proposed trails.

Vice Chairperson Gaare asked Commission for suggestions for staff regarding the Recreation Trails Plan.

Commission wants public notice workshops, field trips.

Director Wigginton suggested that the consultant's scope of work be redefined to include General Plan amendment, and let consultant arrange workshops, community hearings, etc. and revise entire trails element of the General Plan which will include all trails concerns.

Dick Hubbard - Commission asking Trails Subcommittee to solve all problems, getting all the heat for something they have nothing to do with. Subcommittee needs guidelines, direction.

Commission asked Subcommittee would they prefer Commission to take a month, review trails, and give direction in the form of what we think should happen to the General Plan or would you prefer the staff alternative to make part of the project for the consultant.

Dick Hubbard - Subcommittee wants Commission to review trails during the month and give direction. Also we should all familiarize ourselves with trails, through workshops etc., then turn over to consultant. Both the Subcommittee, the Commission and the public need trail education.

COMMISSIONER DE GROOT MOVED, GAARE SECONDED TO TABLE THIS ITEM ON GENERAL PLAN AMENDMENT REGARDING RECREATION TRAILS PLAN, TO THE NEXT PARK AND RECREATION COMMISSION MEETING, WITH FIELD TRIP, HOPEFULLY WITH MEMBERS OF THE COMMITTEE, DURING THAT PERIOD. MOTION CARRIED. 3-2.

6. NEW BUSINESS

A. Evaluation of 9.4 Acres of Surplus School Land Located Adjacent to Ocean Knoll Elementary School for Park Purposes.

Community Services Director Wigginton gave a brief overview on this report regarding surplus school land, asking for Commission's recommendation.

Vice Chairperson Gaare open the floor to public input.

Kris Stewart, (Glen Stewart, Edna Palmer, Wayne Hunt, Drew Smith, Bill Campbell donated their time), 810 Ave de San Clemente - representing three distinct neighborhoods bordering this canyon, gave a slide presentation. Reviewed her meetings with Paul Webb, California Coastal Commission, and their discussion regarding restrictions for development, indicating the Coastal Commission would look favorably upon passive recreational use, such as nature trails. Explained land was intended and zoned for public use. Additionally, felt nearby churches and schools would help with the development and maintenance of the area. Suggested an amphitheater where use would bring revenues to the City.

Betsy Schreiber, 1270 Elmbranch Drive - Felt parkland not accessible to public, not an active park location. Suggested neighborhoods around canyon could purchase the area themselves.

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Bruce Polkinghorne, 1021 Guadalajara Drive - Expressed interest in keeping open space, natural habitat. Perhaps school could lease land to the City for development as a park.

Vice Chairperson Gaare closed the meeting to public input and opened the meeting to Commission discussion.

Commission discussed joint use park with school district, and maintain as a natural habitat. Additionally, need appraised value, which was not available at this time, however, is under way. Discussed needs assessment, noting passive use not a priority.

Director Wigginton clarified surplus property law for the Commission.

COMMISSIONER DE GROOT MOVED, GAARE SECONDED THAT WE EXPRESS INTEREST IN THE PROPERTY AND SEE WHERE IT GOES FROM THERE.

COMMISSIONER DE GROOT AMENDED HIS MOTION, GAARE SECONDED TO FURTHER STATE THAT WHEN PRICE IS ESTABLISHED, COUNCIL NOT ACT ON IT BUT BE INSTRUCTED TO REPORT BACK TO THE PARK AND RECREATION COMMISSION FOR FURTHER RECOMMENDATION. MOTION CARRIED. 5-0.

B. Discussion Relative to the Feasibility of Acquiring Approximately 51 Acres of Open Space in Olivenhain.

Community Services Director Wigginton excused himself due to conflict of interest.

Richard Phillips, Management Analyst reviewed agenda report, asking Commission for direction.

Vice Chairperson Gaare opened the floor to public input.

Marjorie Gaines, 3214 Fortuna Ranch Road - Speaking as an individual, asked for extra minutes if necessary. Recommended to Commission purchase of 53 acres in Olivenhain. Natural open space, with creek, canyon, price \$335,000. City could gain over 100 acres, buying adjacent Lake Val Sereno property.

Commissioner De Groot excused himself due to conflict of interest.

Commission discussed further with regard to possible fishing area, use of 1 acre available lot, low maintenance, possible access to area through Brookside Lane (private road), trail system access at this time, with property already dedicated open space with exception of one acre the advantage to purchasing would allow public to use the whole area other than specified trails.

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Linda Trujillo, 3554 Lone Jack Road - Property currently private open space, with public using only the trails; if City owned property they could have whatever on their private open space, CCRs would not affect it; use of open space prohibits permanent structures, horse grazing. Could park on Camino del Rancho or Lone Jack Road to access trails.

Vice Chairperson Gaare closed meeting to public and asked for Commission comments.

Commission remains concerned about environmental issues, vehicle access, financial liability for entire property, if purchased.

COMMISSIONER GRIMES MOVED, SPELLMAN SECONDED TO RECOMMEND TO CITY COUNCIL PURCHASE OF PROPERTY, CONTINGENT UPON CITY ATTORNEY REVIEWING THE OPEN SPACE TO ENSURE THAT THE OPEN SPACE CAN ACTUALLY BE USED, ALSO RECOMMEND CITY COUNCIL INVESTIGATE SPLITTING OFF THE BUILDABLE SITE OR LEASE BACK OR OTHER WAYS TO DEFRAY THE COSTS ASSOCIATED WITH ACQUIRING THE PROPERTY.

COMMISSIONER GRIMES AMENDED MOTION, SPELLMAN SECONDED TO RECOMMEND TO CITY COUNCIL ENTER INTO NEGOTIATIONS FOR THE PURCHASE OF THE PROPERTY, CONTINGENT UPON CITY ATTORNEY REVIEWING THE OPEN SPACE TO ENSURE THAT THE OPEN SPACE CAN ACTUALLY BE USED, ALSO RECOMMEND CITY COUNCIL INVESTIGATE SPLITTING OFF THE BUILDABLE SITE OR LEASE BACK OR OTHER WAYS TO DEFRAY THE COSTS ASSOCIATED WITH ACQUIRING THE PROPERTY. MOTION CARRIED. 3-1.

COMMISSIONER SMITH AMENDED MOTION TO STATE FUNDS FOR PURCHASE OF THE PROPERTY TO COME FROM PARKLAND ACQUISITION FUNDS. MOTION DIED FOR LACK OF SECOND.

Director Wigginton and Commissioner De Groot returned to meeting.

C. Approval of Proposed Modification for Park and Beach Hours of Operation

Management Assistant Mike Wells reviewed agenda report, asking for Commission approval.

Commission discussion followed with several changes - including Parking Lots as well as City Parks; under Policy and Procedure include Definitions as shown on Page 6C-1:

1. Beaches and parks sometimes have combined use areas. A person enroute from one area to the next would not be in violation of any policy or procedure.

2. Beach accesses are considered part of the beach as long as users are traversing enroute to the beach. Beach areas are sand areas. Park areas are all other areas besides beach areas. Viewpoints are considered parks.
3. A "Day Use Park" was defined as a park which prohibits overnight use and camping.

COMMISSIONER GRIMES MOVED, SMITH SECONDED TO APPROVE PARK AND BEACH HOURS OF OPERATION WITH COMMISSIONER SMITH'S CORRECTIONS. MOTION CARRIED. 5-0.

7. COMMISSIONER'S CORNER

1. Feasibility study - are people in the area going to be polled to see if they are interested in becoming an assessment district.

Precinct workers are being organized, report would go directly to Council. Leucadia Cab area being supported as assessed area.

2. Suggested Park and Recreation Commission adopt City Council rule that meeting adjourns at 10:30 p.m. unless majority agrees to extend.
3. Remember to Celebrate Encinitas Day - Saturday, 8 a.m. to 7 p.m.

8. ADJOURNMENT

VICE CHAIRPERSON GAARE ADJOURNED THE MEETING AT 11:45 P.M.