



Del Mar City Council Meeting Agenda

City of Del Mar, Town Hall
1050 Camino del Mar, Del Mar, California

Civility Works: The Del Mar Code of Civil Discourse: Together we will promote inclusion; listen to understand; show respect; be clear and fair; and focus on the issue.

Dwight Worden
Mayor

Dave Druker
Deputy Mayor

Ellie Haviland
Council Member

Sherryl Parks
Council Member

Terry Sinnott
Council Member

Scott W. Huth
City Manager

Leslie E. Devaney
City Attorney

Ashley Jones
Administrative Services
Director

Kathleen A. Garcia
Planning and Community
Development Director

Regular Meeting **Monday, October 15, 2018 at 4:30 PM**

It is the intention of your City Council to be receptive to your concerns about your community. Your participation in local government will assure a responsible and efficient City of Del Mar.

Regular Meetings of the City Council are held on the first and third Mondays of the month beginning at 4:30 p.m. Council meetings are occasionally held on the second Mondays and/or special meetings called. For further information regarding the scheduling of meetings or meeting agendas, check the **City's website at www.delmar.ca.us**, or call the Administrative Services Department at (858) 755-9313. Any electronic presentations must be received before 9 a.m. on the date of the Council meeting. No PowerPoint presentations can be loaded during the meeting.

You may sign up on the City's website for email notifications of public meetings. A full City Council agenda packet with all backup information is available at City Hall, the Del Mar Library, and on the City's web site the Friday before each Council meeting. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at City Hall at 1050 Camino del Mar during normal business hours and are posted online as "Red Dots."

Consent Calendar: Items on the Consent Calendar will be enacted in accordance with the recommendations in one motion unless removed from the Consent Calendar by Council, staff, or a member of the public. If you wish to remove an item from the Consent Calendar, please submit a "Speaker Slip" to the City Clerk prior to the meeting. Removed items will be considered after the motion to approve the Consent Calendar.

How to Speak at a Council Meeting:

Anyone may address the City Council for up to three minutes, at the Mayor's discretion, on items on the Agenda. Please submit a "Speakers Slip" to the City Clerk prior to the Mayor announcing the agenda item. The forms are located near the door at the rear of the

Meeting Room. The Agenda item number being addressed should appear on the speaker slip. The Mayor will call you forward at the appropriate time. To speak on a City-related concern that is NOT on the Agenda, please complete a "Speaker Slip" and submit it to the City Clerk prior to the beginning of the meeting. You will be called forward during the ORAL COMMUNICATIONS portion of the agenda.

When addressing the Council, please step up to the podium and state your name and address for the record. Each speaker will have up to three minutes to speak at the discretion of the Mayor. Whenever possible, lengthy testimony should be presented to the Council in writing and only pertinent points presented orally. Agenda items **MAY** be addressed in any order at the discretion of the Mayor.

Special Needs: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Services Department at 1050 Camino del Mar or by calling (858) 755-9313. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. As a courtesy to all meeting attendees, **please set cellular phones to silent mode** and engage in conversations outside the Town Hall.

I. CALL TO ORDER/ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PUBLIC ORAL COMMUNICATIONS

Each person wishing to speak before the City Council on any matter shall submit a "Speaker Slip" to the City Clerk. When the Mayor recognizes you, please come forward and state your name and address. Each speaker will have up to three (3) minutes to speak at the discretion of the Mayor and you may be asked clarifying questions about your issue. Your information may be received, placed on a future agenda, or referred to the City Manager by the City Council. State law generally precludes the City Council from discussing or acting upon any topic presented during oral communications that is not described on the posted agenda. NOTE: THERE IS A TIME LIMIT OF 30 MINUTES FOR THIS SECTION OF PUBLIC COMMUNICATIONS AND EACH SPEAKER WILL BE HEARD IN THE ORDER OF THE SUBMISSION OF THEIR SPEAKER SLIP. SPEAKERS WHO HAVE TURNED IN A SPEAKER SLIP PRIOR TO THE TIME ORAL COMMUNICATIONS WAS CALLED ON THE AGENDA, BUT WERE NOT HEARD DURING THE INITIAL TIME PERIOD SHALL BE CALLED TO SPEAK AT THE END OF THE AGENDA.

IV. GOVERNING BODY ACTIONS AND COMMENTS

V. CITY MANAGER'S REPORT

VI. COMMUNITY ANNOUNCEMENTS AND PRESENTATIONS

VII. CONSENT CALENDAR

All items listed on the Consent Calendar are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the City Council or the public so requests, in which event, the item will be considered separately at the end of the agenda.

1. Approval of Minutes: October 1, 2018, Regular and Special Meeting

Recommended Action: Approve Minutes.

Reference: Clerk's Minute Book

2. Ratification of List of Demands, dated October 15, 2018

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

3. Waiver of Reading of Ordinances on Agenda

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

4. Award of Construction Contract for the 2018 Wastewater, Paving, and Storm Drain Project

Recommended Action: Staff recommends that the City Council adopt the attached Resolution (Attachment A) authorizing the City Manager to:

- 1) Execute a construction contract (Attachment B) in the amount of \$940,195 with Palm Engineering Construction Company, Inc.;
- 2) Execute changes to the contract for an additional not to exceed \$94,020 (10% of the CONTRACT amount) for unforeseen construction changes; and
- 3) Amend the Fiscal Year 2018-2019 Operating and Capital Budget to increase the Project budget by \$302,216.

Reference: Clerk's File No. 406-1

5. Contract with Solana Beach to Provide Information Technology Support Services

Recommended Action: Staff recommends that the City Council approve a Professional Services Agreement (Attachment A) with the City of Solana Beach allowing for the City of Del Mar to provide information technology support services and authorize the City Manager to execute the Agreement.

Reference: Clerk's File No. 406-1

6. Reclassification of Receptionist Position to Administrative Assistant I

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A) authorizing the reclassification of the Receptionist position to Administrative Assistant I.

Reference: Clerk's File No. 502-1

7. Appointment to Utility Undergrounding Project Advisory Committee

Recommended Action: It is recommended that the City Council appoint Thomas Blakely to serve on the Utility Undergrounding Project Advisory Committee for a five-year term expiring October 31, 2023.

Reference: Clerk's File No. 401-5

VIII. PUBLIC HEARING

8. **A De Novo Hearing of the City Council, Acting as the Design Review Board, to Consider Design Review Permit DRB18-008, Coastal Development Permit CDP18-005 and Land Conservation Permit LC18-011 (the project commonly known as 941 Camino Del Mar) for the Demolition of an Existing, Presently Vacant Commercial/Office Building, and the Construction of a New, Two-Story Mixed-Use Structure to include 4,398 Square Feet of Commercial Floor Area, and Eight Residential Units**

Project Applicant: DM Asset Recovery LP/Kitchell Development Company (Don Glatthorn)

Project Appellants: Karen Powell and Citizens for Resident Rights and Reasonable Development

Property Owner: DM Asset Recovery LP

**Project Location: 941 Camino Del Mar and 307 10th Street
300-221-32 and 300-221-33 (two lots)**

Recommended Action: That the City Council adopt the attached, Resolution (Attachment A) to approve Design Review Permit DRB18-008, Coastal Development Permit CDP18-005 and Land Conservation Permit LC18-011.

Reference: Clerk's File No. 301-5

9. **Continued from October 1, 2018 Council Meeting: Ordinance Amending the Floodway Zone, Floodplain Overlay Zone, and Coastal Bluff Overlay Zone and Other Actions Related to Del Mar's Plan for Sea Level Rise, Flooding, and Erosion - Local Coastal Program Amendment (LCPA 18-002) and Zone Code Amendment (ZA 16-008)**

Recommended Action: Staff recommends the City Council take the following actions:

- 1) Adopt the "Commitment Resolution" (Attachment A) to reiterate the City Council's commitment to continue to reject managed retreat during the Coastal Commission LCPA certification process, and to explain the public process that will occur to solicit community input prior to any future City Council action in response to a Coastal Commission decision on the City's Local Coastal Program Amendments (LCPA).
- 2) Review and confirm that the adopted Resolution (Attachment B), amending the existing certified Local Coastal Program Land Use Plan, accurately reflects the Council action taken on October 1, 2018, to take a measured approach to adaptation that involves monitoring and evaluating shoreline areas for significant trends and changes in conditions (i.e. repetitive flood losses, reduced sandy beach width, and bluff retreat), and to continue to

rely on the existing boundaries for the Floodplain Overlay Zone and the Coastal Bluff Overlay Zone.

- 3) Introduce the Ordinance (Attachment C) to amend the existing certified LCP implementing regulations (Zone Code Amendment 16-008/Local Coastal Program Amendment 18-002) by amending Del Mar Municipal Code (DMMC) Chapter 30.29 (Floodway Zone), Chapter 30.55 (Coastal Bluff Overlay Zone), and Chapter 30.56 (Floodplain Overlay Zone); and conduct a second reading of the Ordinance on October 29, 2018.

Reference: Clerk's File No. 302-2, 305-1, 401-4, 401-9

10. Introduction of an Ordinance Amending the Del Mar Municipal Code (DMMC) Chapter 24.21.025 to Allow Off-site Affordable Housing Mitigation for Condominium Conversions

Recommended Action: Introduce the Ordinance (Attachment A) amending DMMC Chapter 24.21.025 to allow a property owner to satisfy the affordable unit set-aside mitigation requirements by acquiring and donating to the City, or a City-approved organization, another dwelling unit(s) in the City of a like size and condition to be reserved for use as affordable housing.

Reference: Clerk's File No. 303-1

11. Request for a Five-Year Extension of Time for Tentative Parcel Map 15-001 (TPM15-001) to Create a Condominium Form of Ownership for Two Residential Units on a Property in the R2 Zone

Applicant/Owner: Brad Becker
Address: 152 8th Street
APN: 300-174-08

Recommended Action: Staff recommends that the City Council: 1) Adopt the Resolution approving a five-year extension of TPM15-001 (Attachment A); and 2) Consider a request from the applicant to allow for the In-Lieu Housing Mitigation Fee to be equal to the fee structure in place at the time of the original approval of TPM15-001 per Attachment E.

Reference: Clerk's File No. 301-2

IX. CITY COUNCIL OTHER BUSINESS

12. Continued from October 1, 2018 Council Meeting: Update on Fiscal Year 2018-2019 City Council Goals and Priorities

Recommended Action: Receive and file this status update on the Fiscal Year 2018-2019 City Council Goals and Priorities, ask questions, and provide comments to staff as necessary.

Reference: Clerk's File No. 401-1

13. Consideration of a Request for the City to Construct a 300 foot Asphalt Alley with Concrete Drainage Channel Accessible by Hoska Drive

Recommended Action: Staff recommends postponing construction of the proposed alley and concrete drainage channel until after the existing utility poles are removed and overhead utilities are converted (Attachment A), and a plan is developed to address the western half of the alley (Attachment B).

Reference: Clerk's File No. 901-1

14. Report on the 2017 Breeders' Cup and Barn at the Beach

Recommended Action: Receive and discuss a report on the 2017 Breeders' Cup, including the Barn at the Beach, a special event tent placed at Powerhouse Park.

Reference: Clerk's File No. 1502-10

15. Overview of Proposed Powerhouse Community Center Deck Expansion

Recommended Action: Staff requests that the City Council receive the report and provide feedback and direction to staff on proposed next steps.

Reference: Clerk's File No. 306-1

X. COUNCIL PRIORITIES- REPORTS

16. A Council member assigned as a Liaison to a Subcommittee or Regional Organization may make a written or oral report. State law precludes the Council from commenting on, discussing, or acting on a report, unless the item of business within the report is described in this agenda.

- A. 22nd District Agricultural Association Subcommittee (Worden/Haviland)
- B. Del Mar/Solana Beach North Bluff Ad-Hoc Subcommittee (Worden/Haviland)
- C. Art Advisory Committee (Sinnott/Parks)
- D. Business Support Advisory Committee (Druker/Parks)
- E. CSA-17 Ambulance District Advisory Board (Parks/Druker)
- F. Concerned Coastal Communities Coalition (Worden)
- G. Finance Committee (Sinnott/Parks)
- H. Fire Services Subcommittee (Druker/Parks)
- I. Human Resources Subcommittee (Haviland/Sinnott)

- J. LAFCO Cities Advisory Committee (Worden/Druker)
- K. League of California Cities – San Diego Chapter (Worden/Druker)
- L. Measure Q Citizen Oversight Committee (Sinnott/Parks)
- M. North County Transit District Board (NCTD) (Druker/Worden)
- N. North County Railroad Right-of-Way Subcommittee (Sinnott/Worden)
- O. Parks and Recreation Committee (Parks)
- P. Planning Process Subcommittee (Worden/Haviland)
- Q. Regional Solid Waste Association (Sinnott/Parks)
- R. San Diego Association of Governments Board (Sinnott/Haviland/Druker)
- S. San Diego Association of Governments, Various Subcommittees (Worden/Sinnott)
- T. San Diego Metropolitan Wastewater Commission (Parks)
- U. San Dieguito Lagoon Committee (Haviland)
- V. San Dieguito River Valley Regional Open Space JPA (Worden/Haviland)
- W. Shores Advisory Committee (Parks/Sinnott)
- X. Sustainability Advisory Board (Haviland)
- Y. Traffic and Parking Advisory Committee (Druker)
- Z. Utility Undergrounding Project Advisory Committee (Haviland/Sinnott)
- AA. Other Committee-Subcommittee Report

XI. UPCOMING AGENDA ITEMS

The following topics/items are tentatively planned for upcoming agendas. The title, wording, and planned date for these items are subject to change. Final agendas are posted at City Hall 72 hours in advance of the meetings and are also posted on our web site with the accompanying staff report. Please watch our web site: www.delmar.ca.us for City Council Agendas.

October 29, 2018
Presentation and Discussion regarding Pure Water Project by John Helminski, Assistant Director of Public Utilities, City of San Diego
Committee Management Update (Council Liaison Policy, Update to Policy 200, Update to SOPs)
Façade Improvement Program - tie in with unfunded request items (Tentative)
Year-End Budget Review (Tentative)
Award for Library Project
Award of Construction Contract for Downtown Streetscape Project

XII. CERTIFICATION

I, Ashley Jones, Administrative Services Director/City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 10th day of October 2018, at approximately 6:15 p.m.



Ashley Jones, Administrative Services Director/City Clerk

10/10/2018

Date