



Del Mar City Council Meeting Agenda

City of Del Mar, Town Hall
1050 Camino del Mar, Del Mar, California
and via teleconference
4180 Lei O Papa Road
Princeville, HI 96722

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.

Regular Meeting Monday, September 9, 2019 at 4:30 PM

Dave Druker
Mayor

Ellie Haviland
Deputy Mayor

Terry Gaasterland
Council Member

Sherryl Parks
Council Member

Dwight Worden
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

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 COMMENTS AND COMMUNITY ANNOUNCEMENTS

V. CITY MANAGER'S REPORT

VI. PRESENTATIONS

1. **Proclamation in Support of the Del Mar/Solana Beach Rotary Club Annual BocceFest Tournament**

Recommended Action: Announce the Proclamation.

Reference: Clerk's File No. 1201-5

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.

2. **Approval of Minutes: July 1, 2019 Regular and Special Meeting; July 15, 2019 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

3. Ratification of List of Demands, dated September 9, 2019

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

4. Waiver of Reading of Ordinances on Agenda

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

5. Approval of a Task Order with Helix Environmental for Engineering and Permitting Services Related to the River Path Del Mar Extension Project - Phase 3

Recommended Action: Staff recommends that the City Council:

- 1) Approve a task order with Helix Environmental for environmental and permitting services and authorize the City Manager to execute the task order;
- 2) Approve the acceptance of \$30,000 from the Malk Nature Fund with the San Dieguito River Valley Conservancy; and
- 3) Amend the Fiscal Years 2019-2020 and 2020-2021 Operating and Capital Budget as described in the fiscal impact section of this report.

Reference: Clerk's File No. 406-1

6. Second Reading of an Ordinance Amending the Plaza Specific Plan (SP18-002) and Adoption of Two Associated Resolutions

Recommended Action: Staff recommends the City Council adopt the Ordinance (Attachment A) amending the Plaza Specific Plan (PSP) and adopt associated resolutions establishing a Parking Management Plan (Attachment B) and a Master Temporary User Permit Program (Attachment C).

Reference: Clerk's File No. 301-6, 401-4

7. Authorization to Extend Automated Photo Enforcement Services with Redflex Traffic Systems, Inc.

Recommended Action: It is recommended that the City Council authorize the City Manager to extend services with Reflex Traffic Systems, Inc. for automated traffic signal photo enforcement and enter into a new three-year agreement.

Reference: Clerk's File No. 406-1

8. Award of a Contract with Duke's Root Control, Inc. for Root Elimination Services

Recommended Action: Staff recommends that the City Council:

- 1) Approve an contract with Duke's Root Control, Inc. for root control and construction services (Attachment A) for \$76,825, and authorize the City Manager to execute the contract and any necessary change orders up to \$5,000; and
- 2) Approve amendment of the FY 2019-20 Operating and Capital Budget as described in the fiscal impact section of this report.

Reference: Clerk's File No. 406-1

9. Amendment to the 2019 City Council Meeting Schedule

Recommended Action: Staff recommends that the City Council adopt the Resolution (Attachment A) amending the 2019 City Council meeting schedule to include a regular meeting on September 30, 2019.

Reference: Clerk's File No. 401-1

10. Proposal from the Arts Advisory Committee to Host Three Town Hall Art Shows in Fiscal Year 2019-2020

Recommended Action: It is recommended that the City Council approve a request from the Arts Advisory Committee (AAC) to host three art shows in the Town Hall and amend the Fiscal Year 2019-20 Operating and Capital Budget as described in the fiscal impact section of this report.

Reference: Clerk's File No. 401-5

11. Senate Bill 2 (SB2 - Atkins) Affordable Housing Grant

Recommended Action: Staff recommends the City Council adopt a draft resolution (Attachment A) directing staff to move forward with an application for \$160,000 in SB2 Affordable Housing grant funding.

Reference: Clerk's File No. 201-13, 303-1, 401-7

12. Approval for the Fire Department to Purchase Cardiac Monitors and a Cardiopulmonary Resuscitation (CPR) Device

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

1. Authorize the Del Mar Fire Department to utilize the Request for Proposal (RFP) approved by the County of Los Angeles awarding Zoll Medical Corporation the contract to provide for the purchase and warranty of cardiac monitors/defibrillators, accessories/supplies, and upgrades (Attachments A and B).
2. Authorize the City Manager to enter into an Agreement with Zoll Medical Corporation for the purchase of two (2) cardiac monitors, one (1) cardiopulmonary resuscitation (CPR) device, a five-year service agreement, and approve trade-in of two (2) existing cardiac monitors in the amount of \$84,325 (Attachment C).
3. Amend the Fiscal Year 2019-20 Operating and Capital Budget to allocate one-time capital equipment purchases funding from County Service Area 17 (CSA-17).

Reference: Clerk's File No. 406-1, 1101-8

VIII. PUBLIC HEARING

13. **This Item Has Been Cancelled and will be included on a future City Council Agenda: Encroachment Permit EP19-034 is a request by Gotcha for the temporary installation of seven pilot bike share bike racks and associated informational signage in the public right-of-way at Shores Park, Del Mar Civic Center, Camino del Mar, 15th Street, Seagrove Park, 18th Street, and North Beach. Location specific information is available for review at City Hall, 1050 Camino del Mar, Del Mar, CA 92014.**

Applicant: Gotcha

Recommended Action: This item has been cancelled and will be included on a future City Council agenda.

Reference: Clerk's File No. 802-1

14. **Encroachment Permit EP19-025 – Installation of a Decomposed Granite Pathway and Associated Landscaping (APN: 300-030-86)**

Applicant: Brixton Capital LLC (Del Mar Plaza)

Recommended Action: Adopt the attached Resolution (Attachment A) conditionally approving Encroachment Permit EP19-025 for the installation of a decomposed granite pathway and associated landscaping in the public right-of-way on Luneta Drive adjacent to the Del Mar Plaza in-lieu of replanting five (5) removed trees.

Reference: Clerk's File No. 802-1

15. De Novo Hearing of an Appeal of the Design Review Board's Decision to Conditionally Approve Design Review Permit MOD19-005

Project Applicants and Property Owners: Paul Cyr and Maria Lopez

Project Appellants: Linda Judd, Deborah Clendaniel, Matt and Diane Lofgren, Spencer Emtage, Enid and Michael Seiden, Greg and Kathy Haidet, Patrick Sheehan, Val Petersen, Kyungah E. Kim, Patricia Dealey, Bill and Alix Dumka, Mark Sherwin, Nance Brisbois, Joan Offrey, Urtie De Pinto, Irwin Katz, Darcy Stamler, James Blanc, E. Libby Dohoney, and Alessandro Monge

Project Location: 240 Dolphin Cove Court (APN# 300-321-56-18)

Recommended Action: It is recommended that the City Council review the staff report, consider public testimony, and adopt the attached resolution (Attachment A) making the findings to conditionally approve Design Review Permit application MOD19-005.

Reference: Clerk's File No. 301-5

16. Introduction of an Ordinance Amending the Del Mar Municipal Code (A19-003) relating to the Regulation of the Types, Expirations, and Extensions of Construction Permits

Recommended Action: Staff recommends the City Council introduce an Ordinance (Attachment A) amending the Del Mar Municipal Code (DMMC) to clarify the regulations relating to construction permits.

Reference: Clerk's File No. 204-2, 401-4, 401-9

IX. COUNCIL MEETING RECESS (Approximately 6:30-6:45 p.m.)

X. CITY COUNCIL OTHER BUSINESS

17. Analysis of Community Choice Energy Program Governance Options

Recommended Action: Staff recommends the City Council:

- 1) Receive the Community Choice Energy (CCE) Governance Analysis Report (Attachment A) prepared for the Cities of Del Mar, Encinitas and Carlsbad;
- 2) Consider a recommendation from City Council Member Worden and Deputy Mayor Haviland to negotiate and enter into a Community Choice Energy Authority Joint Powers Agreement with the Cities of Solana Beach and Carlsbad and other potential partners (Attachment B); and
- 3) Direct staff to:

- a. Initiate negotiations with the Cities of Solana Beach and Carlsbad and other potential partners to prepare a Community Choice Energy Authority Joint Powers Agreement,
- b. Prepare an ordinance implementing a City of Del Mar Community Choice Energy program through a Joint Powers Authority, and
- c. Return to the City Council for the necessary and timely approvals and appropriations needed to establish and convene a Community Choice Energy Joint Powers Authority Board of Directors in time to approve and submit a Community Choice Energy Implementation Plan to the California Public Utilities Commission by December 31, 2019 and launch a Community Choice Energy program in 2021.

Reference: Clerk's File No. 1403-4

18. Initial Consideration of an Appeal of the Planning and Community Development Director's Restorative Action Plan within the Carmel Valley Precise Plan at 404 Torrey Point Road

Recommended Action: It is recommended that the City Council review the appeal request and uphold the Planning and Community Development Director's Restorative Action Plan for 404 Torrey Point Road.

Reference: Clerk's File No. 301-12

19. Marisol Specific Plan Initiative Update and Call for a 9212 Report

Recommended Action: It is recommended that the City Council discuss the proposed ballot initiative related to the Marisol Specific Plan, adopt the Resolution calling for a report of the proposed initiative as provided for in California Elections Code Section 9212, and provide any necessary direction to staff.

Reference: Clerk's File No. 301-6, 402-8

20. Shores Park Master Plan – Discussion of Parking

Recommended Action: Staff recommends that the City Council receive the report and provide direction to proceed with the recommended quantity of parking spaces and potential methods to achieve them to be incorporated into the Shores Park Master Plan park design.

Reference: Clerk's File No. 307-8, 905-5

21. City Manager Recruitment Update and Review of Key Attributes and Updated Target Recruitment Schedule

Recommended Action: The Mayor and Deputy Mayor request that the City Council review the Key Attributes for the Del Mar City Manager (Attachment A) and Updated Target Recruitment Schedule (Attachment B) and provide feedback that can be used to finalize the recruitment materials and schedule for the City Manager recruitment.

Reference: Clerk's File No. 102-8, 506-4

22. Funding for Roadway Improvements and Repairs on Camino del Mar Between 4th and 9th Streets

Recommended Action:

1. Approve funding for Roadway Improvements and Repairs on Camino del Mar (CDM) between 4th and 9th Streets (Project) with Measure Q funds as described in this report and amend the Fiscal Year 2019-20 Operating and Capital Budget.
2. Authorize a temporary General Fund loan to cover the anticipated shortfall of required Measure Q funds at the end of June 30, 2020.
3. Authorize the City Manager to proceed with negotiating a Construction Change Order with the current contractor for Streetscape Segment 1 Project and/or other procurement means e.g., open bid as needed.

Reference: Clerk's File No. 307-3, 901-2

23. League of California Cities – Coastal Cities Group 2020 Leadership Committee

Recommended Action: It is recommended that the City Council discuss the possibility of having a Del Mar City Councilmember apply for membership to the 2020 Leadership Committee for the League of California Cities Coastal Cities Group.

Reference: Clerk's File No. 1506-2

XI. STANDING DISCUSSION ITEMS

24. Affordable Housing

Recommended Action: Council to discuss issues related to affordable housing and provide direction to staff as needed. No action will be taken on this item.

25. Rail Related Issues

Recommended Action: Council to discuss rail related issues and provide direction to staff as needed. No action will be taken on this item.

XII. COUNCIL PRIORITIES - REPORTS

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 Community Relations Committee (Worden/Haviland)
- B. Art Advisory Committee (Haviland/Parks)
- C. Business Support Advisory Committee (Druker/Worden)
- D. CSA-17 Ambulance District Advisory Board (Parks/Druker)
- E. Del Mar/Solana Beach North Bluff Ad-Hoc Subcommittee (Worden/Haviland)
- F. Del Mar Resort Specific Plan Subcommittee (Druker/Haviland)
- G. Finance Committee (Gaasterland/Parks)
- H. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Parks/Worden)
- I. Human Resources Subcommittee (Haviland/Parks)
- J. LAFCO Cities Advisory Committee (Druker/Haviland)
- K. League of California Cities – San Diego Chapter (Druker/Haviland)
- L. Long Term Rail Relocation Subcommittee (Haviland/Worden)
- M. Measure Q Citizen Oversight Committee (Druker/Parks)
- N. North County Transit District (NCTD) (Druker/Gaasterland)
- O. Parks and Recreation Committee (Parks/Worden)
- P. Planning Process Subcommittee (Worden/Haviland)
- Q. Regional Solid Waste Association (Haviland/Parks)
- R. Safe Rail Crossing and Bluff Stabilization Subcommittee (Druker/Gaasterland)
- S. San Diego Association of Governments Board (Worden/Haviland/Druker)
- T. San Diego Association of Governments Shoreline Preservation Working Group (Worden/Gaasterland)
- U. San Diego Metropolitan Wastewater JPA (Parks/Bride)
- V. San Dieguito Lagoon Committee (Haviland/Worden)
- W. San Dieguito River Valley Regional Open Space JPA (Worden/Haviland)
- X. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Worden)
- Y. Shores Advisory Committee (Parks/Worden)
- Z. Sustainability Advisory Board (Haviland/Worden)
- AA. Traffic and Parking Advisory Committee (Gaasterland/Druker)
- BB. Undergrounding Project Advisory Committee (Druker/Gaasterland)
- CC. Watermark Specific Plan Subcommittee (Gaasterland/Worden)
- DD. Other Committee-Subcommittee Reports

XIII. UPCOMING AGENDA ITEMS

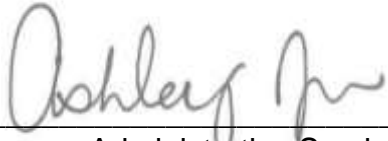
The following topics/items are tentatively planned for upcoming agendas. The title, wording, and planned date for these items are subject to change. Final agendas are posted at City Hall 72 hours in advance of the meetings and are also posted on our web site with the accompanying staff report. Please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

September 30, 2019
Resolution and Introduction of an Ordinance (First Reading) to Establish a Community Choice Energy Program JPA (Tentative)
One-Year Review of City Hall Operations Plan
Logo Brand Standards Guide and Licensing Agreement Transfer to City from DMVA

October 7, 2019
Informational Item on Civic Center Energy Enhancement Grant
Second Reading of Building Permit Expiration Ordinance
San Elijo JPA Operational and Maintenance Services Agreement (Tentative)
San Diego County Water Authority 75th Anniversary Challenge Coins
Review of Coastal Commission Staff Recommendation on City's Sea Level Rise-Related LPCA
Encroachment Permit for Bike Share Pilot Program Hubs
Communications Strategy/Plan
Comprehensive Citywide Traffic Study
EP19-041- Existing Entry Ramp for Building at 1101 Camino Del Mar
Quarterly Update on Planning (Tentative)
Undergrounding Rule 20A Districting Step 3 (Tentative)
Undergrounding Rule 20B/C Districting Step 1 (Tentative)

XIV. 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 5th day of September, 2019, at approximately 4:30 p.m.



Ashley Jones, Administrative Services Director/City Clerk

9/5/2019

Date