



**CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 1, 2019
City of Del Mar Town Hall
1050 Camino del Mar, Del Mar California 92014**



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 has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Administrative Services Department at (858) 755-9313.

CALL TO ORDER

Mayor Druker called the Regular Meeting to order at 4:30 p.m.

ROLL CALL

Present: Mayor Dave Druker, Deputy Mayor Ellie Haviland, Council Members, Terry Gaasterland, Sherryl Parks and Dwight Worden

Absent: None

Staff Present: City Manager Scott Huth; Assistant City Manager Kristen Crane; Assistant City Attorney Barry Schultz; Administrative Services Director Ashley Jones; Planning and Community Development Director Kathleen Garcia, City Engineer Tim Thiele; Public Works Director Joe Bride; Deputy Public Works Director Mohsen Maali; Principal Planner Matt Bator; Principal Planner Amanda Lee; Environmental Sustainability/Special Projects Manager Clement Brown; and Assistant Planner Adriana Jaramishian.

PLEDGE OF ALLEGIANCE

Mayor Druker asked Deputy Mayor Haviland to lead the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

Shirley King, 550 Avenida Primavera, Del Mar – Spoke about the Helping Hands Program at St. Peter's Episcopal Church and homeless intervention activities in the San Diego region.

GOVERNING BODY ACTIONS AND COMMENTS

Council Member Worden reported his recent attendance at a San Diego Association of Governments (SANDAG) Energy Working Group meeting and discussed some of the regional projects that are underway, and an upcoming Torrey Pines Planning Group meeting and upcoming June 9th community event. Mayor Druker reported that he had the pleasure of opening Off Road Nights at the Fairgrounds a few weeks ago, and that the North County Transit District will hold an upcoming local meeting to tour the Del Mar bluff. Council Member Parks reported that she received a rate change notice from San Diego Gas & Electric and encouraged residents to take the time to read the notice.

CITY MANAGER'S REPORT

City Manager Huth provided an update on the City's Downtown Streetscape (Segment 1) project.

COMMUNITY ANNOUNCEMENTS AND PRESENTATIONS

ITEM 1: PRESENTATION FROM OLIVENHAIN MUNICIPAL WATER DISTRICT ON SAN DIEGUITO VALLEY GROUNDWATER DESALINATION PROJECT (CLERK'S FILE NO. 1601-6)

Representatives from the Olivenhain Municipal Water District including Kim Thorner, General Manager; Joey Randall, Assistant General Manager; and Don MacFarlane, Project Consultant from DLM Engineering, provided a presentation to the City Council regarding the San Dieguito Valley Groundwater Desalination Project.

Council questions and comments focused on the brine going to the JPA; clarification on project capacity; test well logistics; location of the facility if the project moves forward; groundwater basin management plan integration; potential wetland affects; number of anticipated wells and rate of recovery; planned monitoring of the project and impact on the San Dieguito Lagoon; and resiliency of groundwater during periods of drought.

ITEM 2: TRAFFIC AND PARKING ADVISORY COMMITTEE CITY COUNCIL UPDATE (CLERK'S FILE NO. 401-5)

Traffic and Parking Advisory Committee (TPAC) Chair Robin Crabtree provided a presentation to the Council on the Committee's mission/purpose and activities from July 2018 to present and what is upcoming in the areas of speeding; recurring regulatory violations; traffic congestion; parking problems; and new technology/new developments.

Council questions and comments focused on whether TPAC has been involved with the review of the Coastal Commission required monitoring study for the approved pay-n-display; fees for electrical vehicles; and oversized vehicles requirements.

CONSENT CALENDAR

Administrative Services Director/City Clerk Jones read the titles and recommendations of Items 3 through 7 on the Consent Calendar. Mayor Druker opened Items 3 through 7 to public comment. There being no speakers, Mayor Druker closed the items to public comment. The Council added items 8, 10, and 11 to the Consent Calendar.

IT WAS MOVED BY DEPUTY MAYOR HAVILAND, SECONDED BY COUNCIL MEMBER GAASTERLAND, TO APPROVE THE CONSENT CALENDAR ITEMS 3 THROUGH 8, 10, AND 11. (VOTE 5-0 EXCEPT NOTATED BELOW)

Ayes: Mayor Druker, Deputy Mayor Haviland, and Council Members Gaasterland, Parks and Worden; Noes: 0; Absent: 0; Abstain: Council Member Worden abstained from voting on Assessor Parcel Number (APN) 299-220-27 as part of Item 7 due to the proximity of the parcel

to his residence. Mayor Druker abstained from voting on Item 8 due to proximity of the project location to his residence.

ITEM 3: APPROVAL OF MINUTES: JANUARY 26 AND 31, 2019 COUNCIL RETREAT, FEBRUARY 23 AND 26, 2019 COUNCIL GOALS AND PRIORITIES WORKSHOP, MARCH 4, 2019 REGULAR AND SPECIAL MEETING (CLERK'S MINUTES BOOK)

Council approved the minutes, on consent.

ITEM 4: RATIFICATION OF LIST OF DEMANDS, DATED APRIL 1, 2019 (CLERK'S FILE NO. 201-3)

Council approved the list of demands, on consent.

ITEM 5: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK'S FILE NO. 401-4)

Council waived the reading of ordinances, on consent.

ITEM 6: ADOPTION OF AN ORDINANCE (2ND READING) TO ESTABLISH A SHARED MOBILITY PILOT PROGRAM (CLERK'S FILE NO. 401-4, 401-9)

Council adopted Ordinance 947, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA ADDING CHAPTER 14.60 TO THE DEL MAR MUNICIPAL CODE REGARDING A PILOT SHARED MOBILITY PROGRAM", on consent.

ITEM 7: ADOPTION OF RESOLUTION FOR ACCEPTANCE OF REAL PROPERTY. (CLERK'S FILE NO. 702-1, 1202-5)

Council adopted Resolution 2019-16, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING THE ACCEPTANCE OF REAL PROPERTY FROM THE JEFFERSON FAMILY TRUST DATED SEPTEMBER 25, 1978", on consent.

PUBLIC HEARING

ITEM 8: ENCROACHMENT PERMIT EP16-026 – REPLACEMENT HARDSCAPE IMPROVEMENTS ON CIVIC CENTER PROPERTY ADJACENT TO 225 11TH STREET (APN: 300-093-12) APPLICANT: PHYLLIS CARDON (CLERK'S FILE NO. 802-1)

Mayor Druker recused himself from this item due to the proximity of the project to his residence.

Deputy Mayor Haviland opened the public hearing and public comment for this item and there were no speakers. Deputy Mayor Haviland closed the public hearing, and this item, was moved to the Consent Calendar for consideration.

Council adopted Resolution 2019-17, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, APPROVING ENCROACHMENT PERMIT EP16-026 AND WAIVING THE PLANNING AND LAND USE APPLICATION FEE FOR A LONG TERM MAJOR ENCROACHMENT PERMIT FOR HARDSCAPE IMPROVEMENTS ON CIVIC CENTER PROPERTY ADJACENT TO 225 11TH STREET (APN: 300-093-12) IN DEL MAR, CALIFORNIA", on consent.

CITY COUNCIL OTHER BUSINESS

ITEM 9: CAMINO DEL MAR BRIDGE OVER THE SAN DIEGUITO RIVER REPLACEMENT PROJECT INFORMATIONAL UPDATE AND SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR PRELIMINARY ENGINEERING AND PROJECT APPROVAL/ENVIRONMENTAL DOCUMENTATION (PA/ED) (CLERK'S FILE NO. 406-1, 803-3)

City Engineer Thiele and representatives from Kleinfelder provided a presentation on this item.

Council questions focused on funding for the proposed contract amendment; National Environmental Policy Act (NEPA) exemption; potential to increase the height of the bridge related to Sea Level Rise planning; engagement with Solana Beach; and precast versus cast in place design options.

Council direction to staff and the consultant focused on design allowing for partial closing of bridge for emergency access; exploring design options to raise bridge height, if not possible then the cast in place option is preferred; and inclusion of lookouts in the design to minimize traffic impacts and increase pedestrian safety.

IT WAS MOVED BY COUNCIL MEMBER PARKS, SECONDED BY COUNCIL MEMBER WORDEN TO APPROVE THE SECOND AMENDMENT WITH KLEINFELDER AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT. (VOTE 5-0)

Ayes: Mayor Druker, Deputy Mayor Haviland, and Council Members Gaasterland, Parks and Worden; Noes: 0; Absent: 0; Abstain: 0

ITEM 10: APPROVAL OF AGREEMENT AMENDMENT WITH ADAM KAYE FOR AS-NEEDED PUBLIC INFORMATION, COMMUNICATION, AND OUTREACH SERVICES (CLERK'S FILE NO. 406-1, 1201-6)

This item was moved to the Consent Calendar for consideration.

Council authorized the City Manager to execute the First Amendment to Consulting Services Agreement Between the City of Del Mar and Adam Kaye for As-Needed Public Information, Information, and Outreach Services, on consent.

ITEM 11: APPROVAL OF A PROJECT FINANCE AGREEMENT AMENDMENT WITH STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD (CLERK'S FILE NO. 103-6, 203-3)

This item was moved to the Consent Calendar for consideration.

Council authorized the City Manager to approve Amendment No. 2 to the City of Del Mar and California State Water Resources Control Board Project Finance Agreement State Revolving Fund Project No. C-06-5490-110 Agreement No. 09-858-550, on consent.

ITEM 12: ESTABLISHMENT OF A CITY COUNCIL POLICY PROVIDING DESIGN STANDARDS FOR SMALL CELL WIRELESS FACILITIES WITHIN PUBLIC RIGHT-OF WAY (CLERK'S FILE NO. 101-2, 1003-4)

Principal Planner Bator provided a presentation on this item.

Council questions and comments focused on what happens to the existing equipment that will be replaced by the 5G; market saturation; exposure to challenge if policy perceived as too restrictive; City's ability to prevent clustering of poles; adding protection of public views to the policy; timing for the policy; could there be a city-wide design review for poles proposed by one provider; requirement that poles be installed as far from private homes as possible; possible improvement to City capabilities; preference for installation in approved versus "paper" alleys; use of existing wooden poles; influence over where poles can be located or relocated; and concerns about potential health impacts.

Mayor Druker opened the item to public comment. There being no speakers, Mayor Druker closed the item to public comment.

IT WAS MOVED BY COUNCIL MEMBER PARKS, SECONDED BY COUNCIL MEMBER WORDEN TO ADOPT RESOLUTION 2019-18, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING A POLICY IMPLEMENTING DESIGN REQUIREMENTS FOR SMALL CELL WIRELESS FACILITIES IN THE PUBLIC RIGHT OF WAY", WITH THE REVISED LANGUAGE PROPOSED BY STAFF TO: 1) ADD THE CONSIDERATION OF "PUBIC" VIEWS; 2) ADD A PREFERENCE FOR "IMPROVED" ALLEYS; 3) ADD THE ABILITY OF THE CITY TO DIRECT THE HORIZONTAL MOVEMENT OF A PROPOSED POLE UP TO 50 FEET. (VOTE 5-0)

Ayes: Mayor Druker, Deputy Mayor Haviland, and Council Members Gaasterland, Parks and Worden; Noes: 0; Absent: 0; Abstain: 0

**ITEM 13: QUARTERLY ORAL UPDATE ON PLANNING AND DEVELOPMENT REVIEW
(CLERK'S FILE NO. 306-1)**

Planning and Community Development Director Garcia provided an update on planning and development review projects in Del Mar.

Council questions focused on clarification regarding public communications pertaining to the Watermark Environmental Impact Report (EIR) and North Commercial EIR; possibility of recording the upcoming Federal Emergency Management Agency (FEMA) meeting and cost of doing so; whether or not anything has been filed on the Berkshire Hathaway property; format for the upcoming FEMA meeting; status of the Hillstone project at the old Bully's site; schedule for Sea Level Rise Adaptation Plan being included on the Coastal Commission agenda; status of recruitment for a SCOUP consultant.

COUNCIL PRIORITIES – REPORTS

Council Member Parks reported that the first art show by the Arts Advisory Committee was a success. Council Member Worden reported on the Business Support Advisory Committee (BSAC); Lagoon Committee; Planning subcommittee; and the Sustainability Advisory Board. Council Member Gaasterland reported on the Sea Level Rise Adaptation Plan Implementation subcommittee. Deputy Mayor Haviland reported on the SANDAG Board. Mayor Druker reported on BSAC; North County Transit District (NCTD); SANDAG Transportation Committee; and announced an upcoming Undergrounding Project Advisory Committee meeting.

ADJOURNMENT

Mayor Druker adjourned the meeting at 8:00 p.m.



Ashley Jones, Administrative Services
Director/City Clerk