



CITY OF DEL MAR CITY COUNCIL REGULAR MEETING MINUTES

March 19, 2018

City Council Chambers

2010 Jimmy Durante Blvd., Suite 100, 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 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 Worden called the Regular Meeting to order at 4:30 p.m.

ROLL CALL

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

Absent: Council Member Terry Sinnott

Staff Present: City Manager, Scott Huth, City Attorney, Leslie Devaney, Assistant City Manager, Kristen Crane, Director of Administrative Services, Ashley Jones, Planning & Community Development Director, Kathleen Garcia, Public Works Director, Joe Bride, Deputy Fire Chief, Jon Blumeyer, Environmental Sustainability/Special Projects Manager, Clem Brown, and Associate Planner, Jennifer Gavin.

PLEDGE OF ALLEGIANCE

Mayor Worden led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

Dave Rolland from Senator Toni Atkins office provided an update on legislation being authored or supported by Senator Atkins.

Hershell Price, Del Mar – Explained that he believes there has been a lack of public outreach regarding the Watermark project. Suggested that Council Members ask the Sandpiper to do an article on the project.

Martha Brooks, from the Del Mar Historical Society, requested that the City Council continue efforts to move the Alvarado house to the City Hall site, and asked for a copy of the report completed by the City's building inspector. She asked that this item be put on a future City Council agenda for consideration.

GOVERNING BODY ACTIONS AND COMMENTS

Mayor Worden announced he and the SANDAG Shoreline Working Group participated in a tour of the Tijuana Estuary and Reserve.

He also noted he and Council Member Haviland attended the 22nd DAA Community Relations Committee meeting, which included a discussion of guns and the Fair Boards' gun show policy, local presentations regarding the upcoming fair and sustainability features such as water management and recycling, and Community Choice Aggregation pertaining to power options.

CITY MANAGER'S REPORT

City Manager Huth reported that the Kitchell Development Company, project applicant for 941 Camino del Mar (previously known as the Garden site) will conduct their second Citizens' Participation Program meeting in the City Council Chambers on Wednesday, March 21, 2018, at 3 p.m. Story poles are erected on the site along with a rendering of the proposed development.

COMMUNITY ANNOUNCEMENTS AND PRESENTATIONS

There were no community announcements or presentations.

CONSENT CALENDAR

Administrative Services Director Jones read the titles and recommendations of Items 1 through 9 on the Consent Calendar. Items 5 and 9 were pulled from the consent calendar for additional discussion. There were no public speakers for Items 1-4, 6, 7, or 8.

IT WAS MOVED BY COUNCIL MEMBER DRUKER, SECONDED BY COUNCIL MEMBER HAVILAND TO APPROVE THE CONSENT CALENDAR ITEMS 1-4, 6, 7, AND 8.

Ayes: Mayor Worden, Deputy Mayor Druker, Council Member Haviland, and Council Member Parks

Noes: 0

Absent: Council Member Sinnott

ITEM 1: APPROVAL OF MINUTES: MAY 5-6, 2017, SPECIAL MEETING BUDGET WORKSHOP; MARCH 5, 2018, REGULAR MEETING (CLERK'S MINUTE BOOK)

Council approved the minutes, on consent.

ITEM 2: RATIFICATION OF LIST OF DEMANDS, DATED MARCH 19, 2018 (CLERK'S FILE NO. 201-3)

Council ratified the list of demands, on consent.

ITEM 3: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK'S FILE NO. 401-4)

Council waived the reading of ordinances, on consent.

ITEM 4: SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 2.16 OF THE DEL MAR MUNICIPAL CODE PERTAINING TO CAMPAIGN REGULATIONS (CLERK'S FILE NO. 401-4; 401-9)

Council adopted Ordinance 935, "AN ORDINANCE OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING CHAPTER 2.16 OF THE DEL MAR MUNICIPAL CODE REGARDING THE REGULATION OF CAMPAIGNS", on consent.

ITEM 5: APPOINTMENTS TO THE UTILITY UNDERGROUNDING PROJECT ADVISORY COMMITTEE AND AMENDMENT TO THE COMMITTEE CHARTER (CLERK'S FILE NO. 401-5)

This item was pulled from the Consent Calendar for additional discussion.

The Mayor opened this item for public comment and the following person spoke:

Richard LoGiurato, 130 21st Street, Del Mar – Inquired about timing for the Utility Undergrounding project and how to move forward if you already have a shovel ready project.

The Mayor closed this item for public comment.

Council appointed Steven Voss, Jay Thomas, Dave Sykes, Mukesh Shah, Dan Quirk, Jim Hindman, Barry Entous, and Jim Benedict to serve on the Utility Undergrounding Project Advisory Committee for five-year terms expiring March 1, 2023, and adopted Resolution 2018-18 to expand the committee membership from five to nine members.

IT WAS MOVED BY DEPUTY MAYOR DRUKER, SECONDED BY COUNCIL MEMBER HAVILAND TO APPROVE THE APPOINTMENTS AND TO ADOPT RESOLUTION 2018-18, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING RESOLUTION 2017-77 TO EXPAND THE MEMBERSHIP OF THE UTILITY UNDERGROUND PROJECT ADVISORY COMMITTEE”, ON CONSENT. (VOTE 4-0)

Ayes: Mayor Worden, Deputy Mayor Druker, Council Member Haviland, and Council Member Parks

Noes: 0

Absent: Council Member Sinnott

ITEM 6: APPOINTMENT TO THE PARKS AND RECREATION COMMITTEE (CLERK’S FILE NO. 401-5)

Council appointed Andrea Moreno to serve the remaining balance of a four-year term on the Parks and Recreation Committee expiring December 1, 2020, on consent.

ITEM 7: APPOINTMENTS TO THE SUSTAINABILITY ADVISORY BOARD (CLERK’S FILE NO. 401-5)

Council reappointed Ann Feeney to serve as a voting member of the Sustainability Advisory Board for a four-year term, expiring April 2, 2022; and appointed Catherine Blair to serve the balance of a vacant voting member term expiring May 1, 2021, on consent.

ITEM 8: AUTHORIZATION TO PURCHASE MOBILE DATA COMPUTERS FOR EMERGENCY VEHICLES (CLERK’S FILE NO. 1101-8)

Council adopted Resolution 2018-15, “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA TO ACCEPT CAPITAL REPLACEMENT FUNDS FROM THE NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY TO PURCHASE TWO (2) REPLACEMENT MOBILE DATA COMPUTERS AND TO AMEND THE FISCAL YEARS 2017-18 AND 2018-19 OPERATING AND CAPITAL BUDGETS”, on consent.

ITEM 9: ADOPTION OF RESOLUTION ADOPTING ADDENDUM TO FINAL ENVIRONMENTAL IMPACT FOR THE DEL MAR CITY HALL/TOWN HALL PROJECT (SCH#2015051067) AND MODIFICATION (MOD-18-001) TO DESIGN REVIEW PERMIT 15-017 TO

ADDRESS 10TH STREET CIVIC CENTER DRIVEWAY CIRCULATION LOCATED AT 1050 CAMINO DEL MAR (CLERK’S FILE NO. 307-7)

This item was pulled from the Consent Calendar for a presentation and additional discussion.

Deputy Mayor Druker recused himself due to the proximity of his home to the project site.

A presentation was provided by Planning & Community Development Director Garcia.

The Mayor opened this Item for public comment and the following spoke

Don Mosier, 524 Rimini Road, Del Mar – Spoke in support of the recommended action.

Pam Slater Price, 1757 Grand Avenue, Del Mar – Spoke in support of the recommended action.

Joseph Weiss, 141 & 143 10th Street, Del Mar – Spoke in opposition of the recommended action. If approved, he requested that Council consider adding a stop sign at Stratford Court and 10th Street.

Julie Maxey-Allison, 227 10th Street, Del Mar – Spoke in opposition of the recommended action.

Ira Sharp, Crest Road, Del Mar (received a donation of time from Suren Dutia) – Spoke in support of the recommended action.

The Mayor closed this item to public comment.

Council discussion focused on support for the previously agreed upon compromise with the majority of the neighbors, safety, information provided in the addendum document, traffic flow, and monitoring moving forward.

IT WAS MOVED BY COUNCIL MEMBER PARKS, SECONDED BY COUNCIL MEMBER HAVILAND TO ADOPT RESOLUTION 2018-16, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR FOR THE 1) ADOPTION OF AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT SCH #2015051067 FOR THE CITY HALL/TOWN HALL PROJECT; AND 2) APPROVAL OF DESIGN REVIEW PERMIT MODIFICATION MOD-18-001 FOR THE OPERATIONAL ADDITION OF EGRESS FROM THE CIVIC CENTER PARKING GARAGE TO 10TH STREET IN DEL MAR, CALIFORNIA” (VOTE 3-0)

Ayes: Mayor Worden, Council Member Haviland, and Council Member Parks

Noes: 0

Recused: Deputy Mayor Druker

Absent: Council Member Sinnott

VIII. CITY COUNCIL OTHER BUSINESS

ITEM 10: UPDATE ON FISCAL YEAR 2017-2018 CITY COUNCIL GOALS AND PRIORITIES (CLERK’S FILE NO. 401-1)

Environmental Sustainability/Special Projects Manager Brown, Public Works Director Bride, Planning and Community Development Director Garcia, and City Manager Huth provided a presentation on this item.

There were no public speakers on this item.

Council discussion focused on capital projects in the design phase that will come to the City Council for approval in the future, various utility studies to be completed and timing for Council consideration, prior adoption of the Tier 1 Green Building Code changes, census data review in relation to the SANDAG Regional Housing Needs Assessment (RHNA) calculation for Del Mar, North Commercial Zoning Review project and inclusion of accommodation for housing in the assessment, Council liaisons for safe rail crossing issues, future presentation from SANDAG on rail crossing study, targeted enhanced law enforcement efforts for the summer months, and items that need to be removed from the Goals & Priorities list.

ITEM 11: DISCUSSION REGARDING ADOPTION OF A CITY COUNCIL RESOLUTION AND POLICY RELATED TO GUN SAFETY AND REGULATION (CLERK'S FILE NO. 1101-1)

Council Member Haviland provided a presentation and initiated discussion on this item.

Mayor Worden opened this Item for public comment and the following people spoke:

Roseann Sharp, 834 Crest Road, Del Mar (received donations of time from Suren Dutia and Ira Sharp) – Spoke in support of the recommended action and requested that the City Council issue a letter in opposition of gun shows at the Fairgrounds to the 22nd DAA Board.

Cindi Clemmons, 543 Glenmount Drive, Solana Beach – Spoke in support of the recommended action and requested that the City Council send a letter to the DAA Board opposing gun shows at the Fairgrounds.

Mayor Worden closed the item to public comment.

Council discussion focused on current California gun laws, concept of arming teachers, reaching out to the DAA Board, opportunities to tighten up regulations in Del Mar, working with State representatives to voice opposition to gun shows at the Fairgrounds, national trauma over mass shootings, possible clarification to zoning for commercial zones, DAA Board position on issue, and efforts of the community.

IT WAS MOVED BY COUNCIL MEMBER HAVILAND, SECONDED BY COUNCIL MEMBER PARKS TO ADOPT RESOLUTION 2018-17, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA URGING FEDERAL AND STATE REPRESENTATIVES TO ENACT RESPONSIBLE GUN SAFETY REGULATIONS", ADDING CLAUSE TO THE RESOLVED SECTION THAT DEL MAR CALLS ON THE 22ND DISTRICT AGRICULTURAL ASSOCIATION BOARD TO DISCONTINUE GUN SHOWS AT THE FAIRGROUND. (VOTE 4-0)

Ayes: Mayor Worden, Deputy Mayor Druker, Council Member Haviland, and Council Member Parks

Noes: 0

Absent: Council Member Sinnott

ITEM 12: INITIAL CONSIDERATION OF AN APPEAL OF THE DESIGN REVIEW BOARD'S DECISION TO CONDITIONALLY APPROVE DESIGN REVIEW BOARD PERMIT DRB17-020, COASTAL DEVELOPMENT PERMIT CDP17-008 AND LAND CONSERVATION PERMIT LC17-012 TO DEMOLISH AN EXISTING SINGLE-FAMILY HOME AND BUILD A NEW SINGLE-STORY SINGLE-FAMILY HOME OVER A SUBTERRANEAN GARAGE AND BASEMENT AT 436 15TH STREET (APN:299-280-48)

**PROJECT APPLICANTS: MICHAEL JACKSON AND CLARE MCGOWAN
PROJECT APPELLANTS: KENNETH J. CASSUTT, CASSUTT LAW FIRM
ON BEHALF OF JUDY PAUL, 446 15TH STREET (CLERK'S FILE NO. 904-1)**

This appeal was officially withdrawn just prior to the start of the meeting via a letter that was submitted by the appellant's attorney, Ken Cassutt. Therefore, the Council did not hear this item.

ITEM 13: STATUS REPORT/ DIRECTION ON THE CITY HALL/TOWN HALL PROJECT (CLERK'S FILE NO. 307-7)

Assistant City Manager Crane provided an update on the City Hall project.

ITEM 14: ADOPTION OF PROPOSED OPERATIONS AND SPECIAL EVENT PLAN FOR NEW DEL MAR CIVIC CENTER (CLERK'S FILE NO.307-7)

Assistant City Manager Crane presented a draft Operations and Special Event Plan to the City Council.

There were no public speakers for this item.

Council discussion focused on types of potential events, maximum number of attendees, hours for events, possible limitations on use during the transition period, 72-hour use of public parking, potential for limited incidental commercial activity, amplified low-key music at the Farmers Market, concerns about the parking garage being open 24/7, and WIFI accessibility.

IT WAS MOVED BY COUNCIL MEMBER HAVILAND, SECONDED BY COUNCIL MEMBER PARKS TO ADOPT THE DRAFT OPERATIONS AND SPECIAL EVENTS PLAN FOR NEW DEL MAR CIVIC CENTER WITH THE FOLLOWING REVISIONS 1) UNDER "EVENT SIZE", SECTION EIGHT, REMOVE DIRECT REFERENCE TO DEL MAR FIRST THURSDAY EVENTS AND CHANGE TO MORE GENERIC LANGUAGE; 2) UNDER "EVENT HOURS", FOR ITEM B, CLARIFY INDOOR EVENTS TO END BY 10:00 P.M., FOR ITEM C, CLARIFY CLEAN UP TIME NEEDS TO END BY 11:00 P.M.; 3) UNDER "CATERING AND ALCOHOL FOR SPECIAL EVENTS", SECTION 14, REMOVE "OF" AFTER "MEETING SPACES"; 4) UNDER "OPERATIONS PLAN", SECTION TITLED "USES THAT ARE NOT ALLOWED", NUMBER SEVEN, RELATED TO COMMERCIAL ACTIVITIES, CLARIFY LIMITED TO INCIDENT COMMERCIAL ACTIVITY IN CONJUNCTION WITH NON-PROFIT OR GOVERNMENT USE; 5) UNDER "PARKING", SECTION TITLED "GARAGE AND SURFACE PARKING LOT", REMOVE EXISTING LANGUAGE FOR SUBSECTION 2 AND REPLACE WITH LANGUAGE CLARIFYING PUBLIC USE PARKING IS FREE. (VOTE 4-0)

Ayes: Mayor Worden, Deputy Mayor Druker, Council Member Haviland, and Council Member Parks

Noes: 0

Absent: Council Member Sinnott

ITEM 15: MISCELLANEOUS ITEMS PERTAINING TO THE NEW DEL MAR CIVIC CENTER - BUDGET FOR DEDICATION EVENT, TIME CAPSULE, DEDICATION PLAQUE, AND DONATIONS PROGRAM (CLERK'S FILE NO.307-7)

A presentation was provided by Assistant City Manager Crane.

There were no public speakers for this item.

Council discussion focused on potential installation of the old City Hall plaque at the new site, use of City seal on new plaque, including a quote on the new plaque, holding off on donation plaque for one year, time capsule idea, and budget for dedication event.

Council consensus was to have the City seal on the dedication plaque, pursue time capsule idea, and approval for proposed \$10,000 budget for dedication event.

IX. COUNCIL PRIORITIES – REPORTS

Council Member Haviland reported Sustainability Advisory Board has established a proposed priorities list for the next fiscal year.

Council Member Parks reported she had a discussion with a Business Support Advisory Committee member regarding goals for their committee.

Deputy Mayor Druker reported that Assemblymember Todd Gloria is proposing that a City of San Diego Council Member be a voting member of the NCTD Board, which is causing some consternation among the Board. The idea being that there are three NCTD depots in the City of San Diego and there should be a voting member on the Board. If they add this position, per AB 805, the City of San Diego will end up running the NCTD Board. Deputy Mayor Druker also reported that the SANDAG Regional Transportation Plan will look at how employment affects regional transit use in the region.

Mayor Worden reported that the Del Mar/Solana Beach North Bluff Resort Ad-Hoc Subcommittee meeting will be March 26, 2018, and will be noticed under the Brown Act and open to the public.

The San Dieguito River Park JPA Executive Committee is in the process of reviewing Executive Director, Kevin McKernan, and discussing topics such as the budget.

Sea-Level Rise Stakeholder-Technical Advisory Committee sediment plan is done. Deputy Mayor Druker and Mayor Worden have been doing some outreach and education with property owners in the affected areas to make sure they understand what is being considered by the Committee. Next, they plan to reach out to public interest groups to discuss the Committee's next steps.

UPCOMING AGENDA ITEMS

Mayor Worden requested that staff put a City Charter amendment discussion on an upcoming City Council meeting agenda during or before June 2018.

Deputy Mayor Druker suggested that staff and the Mayor look at the agenda for April 16, 2018, and move items around if necessary to ensure enough time for discussion of significant items. He felt the current list of agenda items may be unrealistic for one meeting.

ADJOURNMENT

Mayor Worden adjourned the meeting at 7:47 p.m.

A handwritten signature in cursive script, appearing to read "Ashley Jones".

Ashley Jones, Administrative Services
Director/City Clerk