

MINUTES  
Del Mar City Council Meeting  
Monday, March 16, 2015  
Del Mar Communications Center  
240 Tenth Street, 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 was published), are available on the City's website at [www.delmar.ca.us/AgendaCenter](http://www.delmar.ca.us/AgendaCenter) or by contacting the Administrative Services Department at (858) 755-9313.

CALL TO ORDER/ROLL CALL - 6:00 P.M.

Mayor Corti, Council Members Mosier, Sinnott and Worden. Deputy Mayor Parks arrived at 7:15 p.m. and left the meeting at 8:55 p.m.

City Manager Huth, City Attorney Devaney, Deputy City Clerk Smith-Ball and Community Development and Planning Director Garcia.

PLEDGE OF ALLEGIANCE

Mayor Corti led the Pledge of Allegiance.

ORAL COMMUNICATIONS - None

GOVERNING BODY ACTIONS/COMMENTS

Council Member Worden spoke about the actions at the California Coastal Commission meeting regarding the Lagoon boardwalk denial.

Council Member Mosier spoke about the California Coastal Commission decision on the lagoon boardwalk and the San Dieguito River Valley JPA Board Meeting appeal and reconsideration on Friday.

Council Member Worden spoke about One Paseo and the City's support for the opposition to the project.

Council Member Sinnott reported on the health of Deputy Mayor Parks.

Mayor Corti indicated that Deputy Mayor Parks would attend only part of the Council Meeting.

Council Member Worden announced his bluegrass band would be performing a free concert at the Del Mar Library on March 26, 2015 at 6:30 p.m. He also displayed two group photos of the Del Mar Fire Department and Community Services staff taken in 1992 and provided by former City Manager Gloria Curry which will be donated to the Del Mar Historical Society. He announced that he would have open office hours on the last Friday of every month from 10:30 to noon at the Del Mar Community Building meeting room. He also noted that he attended a meeting regarding sea-level rise and would talk more about that later on the agenda.

Council Member Mosier announced a fundraising event by the San Dieguito River Park Conservancy at the Arts Center in Escondido beginning March 22, 2015 to help with the River Park boardwalk appeal. The exhibition is presented by the "Art in Nature Alliance" (AINA), comprised of the San Dieguito River Valley Conservancy (SDRVC); California Center for the Arts, Escondido; and Plein-Air Painters of America (PAPA).

#### CITY MANAGER REPORTS

City Manager Huth announced northbound road closures this week on Jimmy Durante Blvd Monday through Friday from 7 a.m. to 5 p.m. He noted that southbound traffic would have vehicular access with flagmen directing traffic.

Community Development and Planning Director Garcia provided information on several ongoing projects, their scoping meetings and environmental review related to RiverView Del Mar, Watermark, and the Jimmy Durante and San Dieguito Drive intersection project.

#### CONSENT CALENDAR

Deputy City Clerk Smith-Ball read the titles of Items 1 through 5 on the Consent Calendar.

City Manager Huth noted the red dot amending the Regular Meeting Minutes of March 2, 2015.

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Council Member Worden requested that Item 4 be removed from the Consent Calendar.

Mayor Corti requested that Item 8 be added to the Consent Calendar.

IT WAS MOVED BY COUNCIL MEMBER SINNOTT, SECONDED BY COUNCIL MEMBER MOSIER, TO ADOPT THE RECOMMENDATIONS FOR ITEMS 1, AS AMENDED, 2, 3, 5 AND 8, ON THE CONSENT CALENDAR. MOTION PASSED 4-0, WITH DEPUTY MAYOR PARKS ABSENT.

ITEM 1

APPROVAL OF MINUTES: MARCH 2, 2015 REGULAR AND SPECIAL MEETINGS (Clerk's Minutes Book)

Council approved minutes as amended on consent.

ITEM 2

RATIFICATION OF LIST OF DEMANDS, DATED MARCH 16, 2015 (Clerk's File No. 201-3)

Council ratified the List of Demands in the amount of \$577,350.60 on consent.

ITEM 3

WAIVER OF READING OF ORDINANCES ON AGENDA (Clerk's File No. 401-4)

Council waived reading of ordinances on consent.

ITEM 5

APPOINTMENT TO THE SUSTAINABILITY ADVISORY BOARD (Clerk's File No. 401-5)

Council appointed Helen Eckmann to serve the remainder of Anthony Corso's existing term, expiring May 1, 2017 on consent.

ITEM 8

RESOLUTION AMENDING THE TRANSNET LOCAL STREETS AND ROADS PROGRAM OF PROJECTS FOR FISCAL YEARS 2014-2015 THROUGH 2018-2019 (Clerk's File No. 1506-1)

Council adopted Resolution 2015-15, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014-

2015 THROUGH 2018-2019", in accordance with SANDAG's revised TransNet revenue forecast on consent.

ITEM 4 - 6:22 P.M.

AUTHORIZE THE FILING OF TWO APPLICATIONS FOR TRANSNET ACTIVE TRANSPORTATION GRANT FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG), FOR A COMPREHENSIVE ACTIVE TRANSPORTATION MASTER PLAN AND COAST TO CREST TRAIL RAILROAD UNDERPASS CROSSING DESIGN, AND ACCEPTING THE TERMS OF THE GRANT AGREEMENTS. (Clerk's File No. 1506-1)

Council Member Worden removed the item from the Consent Calendar.

Senior Management Analyst Jon Terwilliger presented the staff report and PowerPoint presentation.

Shawna Anderson, San Dieguito River Valley JPA, provided a brief history on the double-tracking project. She indicated that the Technical Working Group, SANDAG and other stakeholders have not been willing to fund the design of the Coast to Crest Trail railroad underpass crossing. She noted that the double-track project is identified as a future project, but have been told that North County Transit District funding does not cover right of way facilities. She noted that the JPA has been encouraged to apply for grants and proposed to have a set of design plan alternatives prepared at about the same design level of detail (10%-30%) and work with the stakeholders to ensure that a Coast to Crest Trail can be incorporated into the Double-Track project without negatively impacting the project.

IT WAS MOVED BY COUNCIL MEMBER WORDEN, SECONDED BY COUNCIL MEMBER MOSIER, TO ADOPT RESOLUTION 2015-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) TRANSNET ACTIVE TRANSPORTATION GRANT FUNDS, FOR A COMPREHENSIVE ACTIVE TRANSPORTATION MASTER PLAN, AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT; AND

TO ADOPT RESOLUTION 2015-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE FILING OF AN APPLICATION FOR SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) TRANSNET ACTIVE TRANSPORTATION GRANT FUNDS, FOR COAST TO CREST TRAIL RAILROAD UNDERPASS CROSSING DESIGN, AND ACCEPTING THE

TERMS OF THE GRANT AGREEMENT. MOTION PASSED 4-0, WITH DEPUTY MAYOR PARKS ABSENT.

CITY COUNCIL OTHER BUSINESS

ITEM 10

COMMUNITY FORUM ON THE CITY HALL/TOWN HALL PROJECT (Clerk's File No. 307-7)

Greg Rothnem, 9th Street, spoke about the data received from the "Voice your Choice" poll and encouraged Council to be more definitive in its position on expansion space. He also encouraged Council to accelerate the schedule for financing and take advantage of the favorable financing rates.

COMMISSION AND COMMITTEE INTERVIEWS

ITEM 6

PLANNING COMMISSION INTERVIEWS AND APPOINTMENT (Clerk's File No. 401-5)

Deputy City Clerk Connie Smith-Ball provided the staff report. She noted the red-dot correspondence from applicant Greg Rothnem indicating his withdrawal from consideration for the current vacancy. She further reported there would be two additional vacancies in June due to term expirations. The vacancies have been posted on the City website.

Council interviewed applicant Kevin Kalner. Applicant Mark Baum was not in attendance.

Council Member Mosier noted City Council Policy 200 which states that it is the policy of the City Council to hold interviews for appointments to the Planning Commission and Design Review Board only when applications received for such commission or board exceed the number of vacancies.

IT WAS MOVED BY COUNCIL MEMBER MOSIER, SECONDED BY COUNCIL MEMBER WORDEN, TO CONTINUE TO ADVERTISE FOR THE CURRENT AND UPCOMING VACANCIES. MOTION PASSED 4-0 WITH DEPUTY MAYOR PARKS ABSENT.

PUBLIC HEARINGS

ITEM 9 - 6:45 P.M.

INTRODUCTION OF PROPOSED AMENDMENTS TO DEL MAR MUNICIPAL CODE CHAPTERS 24.21 (DEDICATION: AFFORDABLE HOUSING ASSISTANCE) AND 24.40 (CONVERSION OF REAL PROPERTY), REGARDING AFFORDABLE HOUSING UNIT SET-ASIDE AND IN-LIEU AFFORDABLE HOUSING MITIGATION REQUIREMENTS FOR CONDOMINIUMS, STOCK COOPERATIVES OR COMMUNITY APARTMENT PROJECTS AND THE AFFORDABLE HOUSING REQUIREMENTS FOR SUBDIVISIONS ALONG WITH MITIGATION MEASURES FOR DISPLACED TENANTS (MUNICIPAL CODE AMENDMENT A-14-02) (Clerk's File No. 401-4, 401-9)

IT WAS MOVED BY COUNCIL MEMBER SINNOTT, SECONDED BY COUNCIL MEMBER MOSIER, TO CONTINUE THE PUBLIC HEARING TO APRIL 6, 2015. MOTION PASSED 4-0, WITH DEPUTY MAYOR PARKS ABSENT.

CITY COUNCIL OTHER BUSINESS

ITEM 11 - 6:46 P.M.

AUTHORIZATION TO APPROVE AN AGREEMENT WITH ECONOMIC & PLANNING SYSTEMS FOR AN ECONOMIC IMPACT STUDY OF THE DEL MAR FAIRGROUNDS (Clerk's File No. 406-1)

Assistant to the City Manager Kristen Crane provided the staff report. She noted that this study will be done in association with the City of Solana Beach and the 22<sup>nd</sup> District Agricultural Association as a result of the Settlement Agreement dated February 21, 2013. She reported that the three agencies cooperatively developed a scope of work for this study and nine proposals were received. Four firms were selected for interviews and the consensus of the interview panel was that Economic & Planning Systems (EPS) was the firm most qualified for the project. She highlighted the scope of work from their proposal. She indicated that the cost of the study will be shared three ways between the City of Del Mar, the City of Solana Beach, and the 22<sup>nd</sup> District Agriculture Association and any remaining funds will be reimbursed evenly to each of the three agencies.

Mayor Corti opened the item to public comment. There being no one to speak, he closed the item to public comment.

IT WAS MOVED BY COUNCIL MEMBER MOSIER, SECONDED BY COUNCIL MEMBER WORDEN, TO APPROVE RESOLUTION 2015-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR,

CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ECONOMIC & PLANNING SYSTEMS, INC. TO COMPLETE AN ECONOMIC IMPACT STUDY OF THE DEL MAR FAIRGROUNDS, IN PARTNERSHIP WITH THE CITY OF SOLANA BEACH AND THE 22ND DISTRICT AGRICULTURAL ASSOCIATION; AMENDING THE FISCAL YEARS 2013-2014 AND 2014-2015 OPERATING AND CAPITAL BUDGET; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH THE CITY OF SOLANA BEACH AND THE 22ND DISTRICT AGRICULTURAL ASSOCIATION REGARDING THE COST SHARING ARRANGEMENT MOTION PASSED 4-0, WITH DEPUTY MAYOR PARKS ABSENT.

RECESS AND CALL TO ORDER - 7:06 P.M.

Mayor Corti recessed the meeting at 7:06 P.M. and called it back to order at 7:15 P.M. All Council Members were present.

Deputy Mayor Parks arrived at 7:15 p.m.

PUBLIC HEARINGS

ITEM 7

A DE NOVO PUBLIC HEARING OF AN APPEAL OF THE DESIGN REVIEW BOARD'S DECISION TO DENY A DESIGN REVIEW PERMIT (DRB14-045) AND COASTAL DEVELOPMENT PERMIT (CDP14-022) TO DEMOLISH A SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW, TWO-STORY, SINGLE-FAMILY RESIDENCE WITH ATTACHED GARAGE, LANDSCAPING, SITE WALLS, AND ASSOCIATED SITE IMPROVEMENTS ON PROPERTY LOCATED IN THE R1-5B ZONE

PROJECT APPLICANT:	C.J. LIGHT ASSOCIATES
PROPERTY OWNERS/APPELLANTS:	PETER AND SUE COOPER
PROJECT LOCATION:	2021 OCEAN FRONT AVENUE (APN# 299-136-13)

Clerk's File No. 301-5

City Attorney Leslie Devaney explained the process for the public hearing.

Senior Planner Matt Bator provided the staff report and PowerPoint presentation. He described the project site, background information and the project description. He provided drawings with proposed revisions to the west, east, north and south elevations. He described the Design Review Ordinance standards and the potential applicable municipal code sections. He noted that no red-dot

correspondence had been received, however he did note concerns from neighbors related to light and air impacts to their rear yards, scale and positioning of the home, and relative compatibility to the neighborhood. He stated that staff recommends that if Council makes a determination that the project can be approved, the conditions that were added with the DRB approval be added to any approval for this project and be included in any resolution.

Council Member Worden disclosed that at the invitation of Joann Phillips, he visited her home and looked at the story poles; he drove by the alley and looked at the project from there; he returned today to see the story poles that had been adjusted. He disclosed that he inquired whether he may have a conflict from the City Attorney since he was City Attorney at the time the house was built, although he had no recollection of the project. The City Attorney confirmed this did not present a conflict.

Council Member Sinnott disclosed that he visited the site, reviewed the December 17, 2014 Design Review Board Meeting and the presentation made at City Council for the de novo hearing.

Council Member Mosier disclosed that he viewed the site and story poles; he attempted to meet with the property owners at the project site but no one was home.

Deputy Mayor Parks disclosed that she had similar disclosures.

Mayor Corti disclosed that he visited the site and looked at the revised story poles.

Matt Peterson, Peterson & Price, representing the applicant, provided a PowerPoint presentation on the revised Cooper family home project. He provided a project summary and described the revisions made to the project prior to the February 2, 2015 Initial Consideration hearing. He also described additional design revisions that were made for the de novo hearing based on multiple meetings with neighbors. He showed elevation drawings of the project that the Design Review Board denied and the redesigned elevation that addressed neighborhood concerns. He also provided photos of adjacent yards and building heights of surrounding homes taller than 22 ft. above street. He noted the neighbors in support of the original Design Review project and the twice revised design. He provided a project compliance summary and reviewed the compromises and re-designs. He indicated that the applicants had presented a design proposal similar to other homes already approved



by the Design Review Board. He stated the applicant has made two significant redesigns that address Design Review Board and neighbor issues and has received neighbor support.

Mayor Corti opened the public hearing and the following people spoke:

Joann Phillips, Coast Boulevard  
Bill Herrick, Coast Boulevard

Mayor Corti closed the public hearing.

Council discussed proposed amendments to the project addressing roof height and privacy screening.

IT WAS MOVED BY COUNCIL MEMBER MOSIER, SECONDED BY COUNCIL MEMBER SINNOTT, TO ADOPT RESOLUTION 2015-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA APPROVING AN APPLICATION FOR A DESIGN REVIEW PERMIT (DRB14-045) TO DEMOLISH A SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW, TWO-STORY, SINGLE-FAMILY RESIDENCE WITH AN ATTACHED GARAGE, LANDSCAPING, SITE WALLS, AND ASSOCIATED SITE IMPROVEMENTS ON A PROPERTY LOCATED IN THE R1-5B ZONE AT 2021 OCEAN FRONT, DEL MAR, CALIFORNIA, WITH ADDITIONAL AMENDMENTS TO THE PROJECT THAT THE APPLICANT SHALL SUBMIT REVISED PROJECT PLANS TO THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR FOR REVIEW AND APPROVAL. THE REVISED PLANS SHALL DEPICT THE FOLLOWING: 1) A 12" REDUCTION OF THE RESIDENCE'S OVERALL ROOF HEIGHT; AND 2) INSTALLATION OF AN OPAQUE, PERMANENT, SCREENING ELEMENT AT THE EAST ELEVATION OF THE SECOND-STORY DECK AT THE HOME'S SOUTH ELEVATION. THE SCREENING MATERIAL SHALL BE SOLID IN DESIGN, AND SHALL OBSCURE VIEWS TO THE EAST FROM THE DECK. THE SCREENING MATERIAL SHALL EXTEND UPWARD FROM THE DECK FLOOR NO LESS THAN SIX-FEET IN HEIGHT. MOTION PASSED 3-2, WITH MAYOR CORTI, COUNCIL MEMBERS MOSIER AND SINNOTT VOTING YES, AND DEPUTY MAYOR PARKS AND COUNCIL MEMBER WORDEN VOTING NO.

CITY COUNCIL OTHER BUSINESS

ITEM 13

REVIEW OF CITY COUNCIL PRIORITIES AND ADVISORY COMMITTEE GOALS AND PRIORITIES (Clerk's File No. 401-1)

Assistant to the City Manager Kristen Crane provided the staff report and PowerPoint presentation.

City Manager Scott Huth briefly reviewed advisory committee recommendations for 2015 Goals and Priorities. He indicated that staff needed direction on how to further integrate committee feedback into the 2015 Goals and Priorities. He suggested that staff visit the list internally and then bring back to Council a revised list incorporating the preferences of the Council.

City Manager Scott Huth briefly described the major themes for future focus from the Citizen Satisfaction Survey and how they are incorporated into the citywide goals.

Mayor Corti opened the item to public comment and the following person spoke:

Bill Michalsky, Drawer O

Mayor Corti closed the item to public comment.

Council discussed the Committee Goals and Priorities, and the recommendations from the Citizen Satisfaction Survey. Council provided input for the Goals and Priorities and directed staff to incorporate the committee's goals and priorities into the overall Goals and Priorities and bring back the comprehensive list with resource needs for Council's review.

ITEM 12 - 9:06 P.M.

RECEIVE LAW ENFORCEMENT UPDATE AND PROVIDE DIRECTION TO STAFF (Clerk's File No. 1503-19)

Assistant City Manager Mark Delin provided the staff report and PowerPoint presentation. He provided a status of discussions with the Sheriff and new services that will be provided during a motorcycle traffic pilot program. He addressed the Park Ranger Program and asked for direction on whether to proceed with a study of the program to ensure the appropriate level of staffing, training, supervision and operating policy and procedures or to delay the study until completion of the Task Force study to determine whether there are additional items to add to the study.

Mayor Corti opened the item to public comment and the following people spoke:

Bill Michalsky, Drawer O  
Robin Crabtree, 25<sup>th</sup> St.  
Ed Yuskiewicz, Coast Boulevard

Mayor Corti closed the item to public comment.

Council received the report and directed staff to proceed with the use of a Task Force to discuss options to enhance law enforcement services. Council determined to delay the study until completion of the task force study.

COUNCIL PRIORITIES - REPORTS

ITEM 14A

22<sup>ND</sup> DISTRICT AGRICULTURAL ASSOCIATION - COMMUNITY RELATIONS COMMITTEE (CORTI/MOSIER); INFORMATION ON KAABOO DEL MAR (Clerk's File No. 1502-10)

Assistant to the City Manager Kristen Crane provided the staff report. She reported that staff met with the Fair Board Community Relations Committee and discussed having an operational meeting with KAABOO representatives on March 24, 2015. She indicated that she would report back on the results of that meeting.

Mayor Corti reported on the Community Relations Committee meeting and indicated that the City would be looking for information on what the event is and how to deal with the impacts, such as traffic and noise. He stated that the City is looking for improved communication from KAABOO representatives in the future.

Council talked about their disappointment with the Fair Board's lack of communication regarding the event and the need to focus on the impacts to the community.

Mayor Corti opened the item to public comment and the following people spoke:

Ed Yuskiewicz, Coast Boulevard  
Robin Crabtree, 25<sup>th</sup> Street  
Bill Michalsky, Drawer O

Mayor Corti closed the item to public comment.

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Council received the report and directed staff to provide an update on the March 24, 2015 meeting with the event sponsor.

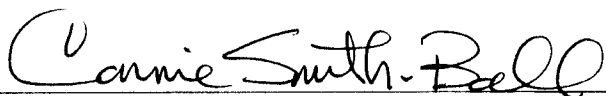
ITEM 14R

SAN DIEGUITO RIVER VALLEY REG. OPEN SPACE JPA (MOSIER/WORDEN);  
DISCUSSION OF COASTAL COMMISSION ACTION ON THE SAN DIEGUITO  
LAGOON BOARDWALK (Clerk's File No. 1405-1)

Council Member Mosier provided a brief update. He announced a walk/hike event by the San Dieguito River Valley Conservancy on March 21, 2015 at 10:00 a.m. on the boardwalk to raise awareness in support of the boardwalk.

ADJOURNMENT - 10:24 P.M.

Mayor Corti adjourned the meeting at 10:24 P.M.



DEPUTY CITY CLERK, CONNIE SMITH-BALL

ATTEST:



AL CORTI, Mayor