



# Del Mar City Council Meeting Agenda

VIA TELECONFERENCE ONLY

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.***

**Remote Regular Meeting  
VIA TELECONFERENCE ONLY  
Monday, January 11, 2021 at 4:30 PM**

**Pursuant to the State of California Executive Order N-25-20, and in the interest of public health, the City of Del Mar is temporarily taking actions to mitigate the COVID-19 pandemic by holding City Council Meetings electronically or by teleconference. The Town Hall will not be open to the public for this meeting.**

**Terry Gaasterland**  
Mayor

**Dwight Worden**  
Deputy Mayor

**Dave Druker**  
Council Member

**Tracy Martinez**  
Council Member

**Dan Quirk**  
Council Member

**CJ Johnson**  
City Manager

**Leslie E. Devaney**  
City Attorney

**Ashley Jones**  
Administrative  
Services Director

## **Public Participation/Comment**

Members of the public can participate in the meeting by either submitting a written red dot comment via email to [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or submitting a tele-comment request form to speak during the meeting. The subject line of your email or tele-comment request should clearly state the item number you would like to comment on. The deadline to submit written comments and/or tele-comment requests is 12 p.m. on the day of the meeting. For more information please visit: [www.delmar.ca.us/publiccomment](http://www.delmar.ca.us/publiccomment).

## **Viewing the Meeting and Access to Agenda Materials**

Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 4:30 PM.

Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website and at the Del Mar Library during their limited hours of operation. <http://www.delmar.ca.us/AgendaCenter>

**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.

**Special Needs:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate remotely in this meeting, please contact the Administrative Services Department via email at [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or by calling (858) 755-9313, preferably at least 48 hours in advance of the meeting if possible.

- I. CALL TO ORDER/ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC ORAL COMMUNICATIONS

Each person wishing to comment to the City Council on any matter not on the agenda may submit a written comment to [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or a tele-comment request to speak by 12 p.m. on the day of the meeting. Please note "Public Oral" in the subject line of your email or tele-comment request form.

- IV. CITY COUNCIL COMMENTS
- V. COMMUNITY ANNOUNCEMENTS
- VI. CITY MANAGER'S REPORT
- VII. PRESENTATIONS

**1. Mayor's State of the City Address**

Recommended Action: Receive the presentation. There is no report for this agenda item.

Reference: Clerk's File No. 401-1

**2. Proclamation of Appreciation for Jim Sneed Recognizing His Extraordinary Efforts to Design, Install and Maintain a Kiosk in the Del Mar Civic Center to Prevent the Spread of COVID-19**

Recommended Action: Mayor Gaasterland will present the proclamation.

Reference: Clerk's File No. 1201-5

**3. Presentation by North County Transit District on Trespasser Risk Reduction Study**

Recommended Action: It is recommended that the City Council receive a presentation (Attachment A) by representatives of the North County Transit District (NCTD) on the Trespasser Risk Reduction Study (Attachment B).

Reference: Clerk's File No. 1506-20

VIII. 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, staff, or the public so requests, in which event, the item will be considered separately.

**4. Approval of Minutes: December 7, 2020 Regular and Special Meeting; December 14, 2020 Special Meeting, Closed Session; December 14, 2020 Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**5. Ratification of List of Demands, dated January 11, 2021**

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

**6. Waiver of Reading of Ordinances on Agenda**

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

**7. Agreement with Townsend Public Affairs for Legislative Affairs and Grant Advocacy, Research and Writing Consulting Services**

Recommended Action: Staff recommends the City Council approve an agreement with Townsend Public Affairs for legislative affairs and grant advocacy, research, and writing consulting services (Attachment A) and authorize the City Manager to execute the agreement.

Reference: Clerk's File No. 201-13, 406-1

**8. Approval of First Amendment to Lease Agreement with the Winston School to Replace Legal Description and Incorporate Plat Map**

Recommended Action: It is recommended that the City Council approve the First Amendment to the Lease Agreement between the City of Del Mar and The Winston School (Attachment A) replacing the legal description and incorporating a plat map, and authorize the City Manager to execute the First Amendment.

Reference: Clerk's File No. 406-1, 702-15

**9. Approval of Agreement with Hinderliter, de Llamas & Associates for Sales, Use, and Transaction Tax Information, Audit, and Consulting Services**

Recommended Action: It is recommended that the City Council: 1) Approve the agreement for sales, use, and transaction tax information, audit, and consulting services with Hinderliter, de Llamas & Associates (HdL) (Attachment A); 2) Authorize the City Manager to execute the Agreement and any subsequent amendments provided for under the Agreement, contingent upon satisfactory performance by the consultant firm; and 3) Adopt the Resolution (Attachment B) authorizing HdL to obtain and examine confidential sales, use, and transaction tax records of the California Department of Tax and Fee Administration (CDTFA) on behalf of the City of Del Mar (City).

Reference: Clerk's File No. 406-1

**10. Resolution Authorizing Submittal of a Grant Application to State Parks Division of Boating and Waterways for a FY 2022-23 Public Beach Restoration Grant**

Recommended Action: Staff recommends the City Council adopt a Resolution (Attachment A) authorizing staff to apply for a California State Parks Department of Boating and Waterways public beach restoration grant in the amount of \$150,000 and authorizing the City Manager to execute the necessary grant documents.

Reference: Clerk's File No. 201-13

**IX. PUBLIC HEARINGS**

**11. Encroachment Permit EP20-080 – A Request to Permit an Existing Private Commercial Parking Space, Access Stairs, and to Construct a New Trash Enclosure in the Public Right-of-Way Adjacent to 853 Camino Del Mar - Continued from December 7, 2020 Council Meeting**

Recommended Action: It is recommended that the City Council hold a public hearing and adopt the Resolution (Attachment A) conditionally approving Encroachment Permit (EP) EP20-080 for the existing parking space and staircases only.

Reference: Clerk's File No. 802-1

**X. COUNCIL MEETING RECESS**

**XI. CITY COUNCIL OTHER BUSINESS**

**12. Memorandum of Understanding for the Safe Rail Trail and Pedestrian Crossing Feasibility Study**

Recommended Action: Staff recommends the City Council: 1) Approve the Memorandum of Understanding (MOU) with the San Diego Association of Governments (SANDAG) and North County Transit District (NCTD) to implement the Safe Rail Trail and Pedestrian Crossing Feasibility Study (Attachment A); 2) Authorize the City Manager to execute the MOU; and 3) Authorize the inclusion of \$21,500 in required grant match funding in the City's budget for Fiscal Year 2021-22.

Reference: Clerk's File No. 1506-1, 1506-20, 1601-9

**13. Acceptance of Certification of Referendum Against City Council Ordinance 973 and Required Actions**

Recommended Action: It is recommended that the City Council:

- 1) Accept the Certificate of Sufficiency issued by the City Clerk (Attachment A) regarding the referendum petition entitled "Referendum Against an Ordinance Passed by the City of Del Mar City Council - Ordinance No. 973" (Referendum); and
- 2) Consider one of the following actions:
  - a. Repeal Ordinance 973 in its entirety;
  - b. Submit the Referendum to the voters for consideration at either the next regular municipal election (November 2022) or at a special election, to be held not less than 88 days after the order of the City Council, and direct staff to come back at the next meeting of the City Council with the necessary resolutions; or
  - c. Discuss and direct staff to return with additional information, as deemed necessary by the City Council, related to the options provided above at a future meeting.

Reference: Clerk's File No. 304-7, 401-4

**14. City Council Local Appointments for 2021**

Recommended Action: Staff recommends that the City Council 1) select from among its members an alternative representative to the Regional Solid Waste Association; and 2) approve the Del Mar City Council 2021 Regional and Local Appointments (Attachment A), which reflects the direction and actions taken by the City Council on December 14, 2020.

Reference: Clerk's File No. 401-5

**15. Discussion Regarding City Council Workshops Focused on Vision & Values and Goals & Priorities Setting**

Recommended Action: It is recommended that the City Council discuss the scheduling and agenda development for a Vision & Values Workshop to be held on January 23, 2021, and a Goals & Priorities Setting Workshop to be held on February 27, 2021, and provide direction to the City Manager as necessary. There is no report for this agenda item.

Reference: Clerk's File No. 401-1

**XII. REGIONAL ORGANIZATION REPORTS**

A Councilmember assigned as a liaison to a 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 the agenda.

- A. 22<sup>nd</sup> District Agricultural Association Community Relations Committee (Gaasterland/Martinez)
- B. Clean Energy Alliance JPA (CEA) Board of Directors (Druker/Worden)
- C. CSA-17 Ambulance District Advisory Board (Martinez/Druker)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Druker/Martinez)
- E. League of California Cities – San Diego Chapter (Gaasterland/Worden)
- F. North County Transit District (NCTD) (Quirk/Gaasterland)
- G. Regional Solid Waste Association (Worden)
- H. San Diego Association of Governments Board (SANDAG) (Gaasterland/Druker/Quirk)
- I. SANDAG Regional Planning Committee (Worden)
- J. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- K. San Diego Metropolitan Wastewater JPA Advisory Committee to San Diego (Quirk/Bride)
- L. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Worden/Quirk)
- M. Other Regional Organization Reports

**XIII. COUNCIL COMMITTEES/SUBCOMMITTEES/COMMUNITY ORG REPORTS**

A Councilmember assigned as a liaison to a City Committee, Council Subcommittee OR Community 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. Arts Advisory Committee (Druker/Worden)
- B. Business Support Advisory Committee (Gaasterland/Martinez)
- C. Clean Water Rate Project (Druker, Quirk)
- D. Del Mar Community Connections (Martinez/Quirk)
- E. Del Mar Housing Corporation (Gaasterland/Martinez)
- F. Del Mar Village Association (Druker/Quirk)
- G. Finance Committee (Gaasterland/Quirk)
- H. Housing Subcommittee (Gaasterland/Martinez)

- I. Human Resources Subcommittee (Druker/Worden)
- J. Long Term Rail Relocation Subcommittee (Gaasterland, Quirk)
- K. Measure Q Citizen Oversight Committee (Druker/Quirk)
- L. Parks and Recreation Committee (Druker/Worden)
- M. Planning Process Subcommittee (Druker/Gaasterland)
- N. Safe Rail Crossing and Bluff Stabilization Subcommittee (Gaasterland/Quirk)
- O. San Dieguito Lagoon Committee (Quirk/Worden)
- P. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- Q. Shores Advisory Committee (Gaasterland/Martinez)
- R. Sustainability Advisory Board (Druker/Worden)
- S. Traffic and Parking Advisory Committee (Martinez/Worden)
- T. Undergrounding Project Advisory Committee (Gaasterland/Quirk)
- U. Other Committee-Subcommittee Reports

**XIV. 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](http://www.delmar.ca.us) for City Council Agendas.

<b>January 19, 2021</b>
Acceptance of HCD Comments on Draft 6th Cycle Housing Element
Presentation from CEA Executive Director Barbara Boswell - Energy Options
Discuss Resuming Utility Undergrounding Activities

<b>February 1, 2021</b>
Coastal Bluff Erosion (10-Minute Presentation Per Mayor)
Resolution to Accept Prop 68 Per Capita Program Funding Allocation
Design Review Board Policy Manual Update
Approval of Agreement for Professional Water Quality Testing Services
First Amendment to Agreement for Janitorial Services
EP20-072 (964 Crest Road) - Vegetation in Right of Way
EP20-068 (705 Amphitheatre) - Railing in the Right of Way
TTM18-004 La Atalaya Subdivision
Adopt 2021 Legislative Policy Guidelines

Presentation on Organics Recycling Regulations from CalRecycle and City Organics Action Plan (Tentative)

FY 2019/20 Audit Report/Final Results

FY 2020/21 Midyear (Second Quarter) Update

XV. 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 6<sup>th</sup> day of January 2021, at approximately 4:00 p.m.



\_\_\_\_\_  
Ashley Jones, Administrative Services Director/City Clerk

1/6/2021

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Date