



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, March 15, 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

Ashley Jones
Interim City Manager

Leslie E. Devaney
City Attorney

Sarah Krietor
Acting City Clerk

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 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.

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 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. CITY ATTORNEY CLOSED SESSION REPORT
- III. PLEDGE OF ALLEGIANCE
- IV. 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 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.

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

- 1. **Approval of Minutes: February 16, 2021 Regular Meeting; February 22, 2021 Special Meeting; February 27, 2021 Special Meeting; March 1, 2021 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

- 2. **Ratification of List of Demands, dated March 15, 2021**

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

- 3. **Waiver of Reading of Ordinances on Agenda**

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

4. City Council Review and Authorization for Submittal of the 2020 Housing Element Annual Progress Report

Recommended Action: Staff recommends the City Council review the City's 2020 Housing Element Annual Progress Report (APR) (Attachment A) and authorize the submittal of the report to the State Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research by the April 1, 2021 deadline.

Reference: Clerk's File No. 304-7

5. Second Reading and Adoption of an Ordinance Extending Discretionary Land Use Authorizations Expiring in 2021

Recommended Action: It is recommended that the City Council conduct a second reading and adopt the Ordinance (Attachment A) extending the expiration dates, by 12 months, of those discretionary land use authorizations (Discretionary Permits) granted by the City for development projects that are otherwise due to expire in the 2021 calendar year.

Reference: Clerk's File No. 401-4, 1104-3

6. Amendment to the Compensation Plans for the Management and Professional, General, Firefighter, and Miscellaneous, Part-Time, Temporary and Hourly Employees

Recommended Action: Staff recommends that the City Council adopt the Resolution (Attachment A) amending compensation plans for the Management and Professional, General, Firefighter, and Miscellaneous, Part-Time, Temporary and Hourly employees, effective retroactively to January 1, 2021.

Reference: Clerk's File No. 502-1

7. Recommended Adjustments to Salary & Benefits for the Interim City Manager

Recommended Action: The Human Resources Subcommittee Liaisons, Deputy Mayor Worden and Councilmember Druker, recommend that: 1) The City Council approve the terms and adjustments to salary and benefits for the Interim City Manager as further described in this report; 2) Authorize the Mayor to sign any documents necessary for implementation; and 3) Authorize an appropriation of \$21,320 from the General Fund Contingency to the City Manager division operating budget for Fiscal Year 2020-21 as described in the fiscal impact section of this agenda report.

Reference: Clerk's File No. 502-1

8. Recap of City Council January/February 2021 Workshops and Adoption of Revised Del Mar Core Values & Value Statements

Recommended Action: Staff recommends that the City Council review the recap provided below for City Council workshops held on January 23 and February 27, 2021, and approve the revised Del Mar Core Values & Value Statements included as Attachment A.

Reference: Clerk's File No. 401-1

IX. PUBLIC HEARINGS

9. Modification Permit MOD21-002 – Modification of Previously-Approved Encroachment Permit EP20-014 for Construction of a New Trellis in Public Right-of-Way over the Existing Jimmy O's Sidewalk Café adjacent to 1438 Camino Del Mar

Recommended Action: It is recommended that the City Council hold a Public Hearing and adopt the Resolution (Attachment A) conditionally approving Modification Permit (MOD) MOD21-002 to EP20-014.

Reference: Clerk's File No. 802-1

10. Adoption of Resolution for 5th Cycle Housing Element Program 2E Community Plan Amendment to North Commercial Land Use Designation

Recommended Action: Staff recommends the City Council adopt a resolution to adopt General Plan (Community Plan) Amendment GPA 20-004 to amend the North Commercial (NC) land use designation per 5th Cycle Housing Element Program 2E (residential as an allowed use at 20 dwelling units (du/ac)) in accordance with State housing law.

Reference: Clerk's File No. 304-7

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

11. Selection of Clean Energy Alliance Default Energy Product for City of Del Mar Customers

Recommended Action: Staff recommends the City Council review the Clean Energy Alliance Default Energy Power Supply Memorandum (Attachment A) and adopt a Resolution (Attachment B) selecting the default energy project for all customer accounts within the City of Del Mar.

Reference: Clerk's File No. 1001-3, 1403-4

12. Review of Next Steps Associated with Citywide Utility Undergrounding Project

Recommended Action: It is recommended that the City Council review the information provided by staff on the next steps associated with proceeding with individual Citywide Utility Undergrounding projects, and authorize that in the event the Council opts to restart the Undergrounding Project (which is a separate item on the agenda), to proceed with hiring a Principal Civil Engineer.

Reference: Clerk's File No. 1001-2

13. Consideration of Tewa Court/10th Street Undergrounding Project

Recommended Action: It is recommended that the City Council review the information provided by staff and the consultant, Utility Specialists, on the proposed Tewa Court/10th Street undergrounding project and provide direction regarding the possibility of incorporating it as a stand-alone project or as part of the Citywide Utility Undergrounding Project for separate consideration to move forward with implementation.

Reference: Clerk's File No. 1001-2

14. Direction to Proceed on Citywide Utility Undergrounding Project

Recommended Action: It is recommended that the City Council provide direction to staff on how to proceed with the Citywide Utility Undergrounding Projects.

Reference: Clerk's File No. 1001-2

15. Update on Negotiations with Referendum Proponent and Actions for City Council Consideration

Recommended Action: Mayor Gaasterland and Councilmember Druker recommend that: 1) The City Council discuss and provide feedback on the list of requested items from the Referendum Proponent included in this report and Attachment A; and 2) Direct the City Attorney to work with the Proponent's attorney to draft an agreement memorializing agreed upon terms for a withdrawal of the Referendum for the City Council's consideration on either March 25 or April 5, 2021.

Reference: Clerk's File No. 402-11

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. 22nd 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/Quirk)
- H. San Diego Association of Governments Board (SANDAG) (Gaasterland/Druker/Quirk)
- I. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- J. San Diego Metropolitan Wastewater JPA Advisory Committee to San Diego (Quirk/Bride)
- K. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Worden/Quirk)
- L. 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. Ad-Hoc Referendum Subcommittee (Gaasterland/Druker)
- B. Arts Advisory Committee (Druker/Worden)
- C. Business Support Advisory Committee (Gaasterland/Martinez)
- D. City Council Legislative Subcommittee
- E. Clean Water Rate Project (Druker, Quirk)
- F. Del Mar Community Connections (Martinez/Quirk)
- G. Del Mar Housing Corporation (Gaasterland/Martinez)
- H. Del Mar Village Association (Druker/Quirk)
- I. Finance Committee (Gaasterland/Quirk)
- J. Housing Subcommittee (Gaasterland/Martinez)
- K. Human Resources Subcommittee (Druker/Worden)
- L. Long Term Rail Relocation Subcommittee (Gaasterland, Quirk)
- M. Measure Q Citizen Oversight Committee (Druker/Quirk)
- N. Parks and Recreation Committee (Druker/Worden)
- O. Planning Process Subcommittee (Druker/Gaasterland)
- P. Safe Rail Crossing and Bluff Stabilization Subcommittee (Gaasterland/Quirk)
- Q. San Dieguito Lagoon Committee (Quirk/Worden)
- R. SANDAG Borders Committee (Druker)
- S. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- T. Shores Advisory Committee (Gaasterland/Martinez)
- U. Sustainability Advisory Board (Druker/Worden)
- V. Traffic and Parking Advisory Committee (Martinez/Worden)
- W. Undergrounding Project Advisory Committee (Gaasterland/Quirk)
- X. 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 for City Council Agendas.

March 25, 2021

Adoption of Resolution and Introduction of Ordinances for Implementation of 5th Cycle Housing Element Program 2G

Adopt a General Plan (Community Plan) Amendment (GPA 20-003) to Adopt the 6th Cycle Housing Element.

April 5, 2021

Second Reading/Adoption of Ordinances to Address 5th Cycle Housing Element Program 2G (Tentative)

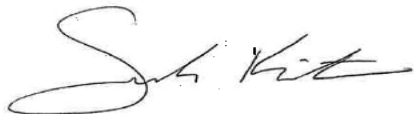
Arts Advisory Committee Appointment (Tentative)

Design Review Board Interviews and Appointments (Tentative)

Resolution for Community Plan Amendment to Adopt the 6th Cycle Housing Element (Tentative)

XV. CERTIFICATION

I, Sarah Krietor, Acting City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 11th day of March, 2021, at approximately 3:15 p.m.



Sarah Krietor, Acting City Clerk

3/11/2021

Date