



# 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, June 21, 2021 at 4:30 PM**

Pursuant to the State of California Executive Order N-29-20, 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](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 the agenda materials are available at the Del Mar Library during their business hours.

<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. 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](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.

- 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: May 17, 2021 Regular Meeting, May 22 & 24, 2021 Special Meeting – Budget Workshop, June 7, 2021 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

2. **Ratification of List of Demands, dated June 21, 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. Approval of an Agreement with the Del Mar Television Foundation to Provide Television Studio Operations, Broadcast, and Production Services**

Recommended Action: Staff recommends that the City Council: 1) Approve the agreement between the City of Del Mar and Del Mar Television Foundation (Attachment A) for Television Studio Operations, Broadcast, and Production Services from July 1, 2021 to June 30, 2026, and 2) Authorize the Interim City Manager to execute the Agreement.

Reference: Clerk's File No. 406-1

**5. Acceptance of Report for State-Mandated Annual Fire Inspections in Compliance with SB 1205**

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A), accepting a report on the status of all State-mandated annual fire inspections in the City of Del Mar in conjunction with SB 1205 and California Health and Safety Code Section 13146.4.

Reference: Clerk's File No. 102-5, 401-7, 1101-8

**6. Proposition 68 Per Capita Grant Program Contracts for the Powerhouse Park Tot Lot Renovation Project**

Recommended Action: Staff recommends the City Council approve two Proposition 68 Per Capita Grant Program contracts totaling \$180,672 with the State of California's Department of Parks and Recreation for the Powerhouse Park Tot Lot Renovation Project, and authorize the Interim City Manager to execute the agreements (Attachment A).

Reference: Clerk's File No. 406-1

**7. Resolution to Affirm the City Council's Decision on June 7, 2021 to Withdraw the City's Sea Level Rise LCPA Application from the California Coastal Commission Certification Process**

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A) to affirm the City Council's decision to withdraw the City's Sea Level Rise Local Coastal Program Amendment (LCPA) application from the California Coastal Commission (CCC) Certification Process.

Reference: Clerk's File No. 1502-14

**8. First Amendment to Agreement with D.H. Maintenance Services for Janitorial Services**

Recommended Action: Staff recommends that the City Council: 1) Approve the First Amendment to the Agreement between the City of Del Mar and D.H. Maintenance Services (Attachment A) for janitorial services, extending the Agreement for an additional two-year period ending June 30, 2023; and 2) Authorize the Interim City Manager to execute the First Amendment.

Reference: Clerk's File No. 406-1

**9. Approval of a Mutual Aid Agreement Providing for Emergency Assistance among the San Diego County Water Authority and Its Members**

Recommended Action: Staff recommends that the City Council: 1) Approve the Mutual Aid Agreement Providing for Emergency Assistance among the San Diego County Water Authority and Its Members (Attachment A); and 2) Authorize the Interim City Manager to execute the agreement.

Reference: Clerk's File No. 406-1, 1506-3

**10. Approval of the 2021-2023 Memorandum of Agreement between the City of Del Mar and the Del Mar Firefighters Association**

Recommended Action: Staff recommends that the City Council: 1) Adopt the resolution (Attachment A) approving the Memorandum of Agreement between the City of Del Mar and the Del Mar Firefighters Association (Exhibit A to Attachment A); and 2) authorize the Interim City Manager to sign the Agreement.

Reference: Clerk's File No. 502-1, 503-6

**11. Approval of Side Letter Agreement with Del Mar City Employees Association**

Recommended Action: It is recommended that the City Council: 1) Approve a Side Letter Agreement with the Del Mar City Employees Association for a period beginning July 1, 2021 and ending June 30, 2022 (Attachment A); and 2) Authorize the Interim City Manager to execute the Side Letter Agreement.

Reference: Clerk's File No. 502-1

**IX. PUBLIC HEARINGS**

**12. Continued from June 7, 2021 – Resolution Approving an Amendment to the TransNet Local Streets and Roads Program of Projects for Fiscal Years 2020-2021 through 2024-2025**

Recommended Action: Staff recommends that the City Council conduct a public hearing and adopt the Resolution (Attachment A) amending the TransNet Local Streets and Roads Program of Projects of the Regional Transportation Improvement Program for Fiscal Years 2020-2021 through 2024-2025.

Reference: Clerk's File No. 1506-1

**13. Encroachment Permit EP21-043 – Request to Install Five Concrete Pads in the Public Right-of-Way in the Downtown Area for the Temporary Outdoor Sculpture Program and Memorandum of Understanding between the City and Del Mar Foundation**

Recommended Action: Staff recommends that the City Council:

1. Hold a public hearing to consider and adopt the Resolution (Attachment A) approving Encroachment Permit EP21-054 to install five concrete pads in the Public Right-of-Way in the downtown area for the Temporary Outdoor Sculpture Program (Program); and
2. Approve a Memorandum of Understanding (MOU) (Attachment B) between the City and the Del Mar Foundation (DMF) to establish the roles and responsibilities of the Program; and
3. Authorize the Interim City Manager to sign the MOU.

Reference: Clerk's File No. 802-1

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

**14. Initial Consideration of an Appeal of the Planning Commission's Decision on Determination of Allowable Use D20-001**

**Applicant and Property Owner: Carl Reinholz**

**Applicant Agent: D. Wayne Brechtel**

**Appellant: Junie Young**

**Location: 1125 Camino del Mar**

**Assessor Parcel Number 300-401-03**

**Central Commercial Zone**

Recommended Action: It is recommended that the City Council not uphold the Planning Commission's decision on a "Determination of Allowable Use" D20-001, and set the appeal for a de novo hearing.

Reference: Clerk's File No. 301-12

**15. Adoption of the Fiscal Years 2021-2022 and 2022-2023 Operating and Capital Budget and Related Budget Resolutions**

Recommended Action: It is recommended that the City Council: 1) Accept final changes to the proposed budget document identified in Table A; and 2) Adopt the Resolutions included as Attachments C-K as required in order to formally adopt the Fiscal Years 2021-2022 and 2022-2023 Operating and Capital Budget.

Reference: Clerk's File No. 202-2

**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/Quirk)
- H. San Diego Association of Governments Board (SANDAG) (Gaasterland/Druker/Quirk)
- I. SANDAG Borders Committee (Druker)
- 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. Ad-Hoc Referendum Subcommittee (Gaasterland/Druker)
- B. Arts Advisory Committee (Druker/Worden)
- C. Business Support Advisory Committee (Gaasterland/Martinez)
- D. Clean Water Rate Project (Druker, Quirk)
- E. Committee Efficiencies Task Force (Martinez/Worden)
- 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. Legislative Subcommittee (Gaasterland/Druker)
- M. Long Term Rail Relocation Subcommittee (Gaasterland, Quirk)

- N. Measure Q Citizen Oversight Committee (Druker/Quirk)
- O. Parks and Recreation Committee (Druker/Worden)
- P. Planning Process Subcommittee (Druker/Gaasterland)
- Q. Safe Rail Crossing and Bluff Stabilization Subcommittee (Gaasterland/Quirk)
- R. San Dieguito Lagoon Committee (Quirk/Worden)
- S. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- T. Shores Advisory Committee (Gaasterland/Martinez)
- U. Solid Waste Procurement Services Ad-Hoc Subcommittee (Quirk/Worden)
- V. Sustainability Advisory Board (Druker/Worden)
- W. Traffic and Parking Advisory Committee (Martinez/Worden)
- X. Undergrounding Project Advisory Committee (Gaasterland/Quirk)
- Y. Other Committee-Subcommittee Reports

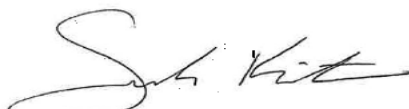
**XIV. UPCOMING AGENDA ITEMS**

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>July 12, 2021</b>
SANDAG Re: Bluff Stabilization Project (Bruce Smith) (Tentative)
Requests to Name the Alley South of 6th Street
Formation Steps for Area 1A Undergrounding District
Formation Steps for Area X1A Undergrounding District
Consider CEA 100% Renewable Opt-up Option for City Facilities (Tentative)
Ratification of Updates to Planning Commission Policy Manual
Approval of a Referendum Withdrawal Agreement
New City Council Policy Regarding Conducting Planning/Development Application Hearings
First Addendum to Fire Employee Resource Pool MOU

**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 16th day of June, 2021, at approximately 6:15 p.m.

  
\_\_\_\_\_  
Sarah Krietor, Acting City Clerk

6/16/2021  
Date