



# 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  
Tuesday, September 8, 2020 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.

**Ellie Haviland**  
Mayor

**Terry Gaasterland**  
Deputy Mayor

**Dave Druker**  
Council Member

**Sherryl Parks**  
Council Member

**Dwight Worden**  
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 only, as City Hall and the Del Mar Library are currently closed to the public. <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. 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 (Worden/Haviland)
- B. Clean Energy Alliance (CEA) Board of Directors (Haviland/Worden)
- C. CSA-17 Ambulance District Advisory Board (Parks/Druker)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Parks/ Worden)
- E. League of California Cities – San Diego Chapter (Haviland/Gaasterland)
- F. North County Transit District (NCTD) (Gaasterland/ Druker)
- G. Regional Solid Waste Association (Parks/Haviland)
- H. San Diego Association of Governments Board (SANDAG) (Haviland/Worden/Druker)
- I. SANDAG Public Safety Committee (Haviland – Alt.)
- J. SANDAG Regional Planning Committee (Worden)
- K. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- L. San Diego Metropolitan Wastewater JPA Advisory Committee to San Diego (Parks/Bride)
- M. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Worden/Haviland)
- N. Other Regional Organization Reports

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: August 3, 2020 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**2. Ratification of List of Demands, dated September 8, 2020**

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. Biennial Review and Update of the Del Mar Conflict of Interest Code**

Recommended Action: It is recommended that the City Council receive this report and adopt the Resolution (Attachment A) incorporating revisions to the Del Mar Conflict of Interest Code (Exhibit A to Attachment A).

Reference: Clerk's File No. 404-6

**5. Appointments to Arts Advisory Committee**

Recommended Action: The City Council Liaisons to the Arts Advisory Committee recommend that the City Council reappoint Bonnie Grossman as a resident, at-large member and Karen Powell as a Del Mar Village Association Representative member to serve full three-year terms starting September 8, 2020, and ending on June 30, 2023.

Reference: Clerk's File No. 401-5

**6. Accept 2019 State Homeland Security Program Grant Funds for the Purchase of Replacement Radios for the Del Mar Fire Department**

Recommended Action: Staff recommends that the City Council authorize the acceptance of \$7,271 from the 2019 State Homeland Security Program (SHSP) grant funds for the purchase of six 800-megahertz replacement radios for the Del Mar Fire Department and authorize the City Manager to execute the necessary grant documents.

Reference: Clerk's File No. 201-13

**7. Approval of a Professional Services Agreement with West Coast Arborists for As-Needed Citywide Tree Management and Maintenance Services**

Recommended Action: It is recommended that the City Council: 1) Approve an Agreement between the City of Del Mar and West Coast Arborists, Inc. (Attachment A) for as-needed citywide tree management and maintenance services for a three-year term beginning on September 8, 2020 and ending on September 8, 2023, with an option to extend the agreement for an additional two-year period; and 2) Authorize the City Manager to execute the Agreement.

Reference: Clerk's File No. 406-1

**8. Agreements with the Del Mar Village Association for Destination Marketing and Economic Development for Fiscal Year 2020-2021**

Recommended Action: It is recommended that the City Council approve two agreements with the Del Mar Village Association (DMVA) for Destination Marketing using a portion of Transient Occupancy Tax (Attachment A) and \$25,000 for Economic Development (Attachment B) for Fiscal Year 2020-2021 through June 30, 2021 and authorize the City Manager to execute the agreements.

Reference: Clerk's File No. 406-1

**9. Approval of a Second Amendment to the Agreement with Adam Kaye for As-Needed Public Information, Communication, and Outreach Services**

Recommended Action: Staff recommends that the City Council approve a Second Amendment to the Agreement with Adam Kaye for as-needed public information, communication and outreach services (Attachment A) and authorize the City Manager to execute the Second Amendment.

Reference: Clerk's File No. 406-1

**IX. STANDING DISCUSSION ITEMS**

**10. Housing**

Recommended Action: Council to discuss affordable housing related issues and provide direction to staff as needed. No action will be taken on this item.

Reference: Clerk's File No. 303-1

X. PUBLIC HEARING

**11. Amendment of the City of Del Mar Community Plan (General Plan), Zoning Code, and Local Coastal Program Related to the North Commercial and Professional Commercial Land Use Designations and Zones**

Recommended Action: Staff recommends the City Council take the following actions relating to the North Commercial (NC) and Professional Commercial (PC) land use designations and zones to allow residential development at a density of twenty (20) dwelling units per acre (du/ac) for development with an affordable housing component as required by the City's existing certified 5<sup>th</sup> Cycle Housing Element:

- 1) Adopt the Resolution to certify the NC/PC Amendments Program Environmental Impact Report (PEIR), including adoption of the Mitigation, Monitoring, and Reporting Program (MMRP) (Attachment A);
- 2) Adopt the Resolution to amend the City of Del Mar Community Plan (General Plan) NC land use designation (Attachment B);
- 3) Adopt the Resolution to amend the City of Del Mar Community Plan (General Plan) PC land use designation (Attachment C);
- 4) Introduce an Ordinance amending the Del Mar Municipal Code (DMMC) Chapter 30.24 (NC Zone) and the Local Coastal Program (LCP) (Attachment D); and
- 5) Introduce an Ordinance amending the Del Mar Municipal Code (DMMC) Chapter 30.25 (PC Zone) and the Local Coastal Program (LCP) (Attachment E).

The requested actions are necessary to comply with State Housing law.

Reference: Clerk's File No. 401-4, 401-9

XI. COUNCIL MEETING RECESS

XII. CITY COUNCIL OTHER BUSINESS

**12. COVID-19 Business Assistance Efforts and Recommended Actions**

Recommended Action: It is recommended that the City Council receive a presentation from staff and provide direction or take action on the following City Manager's recommendations related to business assistance, which are further described in this report:

- 1) Provide direction to staff on increasing the subsidy for permit fees for Temporary Use Permits and Encroachment Permits and allocating \$5,000 to \$10,000 in additional funding to subsidize permits from Measure Q;
- 2) Authorize the City Manager to use up to \$2,500 from the COVID-19 Economic Uncertainty Contingency to fund costs for the “Dine on the Deck” pilot program on Thursday evenings at the Civic Center from September 17<sup>th</sup> to October 9<sup>th</sup>;
- 3) Accept a \$20,000 anonymous community donation for business assistance efforts, modify the budget, approve a proposed spending plan for the funds, and direct the City Manager to work with the Del Mar Village Association;
- 4) Provide feedback to staff on the temporary allowance of two A-frame signs per business;
- 5) Provide feedback on provisions for use of on-street parking for dining or other uses;
- 6) Adopt two amended urgency ordinances (Attachments A and B) to extend the expiration date associated with modifications to temporary commercial sign restrictions and temporary placement of A-frame signage in the public right-of-way, and direct the City Manager to extend the expiration dates for all COVID-related permits issued including temporary Encroachment Permits and Temporary Use Permits;
- 7) Authorize the City Manager to allow for a one-hour extension of alcohol sales, service, and consumption for any restaurant with an approved Sidewalk Café permit; and
- 8) Provide feedback to staff on the recommended approach for temporary allowance of outdoor coverings.

Reference: Clerk’s File No. 1104-3

**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 (Haviland/Parks)
- B. Business Support Advisory Committee (Druker/Worden)
- C. Del Mar Community Connections (Parks/Haviland)
- D. Del Mar Housing Corporation (Worden/Gaasterland)
- E. Del Mar Village Association (Haviland/Druker)
- F. Finance Committee (Gaasterland/Parks)

- G. Housing Subcommittee (Gaasterland/Worden)
- H. Human Resources Subcommittee (Haviland/Parks)
- I. Long Term Rail Relocation Subcommittee (Haviland/Worden)
- J. Measure Q Citizen Oversight Committee (Gaasterland/Parks)
- K. Parks and Recreation Committee (Parks/Worden)
- L. Planning Process Subcommittee (Worden/Haviland)
- M. Safe Rail Crossing and Bluff Stabilization Subcommittee (Druker/Gaasterland)
- N. San Dieguito Lagoon Committee (Haviland/Worden)
- O. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Worden)
- P. Shores Advisory Committee (Parks/Worden)
- Q. Sustainability Advisory Board (Haviland/Worden)
- R. Traffic and Parking Advisory Committee (Gaasterland/Druker)
- S. Undergrounding Project Advisory Committee (Worden/Gaasterland)
- T. Watermark Specific Plan Subcommittee (Gaasterland/Worden)
- 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>September 21, 2020</b>
San Diego County Water Authority Update
Ordinance Adoption: North Commercial/Professional Commercial Amendments to General Plan, DMMC Zoning Code, and Local Coastal Program
Contract Award for General Engineering Construction Services
Introduce Ordinance Amending DMMC Related to Administrative Design Review (ADR) Eligibility Criteria and Noticing
Salary Schedule Amendment -Administrative Action to Add Parking Enforcement Sergeant Position
Clean Water Check in and Potential Construction Inspection Fees Discussion

**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 2nd day of September, 2020, at approximately 6:15 p.m.



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Ashley Jones, Administrative Services Director/City Clerk

9/2/2020  
Date