



CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 20, 2020
VIA TELECONFERENCE ONLY
1050 Camino del Mar, Del Mar California 92014

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 has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Administrative Services Department at (858) 755-9313.

CALL TO ORDER

Mayor Haviland called the Regular Meeting to order at 4:30 p.m.

ROLL CALL

Present: Mayor Ellie Haviland; Deputy Mayor Terry Gaasterland; Council Members Dave Druker, Sherryl Parks, and Dwight Worden

PLEDGE OF ALLEGIANCE

Deputy Mayor Gaasterland led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

There were no public oral communications to be read into the record.

CITY COUNCIL COMMENTS

Councilmember Parks reported there are signs throughout her neighborhood thanking first responders; Councilmember Druker talked about the importance of wearing masks and that any future opening of the City's beaches needs to be a coordinated effort with others in the region; Deputy Mayor Gaasterland reiterated the importance of wearing masks; Councilmember Worden agreed that reopening of the beach needs to be guided by public health and done in a coordinated way; Mayor Haviland reported that there is now a California Mayors Coalition that is working together on COVID-19 response efforts and sharing ideas, and local Mayor group in San Diego County discussing beach reopening efforts.

COMMUNITY ANNOUNCEMENTS

Councilmember Druker reported on the Del Mar Village Association's "Fuel the Frontlines" campaign and how to participate; and Councilmember Worden reported on donations made to community programs by the Del Mar Foundation.

REGIONAL ORGANIZATION REPORTS

Councilmember Worden reported on recent changes to the Fairgrounds Board; Regional Rail Task Force; and San Dieguito Riverpark Joint Powers Authority. Mayor Haviland reported on the Clean Energy Alliance Board meeting that occurred last week, and request that the Council discuss the possibility of giving direction to its CEA Board representative to request that the CEA Board consider delaying program launch until January 2022. The Council was not able to fully discuss this item and it was requested by Deputy Mayor Gaasterland and Councilmember Druker that this be included on the May 4, 2020, City

Council agenda as an item for discussion. Mayor Haviland also reported on the San Diego Association of Governments (SANDAG) Board of Directors meeting.

CITY MANAGER’S REPORT

City Manager CJ Johnson reported on the status of the Court Street and Seagrove Park projects; that the Environmental Impact Report related to SCOUP was released for public comment on April 10, 2020; and provided an operational update related to COVID-19. Fire Chief Mike Stein provided an emergency response update on the COVID crisis and discussed the impacts and actions being taken at the County and local levels.

CONSENT CALENDAR

Administrative Services Director Ashley Jones read the titles of Items 1 through 9 on the Consent Calendar. Mayor Haviland opened Items 1 through 9 to public comment, and there were no comments to be read into the record.

IT WAS MOVED BY COUNCIL MEMBER DRUKER, SECONDED BY MAYOR HAVILAND TO APPROVE THE CONSENT CALENDAR ITEMS 1-3, 5-7, 9, AND 12. (VOTE 5-0 EXCEPT COUNCIL MEMBER DRUKER HAD TO RECUSE HIMSELF FROM VOTING ON ITEM 12 DUE TO THE LOCATION OF HIS HOME IN PROXIMITY TO THE SUBJECT PROPERTY.)

Ayes: Mayor Haviland, Deputy Mayor Gaasterland, and Council Members Druker, Parks and Worden;
Noes: 0; Absent: 0; Abstain: Council Member Druker for Item 12 only.

ITEM 1: APPROVAL OF MINUTES: APRIL 6, 2020 REGULAR MEETING (CLERK’S MINUTES BOOK)

Council approved the minutes, on consent.

ITEM 2: RATIFICATION OF LIST OF DEMANDS, DATED APRIL 20, 2020 (CLERK’S FILE NO. 201-3)

Council approved the list of demands, on consent.

ITEM 3: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK’S FILE NO. 401-4)

Council waived the reading of ordinances, on consent.

ITEM 4: RESULTS OF THE 2020 PRESIDENTIAL PRIMARY ELECTION – MEASURE G (CLERK’S FILE NO. 402-1)

This item was pulled for additional discussion. Council questions focused on the cost of the election and whether or not those costs had been paid by Zephyr Partners as promised, and the status of the draft Environmental Impact Report (EIR) process that was underway prior to the specific plan being placed on the ballot.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2020-17, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, RECITING THE FACTS OF THE PRESIDENTIAL PRIMARY ELECTION HELD ON MARCH 3, 2020, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.” (VOTE 5-0)

Ayes: Mayor Haviland, Deputy Mayor Gaasterland, and Council Members Druker, Parks and Worden; Noes: 0; Absent: 0; Abstain: 0.

Deputy Mayor Gaasterland and Councilmember Druker requested that an item to discuss the status of the EIR process related to Marisol and take any necessary action be placed on the May 4, 2020, City Council meeting agenda.

ITEM 5: FEDERAL CONSISTENCY REVIEW OF SANDAG EMERGENCY REPAIR TO THE DEL MAR BLUFFS (CLERK'S FILE NO. 1404-2, 1506-1)

Council authorized the Mayor to sign a letter to the California Coastal Commission on behalf of the City regarding the SANDAG Federal Consistency Review related to the emergency repair project completed on the Del Mar Bluffs, on consent.

ITEM 6: APPOINTMENTS TO THE UNDERGROUNDING PROJECT ADVISORY COMMITTEE (CLERK'S FILE NO. 401-5)

Council appointed Amy Cheshire and Wade Walker to serve on the Underground Project Advisory Committee as voting members effective April 21, 2020 through March 1, 2023, on consent.

ITEM 7: AMENDMENT TO THE FIRE EMPLOYEE COMPENSATION PLAN TO INCLUDE FIRE BATTALION CHIEF AND ADMINISTRATIVE FIRE BATTALION CHIEF POSITIONS (CLERK'S FILE NO. 502-1)

Council adopted Resolution 2020-18, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR FIRE EMPLOYEES FOR THE 2019-2020 FISCAL YEAR ADDING THE FIRE BATTALION CHIEF AND THE ADMINISTRATIVE FIRE BATTALION CHIEF", on consent.

ITEM 8: REVIEW OF 2019 5TH CYCLE HOUSING ELEMENT ANNUAL PROGRESS REPORT (CLERK'S FILE NO. 304-7)

This item was pulled for additional discussion. Council questions focused on whether or not the 5th Cycle Housing Element would be decertified if the City fails to meet identified goals, such as amending to the North Commercial/Professional Commercial (NC/PC) zone; what other penalties the City may be subject to; and number of units that need to be accommodated.

IT WAS MOVED BY DEPUTY MAYOR GAASTERLAND, SECONDED BY COUNCIL MEMBER WORDEN TO 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. (VOTE 5-0)

Ayes: Mayor Haviland, Deputy Mayor Gaasterland, and Council Members Druker, Parks and Worden; Noes: 0; Absent: 0; Abstain: 0.

ITEM 9: APPROVAL OF FISCAL YEAR 2020-21 SENATE BILL 1 FUNDING FOR THE ANNUAL PAVEMENT REHABILITATION PROJECT (CLERK'S FILE NO. 803-3, 901-5)

Council adopted Resolution 2020-19, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017", on consent.

STANDING DISCUSSION ITEMS

ITEM 10: HOUSING (CLERK'S FILE NO. 303-1)

Planning and Community Development Director Joseph Smith provided an update on the Housing Task Force meetings, and status of the City's request for an extension to the deadline for the 6th Cycle Housing Element submittal based on the COVID-19 crisis.

Deputy Mayor Gaasterland and Councilmember Druker requested that staff come back to a future Council meeting with an agenda item to discuss canceling the draft Environmental Impact Report (EIR) process related to the Marisol project.

PUBLIC HEARING

ITEM 11: INTRODUCTION OF AN ORDINANCE MODIFYING THE CITY'S SCHEDULE OF FEES AND CHARGES FOR ENGINEERING REVIEW SERVICES (CLERK'S FILE NO. 401-4, 801-3))

A presentation was provided by Planning and Community Development Director Smith.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY COUNCILMEMBER PARKS TO INTRODUCE AN ORDINANCE MODIFYING THE CITY'S SCHEDULE OF FEES AND CHARGES FOR ENGINEERING REVIEW SERVICES (VOTE 5-0)

Ayes: Mayor Haviland, Deputy Mayor Gaasterland, and Council Members Druker, Parks and Worden;
Noes: 0; Absent: 0; Abstain: 0.

COUNCIL MEETING RECESS:

The City Council took a meeting recess from approximately 5:55 to 6:10 p.m.

CITY COUNCIL OTHER BUSINESS

ITEM 12: A RESOLUTION TO RESCIND THE CITY COUNCIL'S CONDITIONAL APPROVAL OF TREE REMOVAL PERMIT APPLICATION TRP19-014 AND ADOPTION OF RESOLUTION NO. 2020-06 (CLERK'S FILE NO. 301-15)

This item was added to the Consent Calendar for consideration and the Council adopted resolution 2020-20, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA RESCINDING THE CONDITIONAL APPROVAL OF TREE REMOVAL PERMIT APPLICATION TRP19-014, A REQUEST TO REMOVE ONE (1) MONTEREY CYPRESS TREE FROM THE PUBLIC RIGHT-OF-WAY ADJACENT TO 135 9TH STREET, DEL MAR, CA 92014", on consent.

ITEM 13: ADDITIONAL FY 2019-20 RECOMMENDED BUDGET ADJUSTMENTS IN RESPONSE TO COVID-19 (CLERK'S FILE NO. 1104-3, 1503-8)

A presentation was provided by City Manager Johnson and Administrative Services Director Jones.

Council questions and comments focused on acknowledging a job well done by staff in analyzing and presenting this information; use of reserve funds; potential increases to pension costs; the need for Council to identify essential services (legally required to provide to citizens; and those specific to Del Mar) as part of the upcoming budget workshop; potential impacts associated with no horse races in 2020; understanding what can be done to increase revenues for local merchants; Downtown Streetscape project expenditures paid for by General Fund; bluff failure costs; ability to recoup bluff failure costs; status of the Junior Guard program; ideas for increased revenues; and ability/cost to archive committee meetings.

Mayor Haviland opened the item to public comment and Administrative Services Director Jones read the following comment into the record:

- 1) Don Mosier – Advised that the pandemic and related economic consequences will likely continue over the next year and the City should plan accordingly.

Mayor Haviland closed the item to public comment.

IT WAS MOVED BY COUNCIL MEMBER DRUKER, SECONDED BY MAYOR HAVILAND TO APPROVE THE FOLLOWING BUDGET ADJUSTMENTS FOR FY 2019-20:

- 1) REDUCE OPERATIONAL EXPENDITURES BY \$159,610; CAPITAL IMPROVEMENT PROJECT EXPENDITURES BY \$750,000; SPECIAL PROJECT EXPENDITURES BY \$65,720, AND THE MEASURE Q FUND EXPENDITURES BY \$229,940, AS FURTHER DESCRIBED IN ATTACHMENT A;**
- 2) REDUCE BUDGETED REVENUES FOR FY 2019-20 BY \$2,300,000 AS IDENTIFIED IN TABLE A;**
- 3) TRANSFER \$502,160 FROM MEASURE Q TO THE GENERAL FUND AS REIMBURSEMENT FOR DOWNTOWN STREETScape PROJECT EXPENDITURES;**
- 4) TRANSFER \$122,628 TO A NEWLY CREATED COVID-19 ECONOMIC CONTINGENCY RESERVE;**
- 5) REDUCE THE BUDGETED GENERAL FUND TRANSFER TO THE PENSION RESERVE FOR FISCAL YEAR 2019-20 BY \$536,250; AND**
- 6) AUTHORIZE THE CITY MANAGER TO ISSUE FULL REFUNDS FOR CANCELLED EVENTS THROUGH JUNE 30, 2020. (VOTE 5-0)**

Ayes: Mayor Haviland, Deputy Mayor Gaasterland, and Council Members Druker, Parks and Worden;
Noes: 0; Absent: 0; Abstain: 0.

ITEM 14: HOUSING ELEMENT OUTLINE AND GOAL SETTING (CLERK'S FILE NO. 304-7)

A presentation was provided by Management Analyst Shaun McMahon; Housing Consultant David Barquist from Kimley Horn; Principal Planner Amanda Lee; and Planning and Community Development Director Smith.

Council questions focused on clarification about the Housing Element requirement to ensure that affordable housing isn't concentrated in one location in the City and accessibility of housing; types of government constraints; and when the Housing survey results will be available.

Mayor Haviland opened the item to public comment and there were no comments to be read into the record.

Council discussion focused on concerns about the goal to "facilitate construction" that was identified in as a potential Housing Element goal in the presentation and discussed some suggested revisions; sensitivity to housing needs of the future; population/jobs data; and what opportunities, if any, there are for future amendments to the approved Housing Element if needed.

COUNCIL COMMITTEE/SUBCOMMITTEE/COMMUNITY ORG REPORTS

Councilmember Druker announced that the City of San Diego will be doing limited park openings for areas in their jurisdiction that have limited shared space starting next week; reported on the Del Mar Village Association; and meeting that he and Councilmember Worden had with the Business Support Advisory Committee (BSAC) Chair. Deputy Mayor Gaasterland reported on the Finance Committee's upcoming meeting on May 12, at 3 p.m. Councilmember Parks announced that the Arts Advisory Committee has reached out to the Del Mar Foundation about potential funding to support the art display that the Committee had arranged with the Salk Institute. Councilmember Worden reported on meeting with the BSAC Chair.

UPCOMING AGENDA ITEMS

Deputy Mayor Gaasterland and Councilmember Worden requested that the Jacob Tayler/Dunham house relocation item be placed on the City Council agenda for discussion prior to June 1, 2020.

ADJOURNMENT

Mayor Haviland adjourned the meeting at 8:15 p.m.



Ashley Jones, Administrative Services
Director/City Clerk