



**CITY OF DEL MAR**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**JUNE 15, 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](http://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**

Mayor Haviland led the Pledge of Allegiance.

**PUBLIC ORAL COMMUNICATIONS**

- 1) Joel Holliday – Expressed appreciation for the Summary Statement distributed by Councilmembers Parks and Worden regarding the Winston School Lease and support for the conclusion of negotiations.
- 2) Laura DeMarco – Provided an alternative perspective to the Summary Statement released by Councilmember Parks and Worden regarding the history of the Winston School Lease.

**CITY COUNCIL COMMENTS**

Deputy Mayor Gaasterland reminded and encouraged the public to wear masks and noted increasing cases in the southern portion of the County. Councilmember Worden reported that the City received a letter from San Diego County Sheriff in response to the letter that was sent to the Sheriff from the Del Mar City Council regarding law enforcement protocols in light of the civil unrest throughout the Country. Councilmember Parks reported on the upcoming Summer Solstice hosted by the Del Mar Village Association (DMVA).

**COMMUNITY ANNOUNCEMENTS**

There were no community announcements.

**REGIONAL ORGANIZATION REPORTS**

Councilmember Parks reported on the Metro Wastewater Joint Powers Authority, Del Mar Community Connections, and Finance Committee. Councilmember Worden reported on the Fairgrounds Community Relations Committee and the San Diego Association of Governments (SANDAG) Shoreline Working Group. Mayor Haviland reported on the SANDAG Board.

### **CITY MANAGER'S REPORT**

At the request of City Manager CJ Johnson, Fire Chief Mike Stein introduced the new Del Mar Fire Marshall, Hans Schmidt. City Manager Johnson reported on revisions to the Del Mar Plaza design manual and provided an update on the Plaza improvements; Coastal Commission consideration of the emergency bluff stabilization work at their upcoming meeting; increased parking enforcement activity and revenues; update on Court Street Park, Seagrove Park, and 21<sup>st</sup> Street Drainage Ditch improvements; concerns about light bollards expressed by neighbors; skateboard deterrent measures; public pathway vegetation clearing; and the public library will begin offering door side service starting on June 18, 2020

Council questions focused on the City's response to community complaints related to parking and other issues related to increased beach activity; Seagrove Park lighting issues and who was responsible for the simulation that was done prior to installation of the lighting bollards; parking issues in bluff top areas related to parking on both sides of street.

### **PRESENTATIONS**

#### **ITEM 1: PRESENTATION BY 6TH CYCLE HOUSING ELEMENT AD-HOC CITIZENS' TASK FORCE ON FINAL RECOMMENDATIONS AND STATUS (CLERK'S FILE NO. 304-7, 401-5)**

Housing Element Ad-Hoc Citizen's Task Force members Tracy Martinez; Karen Lare; and Julie Kawasaki provided a presentation to the City Council on behalf of the Task Force.

Council questions focused on the potential of allowing downtown buildings to be changed to include a residential use if there is no change to the floor area ratio; benefit of selling City owned property to generate funds for affordable housing; potential for accessory dwelling units (ADU) in the commercial zone; status of communication plans related to ADUs and Junior ADUs; and next steps for the City Council in the Housing Element process. The City Council thanked the Task Force members and City staff for their hard work.

### **CONSENT CALENDAR**

Mayor Haviland opened Items 2 through 12 for public comment, and comments for Item 12 were read into the record from the following:

- 1) Laura DeMarco – Provided feedback on the terms of the proposed Interim Use Agreement between the City of Del Mar and the Del Mar Foundation.
- 2) Sandra Hoyle, President of the Del Mar Foundation – Expressed appreciation to the City for allowing the Del Mar Foundation to use the Community Building for the last eight years, and support for the proposed Interim Use Agreement.

Mayor Haviland closed the items to public comment.

Council questions focused on whether there is any potential liability exposure to the City for allowing use of this building as described in the proposed Agreement.

Item 11 was pulled from the Consent Calendar for discussion, and Item 15 was opened and closed and moved to the Consent Calendar for consideration.

**IT WAS MOVED BY COUNCILMEMBER WORDEN, SECONDED BY DEPUTY MAYOR GAASTERLAND TO APPROVE THE CONSENT CALENDAR ITEMS 2 THROUGH 10, 12 and 15. (VOTE 5-0)**

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

**ITEM 2: APPROVAL OF MINUTES: JUNE 1, 2020 REGULAR AND SPECIAL MEETING (CLERK'S MINUTES BOOK)**

Council approved the minutes, on consent.

**ITEM 3: RATIFICATION OF LIST OF DEMANDS, DATED JUNE 15, 2020 (CLERK'S FILE NO. 201-3)**

Council approved the list of demands, on consent.

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

Council waived the reading of ordinances, on consent.

**ITEM 5: 2020 MANDATORY REVIEW OF THE DEL MAR CONFLICT OF INTEREST CODE (CLERK'S FILE NO. 404-6)**

Council directed staff to work with the City Attorney to review the City of Del Mar Conflict of Interest Code and submit a written report to the City Council prior to October 1, 2020, on consent.

**ITEM 6: LOCAL EARLY ACTION PLANNING GRANT APPLICATION (CLERK'S FILE NO. 201-13, 304-7)**

Council adopted Resolution 2020-25, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS", and authorized the City Manager to sign the application and execute any necessary grant documents, on consent.

**ITEM 7: ACCEPTANCE OF REPORT FOR STATE-MANDATED ANNUAL FIRE INSPECTIONS IN COMPLIANCE WITH SB1205 (CLERK'S FILE NO. 401-7, 1101-8)**

Council adopted Resolution 2020-26, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE DEL MAR FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRED TO PERFORM ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE", on consent.

**ITEM 8: APPOINTMENT TO THE FINANCE COMMITTEE (CLERK'S FILE NO. 401-5)**

Council appointed Alan Lonbom to serve a three-year term on the Finance Committee effective July 31, 2020, and ending on July 31, 2023, on consent.

**ITEM 9: SECOND AMENDMENT TO SOUTHWEST TRAFFIC SIGNAL SERVICE, INC. FOR TRAFFIC SIGNAL SERVICES (CLERK'S FILE NO. 406-1)**

Council approved a Second Amendment to the Agreement with Southwest Traffic Signal Service, Inc. for a term ending June 30, 2022, and authorized the City Manager to execute the Second Amendment, on consent.

**ITEM 10: RESOLUTION TO ACCEPT CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT CORONAVIRUS RELIEF FUND (CRF) FUNDING (CLERK'S FILE NO. 201-8, 1104-3)**

Council adopted Resolution 2020-27, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA AUTHORIZING THE ACCEPTANCE OF CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT CORONAVIRUS RELIEF FUND (CRF) FUNDING FROM THE COUNTY OF SAN DIEGO AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBGRANT AGREEMENT WITH THE COUNTY OF SAN DIEGO", on consent.

**ITEM 11: RESOLUTIONS CALLING FOR A 2020 GENERAL MUNICIPAL ELECTION (CLERK'S FILE NO. 401-9, 402-1)**

This item was pulled from the Consent Calendar for a brief presentation by Administrative Services Director/City Clerk Ashley Jones.

**IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY COUNCILMEMBER WORDEN TO ADOPT RESOLUTION 2020-28, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, CALLING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES"; RESOLUTION 2020-29, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE"; AND RESOLUTION 2020-30, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020." (VOTE 5-0)**

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

**ITEM 12: INTERIM USE AGREEMENT FOR THE COMMUNITY BUILDING AT 225 NINTH STREET BY THE DEL MAR FOUNDATION (CLERK’S FILE NO. 406-1, 1202-11)**

Council authorized the City Manager to enter into an Interim Use Agreement between the City of Del Mar and the Del Mar Foundation for the use of the Community Building located at 225 Ninth Street for a four-year term ending on June 15, 2024, on consent.

**STANDING DISCUSSION ITEMS**

**ITEM 13: COVID-19 (CLERK’S FILE NO. 1104-3, 1404-1)**

City Manager Johnson provided an update on the COVID-19 virus which focused on infection data for the County; public access to beaches and other public locations; reopening of hotels as of last Friday; assistance provided to businesses; and status of events at the Fairgrounds.

Council comments focused on issues associated with enforcement, whether wearing masks be mandatory in Del Mar; encouragement for businesses to require wearing of masks; whether there is any recourse for businesses that aren’t requiring use of masks and if there a number they can call at the City to get assistance with signage.

**ITEM 14: HOUSING (CLERK’S FILE NO. 303-1)**

Planning & Community Development Director Joseph Smith provided an update on the 6<sup>th</sup> Cycle Housing Element process; release of the Housing Element Environmental Impact Report; and a Housing Element Frequently Asked Questions document that is currently being developed and will be available on the City’s website once complete.

Council questions and comments focused on appreciation for staff’s support of the Housing Task Force; and status of the request to the State Department of Housing & Community Development for an extension to the deadline for Housing Element submittal to the State.

**PUBLIC HEARING**

**ITEM 15: RESOLUTION AUTHORIZING THE SUBMITTAL AND PROCESSING OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING – COVID -19 (CDBG-CV) TO FUND THE DEL MAR COMMUNITY CONNECTIONS GROCERY DELIVERY PROGRAM (CONTINUED FROM JUNE 1, 2020) (CLERK’S FILE NO. 201-13, 1104-3, 1202-15)**

The public hearing for this item was opened and closed and the item was moved to the Consent Calendar for consideration. There was no public comment for this item.

Council adopted Resolution 2020-31, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE SUBMITTAL AND PROCESSING OF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT- CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDING”, on consent.

**ITEM 16: ENCROACHMENT PERMIT EP20-014 – CONSTRUCTION OF A NEW TRELIS IN PUBLIC RIGHT-OF-WAY OVER THE EXISTING JIMMY O’S SIDEWALK CAFÉ, ADJACENT TO 1438 CAMINO DEL MAR (CLERK’S FILE NO. 802-1)**

A presentation was provided by Assistant Planner Adriana Jaramishian.

Council questions focused on whether the applicant would be allowed to put up an awning during inclement weather to protect patrons; whether Design Review Board review is required; is view review by Design Review Board included for commercial zone; and whether the trellis would be located within the foot print within the currently permitted sidewalk café area.

There was no public comment on this item.

**IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY COUNCILMEMBER WORDEN TO ADOPT RESOLUTION 2020-32, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING ENCROACHMENT PERMIT EP20-014 FOR THE CONSTRUCTION OF A NEW TRELIS IN PUBLIC RIGHT-OF-WAY, ADJACENT TO 1438 CAMINO DEL MAR (APN: 300-012-04) IN DEL MAR, CALIFORNIA", WITH AN ADDED CONDITION OF APPROVAL THAT NO COVERING FROM TRELIS TO BUILDING BE ALLOWED AND THAT IT BE MADE PART OF THE ENCROACHMENT PERMIT AS IT GOES FORWARD. COUNCILMEMBER WORDEN RESTATED THE MOTION TO ADD A CONDITION THAT IF THEY EVER WANT A COVERING ON THE TRELIS IT WOULD REQUIRE COUNCIL APPROVAL OF AMENDMENT TO ENCROACHMENT PERMIT AND DESIGN REVIEW BOARD APPROVAL WITH, WHICH WAS SUPPORTED BY COUNCILMEMBER DRUKER (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 7:06 to 7:20 p.m.

**CITY COUNCIL OTHER BUSINESS**

**ITEM 17: RESOLUTION DECLARING A CLIMATE EMERGENCY FOR THE CITY OF DEL MAR (CLERK'S FILE NO. 1403-4)**

A presentation was provided by Mayor Haviland and Councilmember Worden.

Council questions focused on concerns about the impacts of utilizing staff time to support activities related to the City's Climate Action Plan as described in Recital 6 of the proposed resolution; what the right composition of a Climate Emergency Declaration for Del Mar is and whether some specific from the Climate Action Plan be included.

Mayor Haviland opened the item to public comment and the following comment was read into the record:

- 1) Jim Wang – Expressed support for the adoption of the proposed resolution declaring a climate emergency for Del Mar.

Mayor Haviland closed the item to public comment.

**IT WAS MOVED BY COUNCIL MEMBER PARKS, SECONDED BY MAYOR HAVILAND TO ADOPT RESOLUTION 2020-33, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, DECLARING A CLIMATE EMERGENCY AND THE NEED FOR ACCELERATED ACTION TO ADDRESS THE CLIMATE CRISIS", WITH AMENDED LANGUAGE SUGGESTED BY**

**COUNCILMEMBER WORDEN AS FOLLOWS, “READERS ARE REFERRED TO DEL MAR CLIMATE ACTION PLAN FOR DETAILS.” (VOTE 5-0)**

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

**ITEM 18: UPDATE TO THE FISCAL YEARS 2019-20 AND 2020-21 OPERATING & CAPITAL BUDGETS AND PROPOSED OPERATIONAL CHANGES (CLERK’S FILE NO. 202-3)**

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

Mayor Haviland opened the item to public comment and the comments from the following were read into the record, all of which provided input on the budget recommendations for Fiscal Year 2020-21:

- 1) Steve and Adina Chinowsky.
- 2) KC Vafiadis
- 3) Larry Brooks
- 4) Terry Kopanski and Don Mosier
- 5) Tom McGreal
- 6) Dan Quirk
- 7) Nancy Stoke
- 8) Alan Wittgrove
- 9) Dave Sykes
- 10) Jas Grewal
- 11) Tom Grindle
- 12) Laura DeMarco
- 13) Kit Leeger
- 14) David and Kim Mullarkey
- 15) Gregg Burt
- 16) Michael Yanicelli
- 17) Phil Baker
- 18) Steve McDowell
- 19) Tracy Martinez
- 20) Bob Scott
- 21) Soheil Nakhshab
- 22) Karen Lare
- 23) Barry Finnell

Mayor Haviland closed the item to public comment.

Council questions focused on when the update to the FY 20/21 budget needs to be approved; proposed funding levels for Del Mar Village Association and Del Mar Community Connections in the coming fiscal year; how vacancies on committees would be handled while on the committees are on hiatus; plan for usage of the Powerhouse Community Center; and actions that need to be approved by the Council tonight.

Council discussion focused on concerns about putting City committees on hiatus, even with no staff support; potential to extend terms for committee members while committees are on hiatus; consensus among Council to bring back in July for additional discussion; and impacts to staff related to committee support.

**IT WAS MOVED BY DEPUTY MAYOR GAASTERLAND, SECONDED BY COUNCILMEMBER DRUKER TO ADOPT RESOLUTION 2020-34, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE FIXED CHARGE ASSESSMENTS FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2020-2021"; RESOLUTION 2020-35, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-2021"; RESOLUTION 2020-36, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2020-2021, AND DELEGATING THE AUTHORITY TO INVEST CITY FUNDS TO THE TREASURER"; AND RESOLUTION 2020-37, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADDING DECEMBER 28, 29, AND 30, 2020, TO THE LIST OF HOLIDAYS OBSERVED BY THE CITY OF DEL MAR IN THE 2020 CALENDAR YEAR." (VOTE 5-0)**

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

**IT WAS MOVED BY DEPUTY MAYOR GAASTERLAND THAT ADVISORY COMMITTEE MEETINGS BE CANCELLED THROUGH END OF AUGUST, AND DURING FY 20/21 THE COMMITTEES INCUR NO STAFF TIME OVERHEAD EXCEPT POSTING AGENDAS, UNLESS MEETINGS MUST BE SCHEDULED ON AN AS NEEDED-BASIS AS APPROVED BY THE CITY COUNCIL.**

**DEPUTY MAYOR GAASTERLAND WITHDREW HER MOTION.**

**IT WAS MOVED BY COUNCILMEMBER WORDEN, SECONDED BY MAYOR HAVILAND TO SUSPEND COMMITTEE MEETINGS THROUGH AUGUST; EXCEPT FOR THOSE IDENTIFIED IN THE STAFF REPORT, AND ASK LIAISONS TO TOUCH BASE WITH COMMITTEE CHAIRS AND BRING BACK RECOMMENDATIONS OF HOW TO CARRY FORWARD AND THAT NO STAFF SUPPORT BE REQUIRED EXCEPT PUBLISHING AND POSTING OF AGENDAS AND MINUTES FOR AS-NEEDED COMMITTEE MEETINGS. (VOTE 3-2)**

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

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

There were no reports.

**ADJOURNMENT**

Mayor Haviland continued the meeting at 10:30 p.m. to a date to be determined



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Ashley Jones, Administrative Services  
Director/City Clerk