



CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 21, 2021 – 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 Gaasterland called the Regular Meeting to order at 4:30 p.m.

ROLL CALL

Present: Mayor Terry Gaasterland; Deputy Mayor Dwight Worden; Councilmembers Dave Druker, Tracy Martinez and Dan Quirk

CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Leslie Devaney reported that Councilmember Druker was recused for one of the two matters listed under Item B and on Item C due to living within 500 feet of the subject location of those discussions.

PLEDGE OF ALLEGIANCE

Councilmember Druker led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

None.

CITY COUNCIL COMMENTS & COMMUNITY ANNOUNCEMENTS

Deputy Mayor Worden commented on Juneteenth and the 50th anniversary of the California Environmental Quality Act (CEQA). Councilmember Druker commented on the passing of Elliot Parks, his service to the City of Del Mar and his accomplishments. Mayor Gaasterland commented on the Home Grown Fun modified Fair event underway at the Fairgrounds.

CITY MANAGER'S REPORT

Interim City Manager Ashley Jones reported on the Spring Into Action Program hosted annually by the Fire Department to encourage residents to practice weed abatement. The program also includes routine fire inspections conducted annually in the summer months by the Fire Department.

CONSENT CALENDAR

Mayor Gaasterland read the titles of the items included on the Consent Calendar. There were no public speakers for the Consent Calendar items.

IT WAS MOVED BY COUNCILMEMBER DRUKER SECONDED BY MAYOR GAASTERLAND TO APPROVE THE CONSENT CALENDAR ITEMS 1 THROUGH 5 AND ITEMS 8 THROUGH 11. (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk; Noes: 0; Absent: 0; Abstain: 0.

ITEM 1: APPROVAL OF MINUTES: MAY 17, 2021 REGULAR MEETING, MAY 22 & 24, 2021 SPECIAL MEETING – BUDGET WORKSHOP, JUNE 7, 2021 REGULAR AND SPECIAL MEETING (CLERK’S MINUTES BOOK)

Council approved the minutes, on consent.

ITEM 2: RATIFICATION OF LIST OF DEMANDS, DATED JUNE 21, 2021 (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: APPROVAL OF AN AGREEMENT WITH THE DEL MAR TELEVISION FOUNDATION TO PROVIDE TELEVISION STUDIO OPERATIONS, BROADCAST, AND PRODUCTION SERVICES (CLERK’S FILE NO. 406-1)

Council approved the agreement between the City of Del Mar and Del Mar Television Foundation for Television Studio Operations, Broadcast, and Production Services from July 1, 2021 to June 30, 2026, and authorized the Interim City Manager to execute the Agreement, on consent.

ITEM 5: ACCEPTANCE OF REPORT FOR STATE-MANDATED ANNUAL FIRE INSPECTIONS IN COMPLIANCE WITH SB 1205 (CLERK’S FILE NO. 102-5, 401-7, 1101-8)

Council adopted resolution 2021-22, “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 6: PROPOSITION 68 PER CAPITA GRANT PROGRAM CONTRACTS FOR THE POWERHOUSE PARK TOT LOT RENOVATION PROJECT (CLERK’S FILE NO. 406-1)

This item was pulled from the Consent Calendar for additional discussion. Council questions and discussion focused on the project’s budget and funding sources; Parks & Recreation Committee’s upcoming consideration of the item; process for grant submission; Deputy Mayor Worden and Councilmember Druker’s participation in the

grant process as liaisons to the Parks & Recreation Committee; and upcoming fundraising efforts by the Del Mar Foundation and the Friends of the Powerhouse.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR WORDEN TO 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, AUTHORIZE THE INTERIM CITY MANAGER TO EXECUTE THE AGREEMENTS AND ENGAGE THE DEL MAR FOUNDATION AND FRIENDS OF THE POWERHOUSE TO HELP WITH FUNDRAISING. (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk; Noes: 0; Absent: 0; Abstain: 0.

ITEM 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 (CLERK'S FILE NO. 1502-14)

This item was pulled from the Consent Calendar for additional discussion and to receive public comment. The Mayor opened the item to public comment and the following speakers spoke:

- 1) Kristin Brinner
- 2) Julie Hamilton

Mayor Gaasterland closed the item to public comment.

Deputy Mayor Worden noted he voted against withdrawal on June 7, 2021, but was voting for this resolution as it accurately reflects the majority's reasoning.

IT WAS MOVED BY MAYOR GAASTERLAND, SECONDED BY COUNCILMEMBER MARTINEZ TO ADOPT RESOLUTION 2021-25, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, TO AFFIRM THE PRIOR DECISION OF THE CITY COUNCIL MADE ON JUNE 7, 2021 TO WITHDRAW THE CITY'S SEA LEVEL RISE LOCAL COASTAL PROGRAM AMENDMENT FROM THE COASTAL COMMISSION CERTIFICATION PROCESS AFTER THOROUGH REVIEW, CONSIDERATION, PUBLIC DISCUSSION AND CONCLUSION THAT THE CITY OF DEL MAR IS UNABLE TO ACCEPT THE MODIFICATIONS PROPOSED BY THE COASTAL COMMISSION AS A CONDITION OF LCPA CERTIFICATION". (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk; Noes: 0; Absent: 0; Abstain: 0.

Council discussion focused on the existing Local Coastal Program Amendment (LCPA).

ITEM 8: FIRST AMENDMENT TO AGREEMENT WITH D.H. MAINTENANCE SERVICES FOR JANITORIAL SERVICES (CLERK'S FILE NO. 406-1)

Council approved the First Amendment to the Agreement between the City of Del Mar and D.H. Maintenance Services for janitorial services, extending the Agreement for an

additional two-year period ending June 30, 2023; and authorized the Interim City Manager to execute the First Amendment, on consent.

ITEM 9: APPROVAL OF A MUTUAL AID AGREEMENT PROVIDING FOR EMERGENCY ASSISTANCE AMONG THE SAN DIEGO COUNTY WATER AUTHORITY AND ITS MEMBERS (CLERK'S FILE NO. 406-1, 1506-3)

Council approved the Mutual Aid Agreement Providing for Emergency Assistance among the San Diego County Water Authority and Its Members; and authorized the Interim City Manager to execute the agreement, on consent.

ITEM 10: APPROVAL OF THE 2021-2023 MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF DEL MAR AND THE DEL MAR FIREFIGHTERS ASSOCIATION (CLERK'S FILE NO. 406-1, 502-1, 503-6)

City Council adopted resolution 2021-23, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF DEL MAR AND THE DEL MAR FIREFIGHTERS ASSOCIATION FOR THE PERIOD JULY 1, 2021 THROUGH JUNE 30, 2023"; and authorized the Interim City Manager to sign the Agreement, on consent.

ITEM 11: APPROVAL OF SIDE LETTER AGREEMENT WITH DEL MAR CITY EMPLOYEES ASSOCIATION (CLERK'S FILE NO. 406-1, 502-1)

Council approved a Side Letter Agreement with the Del Mar City Employees Association for a period beginning July 1, 2021 and ending June 30, 2022; and authorized the Interim City Manager to execute the Side Letter Agreement, on consent.

PUBLIC HEARING

ITEM 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 (CLERK'S FILE NO. 1506-1)

Public Works Director Joe Bride provided a brief overview and answered City Council questions regarding this item.

Council questions focused on what streets are affected by this action; if this action was in addition to the Transnet loan; and SANDAG refinancing the bonds related to the loan and if the City will benefit from the refinancing.

There were no speakers for the item.

IT WAS MOVED BY DEPUTY MAYOR WORDEN, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-33, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING AN AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2020-2021 THROUGH 2024-2025." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

ITEM 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 (CLERK’S FILE NO. 802-1)

Senior Management Analyst Beth Murray provided a brief overview and answered questions regarding this agenda item, and Councilmember Druker provided an overview of the locations of the five art pads for the public and Council.

There were no public speakers for the item.

Council discussion focused on safety of the locations; public outreach related to the program; cost of the program; timing for the art being on display; and reference to the previous discussion of the program at the May 17, 2021 City Council meeting.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR WORDEN TO ADOPT RESOLUTION 2021-24, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, 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 IN DEL MAR, CALIFORNIA.” (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

CITY COUNCIL OTHER BUSINESS

ITEM 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
(CLERK’S FILE NO. 301-12)**

Deputy Mayor Worden recused himself from the item due to concerns about perception based on his past relationship with the applicant’s law firm, Worden Williams, LLP. Interim City Manager Jones introduced the item and City Attorney Leslie Devaney provided an overview of the initial consideration process. A presentation was provided by Planning & Community Development Director Joseph Smith.

Council questions focused on the applicant’s proposal for construction; grounds for the appeal; locations for the structures; clarification on the initial consideration and de novo hearing process; purpose of the 10 foot set back between a commercial zone and a residential property; if the structures are visible from the residential units in the commercial zone; and if trash containers are allowed to be visible from the street.

The appellant Junie Young presented on the issue and basis of the request for a de novo hearing. The applicant's representative Wayne Brechtel, Worden Williams, LLP, presented on behalf of the applicant and basis for requesting that a de novo hearing not be held.

There were no public speakers for the item.

Mayor Gaasterland and Councilmembers Druker and Martinez indicated a desire to hold a de novo hearing set for July 26, 2021. Councilmember Quirk indicated he did not wish to set the item for a de novo hearing.

ITEM 15: ADOPTION OF THE FISCAL YEARS 2021-2022 AND 2022-2023 OPERATING AND CAPITAL BUDGET AND RELATED BUDGET RESOLUTIONS (CLERK'S FILE NO. 202-2)

A presentation was provided by Interim City Manager Jones and Finance Manager/Treasurer Monica Molina.

Council questions focused on the fee schedule update; if funding is available in the budget for Shores Park Master Planning; change to the open space fund; if increased costs related to employee reclassifications in the Planning & Community Development Department are reflected in the in the updated fee schedule; CalPERS unfunded liability; process for approving the unfunded special projects recommended by staff; what the \$11,000 budget for Shores Park will be used for; reclassifications in the Planning & Community Development Department; and how open space expenditures differ from Shore Park expenditures.

There were no public speakers for the item.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-26, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING THE FISCAL YEARS 2021-2022 AND 2022-2023 OPERATING AND CAPITAL BUDGET AND CITY COUNCIL PRIORITIES." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-27, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING THE COMPENSATION PLANS FOR THE MANAGEMENT AND PROFESSIONAL, GENERAL, FIREFIGHTER, AND MISCELLANEOUS, PART-TIME, TEMPORARY AND HOURLY EMPLOYEES." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-28, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE SALARY SCHEDULE FOR MISCELLANEOUS, PART-TIME, TEMPORARY AND HOURLY EMPLOYEES, TO REFLECT A STATE MANDATED MINIMUM WAGE INCREASE EFFECTIVE JANUARY 1, 2022." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-29, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, SETTING THE FISCAL YEAR 2021-2022 CITY OF DEL MAR FEE SCHEDULE FOR PLANNING, PUBLIC WORKS, COMMUNITY SERVICES, AND ADMINISTRATION SERVICES." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-30, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE FIXED CHARGE ASSESSMENTS FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2021-2022." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-31, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2021-2022." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO ADOPT RESOLUTION 2021-32, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2021-2022, AND DELEGATING THE AUTHORITY TO INVEST CITY FUNDS TO THE TREASURER." (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY MAYOR GAASTERLAND TO APPROVE THE FOLLOWING EMPLOYEE RECLASSIFICATIONS IN THE PLANNING DEPARTMENT: RECLASSIFICATION OF AN EXISTING ASSOCIATE PLANNER POSITION TO SENIOR PLANNER; RECLASSIFICATION OF AN EXISTING MANAGEMENT ANALYST POSITION TO ASSOCIATE PLANNER; AND RECLASSIFICATION OF AN EXISTING ASSISTANT PLANNER II POSITION TO ASSOCIATE PLANNER. (VOTE 5-0)

Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

REGIONAL ORGANIZATION REPORTS

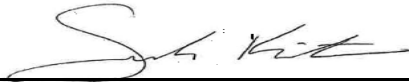
Council representatives reported on the North County Transit District (NCTD) and SANDAG Shoreline Preservation Working Group.

COUNCIL COMMITTEES/SUBCOMMITTEES/COMMUNITY ORG REPORTS

Deputy Mayor Worden and Councilmember Martinez reported on the Task Force on Committee Efficiencies.

ADJOURNMENT

Mayor Gaasterland adjourned the meeting at 6:32 p.m.



Sarah Krietor, Acting City Clerk