



**CITY OF DEL MAR**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**SEPTEMBER 7, 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](http://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 no Councilmembers were recused from any item on the August 11, 2021 closed session agenda. City Attorney Devaney reported that for the September 7, 2021, closed session Councilmember Martinez was recused from one matter under Item B and Councilmember Druker recused from another matter under Item B. Councilmember Druker was also recused from Item C due to living within 500 feet of the subject matter location. Councilmembers Quirk and Martinez were recused on Item D.

**PLEDGE OF ALLEGIANCE**

Councilmember Druker led the Pledge of Allegiance.

**PUBLIC ORAL COMMUNICATIONS**

Bradley Zink presented the City with a copy of his book SIGNS: You're in San Diego.

**CITY COUNCIL COMMENTS & COMMUNITY ANNOUNCEMENTS**

Councilmember Martinez commented on bike safety, Del Mar Community Connections gala on October 2, 2021, and the dedication of the Ranger Station scheduled for September 12, 2021. Deputy Mayor Worden announced that he rode the inaugural ride of the new Trolley line from the South Bay to University of California San Diego; upcoming agenda item related to vaccinations, and recent protest involving the Mayor by representatives of the Winston School. Mayor Gaasterland also shared her thoughts on the recent protest by teachers, students, parents, and staff of the Winston School.

**CITY MANAGER'S REPORT**

Interim City Manager Ashley Jones reported on upcoming virtual neighborhood meetings for the two newly formed undergrounding areas IA and XIA to introduce affected residents to the project team, review project timelines and what to expect during the project. The Area 1A meeting will take place over Zoom Monday, September 13, 2021, at 7:00 p.m. and the X1A meeting will take place on Wednesday,

September 15, 2021, at 7:00 p.m. Community Services Director/Lifeguard Chief Jon Edelbrock reported on the off-season dog leash rules which went into effect following Labor Day on September 7.

### **PRESENTATIONS**

**ITEM 1: UPDATE ON PLANNING AND DEVELOPMENT REVIEW PROJECTS (CLERK'S FILE NO. 306-1)**

Planning & Community Development Director Joseph Smith provided a presentation about the status of current Planning Department activities and projects.

There were no public speakers for the item.

Council questions focused on the set back for the Harold project; the status of any project on the North bluff and the approval of the tentative map for the property; whether the Watermark Project has CEQA or Design Review and whether there is a period for public comment; the timing to reach a binding agreement for housing with the Fairgrounds; timing for notices and the appeal period related to the Watermark project and California Coastal Commission consideration, whether the Hillstone project is eligible for an extension, and clarification on the State density bonus law.

### **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. Item 7 was pulled from the Consent Calendar for discussion.

**IT WAS MOVED BY MAYOR GAASTERLAND SECONDED BY COUNCILMEMBER DRUKER TO APPROVE THE CONSENT CALENDAR ITEMS 2 THROUGH 6 AND ITEM 8. (VOTE 5-0)**

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

**ITEM 2: APPROVAL OF MINUTES: JULY 26, 2021, REGULAR AND SPECIAL MEETING; AND AUGUST 11, 2021, OPEN AND CLOSED SESSION SPECIAL MEETINGS (CLERK'S MINUTES BOOK)**

Council approved the minutes, on consent.

**ITEM 3: RATIFICATION OF LIST OF DEMANDS, DATED SEPTEMBER 7, 2021 (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: RESOLUTION DESIGNATING THE CITY OF DEL MAR'S AGENTS TO EXECUTE OFFICIAL DOCUMENTS FOR THE CALIFORNIA OFFICE OF EMERGENCY SERVICES AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (CLERK'S FILE NO. 1501-12, 1502-22)**

Council adopted resolution 2021-43, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, DESIGNATING REPRESENTATIVES TO SIGN CALIFORNIA OFFICE OF EMERGENCY SERVICES AND FEDERAL EMERGENCY MANAGEMENT AGENCY DOCUMENTS ON BEHALF OF THE CITY OF DEL MAR", on consent.

**ITEM 6: ADOPTION OF DEL MAR CITY COUNCIL AND CITY MANAGER GUIDING PRINCIPLES (CLERK'S FILE NO. 102-8, 401-1)**

Council adopted the Del Mar City Council and City Manager Guiding Principles included with the agenda report, on consent.

**ITEM 7: APPROVAL OF SCULPTURE SELECTIONS FOR THE TEMPORARY OUTDOOR SCULPTURE PROGRAM AND FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND DEL MAR FOUNDATION (CLERK'S FILE NO. 401-5, 1202-11)**

The item was pulled from the Consent Calendar for discussion. Senior Management Analyst Beth Murray and Del Mar Foundation representative Betty Wheeler provided a presentation. Council questions focused on the process for selecting the recommended art pieces.

**IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR WORDEN TO APPROVE RECOMMENDATIONS FROM THE ARTS ADVISORY COMMITTEE (AAC) FOR THE SELECTION OF FIVE SCULPTURES FOR TEMPORARY PUBLIC DISPLAY AND PLACEMENT LOCATIONS; APPROVE THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE DEL MAR FOUNDATION (DMF) THAT DESIGNATES THE CITY COUNCIL AS THE FINAL DECISION MAKER FOR THE SELECTION OF PUBLIC ART AND MAINTAINS THE AAC AS AN ADVISORY COMMITTEE; AND AUTHORIZED THE INTERIM CITY MANAGER TO SIGN THE FIRST AMENDMENT TO THE MOU, ON CONSENT. (VOTE 5-0)**

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

**ITEM 8: ACCEPTANCE OF A DONATION FROM THE ROTARY CLUB OF DEL MAR (CLERK'S FILE NO. 201-16)**

Council accepted a donation of \$4,720 from the Rotary Club of Del Mar to be used for lifeguard training, and amended the Fiscal Year 2021-22 Operating and Capital Budget as indicated in the Fiscal Impact section of this report, on consent.

**PUBLIC HEARING**

**ITEM 9: ENGINEERING AND TRAFFIC SURVEY FOR SPEED ZONING REPORT AND INTRODUCTION OF THE ORDINANCE ESTABLISHING VEHICULAR SPEED LIMITS (CLERK'S FILE NO. 401-4, 904-4)**

A presentation was provided by Public Works Director Joe Bride and Traffic Engineering Consultant Ryan Zellers with Michael Baker International.

There were no public speakers for the item.

Council questions and discussion focused on whether the same speed limit is required on both sides of the street when there is a median; how often the Sheriff is in the field using the radar gun; consideration to reduce the speed limit on sections of Camino del Mar to promote a more bikeable and walkable town; why certain segments such as 4<sup>th</sup> street to Carmel Valley Road on Camino Del Mar were not included in this speed study; desire to lean towards lower speed limits whenever possible; consideration to continue the item and reevaluate two specific segments on Camino del Mar to see if the speed could be further reduced.

**IT WAS MOVED BY DEPUTY MAYOR WORDEN, SECONDED BY MAYOR GAASTERLAND TO CONTINUE THE ITEM AND REFER TO THE INTERIM CITY MANAGER, PUBLIC WORKS DIRECTOR AND TRAFFIC ENGINEER TO EVALUATE, SPECIFICALLY COAST BLVD. TO 15<sup>TH</sup> STREET, AND 4<sup>TH</sup> STREET TO 9<sup>TH</sup> STREET ON CAMINO DEL MAR, AND BRING BACK WHEN THEY THINK IT IS TIMELY IN LIGHT OF CHANGING LAWS. (VOTE 5-0)**

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

**ITEM 10: ENCROACHMENT PERMIT EP21-064 – A REQUEST FOR A LONG-TERM MAJOR ENCROACHMENT PERMIT TO CONSTRUCT A LANDSCAPE PLANTER AND ROOF OVERHANG IN THE 15TH STREET PUBLIC RIGHT-OF-WAY ADJACENT TO 1435 CAMINO DEL MAR/WESTBREW (APPLICANT: DMBB, LLC) (CLERK’S FILE NO. 802-1)**

A presentation was provided by Associate Planner Adriana Jaramishian.

Council questions and discussion focused on whether the area between the pony wall and the roof would be left open or partially or completely enclosed.

There were no public speakers for the item.

**IT WAS MOVED BY MAYOR GAASTERLAND, SECONDED BY COUNCILMEMBER MARTINEZ TO ADOPT RESOLUTION 2021-44, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING ENCROACHMENT PERMIT EP21-064 TO CONSTRUCT A LANDSCAPE PLANTER AND ROOF OVERHANG IN THE 15TH STREET PUBLIC RIGHT-OF-WAY ADJACENT TO 1435 CAMINO DEL MAR/WESTBREW (APN: 300-030-82) 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 11: APPROVAL OF A REQUEST FOR PROPOSALS BID PACKAGE FOR SOLID WASTE COLLECTION SERVICES (CLERK’S FILE NO. 906-9)**

A presentation was provided by Environmental Sustainability/Special Projects Manager Clem Brown.

Council questions and discussion focused on who will participate in the evaluation of the proposals; whether the cost proposals will be submitted separately or included with the entire proposal; and whether existing collection bins will be swapped out if a new waste hauler is selected.

There were no public speakers for the item.

Council discussion focused on changes to waste hauling service requirements especially related to food waste and the expectation that rates may increase as a result.

**IT WAS MOVED BY MAYOR GAASTERLAND, SECONDED BY DEPUTY MAYOR WORDEN TO APPROVE THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) BID PACKAGE IN SUBSTANTIAL FORM AND THE KEY TERMS FOR THE CITY'S NEXT SOLID WASTE COLLECTION FRANCHISE AGREEMENT. (VOTE 5-0)**

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

**ITEM 12: COUNCIL DISCUSSION REGARDING REQUESTED IMPROVEMENTS TO HOSKA ALLEY (CLERK'S FILE NO. 901-1)**

A presentation was provided by Public Works Director Joe Bride.

Council questions focused on whether there have been changes to the amount of water draining down the alley and how deep the water gets; the volume of water draining into the existing drainage inlet; whether paving of the alley would assist with laterals when undergrounding is done in the area; and what would need to be done to address the drainage issue and estimated costs.

Mayor Gaasterland opened the item to public comment and the following people spoke:

- 1) Judd Westover
- 2) Allen Hall
- 3) Carter Chappell

Mayor Gaasterland closed the item to public comment.

Council discussion focused on the permeable treatment and what type of product is used; whether there are other unpaved alleys in Del Mar; the cost feasibility and timing for paving the alley; desire to add paving the alley to the Capital Improvement Project list in the future; desire for staff to return with a scope of work and cost estimates for drainage and paving options.

Council consensus was for staff to return to the City Council during the FY 2022-23 Budget Update Process with a scope of work for and costs to install a proper drainage system and pave the entirety of Hoska Alley and for the project to added to the Capital Improvements Project list for consideration in FY22-23 or in a future budget cycle based on the availability of funds.

**ITEM 13: REEVALUATION OF THE CITY'S RENTAL ASSISTANCE PROGRAM AND RELATED DEL MAR HOUSING CORPORATION, AND POTENTIAL FORMATION OF A CITY HOUSING ADVISORY COMMITTEE (CLERK'S FILE NO. 303-1)**

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

Council questions focused on the adequacy of the rental assistance program; whether a rental assistance program is appropriate to include in a housing element; the process and flexibility for phasing out the rental assistance program; whether Del Mar Community Connections (DMCC) has the option to seek outside sources of funding to continue the program should they desire to do so; and whether the current rental subsidy recipients can receive priority for affordable housing at 941 or the Watermark Project.

Mayor Gaasterland opened the item to public comment and Terry Kopanski spoke on behalf of DMCC. Mayor Gaasterland closed the item to public comment.

Council consensus was for staff to work with the DMCC to assess the situation of each program participant, and enlist support from a social worker or other qualified source to assist with facilitating a smooth transition of the program participants and phase out of the program and to report back to the City Council with an status update in June 2022.

**IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR WORDEN, TO DISSOLVE THE DEL MAR HOUSING CORPORATION, DIRECT THE INTERIM CITY MANAGER TO FILE A CERTIFICATE OF DISSOLUTION WITH THE CALIFORNIA SECRETARY OF STATE AND NOTICE OF TERMINATION WITH THE INTERNAL REVENUE SERVICE (IRS). (VOTE 5-0)**

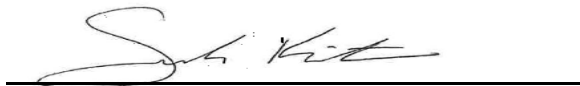
Ayes: Mayor Gaasterland, Deputy Mayor Worden, and Councilmembers Druker, Martinez and Quirk; Noes: 0; Absent: 0; Abstain: 0.

**REGIONAL ORGANIZATION REPORTS & COUNCIL COMMITTEES/ SUBCOMMITTEES/  
COMMUNITY ORGANIZATION REPORTS**

Council representatives reported on the Clean Energy Alliance, Arts Advisory Committee, Housing Subcommittee, 22<sup>nd</sup> District Agricultural Association-Community Relations Subcommittee, Committee Efficiencies Task Force, and Human Resources Subcommittee.

**ADJOURNMENT**

Mayor Gaasterland adjourned the meeting at 8:29 p.m.



Sarah Krietor, Acting City Clerk