

SPECIAL ELECTION ISSUE

DEL MAR'S COMMUNITY MONTHLY
NEWS • FEATURES • OPINION

Volume 24 Number 8

October 2020

SANDPIPER

COUNCIL ENDORSEMENTS 2020

The Sandpiper editors and writers tune in every month to what is going on in our community, informing and analyzing for our readers so you are in the know. Every two years at election time we look back on what we have observed and combine that with an analysis of what candidates are saying. That combination leads us to make judgments about who we think will be effective leaders for our future and we offer it for your consideration.

This year, our conclusion is that three candidates clearly stand out: Bob Gans, Phil Blair and Glenn Warren.

Although they bring quite different but complementary experiences and skill sets to the job, they are similar in respect to their positions on key strategic issues that clearly differentiate them from the other three candidates. And even more importantly they bring an upbeat, positive approach to addressing our issues in a way that could help us achieve unity of purpose that has been missing in recent times.

On key issues, we can expect these three to stand strong on our efforts to block the short term rental industry from overpowering our residential zones—they all support defending the very generous 7/28 compromise. We can expect them to protect local control over land use decisions by working with state housing requirements that are being imposed on all California cities. They have the skills and experience to be disciplined and careful in managing us through extremely difficult financial crises.

It is impressive to review how complementary their backgrounds are to form a dynamic leadership team. **Bob Gans** has earned a reputation as a unifying community leader, very importantly including his service on the Finance Committee guiding us to a very strong financial position. **Phil Blair's** reputation as a top business leader in San Diego will strengthen our leverage in regional decision making on critical issues, not to mention his skillful management of a big business surviving the great recession of 2008 without the loss of a single employee. **Glenn Warren's** experience as a US diplomat can guide us through some tricky negotiation situations, not to mention having a champion from the beach community which is the site of so many neighborhood-disrupting situations.

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WE ALSO ENDORSE:

Terra Lawson-Remer – Board of Supervisors This race is one of the most important on the ballot, because it will determine control of the Board. Terra has a stellar resume that positions her to hit the ground running on our most complex challenges, including climate change and sustainability, open space protection, housing, jobs, healthcare and transportation. Her opponent is a Trump clone who directed \$100,000 in public funds to a questionable charity. For more details, see our endorsement of Terra for the March primary here: <http://bit.ly/TLR-MAR> Terra's site: <https://www.terralawsonremer.org/>

Chris Ward – 78th State Assembly We endorse Chris Ward for Assembly. As a SD City Councilmember, he's created a strong record on environment and climate change, economic security, housing, homelessness, and equality, proving his effectiveness and his strong values. His endorsers include Todd Gloria, who currently holds the seat, and Sen. Toni Atkins. <https://voteforward.com/>

Jane Lea Smith – SDUHSD Trustee Area 4 We recommend Jane Lea Smith, a parent, business owner and former special education teacher and principal committed to collaboration who pledges collaboration and stakeholder engagement, as the best choice to steer the District through the extraordinary challenges our schools face today. <https://www.smith4sandieguito.com/>

Mike Levin – 49th Congressional District We have been extraordinarily well-represented in Congress these past two years, with Mike's high-energy and thoughtful leadership on a wide range of issues, ranging from SONGS nuclear waste and climate change to doing right by our veterans. His town hall meeting at Del Mar's Town Hall showcased his deep engagement on important issues and his core values. He's the right leader for us in D.C. ■

VOTE
EARLY

Our take on the other three candidates:

Tracy Martinez is relatively new to civic involvement, and she’s proven herself to be an articulate advocate for her positions. But she has been very active in opposing any improvements in the Jimmy Durante entryway into Del Mar with its large dirt lot, semi-industrial section and run-down buildings. Of course, her house happens to be nearby. Before we consider her for Council leadership we should encourage her to get more involved in efforts that benefit the entire community, not just her back yard. Her opposition testimony before the Planning Commission urging that we renege on the Community Plan’s commitment to allow more residential in the North Commercial district illustrates her willingness to violate state law, put our Housing Element into noncompliance, and put local control at risk in pursuit of her narrow neighborhood interests.

It is time for **Dave Druker’s** 16-year run to end. We endorsed him in 2016 based on his long record of serving Del Mar well in past years, and Del Mar owes him gratitude for that past work. His history of saying “no” has sometimes served Del Mar well, but shockingly, he recently cast the deciding vote that put us into immediate violation of state law and our Community Plan, which includes our →

Housing Element (HE) and its commitment to rezone North Commercial to include residential use at the state-mandated density. This reckless action put us in the State’s cross-hairs, with potential penalties including decertification of our HE, fines of \$100,000/month, loss of eligibility for state grants, and more. We are now vulnerable to both State and private lawsuits, and developers in some cases are likely eligible to development “by right,” which bypasses DRB and other discretionary review. Ironically, Druker’s vote increases the likelihood we will be forced to upzone the north bluffs to 20 units/acre where voters recently rejected a hotel development proposal that included 22 affordable units.

Druker was the lone vote on Council against 941 Camino Del Mar, on the old gas station site; voters overwhelmingly approved it, with 79.95% voting “yes.” And though he takes credit for key projects now, Druker opposed Civic Center as it was built, wanting a smaller project with much less parking, and from 1996 to 2008, during the first 12 years Druker was on the Council, Streetscape did not move forward at all. He is associated with much of the negativity and personal unpleasantness that has invaded city hall in recent times.

Dan Quirk’s initial promise as a leader on Measure Q has been offset by his tendency to embrace unrealistic ideas (e.g., ending train service entirely between Del Mar and San Diego) that have zero chance of success and serve as barriers to progress.

One very vital line of differentiation among candidates concerns short term rental businesses (STRB) taking over our residential neighborhoods. Candidates Blair, Warren, and Gans are committed to strong support of the 7/28 compromise and no more. STRB support of Druker, Martinez, and Quirk signals their expectation of a more generous compromise from these three. Protecting our residential neighborhoods from these mini-hotels should be job 1 for our City Council.

It is very clear that today’s pandemic and financial health issues will require a resourceful leadership team that unites our community for tomorrow. This new team of Warren, Gans, and Blair will draw from all factions and shows real promise of moving us in a united way in the right direction.

New energy and fresh eyes to help shape Del Mar’s future as we dig out of these challenging times. **Bob Gans, Phil Blair, Glenn Warren.** It is way past time to bury old grudges and city hall negativity. Let’s get residents, businesses, and city hall united to write the next chapter for the special community we all love. ■



The Sandpiper is published by the Del Mar Community Alliance, a 501(C)(4) non-profit. Its purpose is to advocate the Del Mar Community Plan, to foster informed public and government decision-making regarding issues affecting the community of the City of Del Mar, and to encourage a social and political climate favorable to the protection of the community character of the City of Del Mar and its environs.

Editorial Board: Jeff Barnouw, Valérie Dufort-Roy, Bud Emerson, Virginia Lawrence, Julie Maxey-Allison, Don Mosier, Betty Wheeler.

All editors, writers, and photographers are unpaid volunteers.

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LETTERS TO THE EDITOR

Material submitted must include the writer’s name, street address, and phone number, and should not exceed 400 words. Contact us via e-mail or post at:

The Sandpiper, Box 2177, Del Mar, CA 92014
editor@delmarsandpiper.org

Questions for City Council Candidates

PHIL BLAIR

Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) Yes, I support the city's sea level rise adaptation plan which was submitted as an amendment to our LCP. I believe no further amendment is needed. I believe in sand replenishment, barriers and responsible preservation of our shoreline.

Q2. Do you support continuation without delay of the city's membership in the Clean Energy Alliance?

(2 - lean toward support) CEA is a financial matter as well as an environmental issue. There will always be reasons to delay taking the action we know is necessary to reduce our reliance on carbon fuels; if we have learned anything from this season of remarkable firestorms, it is that we cannot continue to delay moving to zero emissions, and that means CEA now. Our CEA was based upon Carlsbad being a financial partner in this effort. Until that is confirmed, we need to keep our options open.

Q3. Do you support continued operation of the city's advisory committees despite pandemic financial

(1 - full support) Yes, I am a strong advocate for the advisory committees. Our future civic leaders are nurtured in the

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BOB GANS

Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) Our Sea Level Rise Adaptation Plan was crafted by Del Mar for Del Mar, with tremendous public participation. It allows us to protect our beaches and public and private properties without managed retreat. It is already binding on Del Mar. To be binding on the Coastal Commission and preserve our local control, it needs to be in our Local Coastal Program (LCP). I strongly agree with our Plan's conclusion that managed retreat is not appropriate for Del Mar, and I am pleased that the Coastal Commission has not disputed that conclusion in the course of its review.

Q2. Do you support continuation without delay of the city's membership in the Clean Energy Alliance?

(1 - full support) I support the CEA as a high priority of our Climate Action Plan and the most significant step we can take to reduce our greenhouse gas emissions. It brings us local control over our energy sources and future, with greener energy at comparable or lower cost. As a member of the City's Finance Committee, I know the positive impacts CEA will have on customers. While Councilmember Druker has suggested delay, that approach is contrary to the financial health of the CEA and our ability to meet

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GLENN WARREN

Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) Del Mar's adaptation plan lays out risks and tools we can use in planning for those risks on a long-term basis through 2100. Importantly, the plan addresses different vulnerable areas: beaches, bluffs, and wetlands and river. "Adaptation" is a key word. Del Mar's plan is flexible. As we continue to monitor sea level rise, we can determine which tools are effective, and what new tools would be useful.

Q2. Do you support continuation without delay of the city's membership in the Clean Energy Alliance?

(1 - full support) The CEA is an important component of our Climate Action Plan. Del Mar and its partners, through local control, will be able to access cleaner energy with resulting reduction of greenhouse gas emissions. A feasibility study has shown that the CEA is economically viable that, in addition to its environmental benefits, will save customers 2% a year compared to SDG&E. Although financial restraint is necessary in the time of COVID, financial outlays will not be required. There is no good reason not to continue Del Mar's membership in the CEA.

Q3. Do you support continued operation of the city's advisory

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City Council Candidate Questions 2020

The Sandpiper wants to help readers be very clear about where each candidate stands on key issues. Our goal is specifics, not generalities. Voters need to know exactly where you stand and what they can expect you to do if you are elected to office.

Please give a numerical rating according to the scale below. Additional comments can be added within a budget of no more than 500 words for all questions. In your answers we ask you to respond as often as you can in the declarative voice (e.g., "Yes, I will").

Scale: 1 = Full support. 2 = Lean toward support. 3 = Neutral. 4 = Lean Against support. 5 = Do not support.



OCTOBER 2020

Sandra Hoyle, DMF President

My husband and I moved to Del Mar in 2008 to raise our children in a unique, tightknit, and caring community. My first interaction with the Del Mar Foundation was a gathering at the Library, and I was soon recruited to be part of the Young Del Mar committee. I've been thrilled to participate in everything the Foundation has to offer. My hope is for the Foundation to foster similar connections with everyone in the Del Mar community – whatever their personal journey.

One of my priorities as President of the Foundation has been simple – to listen. It was important to me to openly discuss what we were doing right, doing wrong, and how we could enhance the impact of the Foundation. Those conversations have been important, whether with newcomers or with those who have been deeply involved with the Foundation over the past 38 years.

In 2019, the Foundation's assets under management reached over \$5 million, buoyed by the multi-million-dollar legacy gift from the estate of Mary Lou Jefferson. We were humbled to be entrusted with such a significant bequest. Our grant awards totaled \$50,000 and we continued to sponsor diverse cultural programs and high-impact community events. 2019 was also a year of reflection as we commemorated our history and focused on the future.

In early 2020, a productive board retreat affirmed key priorities and our vision for the future. The Foundation quickly recognized its unique position to support the community during the COVID-19 pandemic, in accordance with its mission. Since March, we have increased support to Del Mar organizations to help mitigate the effect of this crisis. We also provided a significant donation to the City of Del Mar for specific budget items that the City could no longer fund, with a primary focus on the health and safety of Del Mar's citizens, support for community involvement in civic affairs, and enriching the quality of life for residents during these extraordinary times.

I am incredibly grateful to our Board members, donors and volunteers for their dedication and generosity. Each has played a vital role. At the end of my 2-year term as President, I am confident for the future and the significant impact the Foundation will continue to have on our community.

A COVID VACCINE WHEN?

Don Mosier, MD, PhD | Rimini Road

There has been a global rush to develop a safe and effective vaccine to prevent COVID-19 infection. Russia has already licensed the "Sputnik 5" vaccine despite just announcing results from phase 1 and 2 early trials. Results of the two trials just published in the September 4th issue of the medical journal *Lancet* showed that two shots with the coronavirus spike protein (critical for infecting humans) expressed by modified adenoviruses induced good immune responses in 76 adult volunteers. But the level of neutralizing antibodies able to prevent coronavirus infection in tissue culture was low raising doubts about whether or not the vaccine would protect recipients. Enrollment in a much larger phase 3 trial in Russia has just begun, so the safety and efficacy of "Sputnik 5" remains to be established. If this were the first and best vaccine to be developed, it is unlikely that it would be distributed in the United States, which has chosen to go it alone in the vaccine race.

There is a political push to announce a vaccine by November, and a stronger scientific pushback that licensing a safe and effective vaccine cannot be rushed. The CEOs of all the companies developing and testing vaccines as well as Francis Collins, the Director of the National Institutes of Health, and Tony Fauci, Director of the National Institute of Allergy and Infectious Diseases, have pledged that no vaccine will be approved until it is proven safe and effective. Each of the two current phase 3 trials in the US have enrolled 30,000 volunteers who are randomly assigned to receive either the vaccine or a placebo. These are double-blind studies, so no one involved in the trials knows who gets the real vaccine and who gets the dummy until the independent data safety monitoring board breaks the code. The trial of the Oxford/AstraZeneca vaccine candidate was halted for one week because one recipient had a serious adverse reaction involving the nervous system. This is not uncommon in large-scale clinical trials, but it does highlight how difficult it is to predict when a treatment or vaccine will be approved. The other US phase 3 trial of the Moderna RNA vaccine is proceeding, but there has never been a licensed vaccine that used this technology, so some scientists are skeptical that this will be the needed breakthrough.

If there were a licensed vaccine ready for distribution late this year, how many people would take it? A recent Gallup poll indicated that one-third of the US population would refuse to get the vaccine shots (all current candidates require 2 shots). That level of population immunity would slow the spread of the virus but would not be high enough to end the pandemic.

While we wait for verified safety and efficacy results from vaccine trials, we must continue the only protective measures that work: wear masks, practice social distancing, wash hands frequently, and use hand sanitizer after touching surfaces with common use. ■

ROVING TEEN REPORTER

Police Practices

Neha Pubbi | Torrey Pines High School Senior



Del Mar Community Connections
Supporting and Serving Seniors

On November 3rd, City of San Diego residents will be voting on the Commission on Police Practices Amendment that is on their ballots. The measure will amend the City Charter to replace the Community Review Board on Police Practices with the Commission on Police Practices, an independent commission with members appointed by the City Council. The San Diego City Council unanimously voted to put this ballot measure before voters on July 7th, 2020.

The Commission's powers would be used to investigate complaints against officers regarding shootings, misconduct, use of excessive force, inappropriate policies or procedures by departments, dishonesty by an SDPD officer relating to the reporting, investigation or prosecution of a crime, and Police Department legal compliance. The Amendment allows officers to appeal the Commission's findings to the Civil Service Commission.

The Amendment would disband the current police practice board, Community Review Board on Police Practices. Their current responsibilities include reviewing and evaluating complaints by the public against officers of the San Diego Police Department. It does not have independent legal counsel, and investigations are conducted by San Diego Police Department Internal Affairs.

The new commission would require independent legal counsel with no conflicts, have the power to subpoena law enforcement, and conduct independent investigations to ensure police accountability.

A simple majority vote is needed to pass the amendment. The Police Officers Association has pledged to stay neutral on the issue and let the county have its say this November. In wake of protests about police brutality and George Floyd's death, San Diego's Mayor Kevin Faulconer expressed his support for the measure in June 2020. Eighteen counties around the country have similar measures on the November ballot.

The new commission as proposed would likely cost between \$1.1 million and \$2.3 million annually, according to the city's office of the Independent Budget Analyst. The current board's budget is also around \$1 million.

A similar measure in 2018 was suggested by Women Occupy San Diego, a social justice organization whose mission is to create an equitable economic system and restoring the government through inclusive actions and outreach. They have been working for years to establish an independent review counsel. The 2020 measure was proposed by the San Diegans for Justice coalition. ■

OCTOBER 2020

Ashley Simpkins, Program Director

Thanks to our Honorary Committee Donors

DMCC would like to express our deepest gratitude to the supporters who gave generously in honor of our Annual Benefit Gala this year. Though we had to cancel the event itself due to pandemic precautions, our Honorary Committee donors rose to the occasion to help DMCC meet the challenges of COVID-19, enabling us to sustain essential programs that help our senior neighbors. To date, we have raised over \$110,000, representing more than a third of DMCC's annual budget. These donations make it possible to administer the programs that stave off loneliness and keep seniors engaged in the community even as they stay physically distant.

Thank you!

Get your flu shot!

Did you know that approximately 80% of flu deaths occur in older adults? It's more important than ever to get your flu vaccine this year because of the stress the pandemic is putting on the medical system at large.

DMCC has a drive-thru flu clinic scheduled for Friday, October 9 in the Del Mar Civic Center parking structure. CVS pharmacists will be there to dispense high-dose shots specialized for the 65+ population, and shots are free with Medicare and most private insurance plans. Registration is required; for more information (or to receive assistance in finding a flu clinic because you cannot make it to ours), call us at (858) 792-7565.

Volunteer of the Month – October

DMCC's Volunteer of the Month for October is Katie Militello, program co-leader of Adapting to Life Transitions, DMCC's support group for those facing issues related to aging, because she is so creative and dedicated to directing seniors towards helpful resources.

DMCC programs and services depend on our incredible volunteers! To learn more about Katie or becoming a DMCC volunteer, visit dmcc.cc/volunteerofthemonth.

For more information... or to join our email list:

Please visit our website at dmcc.cc, or contact the DMCC office at (858) 792-7565 or dmcc@dmcc.cc.

Candidate Questions

FROM BOB GANS *page 3*

FROM PHIL BLAIR *page 3*



our Climate Action Plan goals. We have already paid our modest share of start-up costs, and do not need to pay more. Delay simply defers when CEA will begin having a revenue stream. By moving forward, we will be getting our start-up contribution back, and all financial risk is borne by the CEA, not by Del Mar or our partner cities.

Q3. Do you support continued operation of the city's advisory committees despite pandemic financial constraints?

(1 - full support) Our advisory committees are the primary mechanism for citizen input to effectuate our Community Plan and community priorities, and to tap the extraordinary talent of our citizenry. While current financial constraints and substantial staff layoffs may necessitate limiting meeting schedules and work programs temporarily, this is truly a small budget item, with outsized importance. To suspend the advisory committee process wastes an opportunity to utilize our most valuable resource: our highly knowledgeable and engaged residents.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

(1 - full support) We can only preserve and defend our Community Plan by maintaining local control over our zoning, which requires implementation of our certified housing elements. I am extremely distressed by the recent vote of Councilmembers Druker and Gaasterland preventing implementation of the North Commercial zoning amendments that are in our Community Plan as part of our certified Housing Element. As a result, the City is exposed to a range of harsh penalties, lawsuits, and loss of control over our zoning. This action also puts us on a course that will require up-zoning both North Bluff and the Staver property (4+ acres on South Stratford) to 20 dwelling units per acre.

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advisory committees. This pandemic provides us with an opportunity to create a new model. Working with the City Manager, I suggest we find a way to reduce staff time to critical needs of the committees. If necessary, I would work to support committees through fundraising or grants.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

(1 - full support) Yes, these are state mandates which are legal obligations. We stumbled on the last vote and our local control is now threatened. Look no further than Encinitas which is embroiled in litigation with the State, with developers and with citizens groups; a judge, not the planning commission or DRB or City Council has granted permits for a six story apartment building to address the critical housing shortage which Encinitas did not meet voluntarily. We must prevent these same anti-Housing advocates from bringing their chaos to Del Mar. We need to see this housing process to the end. Like all important decisions, important factors must be balanced. I will seek community engagement, not confrontation.

Q5. Do you support continuing strong defense of the city's proposed 7/28 compromise for short term rentals in residential zones?

(1 - full support) Yes, we must fight to keep our 7/28 Del Mar plan. If we give up and start over, there will be years of divisive fighting, expensive staff and consultant time, and an open season on our community. If we give up and accept the Coastal Commission plan, we will become

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FROM GLENN WARREN *page 3*



committees despite pandemic financial constraints?

(1 - full support) Our committees provide valuable input from our community on important projects and policies. The Planning Commission, Design Review Board, and Finance Committee have been meeting during COVID and are a valuable resource to our City Council and staff. Thanks to a generous donation from the Del Mar Foundation, our Art Advisory Committee and Lagoon Committee are starting to meet again in September. Donations are currently being accepted to allow our Sustainability Board to start meeting again in October.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

(1 - full support) The City is in non-compliance with its commitments under the 5th Element and we need to begin working on state certification for our 6th Element. In addition to financial consequences, Del Mar could lose local control of zoning. The state could mandate increased zoning density in the essentially vacant North Bluff area and Staver property south of Del Mar Woods and grant "by right" approval of development in those areas—developers would not be required to go through normal planning processes, including design review. Implementation of the 5th and 6th Element housing programs are crucial to protect local control.

Q5. Do you support continuing strong defense of the city's proposed 7/28 compromise for short term rentals in residential zones?

(1 - full support) Yes. 7/28 permits unlimited long-term rentals or leases of 30 days or more. For less than 30 days, rentals must be a minimum of 7 days with no more than 28 days of such rentals per year. This is a →

SLOW TRUCKING NUKES

Don Mosier | Rimini Road

On August 7th, the 73rd and final fuel rod assembly was interred in its concrete silo at SONGS, which should be renamed since it has not been a Nuclear Generating Station since 2012. San Onofre Nuclear Waste Burial Site would be more appropriate. The removal of all of the spent fuel rods from the cooling pool does reduce some risk elements, but the planned dismantling of the cooling pool does eliminate one option for dealing with damaged or leaking storage canisters. The SONGS Task Force report commissioned by Rep. Mike Levin (D-49th) goes into much more detail about why this may be a bad plan. Here is a link to the report:

<http://bit.ly/songs-report> .

We earlier reported on the departure of the 770-ton Unit 1 reactor core on its trip from SONGS to Clive, Utah. The trip to North Los Vegas, Nevada was on a Schnabel train car (see June Sandpiper), but from there to Clive required transport via a giant truck with 45 axles and a length of 122 feet. It took 7 weeks for the total trip (this was one slow truck) but the reactor core arrived safely on July 21st. The Unit 2 and Unit 3 cores will be dismantled before shipping, but the shipment must wait years for the level of radioactivity to decay. Cleaning up a nuclear reactor site is neither fast nor easy. □

FROM BOB GANS *page 6*

Q5. Do you support continuing strong defense of the city's proposed 7/28 compromise for short term rentals in residential zones?

(1 - full support) Unregulated short-term rental businesses in our residential zones pose an existential threat to the special character of our neighborhoods. Their negative impacts include nuisance disruptions, a breakdown of our neighborhood fabric, and loss of housing stock for residential use. The 7/28 compromise was the result of years of study and extensive citizen input. It will work for Del Mar, and I will work to fully implement it. □

FROM PHIL BLAIR *page 6*

another Pacific Beach...no family homes, no community support for schools, no DMCC or DMF, no community. Just tourists. The Del Mar community character is worth fighting to uphold. □

reasonable regulation. It allows homeowners flexibility in renting their homes. It will result in increased long-term rentals and leases, which will make Del Mar more neighborly. And it will add to availability of housing stock for people who want to live in Del Mar. □

Candidate Questions

TRACY MARTINEZ



Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) Yes - with NO MANAGED RETREAT for private property. If Coastal Commission cannot certify as is, it must be withdrawn.

Q2. Do you support continuation without delay of the city's membership in the Clean Energy Alliance?

(1 - full support) Yes - as long as the City continues to have no financial liability for CEA. It is up to CEA to find funding to launch in a timely manner with electricity rates that are not higher than SDG&E.

Q3. Do you support continued operation of the city's advisory committees despite pandemic financial constraints?

(1 - full support) Yes - with limitations. One meeting by January 2021 to identify priorities and create any topical subcommittees that may be able to engage in issues important to Del Mar citizens and residents. Another meeting in 2021 to follow up and determine whether other meetings are needed. They should meet without staff participation to minimize costs.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

(1 - full support) 5th Cycle - Yes. For safety and environmental reasons, we urgently need to assemble an alternative to up-zoning the entire NC Zone and present that alternative to HCD as a negotiating starting point. This has never happened. The ad hoc Housing Task Force generated a slate of options and the planning staff has refined those options in the past few weeks. We need to explore those citizen-recommended options.

(1 full support) 6th Cycle - Yes. Crafting the 6th Cycle Housing Element is underway.

Q5. Do you support continuing strong defense of the

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DAVE DRUKER



Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) I fully support the sea level rise adaption plan as an amendment to our Local Coastal Plan. We must work with the Coastal Commission to ensure that managed retreat is not one the strategies Del Mar will use especially for the houses at the edge of the beach. These houses protect the houses to the east from flooding by the ocean. If the Coastal Commission requires the inclusion of managed retreat, we must withdraw our application for an amendment to our Local Coastal Plan.

Q2. Do you support continuation without delay of the city's membership in the Clean Energy Alliance?

(1 - full support) I fully support the city's membership in the Clean Energy Alliance. This membership is critical to reducing greenhouse emissions. I want to make sure the CEA does not impact Del Mar's finances and will not cost rate-payers more than they are currently paying SDG&E.

Q3. Do you support continued operation of the city's advisory committees despite pandemic financial constraints?

(2 - lean toward support) I fully support the pilot program the council has set up to allow the Arts Advisory and San Dieguito Lagoon Committees to meet on a quarterly basis until January 2021.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

(1 - full support) I fully support the implementation of the city's 5th and 6th Element housing program as long

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Candidate Questions

DAN QUIRK



Q1. Do you support the city's sea level rise adaptation plan as an amendment to our Local Coastal Plan?

(1 - full support) I support this, with No Managed Retreat for private property.

Q2. Do you support continuation without delay of

the city's membership in the Clean Energy Alliance?

(5 - Do not support) The CEA is well-intentioned, but misguided at the current time. It will add complexity and costs, not deliver on what it's promising, and take up precious City management time and resources during these tough times. Readers should note the "derailed energy savings for Solana Beach" headline from a recent Del Mar Times newspaper article which notes the "cash balance will dip into the red next year." SDG&E already generates 45% of its total energy from renewables, and this proportion grows every year. Additionally, many homeowners like me already have solar panels, and SDG&E has a program that allows customers to purchase 100% renewable energy.

Q3. Do you support continued operation of the city's advisory committees despite pandemic financial constraints?

(1 - full support) These committees consist of dedicated, knowledgeable, and experienced resident volunteers who work for free. There are inefficiencies and missed opportunities in how the City currently utilizes them/us. For example, the Utility Undergrounding Committee on which I serve has been suspended, but we have dedicated money in the Q reserve fund to complete the SDG&E design work for the Crest Canyon project and the Stratford Court project, which will take 12-18 months. Our consultant and committee members can do much of the support work for this design phase, putting minimal time constraints on staff. It's a win-win—residents can work on projects important to them and the City, and staff can spend more time tackling other tasks. To make it work, Council must legitimately empower these resident volunteers.

Q4. Do you support implementation of the city's 5th and 6th Element housing programs to protect local control?

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FROM TRACY MARTINEZ page 8

city's proposed 7/28 compromise for short term rentals in residential zones?

(3 - neutral) "Defense" is the key word here. We must address the current reality. 7/28 with its 7-day minimum rental period for up to 28 days of the year was rejected by Coastal Commission in 2018 as a virtual ban on Short Term Rentals. On Sept 8, 2020, Council voted unanimously to terminate the City's ongoing lawsuit against the Coastal Commission. That lawsuit tried to force approval of the 7/28 policy. It has already cost the City more than \$181,000 in legal fees – paid by Del Mar taxpayers, not by legal insurance. Before submitting anything new or resubmitting 7/28, an Environmental Impact Study must be done, as ordered by a judge in a separate Citizens' lawsuit against the City. The status quo right now: Short Term Rentals are allowed in Commercial zones but not in Residential zones. Under forbearance, STRs in operation before April 2016 are also allowed, and they operate with no regulations at all. The impact study must include a comparison of 7/28 with this status quo. It should also compare the combination approved by the Coastal Commission: 3-day minimum rentals for up to 100 days of the year. With environmental impacts in hand, whatever policy is acceptable to Del Mar, with well-considered regulations, can then be defended at Coastal Commission. The study must be done before any new submission -- judge's orders. □

FROM DAVE DRUKER page 8

as programs do not change housing density, allow for massive developments and do not affect environmentally sensitive areas.

Q5. Do you support continuing strong defense of the city's proposed 7/28 compromise for short term rentals in residential zones?

(2 - lean toward support) I fully support the regulation of Short Term Rental businesses. The proliferation of short term rentals has the possibility of changing the residential character of Del Mar. We need to create a comprehensive plan that can win Coastal Commission approval and preserve the residential character of Del Mar. □

**VOTE
EARLY**

FROM DAN QUIRK *page 9*

(2 - Somewhat support) I support actually building affordable units, which will ensure local control. First, we need to work closely with the Fairgrounds which is in a financial struggle and looking for creative partnerships. I recently spoke with new CEO Carlene Moore, and a well-designed affordable housing proposal could be a real win-win for the Fairgrounds and Del Mar. Second, we should further investigate the underused dirt lot at the Public Works Department off Jimmy Durante, which could accommodate 22 studio style affordable units and have minimal impact on the neighborhood. In an initial review two years ago, Del Mar's prior planning director told me the lot has "challenges, but is doable." By contrast, do you know what's a bad idea? Putting tiny homes on the popular tennis courts near 21st Street, as staff and at least one Council Member have suggested. Affordable housing isn't an easy problem to solve, but we can find good solutions with the right mix of creativity and leadership.

Q5. Do you support continuing strong defense of the city's proposed 7/28 compromise for short term rentals in residential zones?

(2 - Somewhat support) Most people recognize short term rentals became a problem with the rise of VRBO and AirBnB, and the resulting intensification. This issue has been extensively debated, but I believe most residents, including me, want some form of serious regulations. We don't want to become South Mission Beach. We should conduct an unbiased survey or vote of all residents on a few different proposals (i.e. total ban, total free-for-all, 7/28, 3/100, quota by street/neighborhood) and see what the results say. Appropriately using technology, data, and surveys is a good way to get clarity and "listen to the people." □

CAST YOUR BALLOT EARLY



Del Mar Hills Academy on Mango Drive in San Diego will be the only polling place for Del Mar residents to vote in person.

Completed and signed mail in ballots can be dropped off at the **Del Mar Library** as an alternative to mailing them to the Registrar's Office.

The current recommendation is that mail in ballots, which everyone will receive, be mailed at least 7 days prior to election day, November 3rd.

PLAZA CREATIONS

Two international artists' sculptures are in place on the Plaza's upper level. The sinuous, twisting form in the back patio is by **Tony Crass**. **Barry Flanagan** crafted the bronze animals.



Sculpture by Tony Crass.



*Sculpture by Barry Flanagan.
Photos Julie Maxey-Allison.*

LOCAL CONTROL AT RISK

WHERE TO NOW?

Ann Gardner | Via Latina

Squeezed between two critical deadlines for Del Mar's Fifth and Sixth Cycle Housing Elements, a key zoning amendment that would allow up to 20 housing units per acre in the North Commercial (NC) zone, in the Jimmy Durante roundabout commercial area, was blocked by Councilmembers Druker and Gaasterland at the September 8 Council meeting. A City news release characterized that action as putting the City "out of compliance" with State law with respect to its Fifth Cycle (current) Housing Element, "for failing to identify 'adequate sites' of 20 dwelling units per acre for affordable housing." One week later, a 5-0 vote of the Planning Commission (Sept. 15) recommended that the Council reconsider that vote. The NC amendments will be back on the Council's agenda for its October 5 meeting.

The consequences of not approving the NC amendments were spelled out in the staff presentation before the vote as shown on the 2 slides at right, including decertification of the 5th Cycle Housing Element. The Council vote also potentially affects North Bluff and the South Stratford (Staver) properties for the Sixth Cycle Housing Element, also scheduled to be voted on by the Council on October 5. "If the City does not amend the NC zone to allow multiple dwelling units residential up to 20 units per acre, the City will need to shift the planned 20 affordable units to vacant sites as part of an alternative plan... which would include... both the North Bluff and South Stratford," according to a staff report.

At the same meeting Council unanimously approved allowing up to 20 housing units per acre in the Professional Commercial zone at the intersection of Camino del Mar and Ninth St.

Del Mar's current housing commitment in its state-certified Fifth Cycle Housing Element is to provide actions and programs that could allow 22 units of low cost housing between April 2013 and April 2021. The NC zoning change was due by March 2015.

Councilmember Druker offered to vote for the key NC amendment if the Council would agree to a density lower than 20 units per acre. He also introduced the idea of waiting until after the City Council election in November to determine the number of allowed units, saying "I believe it should be ...residential but am dead set against the concept of 20 units per acre...There are alternatives to creating a massive amount of units. If you want to change don't do it tonight...look at it after the election so that we can at least provide HCD with three out of four of the amendments (tonight) with the possibility of amending to just residential in the NC zone without changing the density." Those suggestions were deemed insufficient to comply with State law by the three Councilmembers who supported the →

What Does Decision on NC & PC Mean?

Decision To Approve Amendments:

- Fulfills Housing Element obligation
- Minimizes risk of State penalties
- Adequate sites for 5th Cycle; with extra sites City needs for 6th Cycle
- Maintains existing discretionary permit review processes and development policies/standards

Decision to Not Proceed with All or Part:

- Decertification of Housing Element
- Adds substantial fiscal & legal risk
- Insufficient sites for 5th Cycle and 6th Cycle Housing Elements
- Risk "by right" approvals – With No DRB, PC, City Council reviews

City Risks Penalties if Further Delay

- **Lawsuits/Court Orders** - substantial risk to general fund over \$1 million (see HCD letter & private party *Notice of Intent to Sue the City of Del Mar*)
- **Loss of Local Control** - limits on City's ability to deny permits for housing
- **Levy of Fines** - \$10,000 to \$100,000 per month for non-compliance
- **More Frequent Housing Element Cycles** – every 4 years (constant tasks)
- **Limited State Funding** - threat to grants (funds received & still pending)

City staff slides.

amendments. The staff report supported that conclusion, noting that a decision to not proceed with all or part of the NC and PC amendments could result in decertification by the State and other potential penalties.

Councilmember Gaasterland cited traffic and emergency evacuation concerns, along with sea level/flooding issues, and suggested the City had time to find alternatives to the NC upzoning. Staff emphasized that residential use is less intense than commercial, with the EIR finding that the zoning amendments would result in reduced traffic under full build-out, compared to current zoning.

In response to the suggestions for more delay to look for alternatives, Mayor Haviland said: "I am a little bit flabbergasted. . . . We have studied this over and over and the best plan we have is before us tonight. It is unconscionable to me to realize that it is not going to happen. There is no credible evidence that the amendment has a negative impact on the environment or why it is bad for city to have affordable housing. Adding housing (instead of more commercial) reduces the impact to our environment and affordable housing is desperately needed in our city. It is the right thing to do; the City will be richer when we are more diverse."

The key zoning amendments required a 4/5ths vote. The amendment to allow 20 dwelling units per acre in the Professional Commercial zone, which would provide up to 3 affordable units, passed unanimously, but amendment of the North Commercial zone failed by a 3 to 2 vote, resulting in a shortfall in the 5th Cycle Housing Element of 19 affordable units. □

DEL MAR DIVERSITY

Valerie Dufort-Roy | Klish Way

Being the nation's 3rd most diverse city, San Diego's population is 45% white, contrasting sharply against Del Mar's 89%. Looking through the lenses of modern eyes, parts of our city's history are troubling. Some explain that Del Mar's steep property costs and the absence of affordable housing have remained prohibitive in welcoming diversity, assuming that visible minorities have diminished access to financial resources. Others identify the now-repealed covenants as a contributory cause to our poorly diversified demographics.

Covenants were embedded in property deeds throughout the United States, preventing non-Caucasians from buying or leasing land. Near us in La Jolla, people of Jewish origin were also prohibited from home ownership until 1960, when the UCSD campus development justified repealing the anti-Semitic rule. Since the beginning of Del Mar, racially restrictive deeds were part of home purchases. See below the Article 1, Section 1 of the "Del Mar Protective Covenant Declaration" of August 20th, 1938:

Article I.
SECTION I. No part of said property shall be sold, conveyed, rented or leased in whole or in part to any persons of African or Asiatic descent or to any person not of the white or Caucasian race; provided, however, that the foregoing restrictions shall not apply to the rental or leasing of acreage or unsubdivided lands for agricultural purposes exclusively to any persons as permitted by law to rent or lease the same for such purposes.

Deed Del Mar, 1938

Congress aimed to ban residential segregation with the Fair Housing Act of 1968, enacted following riots resulting from Dr King's assassination. Whether our city's current low diversity is caused by this sad part of history, when diversity was illegal, would require a thorough study.

In the wake of the Black Lives Matter movement, I have recently heard residents link Del Mar's low diversity to absence of racism. Would Del Mar's 11% minority population agree with this observation? Have they experienced subtle, covert racism, such as implicit biases, micro-aggressions, profiling, unwarranted sheriff encounters, or overt racism, such as blatant public harassment, slurs and violence, within our city? Has the city taken steps to identify if any of their policies unknowingly contributes to maintaining systemic racism or if their hiring process encourages inclusiveness and diversity?

Acknowledging and embracing diversity can only enrich our town by welcoming differences, eventually allowing assessment and adjustment of practices that might be detrimental towards people from visible minorities. Recent initiatives include local students with Encinitas4Equality submitting proposals to San Dieguito Union High School District towards more inclusive practices; Nicole Forrest, designing and distributing "Black Lives Matter, Peace & Justice Del Mar" signs around town; →

DMFTALK: WHALES TALES



Courtesy David Weller.

Dr Dave Weller spoke via Zoom live on "Getting to Know Gray Whales." The species, along with dolphins, is a major focus of his research and has been for the past 35 years. These are the whales we see swimming south on their journey from the Arctic to Baja California lagoons where they give birth in the early spring and returning north in the late spring with their calves. He reported on their behavior in the eastern and western North Pacific, including areas off Mexico, California, Canada, Russia, Korea, Japan and China. Dr. Weller received his Ph.D. in Wildlife and Fisheries Sciences from Texas A&M University in 1998, his BA and MA degrees from the University of Hawaii and San Diego State University. He has been in residence at Southwest Fisheries Science Center since 1998. □

SPREAD THE WORD

The **v**igorous **V**ole
Is **o**nline to **O**tter
Talking to **T**iger
And **e**mailing **E**agle!

and councilmember and former Mayor Dwight Worden actively participating in conversations with the Sheriff and exploring the betterment of Del Mar's practices.

People come to Del Mar for its breathtaking beauty. Let's work on ensuring that they come by, and stick around, for our inner beauty too. □

THANKS KEVIN

Jeff Barnouw | Amphitheatre Drive

The San Dieguito River Park (SDRP) is losing Kevin McKernan. At its September 18 meeting the Joint Powers Authority Board of Directors thanked him “for his five years of dedicated service to the JPA as our Executive Director.” The resolution singled out his “improving the JPA’s internal operations and financial security,” acquisition of important properties and trail easements, “successful management of ongoing habitat programs and institution of new ones,” successful pursuit of grants, partnerships and other funding and collaboration opportunities “with other governments, non-profits and the many citizen groups and individuals in the River Park family.” Finally, “the completion of a new ranger station facility,” which came in on schedule and on budget, a long struggle as reported in the June 2020 Sandpiper.

The resolution adds, “Kevin has earned the respect of his colleagues, the Board and the River Park community through his calm and competent demeanor.” With a characteristic disclaimer that many of his accomplishments were supported by the collaboration of those he was working with, Kevin mentioned to me a number of things he is happy to have been able to do, such as balancing the budget each year, overseeing the planning, permitting, funding and construction of the Pamo Valley segment of the Coast to Crest Trail, settling a dispute with the City of San Diego that saved the JPA more than \$270,000, transitioning all endowments into local community foundation stewardship, securing the last two trail easements on private property in Rancho Santa Fe for Coast to Crest alignment, securing over \$300K in FEMA funding for storm damage to the trail system, and managing the park through the Covid-19 pandemic closures without incident. The acquisition of the Blum property, a 6-acre inholding within the Sycamore Creek Preserve that houses the Park headquarters, was aided by private donations but secured by Kevin’s arranging for major support from federal funds connecting with the Navy’s need for mitigation.

Kevin told me and other Dust Devils (trail maintenance volunteers) in the Lagoon that 90% of his work and time spent in the Park was a real source of pleasure for him, engaging with Rangers, staff and volunteers. His last day on the job will be Oct. 8, when his duties will be assumed, on a temporary basis, by Principal Planner Shawna Anderson. Kevin is moving on to a new position in large-scale landscape planning in the private sector, though still in the neighborhood of the Park. He will be missed by the SDRP. □

THANKS SHAUN

Don Mosier | Rimini Road

Shaun McMahon, Senior Management Analyst for the City of Del Mar, has moved on to a new position with San Diego Gas and Electric. Shaun came to the city planning department as an intern in 2014, and I got to know him when we worked together on the California Energy Commission grant that largely funded the Civic Center solar system and battery storage in 2016. I spoke to Shaun about his decision to move on and some of the impressions of his time in Del Mar.

Shaun said he loved the time he spent in Del Mar, had the highest regard for his colleagues, loved the view from his office, and learned a lot while being challenged to take on many different projects. He will not miss night meetings and a long commute. His move will give him more opportunities for upward mobility, better pay, and much shorter 7-minute commute to his office.

We talked about the impacts of the COVID-19 pandemic on the Planning Department. The good news was that they were able to quickly pivot to all digital plan reviews using Trackit and Blue Beam software. The bad news was that financial downturn resulting in the loss of 1.5 planning employees increased the workload for everyone else.

We talked about the effort of the Planning Department to conform to our 5th Element Housing Plan. The staff, including Shaun, has been working on analyzing every possible site for affordable housing for 2½ years, and the North Commercial Zone was identified as the best option. Our staff has also been meeting with the staff from the state Housing and Community Development (HCD) to forestall having our Housing Element plan decertified since rezoning some sites for 20 units/acre was required by 2015, so we have officially been in non-compliance for the last 5 years. Shaun was clearly frustrated by the council vote on Tuesday, September 8th, that essentially discarded all this hard work and negotiation with HCD and challenged the state law. He had already made his decision to leave Del Mar by that time, but it was clear he shared the pain with his senior colleagues.

Del Mar is lucky to be able to attract bright and dedicated employees like Shaun, and it is understandable that we lose some of them. Good luck to him in his new position. □



Image by Dario Niz, used with permission. <http://bit.ly/birds-of-uruguay>

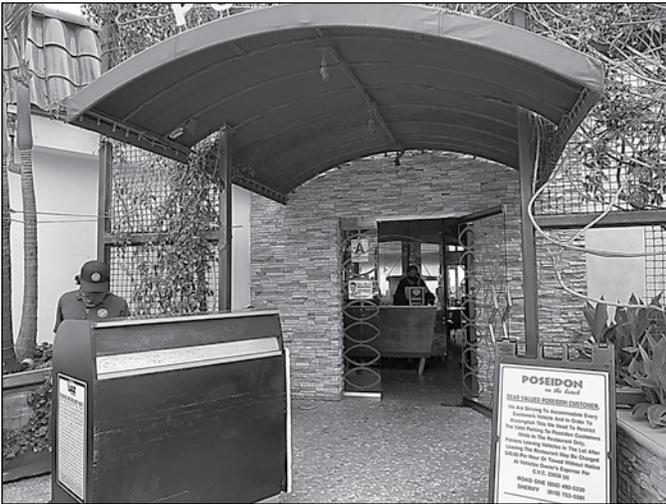
WEARING MASKS IS THE BEST VACCINE!

DEL MAR MEANS BUSINESS

While there are a notable number of “For Lease” signs about, Del Mar is busy. In addition to the Plaza’s two new restaurants, Tamarindo on the lower level and Monarch Ocean Pub on the upper level with a restyled staircase leading to it, Poseidon at the beach reopened. Look for Villaggio Del Mar sometime soon under Beeside Balcony, 1201 Camino Del Mar. You may be in time to Dine On the Deck at City Hall early October: check dineonthedeck@delmar.ca.us. Time to refresh your wardrobe? Durante’s Del Mar added a new store full of styles for women up the road from their men’s store at 1438 Camino Del Mar.



Plaza Staircase in Transition



Poseidon: Back in Business



Poseidon: Back in Business



Durante’s for Women.
Photos Julie Maxey-Allison.



Doorside Walk-up at the Library.

SHORING UP OUR SHORE



*Crew at the foot of 10th Street.
Photo Julie Maxey-Allison.*



*Work in Progress.
Photo Julie Maxey-Allison.*

REMEMBERING VAVA

On August 31, Barbara (Vava) Zoia Anderson, a long-time resident of Del Mar and a consummate volunteer, passed away. She had been a founding member of the Del Mar Farmers Market. A passionate supporter of the Del Mar Library, she ran its book sale for many years.



Photo courtesy Kitty Anderson Nicholason.

DEL MAR MEANS BUSINESS



*Zel's Farmstand open Fridays 8:00 am to 2:00 pm.
Photo Julie Maxey-Allison.*

IT'S UP TO **ALL** OF US.



PROTECT YOURSELF.
PROTECT OTHERS.
KEEP YOUR DISTANCE.
WEAR A MASK.

PLEASE DO **YOUR** PART FOR
THE COMMUNITY.

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DEL MAR'S COMMUNITY JOURNAL

Box 2177, Del Mar, CA 92014

DATED MATERIAL

DINE ON THE DECK

Starting Thursday, September 17, 2020, Del Mar residents and visitors have been invited to reserve a table to enjoy dinner and drinks at a new pop up at the Del Mar Civic Center outdoor dining venue. Sponsored by the City of Del Mar in partnership with the Del Mar Village Association, Dine on the Deck encourages the public to pick up takeout meals and beverages (including alcoholic beverages) from favorite Del Mar restaurants to enjoy al fresco with sunset ocean views. Bring your own table cloth and silverware.

Set to run on four subsequent Thursday evenings – September 17 and 24 and October 1 and 8 – Dine on the Deck features 16 tables and two seating periods each night, from 4:00 to 6:00 p.m. and 6:30 to 8:00 p.m. Space is limited and reservations are available on a first come, first served basis; tables are available for a maximum of six people, all of whom must be from the same household.

“Dine on the Deck was developed to support local restaurants and businesses impacted by the ongoing pandemic,” said Ellie Haviland, mayor of Del Mar. “At the same time, we also wanted to provide a safe and fun opportunity for locals and visitors to get out of the house and enjoy the best of what Del Mar has to offer on a late summer evening.”

Following current San Diego County Health and Human Services health and safety protocols, Del Mar City staff will clean and sanitize tables and restrooms in between seating sessions in order to ensure a safe space to enjoy a great meal with a beautiful view. Guests are asked to bring their own tablecloths, wear a face mask when not seated at their table and maintain six feet of distance around people outside their immediate household.

To reserve a table, call 858-793-5448 or email dineondeck@delmar.ca.us. □

Press release: Del Mar Village Association



Photos Julie Maxey-Allison.



from left: Molly, Betty Wheeler, and Dwight Worden.