



# Del Mar City Council Meeting Agenda

City of Del Mar, Town Hall  
1050 Camino del Mar, Del Mar, California

***Civility Works: The Del Mar Code of Civil Discourse: Together we will promote inclusion; listen to understand; show respect; be clear and fair; and focus on the issue.***

## Regular Meeting

**Monday, January 9, 2023 at 4:30 PM**

**Tracy Martinez**  
Mayor

**Dan Quirk**  
Deputy Mayor

**Dave Druker**  
Council Member

**Terry Gaasterland**  
Council Member

**Dwight Worden**  
Council Member

**Ashley Jones**  
City Manager

**Leslie E. Devaney**  
City Attorney

**Sarah Krietor**  
Administrative Services  
Manager/City Clerk

**Public Participation/Comment:** Members of the public can participate in City Council meetings remotely and in-person. Anyone may address the City Council for up to three minutes, at the Mayor's discretion, on items on the agenda. Members of the public wishing to speak on items not on the agenda may do so under Public Oral Communications. Agenda items may be addressed in any order at the discretion of the Mayor. When addressing the Council, please state your name for the record. Any electronic presentations must be received before 9 a.m. on the date of the Council meeting. No PowerPoint presentations can be loaded during the meeting.

**In-Person Participation:** Please submit a completed "Speaker Slip", including the item number you wish to speak on, to the City Clerk prior to the Mayor announcing the agenda item. The forms are located near the door at the rear of the Meeting Room. When called to speak, please approach the podium and state your name for the record.

**Remote Participation:** Members of the public can participate in the meeting remotely using the Zoom link and/or dial-in information provided below. Those wishing to comment live should join the Zoom meeting when the item(s) they wish to speak on is announced or at the meeting start time for items not on the agenda. **Zoom Link:** <https://us02web.zoom.us/j/84790910014>; **Phone:** (669) 900-6833; **Meeting ID:** 847 9091 0014

**Written Comments:** Members of the public can participate in the meeting by submitting a written red dot comment via email to [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us). The deadline to submit written comments is 12 p.m. on the day of the meeting and the subject line of your email should clearly state the agenda item you are commenting on.

**Viewing the Meeting and Access to Agenda Materials:** Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 4:30 PM. Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website: <http://www.delmar.ca.us/AgendaCenter> and a hard copy of the agenda materials are available at Del Mar City Hall and the Del Mar Library during their business hours.

**Assistance for Persons with Disabilities:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Services Department at 1050 Camino del Mar or by calling (858) 755-9313. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

- I. CALL TO ORDER/ROLL CALL
- II. CITY ATTORNEY CLOSED SESSION REPORT
- III. PLEDGE OF ALLEGIANCE
- IV. PUBLIC ORAL COMMUNICATIONS

Each person wishing to speak before the City Council on any matter not on the agenda shall submit a "Speaker Slip" to the City Clerk or raise their hand in Zoom when Public Oral Communication is announced. Each speaker will have up to three (3) minutes to speak at the discretion of the Mayor and may be asked clarifying questions. Information received during Public Oral Communication may be received, placed on a future agenda, or referred to the City Manager by the City Council. State law generally precludes the City Council from discussing or acting upon any topic presented during oral communications that is not described on the posted agenda.

Note: there is a time limit of 30 minutes for this section of public communications and each speaker will be heard in the order of the submission of their speaker slip. Speakers who have turned in a speaker slip prior to the time oral communications was called on the agenda, but were not heard during the initial time period shall be called to speak at the end of the agenda.

- V. CITY COUNCIL COMMENTS
- VI. COMMUNITY ANNOUCEMENTS
- VII. CITY MANAGER'S REPORT
- VIII. PRESENTATIONS

1. **Ceremonial Oath of Office of Councilmembers Gaasterland and Worden**

Recommended Action: Mayor Martinez will conduct a ceremonial swearing in of Councilmembers Gaasterland and Worden.

Reference: Clerk's File No. 401-1

2. **Update from EDCO on Solid Waste Collection Services Post Transition**

Recommended Action: It is recommended that the City Council receive an update from Steve South, President, and Carl Scherbaum, General Manager of EDCO.

Reference: Clerk's File No. 906-9

**3. Presentation on California Public Utilities Commission's NEM 3.0 Proposal by the Clean Energy Alliance**

Recommended Action: It is recommended that the City Council receive an informational presentation on CPUC's NEM 3.0 proposal by the Clean Energy Alliance CEO Barbara Boswell and Ty Tosdal, Special Counsel.

Reference: Clerk's File No. 1403-4

**4. City of Del Mar's Sidewalk Safety Program**

Recommended Action: Staff recommends the City Council receive an informational presentation regarding the City's Sidewalk Safety Program.

Reference: Clerk's File No. 901-2

**IX. CONSENT CALENDAR**

All items listed on the Consent Calendar are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the City Council or the public so requests, in which event, the item will be pulled from the Consent Calendar and considered separately after the motion to approve the Consent Calendar. If you wish to remove an item from the Consent Calendar, please submit a "Speaker Slip" to the City Clerk or raise your hand in Zoom.

**5. Approval of Minutes: December 5, 2022 Regular and Special Meeting; December 12, 2022 Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**6. Ratification of List of Demands, dated January 9, 2023**

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

**7. Waiver of Reading of Ordinances on Agenda**

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

**8. Approval of a Task Order with Michael Baker International to Perform Engineering Design Services for the Hoska Alley Assessment and Developmental Alternatives Analysis**

Recommended Action: Staff recommends the City Council: 1) Approve a \$49,000 Task Order (Attachment A) with Michael Baker International (MBI) to conduct an engineering assessment and provide initial design alternatives and cost projections for the development of Hoska Alley; and 2) Authorize the City Manager to execute the Task Order.

Reference: Clerk's File No. 406-1

**9. Agreement with Parkwood Landscape Maintenance for Citywide Landscaping Services**

Recommended Action: Staff recommends that the City Council: 1) Approve an agreement with Parkwood Landscape Maintenance (Attachment A) to provide citywide landscaping services for an initial three-year period effective February 1, 2023, through February 1, 2026; and 2) Authorize the City Manager to execute the agreement.

Reference: Clerk's File No. 406-1

**10. Second Reading and Adoption of an Ordinance Amending the Del Mar Local Coastal Program (LCPA22-002) and Rezoning (R22-001) Eight City-Owned Properties**

Recommended Action: Staff recommends the City Council adopt the Ordinance (Attachment A) to amend the Del Mar Local Coastal Program (LCPA22-002) and rezone (Rezone R22-001) eight City-owned properties.

Reference: Clerk's File No. 302-4, 304-4, 401-4

**11. Recommended Undergrounding Project Advisory Committee (UPAC) Restart, Charter Revisions, and Related Administrative Actions**

Recommended Action: UPAC Council liaisons, Deputy Mayor Quirk and Councilmember Gaasterland, recommend the City Council: 1) Adopt the Resolution (Attachment A) amending the UPAC charter (Exhibit A to Attachment A); and 2) Direct staff to take related administrative actions including scheduling 2023 UPAC meetings; recruiting to fill committee vacancies; and extending existing committee members' terms.

Reference: Clerk's File No. 401-5

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

**12. New State Housing Legislation Report**

Recommended Action: Staff recommends that the City Council: 1) Receive a report on new State housing legislation and the potential impacts to the City of Del Mar's local control over height, density, structure massing, and parking; and 2) Provide direction and/or feedback for staff to convey to legislative representatives.

Reference: Clerk's File No. 303-1, 401-7, 1502-18

**13. Discussion of City Council Subcommittees Purpose & Scope**

Recommended Action: Councilmembers Druker and Worden request that the City Council discuss the current list of Council subcommittees and direct each Council subcommittee to work with staff to prepare a charter identifying the purpose and scope for their respective subcommittee for Council consideration in March 2023.

Reference: Clerk's File No. 401-1, 401-5

**14. 2023 City Council Local and Regional Appointments**

Recommended Action: Staff recommends that the City Council review the current list of Del Mar City Council regional and local appointments (Attachment A) and make or reaffirm appointments for 2023 from among its members to the identified regional and local boards, commissions, committees and subcommittees; and identify and authorize the elimination of any committees or subcommittees that are no longer deemed necessary.

Reference: Clerk's File No. 401-1, 401-5

XII. REGIONAL ORGANIZATION REPORTS

A Councilmember assigned as a liaison to a regional organization may make a written or oral report. State law precludes the Council from commenting on, discussing, or acting on a report unless the item of business within the report is described in the agenda.

- A. 22<sup>nd</sup> District Agricultural Association Community Relations Committee (Gaasterland/Martinez)
- B. Clean Energy Alliance JPA (CEA) Board of Directors (Druker/Worden)
- C. CSA-17 Ambulance District Advisory Board (Martinez/Druker)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Druker/Martinez)
- E. League of California Cities – San Diego Chapter (Worden/Martinez)
- F. North County Transit District (NCTD) (Quirk/Gaasterland/Druker)

- G. Regional Solid Waste Association (Worden/Quirk)
- H. San Diego Association of Governments Board (SANDAG)  
(Gaasterland/Druker/Quirk)
- I. SANDAG Borders Committee (Druker)
- J. SANDAG Regional Planning Committee (Gaasterland)
- K. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- L. San Diego Metropolitan Wastewater Commission/JPA (Worden/Quirk/Druker)
- M. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee  
(Worden/Quirk)
- N. Other Regional Organization Reports

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

A Councilmember assigned as a liaison to a City Committee, Council Subcommittee OR Community Organization may make a written or oral report. State law precludes the Council from commenting on, discussing, or acting on a report, unless the item of business within the report is described in this agenda.

- A. Ad-Hoc Referendum Subcommittee (Gaasterland/Druker)
- B. Arts Advisory Committee (Druker/Worden)
- C. Clean Water Rate Project (Druker, Quirk)
- D. Del Mar Community Connections (Martinez/Quirk)
- E. Del Mar Village Association (Druker/Quirk)
- F. Finance Committee (Gaasterland/Quirk)
- G. Housing Subcommittee (Gaasterland/Martinez)
- H. Human Resources Subcommittee (Druker/Worden)
- I. Legislative Subcommittee (Gaasterland/Druker)
- J. Long-Term Rail Relocation Subcommittee (Gaasterland/Druker)
- K. Measure Q Citizen Oversight Committee (Druker/Quirk)
- L. Parks and Recreation Committee (Druker/Worden)
- M. Planning Process Subcommittee (Druker/Gaasterland)
- N. Safe Rail Crossing and Bluff Stabilization Subcommittee (Gaasterland/Druker)
- O. Lagoon Committee (Quirk/Worden)
- P. Sea-Level Rise Adaptation Plan Implementation Subcommittee  
(Gaasterland/Martinez)
- Q. Shores Advisory Committee (Gaasterland/Martinez)
- R. Solid Waste Procurement Services Ad-Hoc Subcommittee (Quirk/Worden)
- S. Sustainability Advisory Committee (Druker/Worden)
- T. Traffic and Parking Advisory Committee (Martinez/Worden)
- U. Undergrounding Project Advisory Committee (Gaasterland/Quirk)
- V. Other Committee-Subcommittee Reports

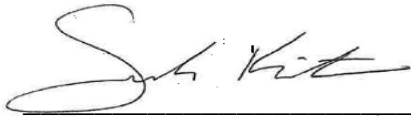
**XIV. UPCOMING AGENDA ITEMS**

The following topics/items are tentatively planned for upcoming agendas. The title, wording, and planned date for these items are subject to change. Final agendas are posted at City Hall 72 hours in advance of the meetings and are also posted on our web site with the accompanying staff report. Please watch our web site: [www.delmar.ca.us](http://www.delmar.ca.us) for City Council Agendas.

<b>January 23, 2023</b>
End of Declaration of Emergency COVID-19 (Tentative)
Approval of the Third Amendments to Reclaimed Water Agreements for Sale of Reclaimed Water
Task Orders for Final Design of Riverpath Phase 3
Presentation of Potential Incentives for Low Income ADUs (Housing Element Program 2A)
Presentation of Potential Incentives for Lower Income Units as Required to Implement Housing Element (Phase II Housing Studies)
Extension of Short Term Rental Forbearance (Prior to February 1, 2023 Expiration)

XV. CERTIFICATION

I, Sarah Krietor, Administrative Services Manager/City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 5th day of January, 2023 at approximately 4:15 p.m.



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Sarah Krietor, Administrative Services Manager/  
City Clerk

1/5/2023

Date