



# 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 23, 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. 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.

**1. Approval of Minutes: December 12, 2022 Regular Meeting, January 9, 2023 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**2. Ratification of List of Demands, dated January 23, 2023**

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

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

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

**4. Third Amendments to Agreements for Sale of Reclaimed Water**

Recommended Action: Staff recommends the City Council: 1) Approve the Third Amendment to the Agreement for Sale of Reclaimed Water with the San Elijo Joint Powers Authority (Attachment A); 2) Approve the Third Amendment to the Reclaimed Water Sales Agreement with the San Elijo Joint Powers Authority and the 22nd District Agricultural Association (Attachment B); and 3) Authorize the City Manager to execute the Amendments.

Reference: Clerk's File No. 406-1

**5. Engineering Design, Geotechnical, and Environmental Consulting Services for the Riverpath Del Mar Extension Project Phase 3**

Recommended Action: Staff recommends the City Council: 1) Approve a \$97,300 Task Order (Attachment A) with Michael Baker International to perform final engineering design services; 2) Approve a \$27,014 Task Order (Attachment B) with Barnett Quality Control Services, dba NOVA Services to perform geotechnical consulting services; 3) Approve a \$29,218 amendment to an existing Task Order (Attachment C) with HELIX Environmental Planning to perform environmental services; and 4) Authorize the City Manager to execute the Task Orders.

Reference: Clerk's File No. 406-1

**6. Parks and Recreation Committee Appointment**

Recommended Action: The City Council Liaisons to the Parks and Recreation Committee recommend that the City Council re-appoint Mary Friestedt as a voting member of the Parks and Recreation Committee to serve a second full three-year term starting February 3, 2023, and ending on February 28, 2026.

Reference: Clerk's File No. 401-5

**7. Lagoon Committee Appointment**

Recommended Action: The City Council Liaisons to the Lagoon Committee recommend that the City Council re-appoint Julie Kawasaki to the Lagoon Committee as a voting member to serve a second full three-year term starting February 1, 2023, and ending on February 28, 2026.

Reference: Clerk's File No. 401-5

**8. Resolution to Extend the Forbearance Period Related to Existing Nonconforming Short Term Rentals**

Recommended Action: Staff recommends the City Council adopt a Resolution (Attachment A) to extend the City's existing Short Term Rental ("STR") enforcement forbearance, which will defer enforcement action against qualifying STR operations for two years until January 23, 2025, while new regulations are being evaluated and processed for adoption.

Reference: Clerk's File No. 301-19

IX. COUNCIL MEETING RECESS

X. CITY COUNCIL OTHER BUSINESS

**9. Housing Element Phase II Studies of Potential Incentives to Create Lower Income Units on Identified Housing Element Sites**

Recommended Action: Staff recommends the City Council consider the Phase II housing studies prepared in accordance with the City's adopted Housing Element and provide direction for preparation of an ordinance with affordable housing-related incentives by December 2023 as required by Housing Element Program 1I.

Reference: Clerk's File No. 303-1, 304-7

**10. Housing Element Program 2A – Potential Incentives for Creation of Low Income Accessory Dwelling Units**

Recommended Action: Staff recommends the City Council consider potential incentives that could facilitate production of at least fifteen (15) low income Accessory Dwelling Units (ADUs) and provide direction for processing an ordinance by December 2023 as required by Housing Element Program 2A.

Reference: Clerk's File No. 303-1, 304-7

**11. Council Discussion Regarding SANDAG Weighted Voting Process**

Recommended Action: Councilmembers Terry Gaasterland and Dwight Worden recommend that the City Council discuss the San Diego Association of Governments (SANDAG) weighted voting process established in 2017 by Assembly Bill 805 and provide guidance to Councilmember Gaasterland as Del Mar's primary representative to the SANDAG Board in preparation for an upcoming related SANDAG Board agenda item.

Reference: Clerk's File No. 1506-1

**12. Preparations for 2023 City Council Goal Setting Workshop**

Recommended Action: Staff recommends that the City Council provide feedback on the proposed 2023 City Council Goal Setting Workshop (Attachment A); and consider options for a City Council retreat and provide direction to staff as may be needed.

Reference: Clerk's File No. 401-1

**XI. 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/Quirk)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Quirk/Martinez)
- E. League of California Cities – San Diego Chapter (Martinez/Worden)
- F. North County Transit District (NCTD) (Druker/Gaasterland)
- G. Regional Solid Waste Association (Worden/Quirk)
- H. San Diego Association of Governments Board (SANDAG) (Gaasterland/Martinez/Druker)
- I. SANDAG Borders Committee (Druker)
- J. SANDAG Regional Planning Committee (Gaasterland)
- K. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland/Martinez)
- 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

**XII. 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. Arts Advisory Committee (Druker/Worden)
- B. Clean Water Rate Project
- C. Del Mar Community Connections (Martinez/Worden)
- D. Del Mar Village Association (Gaasterland/Martinez)
- E. Finance Committee (Druker/Worden)
- F. Housing Subcommittee (Gaasterland/Martinez)
- G. Human Resources Subcommittee (Druker/Worden)

- H. Legislative Subcommittee (Druker/Gaasterland/Mayor Martinez end of 3<sup>rd</sup> Quarter)
- I. Measure Q Citizen Oversight Committee (Gaasterland/Quirk)
- J. Parks and Recreation Committee (Martinez/Worden)
- K. Del Mar Railroad Committee (Druker/Gaasterland)
- L. Lagoon Committee (Quirk/Worden)
- M. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- N. Shores Advisory Committee
- O. Sustainability Advisory Committee (Martinez/Worden)
- P. Traffic and Parking Advisory Committee (Quirk/Worden)
- Q. Undergrounding Project Advisory Committee (Druker/Gaasterland)
- R. Other Committee-Subcommittee Reports

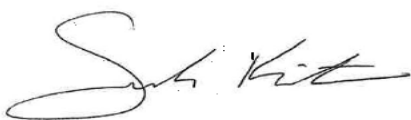
**XIII. UPCOMING AGENDA ITEMS**

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>February 6, 2023</b>
Design Review Board Presentation Regarding State ADU Regulations
Helix Task Order Amendment for the Crest Canyon UUD X1A Project
Appointment(s) to Undergrounding Project Advisory Committee
RBSP3 MOU with SANDAG
EOT La Atalaya Subdivision (TTM18-004)
EP22-101 (919 Klish)
Presentation Regarding Parking Conditions and Enforcement of Traffic and Parking Regulations in the North Hills District
2023 Legislative Policy Guidelines

**XIV. 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 19th day of January, 2023 at approximately 2:50 p.m.



Sarah Krietor, Administrative Services Manager/  
City Clerk

1/19/2023

Date