



# Del Mar City Council Meeting Agenda

VIA TELECONFERENCE ONLY

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.***

**Remote Regular Meeting  
VIA TELECONFERENCE ONLY  
Tuesday, February 22, 2022 at 4:30 PM**

In the interest of public health, and consistent with the provisions of Assembly Bill 361 (AB 361) and related resolutions adopted by the Del Mar City Council, the City of Del Mar is temporarily taking actions to mitigate the COVID-19 pandemic by holding City Council Meetings electronically or by teleconference. This is not an in-person meeting.

**Dwight Worden**  
Mayor

**Tracy Martinez**  
Deputy Mayor

**Dave Druker**  
Council Member

**Terry Gaasterland**  
Council Member

**Dan Quirk**  
Council Member

**Ashley Jones**  
City Manager

**Leslie E. Devaney**  
City Attorney

**Sarah Krietor**  
Acting City Clerk

## **Public Participation/Comment**

Members of the public can participate in the meeting by either submitting a written red dot comment via email to [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or by speaking live using the Zoom link and/or dial-in information provided below. 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. 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

While registration is not required, staff recommends members of the public submit an optional tele-comment request form ([www.delmar.ca.us/telecomment](http://www.delmar.ca.us/telecomment)) to assist with speaker management during the meeting. For more information please visit: [www.delmar.ca.us/publiccomment](http://www.delmar.ca.us/publiccomment).

## **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 the Del Mar Library during their business hours.

**Special Needs:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate remotely in this meeting, please contact the Administrative Services Department via email at [cityclerk@delmar.ca.us](mailto:cityclerk@delmar.ca.us) or by calling (858) 755-9313, preferably at least 48 hours in advance of the meeting if possible.

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

Public oral communications will take place shortly after the start of the meeting. Those wishing to comment on any matter not on the agenda may join the meeting at 4:30 PM using the Zoom link and dial-in information: <https://us02web.zoom.us/j/84790910014>; Phone: (669) 900-6833; Meeting ID: 847 9091 0014.

- V. CITY COUNCIL COMMENTS
- VI. COMMUNITY ANNOUNCEMENTS
- 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, staff, or the public so requests, in which event, the item will be considered separately.

**1. Approval of Minutes: February 7, 2022 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

**2. Ratification of List of Demands, dated February 22, 2022**

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. First Amendment to Agreement with Steven Smith Landscape, Inc. for As-Needed Landscaping Services**

Recommended Action: Staff recommends that the City Council: 1) Approve the First Amendment to the Agreement between the City of Del Mar and Steven Smith Landscape, Inc. (Attachment A) for as-needed citywide landscaping services for an additional two-year period ending March 4, 2024; and 2) Authorize the City Manager to execute the First Amendment.

Reference: Clerk's File No. 406-1

**5. Approval of Additional Funding for the FY 2021-22 Water, Wastewater, and Pavement Improvements Project**

Recommended Action: Staff recommends that the City Council approve additional funding for the 2021 Water, Wastewater, and Pavement Improvements Project totaling \$80,000 as further described in the agenda report.

Reference: Clerk's File No. 803-1, 907-5

**6. Adoption of City Council Policy: Housing Impact Statement for Pending Discretionary Land Use Decisions (6th Cycle Housing Element Program 5B)**

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A) establishing a new City Council Policy for inclusion of a "Housing Impact Statement" within agenda reports prepared for pending discretionary land use and planning decisions. Adoption of the new City Council Policy will complete the required action for implementation of 6th Cycle Housing Element Program 5B.

Reference: Clerk's File No. 303-1

**7. Proposed Letter of Opposition to the California Public Utilities Commission Regarding Net Energy Metering 3.0 Proceeding**

Recommended Action: Mayor Worden and Councilmember Druker request the City Council approve the submittal of a letter of opposition (Attachment A) to the California Public Utilities Commission regarding the Net Energy Metering (NEM) 3.0 proceeding

Reference: Clerk's File No. 1001-1, 1001-3

**IX. COUNCIL MEETING RECESS**

**X. CITY COUNCIL OTHER BUSINESS**

**8. Fire Department Community Risk Assessment, Standards of Cover, and Management/Administrative Assessment**

Recommended Action: Receive a presentation from Fire Administration staff and Fitch and Associates, LLC, and discuss and provide feedback as may be desired.

Reference: Clerk's File No. 1101-8

**9. Consideration of an Exclusive Solid Waste Collection Service Franchise Agreement with EDCO Disposal Corporation**

Recommended Action: Staff recommends the City Council: 1) Approve a 10-year exclusive franchise agreement with EDCO Disposal Corporation (EDCO) for solid waste collection services with a start date of July 1, 2022 (Attachment A), and authorize the City Manager to execute the agreement; and 2) Adopt a resolution (Attachment B) to initiate the notification process required by Proposition 218 and schedule a public hearing on May 16, 2022, to establish the City's solid waste collection service rates effective July 1, 2022.

Reference: Clerk's File No. 406-1, 906-9

**10. Approval of the 2022 Legislative Policy Guidelines and Resolution in Opposition of State Ballot Initiative 21-0042A1**

Recommended Action: Staff requests that the City Council review and approve the proposed changes to the City's Legislative Policy Guidelines (Attachment A) and approve a Resolution opposing Initiative 21-0042A1, the State ballot initiative restricting voters' input and local taxing authority (Attachments B).

Reference: Clerk's File No. 401-7, 401-8

**11. Proposed Resolution Opposing Construction of Devices that Could Interfere with Natural Flow of Beach Sand into Del Mar**

Recommended Action: Mayor Worden and Councilmember Gaasterland recommend that the City Council consider adoption of a Resolution (Attachment A) opposing construction of devices that could interfere with the natural flow of beach sand into Del Mar.

Reference: Clerk's File No. 1404-1, 1404-2

**12. Proposed Resolution Reaffirming the City's Position on the Storage of Spent Nuclear Fuel at the San Onofre Nuclear Generating Station**

Recommended Action: It is recommended that the City Council consider adoption of a Resolution (Attachment A) reaffirming the City's position on the

Storage of Spent Nuclear Fuel at the San Onofre Nuclear Generating Station (SONGS).

Reference: Clerk's File No. 1403-4

**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/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 JPA Advisory Committee to San Diego (Quirk/Bride)
- 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. 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

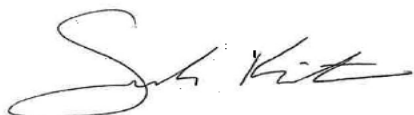
**XIII. UPCOMING AGENDA ITEMS**

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>March 7, 2022</b>
Appointment(s) to the Sustainability Advisory Committee
Resolution to Accept Housing Acceleration Program Grant Funds (Tentative)
AB361 Continuation of Remote Public Meetings
Design Review Board - Interviews and Appointment of Ex-Officio Member (Tentative)
Introduction of Ordinance to Accept CCC Mods for NC/PC LCPA
ADU Status Update to Council (No Formal Action Taken)
Mid-Year Financial Report
Crest Canyon Evacuation Plan (Tentative)
Riverpath Phase 3 Mitigated Negative Declaration Information Summary

**XIV. CERTIFICATION**

I, Sarah Krietor, Acting City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 16th day of February, 2022, at approximately 4:00 p.m.



Sarah Krietor, Acting City Clerk

2/16/2022

Date