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# 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, June 16, 2025 at 4:30 PM**

**Terry Gaasterland**  
Mayor

**Tracy Martinez**  
Deputy Mayor

**Dan Quirk**  
Council Member

**John W. Spelich**  
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 in-person or via written comment (Red Dot). 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.

**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 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. COMMUNITY ANNOUNCEMENTS
- VI. 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.

- 1. **Approval of Minutes: April 17, 2025 Special Meeting, May 27, 2025 Special Meeting, June 2, 2025 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

- 2. **Ratification of List of Demands dated June 2, 2025**

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. Adoption of an Ordinance Updating the Fire Hazard Severity Zone Map for the City of Del Mar**

Recommended Action: Staff recommends that the City Council adopt the Ordinance (Attachment A) amending the Del Mar Municipal Code to add Section 10.04.015 reflecting local adoption of the Del Mar Fire Hazard Severity Zones Map (FHSZ Map) to designate Moderate, High, and Very High Fire Hazard Severity Zones (Exhibit 1 to Attachment A) to comply with the requirements of California Government Code Section 51179.

Reference: Clerk's File No. 401-4, 401-9

**5. Resolution Accepting the 2024 State-Mandated Annual Fire Inspections Report**

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A) accepting the 2024 report on the status of all State-mandated annual fire inspections in the City of Del Mar in conjunction with Senate Bill (SB) 1205 and California Health and Safety Code Section 13146.4.

Reference: Clerk's File No. 102-5

**IX. PUBLIC HEARING**

**6. Encroachment Permit 25-050 to Replace an Existing Guardrail and Associated Improvements within the Public Right-of-Way at 218 12th Street**

Recommended Action: Staff recommends the City Council adopt the attached Resolution (Attachment A) conditionally approving Long-term Major Encroachment Permit (EP) 25-050 to replace and improve private encroachments at 218 12th Street.

Reference: Clerk's File No. 802-1, 1306-4

**7. Introduction of an Ordinance to Eliminate the Design Review Board Ex-Officio Membership**

Recommended Action: Staff recommends the City Council hold a public hearing and introduce an Ordinance (Attachment A) amending Section 2.38.020 of the Del Mar Municipal Code eliminating the two Design Review Board ex-officio membership seats consistent with prior Council direction.

Reference: Clerk's File No. 401-4, 401-5, 401-9

**8. Introduction of an Ordinance to Regulate Bicycles, Including Electric Bicycles, in the City of Del Mar**

Recommended Action: Staff recommends that the City Council introduce an ordinance (Attachment A) amending Chapter 8.12, San Dieguito Lagoon and River, and adding Chapter 14.54, Bicycles, to the Del Mar Municipal Code (DMMC) regulating the use of bicycles, including e-bikes, in the City of Del Mar.

Reference: Clerk's File No. 401-4, 401-9, 1405-1

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

**9. City of Del Mar Comments on the Updated Notice of Preparation of a Draft Environmental Impact Report for the San Diego LOSSAN Rail Realignment Project**

Recommended Action: Staff recommends that the City Council review the City's proposed comments (Attachment A) on the Updated Notice of Preparation of a Draft Environmental Impact Report for the San Diego LOSSAN Rail Realignment Project (Attachment B), provide any additional feedback, and direct staff to submit final comments to the San Diego Association of Governments (SANDAG) by the public comment deadline of June 20, 2025.

Reference: Clerk's File No. 1005-2, 1506-1

**10. Potential Conflict of Interest Involving Mayor Gaasterland Related to the City's Short-Term Rental Regulations**

Recommended Action: Refer this matter and all relevant documents in the City's possession to the Fair Political Practices Commission (FPPC), San Diego County District Attorney Political Integrity Unit, California Attorney General, and San Diego County Grand Jury for third-party review and action as appropriate.

Reference: Clerk's File No. 401-1

**11. Adoption of the Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget and Related Budget Resolutions**

Recommended Action: It is recommended that the City Council: 1) Accept final changes to the proposed budget document identified in Table A; 2) Receive the report on City employee vacancies, recruitment, and retention efforts, pursuant to Assembly Bill (AB) 2561 requirements; and 3) Adopt the Resolutions included as

Attachments A and C-H as required in order to formally adopt the Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget.

Reference: Clerk's File No. 202-1

## **12. Discussion on Reinitiating the Shores Park Master Planning Process**

Recommended Action: Staff recommends that the City Council: 1) Receive an update on the prior master planning process for the Del Mar Shores property; 2) Direct staff to reinitiate the completion of the Shores Master Plan process; and 3) Establish a subcommittee of the City's Parks and Recreation Advisory Committee to advise staff and the City Council on the completion of the Master Plan.

Reference: Clerk's File No. 307-8, 401-5, 803-3

## **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. Clean Energy Alliance JPA (CEA) Board of Directors (Spelich/Gaasterland)
- B. CSA-17 Ambulance District Advisory Board (Martinez/Quirk)
- C. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Martinez/Spelich)
- D. League of California Cities – San Diego Chapter (Gaasterland/Martinez)
- E. North County Transit District (NCTD) (Martinez/Spelich)  
Receive Written Report (Martinez)
- F. Regional Solid Waste Association (Spelich/Quirk)
- G. San Diego Association of Governments Board (SANDAG)  
(Gaasterland/Martinez/Spelich)
- H. SANDAG Borders Committee
- I. SANDAG Regional Planning Committee
- J. SANDAG Shoreline Preservation Working Group  
(Spelich/Gaasterland/Martinez)
- K. SANDAG LOSSAN Executive Task Force (Gaasterland/Martinez)
- L. San Diego Metropolitan Wastewater Commission/JPA (Worden)  
Receive Written Report (Worden)
- M. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee  
(Gaasterland/Martinez)
- 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. Del Mar Community Connections (Martinez/Spelich)
- B. Del Mar Village Association (Gaasterland/Martinez)

- Receive Written Report (Martinez)
- C. Finance Committee (Gaasterland/Spelich)
- D. Housing Subcommittee (Gaasterland/Martinez)
- E. Human Resources Subcommittee (Gaasterland/Martinez)
- F. Legislative Subcommittee (Gaasterland/Martinez)
- G. Measure Q Citizen Oversight Committee (Quirk/Gaasterland)
- H. Parks and Recreation Committee (Martinez/Quirk)
- I. Del Mar Railroad Subcommittee (Gaasterland/Martinez)
- J. Lagoon Committee (Gaasterland/Spelich)
- K. Planning Process Subcommittee (Includes Sea-Level Rise Adaptation Plan Implementation) (Gaasterland/Spelich)
- L. Shores Advisory Committee
- M. Sustainability Advisory Committee (Martinez/Gaasterland)
- N. Traffic and Parking Advisory Committee (Quirk/Spelich)
- O. Undergrounding Program Advisory Committee (Gaasterland/Spelich)
- P. Other Committee-Subcommittee Reports
- Receive Written Report (Martinez)


**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>July 7, 2025</b>
DRB Interviews and Appointments
Agreement for As-Needed Citywide Tree Maintenance Services
Bike/E-Bike Ordinance (2nd Reading)
Community Support Program Funding Agreements for Fiscal Years 2024-2025 and 2025-2026
Finance Committee Appointment
Amending Map RM24-001 (2112 Heather Lane, Qualantone)
De Novo Appeal Hearing (DRB24-006, Parnell)

**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 11th day of June, 2025 at approximately 6:30 p.m.

  
\_\_\_\_\_  
Sarah Krietor, Administrative Services Manager/  
City Clerk

6/11/2025  
Date



**DEL MAR CITY COUNCIL  
SPECIAL MEETING MINUTES  
CLOSED SESSION  
April 17, 2025**

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

**CALL TO ORDER**

The special meeting had a scheduled start time of 4:00 p.m. However, with the absences of Mayor Gaasterland and Councilmember Quirk, the City Attorney determined that there was no quorum to convene a closed session meeting and therefore only a briefing with the members present would be possible. The briefing with legal counsel started at approximately 4:00 p.m. Mayor Gaasterland attended a briefing on the same topic on April 17, 2025, at 5:45 p.m. No direction was given, and no action was taken at the briefings.

**ROLL CALL**

Present for 4:00 P.M. Briefing: Deputy Mayor Tracy Martinez and Councilmember John Spelich.

Present for 5:45 P.M. Briefing: Mayor Gaasterland

Absent: Councilmember Dan Quirk.

**CLOSED SESSION**

- A) Conference with Legal Counsel - Significant Exposure to Litigation  
Number of Cases: One Description: Meet with Special Counsel related to risks to City for possible violations of the City Manager's employment contract from public statements by Councilmember Quirk  
Authority: Government Code Section 54956.9(d)(2)  
Reportable Action: None.

**ADJOURNMENT**

No formal closed session meeting occurred. The briefing with Deputy Mayor Martinez and Councilmember Spelich concluded around 5:00 p.m. and the briefing with Mayor Gaasterland concluded around 6:15 p.m.

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Sarah Krietor, Administrative Services Manager/  
City Clerk



**DEL MAR CITY COUNCIL  
SPECIAL MEETING MINUTES  
COUNCIL BUDGET WORKSHOP  
MAY 27, 2025**

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

**CALL TO ORDER**

Mayor Terry Gaasterland called the meeting to order at 1:01 p.m.

**ROLL CALL**

Present: Mayor Terry Gaasterland; Deputy Mayor Tracy Martinez; Councilmembers Dan Quirk and John Spelich

**PLEDGE OF ALLEGIANCE**

Mayor Gaasterland led the pledge of allegiance.

**PUBLIC COMMENT**

There were no public speakers for Item 1 and 2.

**CITY COUNCIL BUSINESS**

**ITEM 1: DISTRIBUTION OF PROPOSED FISCAL YEARS 2025-2026 AND 2026-2027  
OPERATING & CAPITAL BUDGET (CLERK'S FILE NO. 202-1)**

An overview of the budget workshop format was provided by City Manager Ashley Jones.

A presentation on the FY 2025-2026 and 2026-2027 Operating and Capital Budget was provided by Finance Manager/Treasurer Marco Camacho.

Council questions related to revenue focused on the anticipated timing for the California Coastal Commission (CCC) to review the City's Short-Term Rental Regulations Local Coastal Program Amendment (LCPA) and whether CCC modifications would be reviewed by the City's Planning Commission for recommendation to the City Council.

Council questions related to expenditures focused on the reporting and accounting practices for the general fund transfers to other funds such as the open space fund.

Council questions related to capital and special projects focused on the status of various federal funds received or anticipated to be received by the City; status of the living levee project grant funding; clarification on the project scope of the fair housing amendments work plan item; whether the state has actually received the grant funds for various federal grant programs administered at the State level; and Del Mar Riverpath project timing and funding status.

Council questions related to Measure Q revenues and expenditures focused on the Measure Q cash flow table provided in staff's presentation; timing and scope of a future agenda item related

SPECIAL MEETING MINUTES

May 27, 2025

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to the Shores Park Master Planning process; timing for construction of Utility Undergrounding District X1A (Crest Canyon).

Council questions related to reserves focused on the housing reserve fund and scope, funding and budget for the special project related to development of affordable housing at the City owned properties on 10<sup>th</sup> and 28<sup>th</sup> Streets.

Council questions related to the Finance Committee's feedback on the proposed budget focused on the Council's future opportunities to review updated revenue information and appreciation to staff for their work on the budget project.

There were no public speakers for the item.

**ITEM 2: CONTINUED FROM MAY 19, 2025: RECAP OF THE 2025 CITY COUNCIL GOALS AND PRIORITIES SETTING WORKSHOP AND COUNCIL APPROVED FY 2025-26 AND FY 2026-27 CITY WORK PLANS (CLERK'S FILE NO. 401-1)**

A presentation was provided by City Manager Jones. Council discussed the staff follow up and status of the Council-identified proposed work plan items. Council consensus and direction on each item is provided below.

**Item 1: Turn the Design Review Guidelines into Design Review Ordinances**

Council consensus was to support staff's recommended action to add this item to the City Council Work Plan as a Tier 2 priority to be started in FY 2025-2026 or thereafter as practical without delaying or deferring other work plan items.

**Item 2: Reconsider Advisory Committee Structure**

The City Council previously took action to form a Subcommittee of Mayor Gaasterland and Deputy Mayor Martinez who brought initial recommendations of the Subcommittee to Council for consideration on May 19, 2025, with additional Subcommittee recommendations planned for later in the calendar year. No additional Council action was needed or taken at the Workshop.

**Item 3: Amend City Appeals Procedure Consider Modifications to the Del Mar Municipal Code**

Council consensus was to add this item to the City's Work Plan as a Tier 3 item to be started in Fiscal Year 2025-2026 or thereafter as practical without delaying or deferring other items.

**Item 4: LOSSAN Rail Realignment Lobbying**

Council consensus was to proceed with staff's recommended action to further discuss this topic with staff and legal counsel as to the best timing to initiate this work and potential costs.

**Items 5: Options to Obtain Resident Input on How/Whether to Continue Undergrounding Program**

There was no Council consensus to include this item on the City's work plan at this time.

**Item 6: Bike Lane Safety Improvements**

Council received an update on the City's ongoing bicycle lane safety improvements that occur as part of the City's standard operations and as priority projects on the City's Work Plan such

as the Jimmy Durante Boulevard Bike Lane improvements Tier 2 priority project. No Council action or direction was given at the Workshop.

**Item 7: Traffic Speed Calming**

Council received an update from staff on the City's current traffic speed calming practices and related state regulations. Council consensus was to continue to pursue lower speed limits to the greatest extent possible; evaluate the City's speed signage to include "slow down" when speed limits are exceeded, if possible; and for staff to complete targeted speed surveys for presentation to the Traffic and Parking Advisory Committee (TPAC) for recommendation and future consideration by City Council.

**Item 8: Smoke Free City Signs to Enforcement Ordinance**

City Manager Jones briefing presented staff's signage plan for the Community Services Department to identify potential locations for signage in the public-right-of-way to add non-intrusive "No Smoking" signage in accordance with the Del Mar Municipal Code related to smoke. Council consensus was for staff to proceed as described in the agenda report.

**Item 9: Electrification Incentivization**

Council consensus was for staff to continue to look for opportunities to incentivize the implementation of electrification for new construction and major remodels.

**Item 10: City Facilities Gas Appliances Inventory**

No additional Council action was taken or needed as this item was previously added to the Work Plan as a Tier 3 item based on Council direction at the Goals and Priorities Workshop.

**ADJOURNMENT**

Mayor Gaasterland adjourned the meeting at 2:41 p.m.

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Sarah Krietor, Administrative Services Manager/  
City Clerk



**CITY OF DEL MAR  
CITY COUNCIL REGULAR MEETING MINUTES  
JUNE 2, 2025  
City of Del Mar Town Hall  
1050 Camino del Mar, Del Mar California 92014**

The minutes set forth the actions taken by the City Council on the matters stated. Audio/video recordings of the City Council proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the City Council, including Red Dots (materials provided to the City Council after the agenda has published), are available on the City's website at [www.delmar.ca.us/AgendaCenter](http://www.delmar.ca.us/AgendaCenter) or by contacting the Administrative Services Department at (858) 755-9313.

**CALL TO ORDER**

Mayor Terry Gaasterland called the Regular Meeting to order at 4:30 p.m.

**ROLL CALL**

Present: Mayor Terry Gaasterland; Deputy Mayor Tracy Martinez; Councilmembers Dan Quirk (arrived at 4:52 p.m.) and John Spelich

**CITY ATTORNEY CLOSED SESSION REPORT**

City Attorney Leslie Devaney reported that the June 2, 2025, Closed Session will occur immediately following open session.

**PLEDGE OF ALLEGIANCE**

Mayor Gaasterland led the Pledge of Allegiance.

**PUBLIC ORAL COMMUNICATIONS**

Mayor Gaasterland opened public oral communication and the following people spoke:

- 1) Amy Cheshire with one donation of time from Shirli Weiss
- 2) Diana Kutlow representing Senator Catherine Blakespear

Mayor Gaasterland closed public oral communication.

**CITY COUNCIL COMMUNITY ANNOUNCEMENTS**

None.

**CITY MANAGER'S REPORT**

City Manager Ashley Jones reported on the Updated Notice of Preparation (NOP) released by the the San Diego Association of Governments (SANDAG) for the LOSSAN Rail Realignment Project, the public comment period for which closes on June 30, 2025, and City Council's consideration of the City's formal comment letter at the June 16, 2025, City Council meeting; and provided information about the City's on-call services number, (858) 756-1126, to be used to report non-life-threatening, after-hours operational emergencies.

**PRESENTATIONS**

**ITEM 1: Proclamation Honoring Linda Chisari as the Del Mar Community Connections Volunteer of the Year (CLERK’S FILE NO. 1201-5)**

Mayor Gaasterland presented a proclamation honoring Linda Chisari as the Del Mar Community Connections Volunteer of the Year.

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

- 1) Ashley Simpkins
- 2) Betty Wheeler
- 3) Frank Chisari

Mayor Gaasterland closed the item to public comment.

Council discussion focused on appreciation to Linda Chisari for her service to the Del Mar Community.

**CONSENT CALENDAR**

Administrative Services Manager/City Clerk Sarah Krietor read the titles of the items included on the Consent Calendar. There were no public speakers for the consent calendar items.

**IT WAS MOVED BY COUNCILMEMBER SPELICH, SECONDED BY DEPUTY MAYOR MARTINEZ TO APPROVE THE CONSENT CALENDAR ITEMS 2 THROUGH 11. (VOTE 4-0)**

Ayes: Mayor Gaasterland; Deputy Mayor Martinez; Councilmembers Quirk and Spelich; Noes: 0; Recuse: 0; Absent: 0; Abstain: 0.

**ITEM 2: APPROVAL OF MINUTES: MAY 19, 2025 REGULAR AND SPECIAL MEETING (CLERK’S MINUTES BOOK)**

Council approved the minutes, on consent.

**ITEM 3: RATIFICATION OF LIST OF DEMANDS, DATED JUNE, 2, 2025 (CLERK’S FILE NO. 201-3)**

Council approved the list of demands, on consent.

**ITEM 4: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK’S FILE NO. 401-4)**

Council waived the reading of ordinances, on consent.

**ITEM 5: SECOND READING AND ADOPTION OF AN ORDINANCE TO ACCEPT CALIFORNIA COASTAL COMMISSION (CCC) MODIFICATIONS TO THE SENATE BILL 9 IMPLEMENTATION ORDINANCE NO. 996 ADOPTED BY THE CITY COUNCIL ON JUNE 19, 2023, TO AMEND THE DEL MAR MUNICIPAL CODE AND LOCAL COASTAL PROGRAM FOR CONSISTENCY WITH THE APRIL 9, 2025, COASTAL COMMISSION CONDITIONAL CERTIFICATION DECISION RELATING TO TWO-UNIT AND URBAN LOT SPLIT DEVELOPMENT IN SINGLE DWELLING UNIT RESIDENTIAL ZONES (CLERK’S FILE NO. 401-4,401-9)**

Council adopted Ordinance 1018, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE

CHAPTERS 23.07, 24.66, 30.13, 30.15, AND 30.93 AS ADOPTED BY PROSPECTIVE ORDINANCE NO. 996; ALL RELATING TO AMENDMENTS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION AS A CONDITION OF APPROVAL FOR THE CITY TO OBTAIN FINAL CERTIFICATION OF THE SENATE BILL 9 IMPLEMENTATION REGULATIONS LOCAL COASTAL PROGRAM AMENDMENT”, on consent.

**ITEM 6: AMENDMENT TO AGREEMENT WITH TRUE NORTH COMPLIANCE SERVICES, INC. FOR BUILDING AND SAFETY SERVICES (CLERK’S FILE NO. 406-1)**

Council approved the First Amendment to the Agreement with True North Compliance Services, Inc. for Building and Safety Services extending the term for an additional five-year period ending June 30, 2030; and authorized the City Manager to execute the Amendment, on consent.

**ITEM 7: AGREEMENT FOR AUDIT SERVICES (CLERK’S FILE NO. 406-1)**

Council approved a professional services agreement with Davis Farr, LLP to provide audit services to the City for an initial three-year period effective July 1, 2025, through June 30, 2028; and authorized the City Manager to execute the agreement and any subsequent term extension amendments provided for in the agreement contingent upon satisfactory performance by the consultant, on consent.

**ITEM 8: RESTRUCTURING THE SALE OF RECLAIMED WATER TO THE 22ND DISTRICT AGRICULTURAL ASSOCIATION (CLERK’S FILE NO. 406-1)**

Council adopted Resolution 2025-12, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, RESCINDING RESOLUTION 2000-19 ADOPTING RULES AND REGULATIONS FOR RECYCLED WATER SERVICE”; approved an Agreement with the San Elijo Joint Powers Authority Regarding Delivery of Reclaimed Water and Delegation of Responsibilities Under the Water Recycling Act of 1991; approved the Fourth Amendment to the Reclaimed Water Sales Agreement with the San Elijo Joint Powers Authority and the 22<sup>nd</sup> District Agricultural Association; and authorized the City Manager to execute the Agreement and the Fourth Amendment, on consent.

**ITEM 9: FISCAL YEAR 2025-2026 SENATE BILL 1 FUNDING FOR THE CITY’S PAVEMENT MANAGEMENT PROGRAM (CLERK’S FILE NO. 401-7, 803-3)**

Council adopted Resolution 2025-13, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2025-26 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017”, on consent.

**ITEM 10: AWARD OF CONSTRUCTION CONTRACT TO PORTILLO CONCRETE, INC. FOR THE 2025 ASPHALT ROADWAY REPAIRS (CLERK’S FILE NO. 406-1)**

Council awarded a \$60,000 construction contract to Portillo Concrete, Inc. for the 2025 Asphalt Roadway Repairs project; and authorized the City Manager to execute the contract, on consent.

**ITEM 11: PROPOSAL FOR PHASE II OF THE TEMPORARY SCULPTURE PROGRAM (CLERK’S FILE NO. 1202-5, 1202-11)**

Council authorized the City Manager to sign the Memorandum of Understanding between the City and Del Mar Foundation for Phase II of the City's Temporary Outdoor Sculpture Program; and, approved the five art sculptures, plus one alternate, proposed by the Foundation for Council consideration and approval, on consent.

## **PUBLIC HEARING**

### **ITEM 12: INTRODUCTION OF AN ORDINANCE ADOPTING AN UPDATED FIRE HAZARD SEVERITY ZONE MAP FOR THE CITY OF DEL MAR (CLERK'S FILE NO. 401-4,401-9)**

A presentation was provided by Fire Chief Josh Gordon and Acting Fire Marshal Jordan Villagomez.

Council questions and discussion focused on the changes to the fire areas identified in the prior map; wind speed; and undergrounding utilities as a fire prevention measure.

There were no public speakers for the item.

**IT WAS MOVED BY MAYOR GAASTERLAND AND SECONDED BY DEPUTY MAYOR MARTINEZ TO INTRODUCE AN ORDINANCE AMENDING THE DEL MAR MUNICIPAL CODE TO ADD SECTION 10.04.015 REFLECTING LOCAL ADOPTION OF THE DEL MAR FIRE HAZARD SEVERITY ZONES MAP (FHSZ MAP) TO DESIGNATE MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES TO COMPLY WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 51179. (VOTE 4-0)**

Ayes: Mayor Gaasterland; Deputy Mayor Martinez; Councilmembers Quirk and Spelich; Noes: 0; Recuse: 0; Absent: 0; Abstain: 0.

## **CITY COUNCIL OTHER BUSINESS**

### **ITEM 13: CONSIDERATION OF AN IBANK BORROWER'S RESOLUTION RELATED TO UNDERGROUNDING PROGRAM FINANCING (CLERK'S FILE NO. 1001-2)**

An introduction to the item was provided by City Manager Jones. A presentation was provided by Finance Manager/Treasurer Marco Camacho. Principal Engineer Martin Boyd and City consultants Craig Hill, Managing Principal and Leslie Bloom, Vice President with NHA Advisors, LLC.

Council questions focused on the updated cash flow model provided by NHA Advisors; anticipated unused contingency funds for Utility Undergrounding District (UUD) 1A (Stratford Court South); payment requirements for SDG&E's portion of the undergrounding work; clarification on provisions of the borrower's resolution; whether there is a penalty if the City adopts the borrower's resolution and then does not execute the loan; whether the loan is needed to begin UUD X1A (Crest Canyon) on schedule; likelihood the IBank Board will approve the City's application; amount of the loan; whether Measure Q revenue is predictable and consistent; when the borrowing amounts can be adjusted down prior to closing; and staff time spent on the application.

Mayor Gaasterland opened the item to public comment and Amy Cheshire spoke. Mayor Gaasterland closed the item to public comment.

Council discussion focused on approval of the resolution knowing that the amount will be \$11 million or less; desire to keep the project moving in accordance with the identified project timelines; quarterly cash flow model prepared by Councilmember Quirk; next steps related to briefing the Undergrounding Program Advisory Committee (UPAC); and timing for UPAC and City Council to receive an updated cash flow and project timeline for future undergrounding districts.

**IT WAS MOVED BY COUNCILMEMBER SPELICH AND SECONDED BY MAYOR GAASTERLAND TO APPROVE RESOLUTION 2025-14, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK ("IBANK") FOR FINANCING A CAPITAL IMPROVEMENT PROJECT, AUTHORIZING THE INCURRING OF AN OBLIGATION PAYABLE TO IBANK FOR THE FINANCING OF A CAPITAL IMPROVEMENT PROJECT IF IBANK APPROVES SAID APPLICATION, DECLARATION OF OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF AN OBLIGATION, AND APPROVING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH." (VOTE 4-0)**

Ayes: Mayor Gaasterland; Deputy Mayor Martinez; Councilmembers Quirk and Spelich; Noes: 0; Recuse: 0; Absent: 0; Abstain: 0.

**ITEM 14: DISCUSSION OF REGULATIONS FOR BICYCLES, INCLUDING ELECTRIC BICYCLES, IN THE CITY OF DEL MAR (CLERK'S FILE NO. 401-4,401-9)**

An introduction to the item was provided by City Manager Jones. A presentation was provided by Management Analyst Ashlea Houston.

Council questions focused on policy considerations related to cycling on sidewalks and the Coast to Crest Trail.

There were no public speakers for the item.

Council consensus was to direct staff to proceed with Sidewalk Option 2 as identified by staff, which will prohibit bicycles on all sidewalks, with exceptions for specified areas, and when reasonably necessary to leave the road to avoid debris or other hazardous conditions; and trail restriction amendment to permit bikes, including class 1 and 2 e-bikes, on the Coast to Crest Trail.

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

None.

**ADJOURNMENT**

Mayor Gaasterland adjourned the meeting at 7:04 p.m.

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Sarah Krietor, Administrative Services Manager/  
City Clerk



**DEL MAR CITY COUNCIL  
SPECIAL MEETING MINUTES  
CLOSED SESSION  
JUNE 2, 2025**

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

**CALL TO ORDER**

The special meeting had a scheduled start time of 7:00 p.m. However, with the absence of Mayor Gaasterland and Councilmember Quirk, the City Attorney determined that there was no quorum to convene a closed session meeting and therefore only a legal briefing with the members present would be possible. The briefing with legal counsel started at approximately 7:05 p.m.

**ROLL CALL**

Present: Deputy Mayor Tracy Martinez and Councilmembers John Spelich

Absent: Mayor Terry Gaasterland and Councilmember Dan Quirk

**CLOSED SESSION**

A) Conference with Legal Counsel - Significant Exposure to Litigation

Number of Cases: One

Description: Short-term Rental Regulations

Authority: Government Code Section 54956.9(d)(2)

Reportable Action: None.

**ADJOURNMENT**

No formal closed session meeting occurred. The legal briefing with two Councilmembers as described above concluded at approximately 7:45 p.m.

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Sarah Krietor, Administrative Services Manager/  
City Clerk



**LIST OF DEMANDS**  
**CITY OF DEL MAR**  
*for*  
**City Council Meeting**  
**June 16, 2025**

Vendor Payment Checks	\$ 1,773,523.26
Voids	-
Electronic Fund Transfers (EFT)	535,805.55
Electronic Wires	286,871.46
Total	<u><u>\$ 2,596,200.27</u></u>

Approved by: 

\_\_\_\_\_  
Marco Camacho  
Finance Manager/Treasurer

Date: 6/11/25  
\_\_\_\_\_

Approved by: \_\_\_\_\_

\_\_\_\_\_  
Terry Gaasterland  
Mayor

Date: \_\_\_\_\_  
\_\_\_\_\_

Attachments: Check Registers

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Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
6873	5/30/2025	lif06	GEN DIGITAL INC.	10010578040	5/15/2025	VOL LIFELOCK BENEFIT	135.92	135.92
	Voucher:	6873						
6874	5/30/2025	leg04	LEGALACCESSPLANS USA,	51382	5/1/2025	VOL LEGAL INS	179.50	179.50
	Voucher:	6874						
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							<b>315.42</b>	

Bank : qusbnk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
8086	5/30/2025	hea02	HEALTH NET	BFC29AJUN25	5/15/2025	HEALTH INS JUN	36,328.85	36,328.85
		Voucher: 8086						
8087	5/30/2025	kai01	KAISER PERMANENTE	475311840892	5/10/2025	HEALTH INS JUN	17,190.67	17,190.67
		Voucher: 8087						
8088	5/30/2025	mut01	MUTUAL OF OMAHA	001891848426	5/14/2025	AD&D B&D JUN	4,751.75	4,751.75
		Voucher: 8088						
8089	5/30/2025	pri11	PRINCIPAL FINANCIAL GROU	1003938-10001JU	5/17/2025	DENTAL INS JUN	5,640.26	5,640.26
		Voucher: 8089						
8090	5/30/2025	sun11	SUN LIFE ASSURANCE CO, (	915639-0001JUN2	5/15/2025	FF LIFE INS JUN	54.00	54.00
		Voucher: 8090						
139709	5/30/2025	cap01	CAPF CA PUBLIC SAFETY AI	Ben180124	5/16/2025	CAPF: PAYMENT	234.00	234.00
		Voucher: 139709						
<b>Sub total for GENERAL ACCOUNT US BANK:</b>							<b>64,199.53</b>	

8 checks in this report.

Grand Total All Checks: 64,514.95



**Bank : qusbk GENERAL ACCOUNT US BANK**

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
4122	5/30/2025	irs01	IRS, UNITED STATES TREAS	Ben180282	5/30/2025	FEDERAL TAX: PAYMENT	40,348.48	40,348.48
		Voucher: 4122						
4123	5/30/2025	per01	PERS	Ben180284	5/30/2025	PERS CONTRIBUTIONS: PAYMEN	54,595.49	54,595.49
		Voucher: 4123						
4124	5/30/2025	edd01	EMPLOYMENT DEVELOPME	Ben180286	5/30/2025	STATE TAX: PAYMENT	11,351.28	11,351.28
		Voucher: 4124						
4125	5/30/2025	per02	PERS 457	Ben180288	5/30/2025	CALPERS 457 DEFERRED COMF	2,661.25	2,661.25
		Voucher: 4125						
4126	5/30/2025	ida01	IDAHO STATE TAX COMMISS	Ben180290	5/30/2025	IDAHO STATE TAX COMMISSION	397.30	397.30
		Voucher: 4126						
<b>Sub total for GENERAL ACCOUNT US BANK:</b>								<b>109,353.80</b>

**Bank : eusbnk EFT GENERAL ACCOUNT US BANK**

<u>Check #</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>Inv Date</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
6875	5/30/2025	mis07	107413 STATE ST BANK & TF Ben180278	5/30/2025	401A PLAN: PAYMENT	539.00	539.00
		Voucher:	6875				
6876	5/30/2025	mis08	303845 STATE ST BANK & TF Ben180276	5/30/2025	MISSION SQUARE 457B: PAYMEI	9,279.33	9,279.33
		Voucher:	6876				
6877	5/30/2025	mis09	803808 STATE ST BANK & TF Ben180280	5/30/2025	RETIREMENT HEALTH SAVINGS	721.88	721.88
		Voucher:	6877				
6878	5/30/2025	par21	U.S. BANK PARS FFC 674602 Ben180274	5/30/2025	PUBLIC AGENCY RETIREMENT S	2,558.03	2,558.03
		Voucher:	6878				
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							<b>13,098.24</b>

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9 checks in this report.

Grand Total All Checks: 122,452.04



Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
6879	6/3/2025	als02	ALS GROUP USA CORP	522503265	5/19/2025	WATER SAMPLING MAY	676.00	676.00
	Voucher:	6879						
6880	6/3/2025	avi03	AVI SYSTEMS INC	1171570	2/13/2025	CHARACTER GENERATOR	21,393.28	21,393.28
	Voucher:	6880						
6881	6/3/2025	cha71	CHARTER COMM HOLDINGS	189125601	5/14/2025	INTERNET CH MAY	1,409.77	
	Voucher:	6881		189123701	5/14/2025	FIBER CONNECTION PW MAY	608.79	
				189125301	5/14/2025	CH FIBER LFGRD MAY	510.77	
				189123101	5/14/2025	LIFEGUARD FIBER MAY	510.77	
				189123801	5/14/2025	LFGRD FIBER MAY	446.27	
				189125701	5/14/2025	CH FIBER TO FIRE MAY	446.27	
				189125801	5/14/2025	VIDEO TRANSPORT/PEG MAY	335.35	
				189112801	5/14/2025	VIDEO TRANSPORT/PEG MAY	335.35	
				189123401	5/14/2025	CABLE/INTERNET PW MAY	231.19	
				189125401	5/14/2025	DMTV INTERNET MAY	119.99	
				189125501	5/14/2025	PUBLIC WIFI CH MAY	119.99	
				189123001	5/14/2025	LFGRD CABLE INTERNET MAY	100.00	
				189125201	5/14/2025	INTERNET TV STUDIO MAY	93.34	5,267.85
6882	6/3/2025	coa21	COAST NEWS GROUP	00157143	6/2/2025	AD - PUBLIC HEARING	205.38	
	Voucher:	6882		00157205	5/23/2025	AD - ADOPT OF ORDIN	89.13	
				00157206	5/23/2025	AD - ORDIN INTRO	65.88	360.39
6883	6/3/2025	cor15	CORONADO MOBILE STORA	JUN-25	6/1/2025	STORAGE CONTRS JUNE	255.00	255.00
	Voucher:	6883						
6884	6/3/2025	dev02	DEVANEY PATE MORRIS & C	10479	5/15/2025	CITY ATTORNEY APR	37,617.60	
	Voucher:	6884		10478	5/15/2025	LEGAL FEES APR	7,852.33	
				10477	5/15/2025	LEGAL FEES APR	1,494.50	
				10440	5/9/2025	LEGAL FEES APR	244.00	
				10475	5/15/2025	LEGAL FEES APR	98.00	
				10476	5/15/2025	LEGAL FEES APR	98.00	47,404.43
6885	6/3/2025	dix01	DIXIELINE LUMBER CO	06-0598861	5/15/2025	MAINT/REPAIR SUPP PW	46.93	
	Voucher:	6885		06-0598500	5/13/2025	OPERATING SUPP PW	45.93	
				06-0599413	5/20/2025	MAINT/REPAIR SUPP PW	27.36	
				06-0599387	5/20/2025	OPERATING SUPP PW	3.22	123.44
6886	6/3/2025	fer07	FERGUSON ENTERPRISES I	0881148	5/9/2025	WATER METER PARTS PW	2,072.78	2,072.78
	Voucher:	6886						

Bank : eusbnk EFT GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
6887	6/3/2025	adt01	JOHNSON CONTROLS SEC : 24690093	5/1/2025	ALARM LIBRARY JUL/AUG	258.17	258.17
		Voucher: 6887					
6888	6/3/2025	kle01	KLEINFELDER 1533220	5/19/2025	CDM BRIDGE APR	139,558.80	139,558.80
		Voucher: 6888					
6889	6/3/2025	man12	MANERI TRAFFIC CONTROL 23597	5/15/2025	MAINT/REPAIR SUPP PW	261.00	
		Voucher: 6889	23596	5/15/2025	MAINT/REPAIR SUPP PW	195.75	456.75
6890	6/3/2025	mot05	MOTOROLA SOLUTIONS, INC 8282138477	5/23/2025	RADIO BATTERIES CS	1,648.65	1,648.65
		Voucher: 6890					
6891	6/3/2025	san03	SAN DIEGO COUNTY WATEF 05192025	5/19/2025	SDCWA CAP CHRGS-461 ZUNI	3,818.00	3,818.00
		Voucher: 6891					
6892	6/3/2025	wex01	WEX BANK 0496-00-496745-1	5/23/2025	GAS & OIL CS	1,082.21	1,082.21
		Voucher: 6892					
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							<b>224,375.75</b>

Bank : qusbnk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
139710	6/3/2025	atk02	ATKINSON, ANDELSON, LOY 749490	4/30/2025	LEGAL FEES APR	13,001.63	13,001.63	
		Voucher:	139710					
139711	6/3/2025	bar29	BARNETT QUALITY CONTRC 24660	5/10/2025	JDB MITIGATION B	1,855.00		
		Voucher:	139711	24661	5/10/2025	STRATFORD COURT PROJ	1,513.10	3,368.10
139712	6/3/2025	nes01	BLUETRITON BRANDS INC, I 15D8710074974	4/24/2025	WATER CH	73.92	73.92	
		Voucher:	139712					
139713	6/3/2025	cit07	CITY OF SAN DIEGO 1000409611	2/4/2025	PENSAQUITOS SEWER O&M	409.00	409.00	
		Voucher:	139713					
139714	6/3/2025	hds01	CORE & MAIN LP W980472	5/16/2025	WATER METER PARTS	1,457.19	1,457.19	
		Voucher:	139714					
139715	6/3/2025	lee01	DCL ENTERPRISES INC DBA CT00131467	5/21/2025	MAINT/REPAIR PW	86.20	86.20	
		Voucher:	139715					
139716	6/3/2025	del06	DEL MAR AUTOMOTIVE SER 50029	5/21/2025	VEHICLE MAINT #393 CS	1,492.03	1,492.03	
		Voucher:	139716					
139717	6/3/2025	gcf01	GILBERT CASTRO, DBA GC I 000158	5/12/2025	FENCE SRVCS 11TH ST	4,965.00		
		Voucher:	139717	000159	5/12/2025	FENCE SRVCS 15TH ST	4,765.00	9,730.00
139718	6/3/2025	gra02	GRAINGER 9505266966	5/13/2025	MAINT/REPAIR SUPP PW	413.87	413.87	
		Voucher:	139718					
139719	6/3/2025	kin02	KING GRAPHICS 50208	5/21/2025	UNIFORMS CS	864.00	864.00	
		Voucher:	139719					
139720	6/3/2025	mcd03	MCDANIEL, AARON 05272025	5/27/2025	JR LFGRD REFUND	200.00	200.00	
		Voucher:	139720					
139721	6/3/2025	oce09	OCEAN ENTERPRISES 569698	5/24/2025	EQUIP MAINT/REPAIR CS	948.84	948.84	
		Voucher:	139721					
139722	6/3/2025	sdg01	SAN DIEGO GAS & ELECTRI 91132961	5/6/2025	SDG&E STRATFORD CT UUD1A	1,592,881.00	1,592,881.00	
		Voucher:	139722					
139723	6/3/2025	sou02	SOUTHCOAST HEATING & A 1434056	5/15/2025	HVAC SRVCS LIBRARY	388.00	388.00	
		Voucher:	139723					
139724	6/3/2025	sou28	SOUTHERN CALIFORNIA AIF 685876	4/25/2025	HVAC SRVCS CS	6,307.90	6,307.90	
		Voucher:	139724					
139725	6/3/2025	ssm01	SS MECHANICAL CONSTRU 25340-01	5/21/2025	MANHOLES INSTALLATION PW	44,877.00	44,877.00	
		Voucher:	139725					
139726	6/3/2025	ter11	TERMINIX COMMERCIAL 459727049	5/16/2025	PEST CONTROL SRVCS PW	140.98	140.98	
		Voucher:	139726					

Bank : qusbnk GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
139727	6/3/2025	ter01	TERMINIX INT CO LTD, PART 459727182	5/16/2025	PEST CONTROL SRVCS FIRE	57.24	57.24
		Voucher: 139727					
139728	6/3/2025	tiw01	TIWANA, AMRINDER 06022025	6/2/2025	PAYMENT REFUND	2,976.85	2,976.85
		Voucher: 139728					
139729	6/3/2025	uli02	ULINE 192821551	5/13/2025	OPERATING SUPP PW	61.05	
		Voucher: 139729	191144789	4/2/2025	OPERATING SUPP PW	1,167.13	1,228.18
139730	6/3/2025	vis07	VISTA PAINT CORPORATION 2025-931291-00	5/16/2025	TRAFFIC PAINT PW	495.43	495.43
		Voucher: 139730					
139731	6/3/2025	wax02	WAXIE'S ENTERPRISES, LLC 83246676	5/20/2025	JANITORIAL SUPP PW	2,481.88	
		Voucher: 139731	83247018	5/20/2025	JANITORIAL SUPP PW	1,986.61	4,468.49
139732	6/3/2025	wes29	WEST COAST ARBORISTS IN 229141	4/30/2025	TREE MAINT 4/16 - 4/30	1,545.75	1,545.75
		Voucher: 139732					
<b>Sub total for GENERAL ACCOUNT US BANK:</b>							1,687,411.60

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37 checks in this report.

Grand Total All Checks: 1,911,787.35



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Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
6893	6/4/2025	wex01 Voucher: 6893	WEX BANK	0496-00-496530-7	5/6/2025	GAS & OIL PW	4,449.55	4,449.55
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							<b>4,449.55</b>	

1 checks in this report.

Grand Total All Checks: 4,449.55



Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
6894	6/10/2025	ace02	ACE UNIFORMS LLC	SD0225969	5/30/2025	NAMETAGS CS	24.00	24.00
		Voucher:	6894					
6895	6/10/2025	kay01	ADAM KAYE	MAY-25	5/30/2025	COMM SRVCS MAY	3,900.00	3,900.00
		Voucher:	6895					
6896	6/10/2025	als02	ALS GROUP USA CORP	522503398	5/28/2025	WATER SAMPLING MAY	496.00	496.00
		Voucher:	6896					
6897	6/10/2025	cal81	CALLTOWER INC	202555440	5/25/2025	TELEPHONE JUN	340.05	340.05
		Voucher:	6897					
6898	6/10/2025	cha71	CHARTER COMM HOLDINGS	8448 41 006 0171	5/13/2025	PUBLIC WIFI PHCC MAY	175.20	175.20
		Voucher:	6898					
6899	6/10/2025	cor07	CORODATA RECORDS MGT	RS7088188	5/31/2025	STORAGE SRVCS MAY	166.98	166.98
		Voucher:	6899					
6900	6/10/2025	cor23	CORODATA SHREDDING INC	DN 1520749	4/30/2025	SHREDDING SRVCS APR	50.82	50.82
		Voucher:	6900					
6901	6/10/2025	cor22	CORVEL CORPORATION	1828644	5/19/2025	MED MAINT - JUN	250.00	
		Voucher:	6901	1830965	5/30/2025	WC SERVICES - MAY	185.00	435.00
6902	6/10/2025	dai03	DAILY DIRECT MAIL	14701-6	5/29/2025	UTILITY BILLS MAY	240.00	
		Voucher:	6902	14701-5	5/29/2025	UTILITY BILLS - APR	240.00	480.00
6903	6/10/2025	del14	DEL MAR VILLAGE ASSOCIA	12	6/9/2025	DMVA AGRMNT APR	22,566.39	22,566.39
		Voucher:	6903					
6904	6/10/2025	dix01	DIXIELINE LUMBER CO	06-0600203	5/27/2025	OPERATING SUPP CS	263.01	
		Voucher:	6904	06-0599709	5/21/2025	OPERATING SUPP PW	130.47	
				06-0599636	5/21/2025	OPERATING SUPP PW	130.15	
				06-0599749	5/21/2025	OPERATING SUPP PW	60.90	
				06-0599596	5/21/2025	OPERATING SUPP PW	44.02	
				06-0599712	5/21/2025	OPERATING SUPP PW	27.48	656.03
6905	6/10/2025	gov03	GOVINVEST INC	2025-6382	6/6/2025	ANNUAL SUBSCRPN FEE	10,589.00	10,589.00
		Voucher:	6905					
6906	6/10/2025	lif01	LIFE-ASSIST	1604570	5/30/2025	AMBULANCE SUPP FIRE	391.50	391.50
		Voucher:	6906					
6907	6/10/2025	man12	MANERI TRAFFIC CONTROL	23650	5/23/2025	MAINT/REPAIR SUPP PW	81.56	81.56
		Voucher:	6907					
6908	6/10/2025	pru01	PRUDENTIAL OVERALL SUP	132316209	5/23/2025	UNIFORMS PW - 5/23	118.75	118.75
		Voucher:	6908					

Bank : eusbnk EFT GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
6909	6/10/2025	red04	REDFLEX TRAFFIC SYSTEM INV0101120	5/31/2025	RED LIGHT CAMERA MAY	5,283.00	5,283.00
	Voucher:	6909					
6910	6/10/2025	san12	SAN DIEGO COUNTY SHERII 05302025	5/30/2025	LAW ENF APR	227,248.46	227,248.46
	Voucher:	6910					
6911	6/10/2025	tow05	TOWNSEND PUBLIC AFFAIR 23506	6/1/2025	LEGISLATIVE SRVCS JUN	4,000.00	4,000.00
	Voucher:	6911					
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							277,002.74

Bank : qusbk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
139733	6/10/2025	adt02	ADT SECURITY SERVICES	1141734615	5/19/2025	ALARM 1658 COAST JUN/SEP	145.47	145.47
		Voucher:	139733					
139734	6/10/2025	air10	AIRX UTILITY SURVEYORS,	24190	5/15/2025	UUD 1B STRATFORD CT N	7,550.00	7,550.00
		Voucher:	139734					
139735	6/10/2025	sbc03	AT&T	9391054486	5/20/2025	TELEPHONE MAY	186.06	
		Voucher:	139735	9391026230	5/20/2025	TELEPHONE MAY	63.18	
				9391031506	5/20/2025	TELEPHONE MAY	61.99	
				9391026231	5/20/2025	TELEPHONE MAY	61.99	
				9391026228	5/20/2025	TELEPHONE MAY	31.77	
				9391065056	5/27/2025	TELEPHONE MAY	30.04	
				9391065053	5/27/2025	TELEPHONE MAY	30.03	
				9391065054	5/27/2025	TELEPHONE MAY	30.03	
				9391065055	5/27/2025	TELEPHONE MAY	30.03	525.12
139736	6/10/2025	azt02	AZTEC LANDSCAPING INC, I	J2038	4/7/2025	JANITORIAL SUPP CH	219.50	219.50
		Voucher:	139736					
139737	6/10/2025	bel06	BELEZZUOLI, ERNEST	06022025	6/2/2025	PHCC EVENT REFUND	800.00	800.00
		Voucher:	139737					
139738	6/10/2025	nes01	BLUETRITON BRANDS INC, I	05E8710074974	5/22/2025	WATER CH	239.88	239.88
		Voucher:	139738					
139739	6/10/2025	bur17	BURKE, BRADLEY J	06022025	6/2/2025	PHCC EVENT REFUND	410.00	410.00
		Voucher:	139739					
139740	6/10/2025	car30	CARSTENS, BLACK & MINTE	34972	6/5/2025	SANDAG LOSSAN SRVCS MAY	1,522.50	1,522.50
		Voucher:	139740					
139741	6/10/2025	chi03	CHICAGO TITLE COMPANY	73725003882-1	6/4/2025	TITLE REPORT - PH	750.00	750.00
		Voucher:	139741					
139742	6/10/2025	cin02	CINTAS	5272716402	5/29/2025	FIRST AID KIT SUPPLIES PW	221.10	
		Voucher:	139742	5273255215	6/2/2025	FIRST AID KIT SUPPLIES CH	40.67	261.77
139743	6/10/2025	cit07	CITY OF SAN DIEGO	1000419904	5/20/2025	WATER TREATMENT APR	25,224.57	
		Voucher:	139743	1000417545	4/30/2025	METRO SEWER Q4	6,630.00	31,854.57
139744	6/10/2025	cou16	COUNTY OF SAN DIEGO - RI	25CTOFDMM11	6/1/2025	RCS PAGING SRVCS CS - MAY	239.76	
		Voucher:	139744	25CTOFDMC11	6/1/2025	RCS PAGING SRVCS - MAY	70.00	309.76
139745	6/10/2025	lee01	DCL ENTERPRISES INC DBA	0000096273	5/21/2025	FACILITY REPAIRS PW	4,970.18	4,970.18
		Voucher:	139745					
139746	6/10/2025	del06	DEL MAR AUTOMOTIVE SER	50046	5/28/2025	VEHICLE MAINT #81 PW	92.25	92.25
		Voucher:	139746					

Bank : qusbnk GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
139747	6/10/2025	bee04	DENNIS L JOBE, DBA BEE CI 187016	5/24/2025	BEE REMOVAL MAY	200.00	200.00
		Voucher: 139747					
139748	6/10/2025	fer01	FERRELLGAS LP 1130205699	4/1/2025	PROPANE FIRE	11.95	11.95
		Voucher: 139748					
139749	6/10/2025	fis12	FISHER INTEGRATED INC 2243	6/1/2025	VIDEO STREAMING MAY	1,100.00	
		Voucher: 139749	2230	5/1/2025	VIDEO STREAMING APR	1,100.00	2,200.00
139750	6/10/2025	lal01	JOHN B LALLEY JR, DBA LAL 251	5/10/2025	ELECTRICAL SRVCS PW	1,492.00	1,492.00
		Voucher: 139750					
139751	6/10/2025	kin02	KING GRAPHICS 50214	5/21/2025	UNIFORMS JR LFGRD CS	8,735.13	8,735.13
		Voucher: 139751					
139752	6/10/2025	boh02	NANCY K. BOHL INC. DBA.; T INV104757	6/2/2025	EAP SERVICES - JUN	390.00	390.00
		Voucher: 139752					
139753	6/10/2025	nor21	NORTH COUNTY CONCRETE 3132	4/21/2025	CONCRETE SRVCS PW	375.00	375.00
		Voucher: 139753					
139754	6/10/2025	pre18	PREMIER AUTOMOTIVE KIA, 62112	5/29/2025	VEHICLE REPAIRS CS	5,768.95	5,768.95
		Voucher: 139754					
139755	6/10/2025	sdg01	SAN DIEGO GAS & ELECTRI 0042 2198 4063 2	5/16/2025	UTILITIES MAR/APR	8,335.49	8,335.49
		Voucher: 139755					
139756	6/10/2025	sdg02	SAN DIEGO GAS & ELECTRI 0012 6209 1548 9	6/2/2025	UTILITIES JUN	109.50	109.50
		Voucher: 139756					
139757	6/10/2025	san112	SAN DIEGO HUMANE SOCIE JUN-25	6/1/2025	ANIMAL SRVCS JUN	4,255.00	4,255.00
		Voucher: 139757					
139758	6/10/2025	t-mo01	T-MOBILE USA INC 980755647	5/22/2025	TELEPHONE MAY	11.90	11.90
		Voucher: 139758					
139759	6/10/2025	uli02	ULINE 193266684	5/22/2025	TOOLS/EQUIP PW	590.75	590.75
		Voucher: 139759					
139760	6/10/2025	ver12	VERIZON 73347835	5/20/2025	TELEPHONE MAY	128.54	128.54
		Voucher: 139760					

Bank : qusbk GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
139761	6/10/2025 Voucher:	ver03 139761	VERIZON WIRELESS	570653198-00008	5/18/2025	TELEPHONE MAY	1,056.53	
				570653198-00006	5/18/2025	TELEPHONE MAY	239.53	
				872374736-00003	5/18/2025	TELEPHONE MAY	227.68	
				872374736-00004	5/18/2025	TELEPHONE MAY	226.06	
				542070053-00002	4/20/2025	TELEPHONE APR	168.40	
				542070053-00002	5/20/2025	TELEPHONE MAY	168.16	
				570653198-00009	5/18/2025	TELEPHONE MAY	40.42	
				570653198-00007	5/18/2025	TELEPHONE MAY	38.01	2,164.79
139762	6/10/2025 Voucher:	wax02 139762	WAXIE'S ENTERPRISES, LLC	83263140	5/28/2025	JANITORIAL SUPP PW	1,457.66	1,457.66
<b>Sub total for GENERAL ACCOUNT US BANK:</b>							<b>85,877.66</b>	

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48 checks in this report.

Grand Total All Checks: 362,880.40



Bank : qusbk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
4127	6/13/2025	irs01	IRS, UNITED STATES TREAS	Ben180446	6/13/2025	FEDERAL TAX: PAYMENT	43,009.21
		Voucher:	4127				
4128	6/13/2025	per01	PERS	Ben180448	6/13/2025	PERS CONTRIBUTIONS: PAYMEN	55,508.80
		Voucher:	4128				
4129	6/13/2025	edd01	EMPLOYMENT DEVELOPME	Ben180450	6/13/2025	STATE TAX: PAYMENT	12,144.99
		Voucher:	4129				
4130	6/13/2025	per02	PERS 457	Ben180452	6/13/2025	CALPERS 457 DEFERRED COMF	2,661.25
		Voucher:	4130				
4131	6/13/2025	ida01	IDAHO STATE TAX COMMISS	Ben180454	6/13/2025	IDAHO STATE TAX COMMISSION	227.88
		Voucher:	4131				
<b>Sub total for GENERAL ACCOUNT US BANK:</b>							113,552.13

**Bank : eusbnk EFT GENERAL ACCOUNT US BANK**

<u>Check #</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>Inv Date</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
6912	6/13/2025	mis07	107413 STATE ST BANK & TF Ben180442	6/13/2025	401A PLAN: PAYMENT	539.00	539.00
		Voucher:	6912				
6913	6/13/2025	mis08	303845 STATE ST BANK & TF Ben180434	6/13/2025	MISSION SQUARE 457B: PAYMEI	9,867.34	9,867.34
		Voucher:	6913				
6914	6/13/2025	mis09	803808 STATE ST BANK & TF Ben180444	6/13/2025	RETIREMENT HEALTH SAVINGS	721.88	721.88
		Voucher:	6914				
6915	6/13/2025	uni21	DEL MAR CITY EMPLOYEES Ben180436	6/13/2025	DMCEA DUES: PAYMENT	299.00	299.00
		Voucher:	6915				
6916	6/13/2025	nat15	NATIONAL BENEFIT SERVICE Ben180440	6/13/2025	SEC. 125 FLEXIBLE SAVINGS AC	1,389.10	1,389.10
		Voucher:	6916				
6917	6/13/2025	par21	U.S. BANK PARS FFC 674602 Ben180438	6/13/2025	PUBLIC AGENCY RETIREMENT S	3,747.53	3,747.53
		Voucher:	6917				
<b>Sub total for EFT GENERAL ACCOUNT US BANK:</b>							<b>16,563.85</b>

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11 checks in this report.

Grand Total All Checks: 130,115.98





# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Josh Gordon, Fire Chief  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Adoption of an Ordinance Updating the Fire Hazard Severity Zone Map for the City of Del Mar

## **REQUESTED ACTION/RECOMMENDATION:**

Staff recommends that the City Council adopt the Ordinance (Attachment A) amending the Del Mar Municipal Code to add Section 10.04.015 reflecting local adoption of the Del Mar Fire Hazard Severity Zones Map (FHSZ Map) to designate Moderate, High, and Very High Fire Hazard Severity Zones (Exhibit 1 to Attachment A) to comply with the requirements of California Government Code Section 51179.

## **BACKGROUND:**

On March 24, 2025, CAL FIRE, through the Office of the State Fire Marshal (OFSM), released updated Local Responsibility Areas (LRAs) FHSZ maps for all California communities, including the City of Del Mar. The updated FHSZ maps represent the most current, science-based assessment of wildfire hazards across the State and mark the first major update since 2007. CAL FIRE's methodology incorporates modern fire behavior modeling, historical wildfire data, topography, vegetation, weather patterns, and climate trends to identify hazard ratings.

The Del Mar City Council introduced the Ordinance (Attachment A) to adopt its updated FHSZ Map (Exhibit 1 to Attachment A), as required by State law, on June 2, 2025. The agenda report for that item (Item 12) with additional information is available on the City's website at: [https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/\\_06022025-3693](https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/_06022025-3693).

## **DISCUSSION/ANALYSIS:**

For the City of Del Mar, the updated FHSZ Map (Exhibit 1 to Attachment A) significantly expanded areas in the City that are designated as High and Very High Fire Hazard Severity Zones. Areas not previously identified as high hazard for wildfires, particularly neighborhoods adjacent to open space—are now newly classified and subject to stricter mitigation requirements. This means many residential and commercial properties now fall under more stringent fire safety regulations.

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City Council Action:

These new designations directly affect Del Mar's local building codes, require enhanced defensible space (e.g., clearing brush and maintaining safe zones around structures), and trigger additional disclosure obligations for property owners. Any new construction in Very High and High FHSZs must comply with Chapter 7A of the California Building Code (wildfire-resistant construction standards) and Government Code Sections 51175–51189, which establish the framework for local wildfire mitigation requirements (Attachment B).

### **Adoption Timeline**

CAL FIRE finalized and publicly released the updated LRA FHSZ maps on March 24, 2025. Under California Government Code Section 51179, cities are required to adopt these maps by ordinance within 120 days of the State's final map certification (or by July 22, 2025).

### **Notification and Opportunities for Public Comment**

Prior to adoption, CAL FIRE provided official notice and conducted public hearings to gather input from local agencies, residents, and stakeholders. This process was mandated by Government Code Section 51178 et seq., ensuring there was public engagement in the map development process.

### **Final Adoption and Implementation**

After completing the State's public comment period and addressing feedback, CAL FIRE certified the final maps. The maps took effect 30 days after publication in the California Regulatory Notice Register, triggering the 120-day compliance timeline described above for local jurisdictions to adopt them by ordinance. While the State accepted feedback on the updated maps under State law (Government Code Section 51179(b)(3)), local agencies, including the City of Del Mar, were prohibited from lowering the fire hazard severity zone classifications set by the OSFM. Only changes that would increase the fire hazard area or risk designation are permitted by the State.

### **City-Level Actions and Deadlines**

#### Building Code and Ordinance Updates

The City of Del Mar is legally obligated to amend its local ordinances to incorporate the newly designated High and Very High FHSZs. All new construction, major remodels, and certain repairs within these zones must comply with Chapter 7A of the California Building Code and other relevant city code. These changes must be adopted within 120 days of the final map release. The City is required to update its building and fire codes every three years, and the next update, which will incorporate these requirements, will come to the City Council for adoption by the end of the calendar year and go into effect January 1, 2026.

#### Defensible Space Enforcement

The City must also revise and enforce defensible space policies to align with the updated maps. Vegetation management inspections and compliance efforts, as defined under Government Code 51182, must begin during this same 120-day window. The City is

currently updating these operational programs to comply with the new requirements.

**Disclosure Requirements**

Effective immediately upon the map's adoption, California law requires property sellers to disclose a parcel's location within a designated FHSZ. Real estate disclosures must reflect these new designations, and non-compliance could result in legal exposure for sellers and agents

**Enforcement and Compliance Timeline**

The City of Del Mar has a transitional period of 120 days from CAL FIRE's map certification to finalize all required ordinance amendments, enforcement mechanisms, and public education programs (or by July 22, 2025). Delayed compliance may result in legal liabilities, disqualification from certain state grant opportunities, and challenges to resident property insurance coverage.

The Ordinance shall take effect and be in force thirty (30) days after adoption by the City Council.

**FISCAL IMPACT:**

There is no fiscal impact or action to be taken by the City Council related to this agenda item.

**ENVIRONMENTAL IMPACT:**

This action is exempt from review under the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 et. seq. and CEQA regulations (Title 14 of California Code Regulations Section 15000 et. seq.), pursuant to Government Code Sections 51175 (b) and 51179 (a), because the adoption of an ordinance to adopt the Fire Hazard Severity Zones Maps is not considered a project under Division 13 of the Public Resources Code.

**NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:**

This agenda item supports the General Plan Safety Element, which prioritizes minimizing the risk of wildfire in the community.

**ATTACHMENTS:**

Attachment A – Ordinance Adopting Updated FHSZ Map  
Exhibit 1 – Updated FHSZ Map for City of Del Mar

## ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE TO ADD SECTION 10.04.015 REFLECTING LOCAL ADOPTION OF THE DEL MAR FIRE HAZARD SEVERITY ZONES MAP DESIGNATING MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES TO COMPLY WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 51179

WHEREAS, California Government Code section 51175 et seq. set forth laws intended to classify lands in the state where moderate, high, and very high fire hazard areas exist in order that public officials may implement measures to reduce fire risks; and

WHEREAS, California Government Code section 51178 requires The State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones (FHSZ); and

WHEREAS, California Government Code section 51179 requires a local agency to designate, by ordinance, moderate, high, and very high FHSZ within its jurisdiction within 120 days of receiving such a transmittal from Cal Fire; and

WHEREAS, the City of Del Mar Fire Chief has reviewed and accepted the moderate, high, and very high FHSZ as identified by Cal Fire for the City of Del Mar, which map is titled the "Del Mar Fire Hazard Severity Zones" ("FHSZ Map") and is attached hereto as Exhibit "1" and incorporated herein by reference; and

WHEREAS, pursuant to Government Code 51178.5, the Del Mar Fire Hazard Severity Zone (FHSZ) Map was made available for review and public comment at the Del Mar City Hall during business hours, and on the City's website on March 28, 2025. The Del Mar FHSZ Map was also shared in the City's electronic newsletter, the Del Mar Weekly, on March 28, 2025. These opportunities for the public to review the FHSZ Map satisfy the 30-day public comment notification requirement under Government Code Section 51178.5; and

WHEREAS, on May 23, 2025, the notice of a City Council public hearing was published in the Coast News and mailed notices were sent to all property owners and occupants in the City of Del Mar; and

WHEREAS, on June 2, 2025, the City Council held a duly noticed public hearing and voted to introduce the Fire Hazard Severity Zones Map Ordinance.

NOW, THEREFORE, the City Council of the City of Del Mar, California, hereby ordains as follows:

**SECTION ONE:**

The City Council hereby finds and declares that: The updated Fire Hazard Severity Zone Map was transmitted to the City of Del Mar by the California Department of Forestry and Fire Protection; The designation of these zones is necessary for public safety and the protection of life, property, and natural resources from wildfire; The Ordinance complies with all applicable procedural and substantive requirements under California law.

**SECTION TWO:**

The City Council of Del Mar hereby designates within the City of Del Mar the moderate, high, and very high fire hazard severity zones, as required by California Government Code section 51179 and as transmitted by the Director of the California Department of Forestry and Fire Protection. The fire hazard severity zones are designated on a map titled "Del Mar Fire Hazard Severity Zones" (FHSZ Map). The FHSZ Map is intended to be used in conjunction with the most current edition of the California Building Standards Code (Title 24) and supersedes any other maps previously adopted by the City of Del Mar designating fire hazard severity zones.

**SECTION THREE:**

That Chapter 10.04 Fire Code of the Del Mar Municipal Code be amended to add Section 10.04.015 reflecting local adoption of the Del Mar Fire Hazard Severity Zones Map to read as follows:

**Section 10.04.015 – Adoption of Del Mar Fire Hazard Severity Zones Map**

On June 16, 2025, the City of Del Mar adopted the Del Mar Fire Hazard Severity Zones Map (FHSZ Map). A copy of the map is on file with the City Clerk.

**SECTION FOUR:**

The City shall post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the FHSZ Map provided by the State Fire Marshal, and the City shall transmit a copy of the adopted ordinance to the State Board of Forestry and Fire Protection within 30 days of adoption, as required by Government Code Section 51179.

**SECTION FIVE:**

This action is exempt from review under the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 et. seq. and CEQA regulations (Title 14 of California Code Regulations Section 15000 et. seq.), pursuant to Government Code Sections 51175 (b) and 51179 (a), because the adoption of an ordinance to adopt the Fire Hazard Severity Zones Maps is not considered a project under Division 13 of the Public Resources Code.

**SECTION SIX:**

The Del Mar Fire Department is authorized to enforce this Ordinance and may conduct inspections, issue citations, and take other actions necessary to ensure compliance.

**SECTION SEVEN:**

Any provision of the Del Mar Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**SECTION EIGHT:**

If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional.

**SECTION NINE:**

This Ordinance shall take effect and be in force thirty (30) days after its passage and the City Clerk of the City of Del Mar is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing a newspaper of general circulation published in the City of Del Mar.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California at the Regular Meeting held this 16th day of June, 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

**APPROVED AS TO FORM:**

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Leslie E. Devaney, City Attorney  
City of Del Mar

Ordinance No. XXXX  
Page 4 of 4

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16th day of June, 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

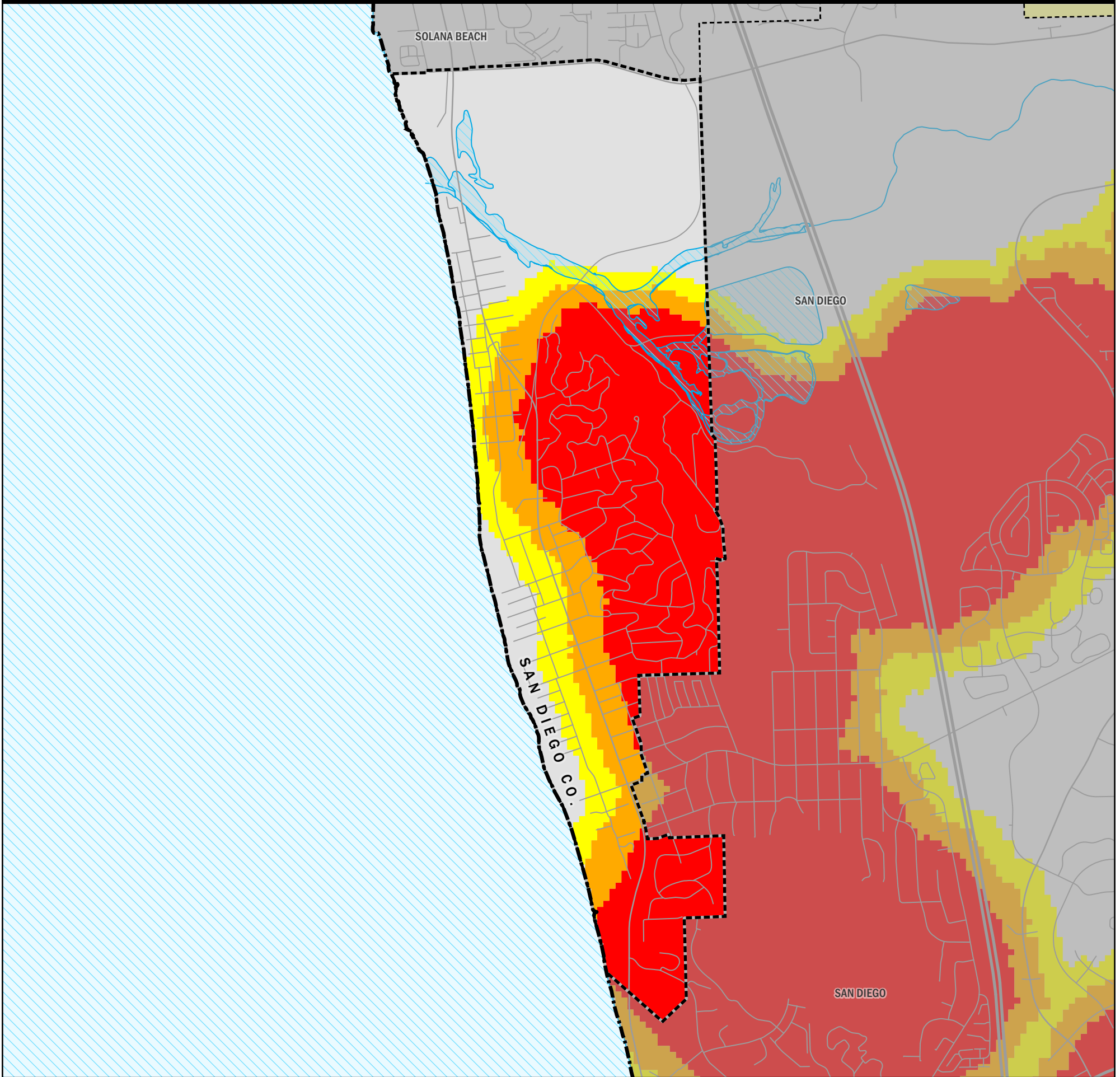
**CITY OF DEL MAR – SAN DIEGO COUNTY**



# Local Responsibility Area Fire Hazard Severity Zones

As Identified by the  
State Fire Marshal

March 24, 2025

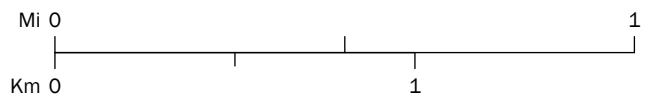


**Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal**

■ Very High    ■ High    ■ Moderate

**Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024**

■ Moderate



Projection: NAD 83 California Teale Albers  
Scale: 1:21,000 at 11" x 17"

Incorporated City     Waterbody  
 Unzoned LRA

Government Code section 51178 requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent

statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather,

and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Gavin Newsom, Governor, State of California  
Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency  
Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection  
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

Data Sources:  
CAL FIRE Fire Hazard Severity Zones (FHSZSRA23\_3, FHSZLRA\_25\_1)  
CAL FIRE State Responsibility Areas (SRA25\_1)  
City and County boundaries as of 10/22/24 (CA Board of Equalization)



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Josh Gordon, Fire Chief  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Resolution Accepting the 2024 State-Mandated Annual Fire Inspections Report

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council adopt a Resolution (Attachment A) accepting the 2024 report on the status of all State-mandated annual fire inspections in the City of Del Mar in conjunction with Senate Bill (SB) 1205 and California Health and Safety Code Section 13146.4.

## BACKGROUND:

On September 27, 2018, the Governor of the State of California signed SB 1205. The bill mandates that every city fire department report annually to its administering authority on its compliance with the Health and Safety Code, Sections 13146.2 and 13146.3. SB 1205 states that the report occur when the administering authority discusses its annual budget, or at another time determined by the administering authority.

## DISCUSSION/ANALYSIS:

The California State Fire Marshal, through the California Health and Safety Code, mandates that certain occupancy types be inspected annually. These mandated occupancy types include private and public schools, hotels, motels, lodging houses, and apartment/condominium buildings in accordance with California Health and Safety Code Sections 13146.2 and 13146.3.

The purpose of annual fire inspections is to mitigate known hazards, reduce risk to the community and ensure reasonable compliance with the California Fire Code. The Del Mar Fire Department performs the mandated inspections, as well as inspections of local businesses, as part of the Fire Department's annual fire inspection program. The Fire Department completed all (100%) of its state-mandated annual inspections within the calendar year 2024.

California Health and Safety Code Section 13146.2 mandates that the local fire department inspect all hotels, motels and lodging houses annually. The Del Mar Fire Department inspected 7 of 7 hotels, motels and lodging houses during the 2024 calendar year.

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City Council Action:

California Health and Safety Code Section 13146.2 mandates that the local fire department inspect all apartments once annually. An apartment shall consist of three or more attached units and excludes all duplex and townhome buildings as defined by code. The California Building Code also specifies that condominiums should be considered apartments for building code application. The Del Mar Fire Department inspected 23 of 23 Group R apartment/condominium complexes during the 2024 calendar year.

California Health and Safety Code Section 13146.3 mandates that the local fire department inspect all public and private schools once annually. The Del Mar Fire Department inspected all Group E Occupancies (1) during the 2024 calendar year.

In total, the Del Mar Fire Department conducted 31 of 31 state-mandated inspections during the 2024 calendar year.

Further, the acceptance of this compliance report via Resolution fulfills the statutory requirements contained in California Health and Safety Code Sections 13146.2, 13146.3 and 13146.4, as amended by SB 1205.

FISCAL IMPACT:

There is no fiscal impact or action to be taken by the City Council related to this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a “project” under the definition set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This matter is an operational item and is not related to the City Council Goals and Priorities.

ATTACHMENTS:

Attachment A - Resolution 2025-XX

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA ACKNOWLEDGING RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE DEL MAR FIRE DEPARTMENT REGARDING THE INSPECTION OF CERTAIN OCCUPANCIES REQUIRED TO PERFORM ANNUAL INSPECTIONS IN SUCH OCCUPANCIES PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE FOR THE CALENDAR YEAR 2024

WHEREAS, California Health & Safety Code Section 13146.4 was added in 2018, and became effective on September 27, 2018; and

WHEREAS, California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the Del Mar Fire Department, that provide fire protection services to perform annual inspections of every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided; and

WHEREAS, California Health & Safety Code Section 13146.4 requires all fire departments, including the Del Mar Fire Department, that provide fire protection services to report annually to its administering authority regarding its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, the City Council of the City of Del Mar intends to fulfill the requirements of the California Health & Safety Code regarding acknowledgment of the Del Mar Fire Department's compliance with California Health & Safety Code Sections 13146.2 and 13146.3 by adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Del Mar that the City Council has received the calendar year 2024 annual report of inspections conducted by the Del Mar Fire Department under California Health & Safety Code Sections 13146.2 and 13146.3 in the City of Del Mar, as follows:

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the City of Del Mar, there is one (1) Group E occupancy.

During calendar year 2024, the Del Mar Fire Department completed the annual inspection of one (1) Group E occupancy. This is a compliance rate of 100% for this reporting period.

Additional items of note regarding this compliance rate can be found in the accompanying staff report for this resolution.

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June 16, 2025

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**B. RESIDENTIAL GROUP R OCCUPANCIES:**

Residential Group R occupancies, for the purposes of this resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three units or more), as well as residential care facilities. Within the City of Del Mar, there are 30 Group R occupancies of this nature.

During calendar year 2024, the Del Mar Fire Department completed the annual inspection of 30 Group R occupancies. This is a compliance rate of 100% for this reporting period.

Additional items of note regarding this compliance rate can be found in the accompanying agenda report for this resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar at a regular meeting thereof, held on the 16<sup>th</sup> day of June 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

Resolution 2025-XX

June 16, 2025

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ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor/Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Nestor Machado, Management Analyst  
Karen Brindley, Planning and Community Development Director  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Encroachment Permit 25-050 to Replace an Existing Guardrail and Associated Improvements within the Public Right-of-Way at 218 12<sup>th</sup> Street

Applicant: Del Mar SB, LLC  
Applicant Representative: Brian Church Architecture

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution (Attachment A) conditionally approving Long-term Major Encroachment Permit (EP) 25-050 to replace and improve private encroachments at 218 12<sup>th</sup> Street.

## BACKGROUND:

On the northwest corner of Camino del Mar and 12<sup>th</sup> Street, sits 1202 Camino del Mar, a commercial property composed of three separate buildings that are undergoing exterior upgrades. At the south side of the 218 12<sup>th</sup> Street property, also known as Building "B" as part of the 1202 Camino del Mar commercial complex, there is an outdoor patio-like area that sits at a higher elevation than the sidewalk.

This area sits anywhere from four to seven feet above the sidewalk due to the gradual slope. A dilapidated guardrail and masonry wall exist on City Right-of-Way (ROW), that is encroaching approximately four and a half feet into the ROW. The guardrail sits atop a masonry wall that linearly runs approximately 35.5 feet adjacent to 12<sup>th</sup> Street. Of note, the property line is a little over 10 feet from the 12<sup>th</sup> Street side curb. A vicinity map depicting the location of the encroachment is included as Attachment B.

The existing guardrail requires replacement to not pose a safety issue due to its deteriorating condition. In addition, the existing masonry wall requires some repair. The applicant is proposing to replace the guardrail with a new wooden slatted railing to match with the existing railing on private property and the wall will be repaired as required and coated with stucco to match with the existing wall on adjacent private property. Moreover, the Applicant is also proposing to level the walking surface between the building and guardrail to eliminate a

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## City Council Action:

tripping hazard. A site plan depicting the proposed encroachments is included as Attachment C.

An Administrative Design Review (ADR) permit was approved in 2023 under permit ADR22-047 for the renovation of Buildings B and C on the alley side of the complex at 1202 Camino del Mar, including exterior updates and extending the sidewalk to provide ADA access to Building B. Part of the approved ADR includes a wooden slatted railing and stucco coated wall on the alley side of Building B that is now installed, and photos of the current condition are included as Attachment D.

As the proposed encroachments are in the public ROW, an Encroachment Permit is required for the improvements and for the Applicant to install the new improvements. There is no record of an approved EP for the existing encroachments at the location. Therefore, the current encroachments are unpermitted, and the Applicant is seeking to permit the proposed improvements.

**DISCUSSION/ANALYSIS:**

Under DMMC §23.28.020, a Long-term Major EP is defined as any improvement designed to or having a permanent appearance and intended for use for a period of 365 days or more and includes, but is not limited to, structures or portions thereof, balconies, cornices and other architectural projections, awnings, below grade vaults, earth-retaining structures extending 12-inches or more in height above the adjacent grade, planter boxes, ramps, fences or walls, and curbs extending 12-inches or more in height above the adjacent grade.

**Required Findings**

Pursuant to DMMC §23.28.070, there are six (6) required findings to approve a Long-term Major EP that generally relate to public safety, intended use of the right-of-way, community character, aesthetics, and conversion of public land for private use. An EP shall only be approved if the City Council can make all six findings:

***Finding 1: That the issuance of the EP will not endanger public health, safety or welfare, or the surrounding property.***

Replacing the existing dilapidated guardrail on the south side of the property would not endanger the public's health, safety, or welfare, nor would it endanger the surrounding property. The guardrail has been in this location for many years with no record of incident or any reported adverse impact. Moreover, the guardrail has and will continue to act as a safety barrier between the relatively level portion of the building and the drop-off between the guardrail and sidewalk, which is required per the California Building Code.

***Finding 2: That the issuance of the EP will not unreasonably interfere with the intended use of a City Right-of-Way or Easement.***

The replacement and improvement of encroachments that would be authorized under the EP will not unreasonably interfere with the use of the ROW. This portion of the ROW provides a level entryway to the building for ADA access and will not impact the existing adjacent

sidewalk. If the City identifies a future need for this public area, the EP is conditioned to be revocable, and the property owner is obligated to remove the private improvements/encroachments.

***Finding 3: That the issuance of the EP will not have an adverse impact on the welfare of the community or on the community's appearance or aesthetics.***

The existing encroachments have been in the City's ROW for many years without any known complaints from the public and are therefore consistent with the appearance of other properties in the area. The proposed improvements will improve the aesthetics of the community.

***Finding 4: That the issuance of the EP will not cause an unnecessary change in the character of the community.***

The proposed improvements will not cause an unnecessary change in the character of the community. Building B of the 1202 Camino del Mar complex sits at a higher elevation than the sidewalk and the guardrail acts as a safety barrier between the entrance of the building and the sidewalk.

***Finding 5: That the issuance of the EP will not be to the detriment of the interests of the general public.***

The proposed improvements will not interfere with existing public use of the surrounding right-of-way, nor will they be a detriment to the interests of the general public. The encroachments are an improvement as the existing wooden guardrail is in deteriorating condition and needs to be replaced.

***Finding 6: The proposed Encroachment will not convert significant area of public property to private use.***

Given the small area of impact, the proposed encroachments will not convert any existing public use areas into private use. All proposed improvements will enhance existing public use of these areas as described above.

Planning and Community Development Department staff have consulted with the Public Works Department, Community Services Department, and City Manager's Office and determined that replacing the dilapidated guardrail on the south side of the property would not endanger public health, safety, or welfare, nor would it endanger the surrounding properties. The existing wooden guardrail and masonry wall have been in this location for many years with no record of incident or reported adverse impact and will continue to act as a safety barrier between the entryway of the business and the sidewalk due to the difference in elevation.

As shown in the photographs in Attachment D, the wall and guardrail are at a different elevation than the sidewalk. Removing the encroachments may make the area less safe (e.g.,

fall hazard) than if the encroachments remain in place given the location and the drop off onto the sidewalk below. The existing wooden guardrail is in deteriorating condition and the Applicant is constructing significant improvements that will overall improve the aesthetics of the community. The applicant is proposing to match the wooden slatted railing and stucco wall on the alley side of the building to create a seamless transition and appearance.

As a condition of approval of the requested EP, a covenant will be recorded on the property that would require that all private improvements in the ROW be maintained by the property owner in accordance with the EP and the owner will be required to indemnify the City should there ever be a claim of liability by a third party. As is typical with EPs, the permit conditions and covenants will ensure that should the City need this public space in the future, the guardrail and stucco wall are to be removed by the owner at their sole expense.

Based on the above, all required findings can be found to be satisfied. Therefore, staff recommend City Council adopt the Resolution approving Long-term Major EP25-050 (Attachment A).

FISCAL IMPACT:

There is no fiscal impact or action to be taken by the Council related to this agenda item, as this is a private development proposal. All fees associated with entitlement processing are paid for by the Applicant.

ENVIRONMENTAL IMPACT:

Pursuant to the California Environmental Quality Act (CEQA), the proposed project has been analyzed and determined to be Categorical Exempt pursuant to CEQA Guidelines Section 15301(Class 1 – Existing Facilities), in that the Project proposes to replace an existing guardrail with minor associated improvements. Further, it has been determined that none of the six exceptions to the use of a Categorical Exemption are applicable because the project will not generate any significant environmental impacts. (See: Guidelines Section 15300.2).

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This is an operational item and is not included in the City Council's list of Goals & Priorities.

ATTACHMENTS:

- Attachment A - Resolution Approving EP25-050
- Attachment B - Vicinity Map
- Attachment C - Site Plan
- Attachment D - Photographs of Encroachments

## RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING ENCROACHMENT PERMIT 25-050 TO REPLACE AN EXISTING WOODEN GUARDRAIL , MASONRY WALL, AND ASSOCIATED IMPROVEMENTS THAT EXTEND INTO THE PUBLIC RIGHT-OF-WAY ON THE SOUTH SIDE OF THE PROPERTY AT 218 12<sup>TH</sup> STREET (APN: 300-074-06-00) IN DEL MAR, CALIFORNIA

WHEREAS, the City of Del Mar (City) is the owner of the public right-of-way; and

WHEREAS, Del Mar SB, LLC (Applicant) has filed an application for an Encroachment Permit (EP25-050) seeking approval to replace the existing wooden guardrail, improve the existing wall with stucco surface on the south side of the property within the public right-of-way, and level the walking surface between the building and guardrail to eliminate a tripping hazard (Project); and

WHEREAS, the property does not have an approved Encroachment Permit for the existing wall/guardrail in the right-of-way on the south side of the property; and

WHEREAS, Del Mar Municipal Code (DMMC) Chapter 23.28 requires an Encroachment Permit (EP) for any private improvements within the public right-of-way; specifically, any improvements that extend at least 12 inches above the level of the sidewalk, roadway, or adjacent grade require City Council approval; and

WHEREAS, DMMC Section 23.28.070 specifies that an Encroachment Permit may be approved or conditionally approved only if the City Council makes all of the findings set forth in Section 23.28.070(C) as noted in the below; and

WHEREAS, in accordance with requirements of the California Environmental Quality Act (CEQA), this project is listed among the classes of projects determined to have less than significant adverse effect on the environment and, therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 Class 1 – Existing Facilities in that the project proposes to replace an existing guardrail with minor associated improvements; and

WHEREAS, on June 16, 2025, the City Council of the City of Del Mar held a duly noticed public hearing to review the referenced entitlements, and at which time all persons desiring to be heard were heard; and

WHEREAS, oral and written evidence was submitted and considered to include without limitation:

- a. Plans developed by the Applicant;
- b. Written information submitted with the application;
- c. Agenda Report, dated June 16, 2025, incorporated by reference as though fully set forth herein; and

- d. Additional information submitted and testimony provided during the hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar that Encroachment Permit EP25-050 is hereby approved based on the following findings in DMMC Chapter 23.28.070(C):

**Findings:**

1. Replacing the existing dilapidated guardrail on the south side of the property would not endanger the public's health, safety, or welfare, nor would it endanger the surrounding property. The guardrail has been in this location for many years with no record of incident or any reported adverse impact. Moreover, the guardrail has and will continue to act as a safety barrier between the relatively level portion of the building and the drop-off between the guardrail and sidewalk, which is required per the California Building Code.
2. The replacement and improvement of encroachments that would be authorized under the EP will not unreasonably interfere with the use of the ROW. This portion of the ROW provides a level entryway to the building for ADA access and will not impact the existing adjacent sidewalk. If the City identifies a future need for this public area, the EP is conditioned to be revocable, and the property owner is obligated to remove the private improvements/encroachments.
3. The existing encroachments have been in the City's ROW for many years without any known complaints from the public and are therefore consistent with the appearance of other properties in the area. The proposed improvements will improve the aesthetics of the community.
4. The proposed improvements will not cause an unnecessary change in the character of the community. Building B of the 1202 Camino del Mar complex sits at a higher elevation than the sidewalk and the guardrail acts as a safety barrier between the entrance of the building and the sidewalk.
5. The proposed improvements will not interfere with existing public use of the surrounding right-of-way, nor will they be a detriment to the interests of the general public. The encroachments are an improvement as the existing wooden guardrail is in deteriorating condition and needs to be replaced.
6. Given the small area of impact, the proposed encroachments will not convert any existing public use areas into private use. All proposed improvements will enhance existing public use of these areas as described above.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Council that approval of EP25-050 shall be subject to the following conditions:

**General Encroachment Conditions:**

**GEP-2 [EP – Indemnification]**

By accepting this permit and implementing the development authorized herein, the applicant agrees to indemnify, defend and save the City of Del Mar, its authorized agents, officers, representatives and employees harmless from and against any and all penalties, liabilities, annoyances, or loss resulting from claims or court action and arising out of any accident, loss or damage to persons or property happening or occurring as a proximate result of any work undertaken under the permit granted pursuant to the application or by reason of the permittee's installation, operation, maintenance or removal of the encroachment.

**GEP-3[EP - Removal of improvements]**

The applicant agrees that if any structure, tank, pipe, conduit, duct, tunnel, or other development for which this permit is issued is, at any point in the future, determined by the City to interfere with the use, repair or improvement of the subject right-of-way, the applicant or his or her successors or assigns, shall remove the development within ten (10) days after the receipt of a written notice from Public Works to do so. The removal shall be accomplished at the expense of the applicant or his or her successors or assigns and shall be removed or relocated to the satisfaction of the Public Works Department.

A) If an unknown underground facility is encountered, work shall cease immediately, and both the City Engineer's office, Public Works and the utility believed to own the facility shall be notified. Work shall not proceed until permission is granted by the City Engineer's office and a solution to the underground obstruction is resolved by the Engineer of Work.

**GEP-4[EP - Compliance with Conditions]**

The applicant hereby agrees to do all work and otherwise comply with the terms and conditions of this permit, and all applicable rules and regulations of the City of Del Mar and/or other public agency.

**GEP-5[EP - Revocation of permit due to noncompliance with conditions]**

This permit may be revoked by the City if noncompliance is noted to the applicant and satisfactory action is not taken by the applicant or his/her agents to achieve compliance within twenty-four (24) hours of notice.

**GEP-7[EP - Permit Expiration/Potential for Permit Extension]**

This permit and the authorization for use/work within a City right-of-way herein granted shall expire one year from the date of approval, on **June 16, 2026**. The permittee may request a single Extension of Time of an approved Encroachment Permit by submitting a written request to the City Manager setting forth the reason that substantial work on the permit cannot be commenced by the scheduled expiration date. The City Manager shall grant the extension unless he/she determines that there has been a change in circumstances since the time of the

original grant of the permit which would create an inconsistency between the proposed encroachment and the provisions of DMMC Chapter 23.28. No extension shall be granted for a period greater than one (1) year.

**GEP-9***[EP - Compliance with CAL-OSHA]*

The permittee shall obey and enforce all safety orders, rules, regulations, and recommendations of the Department of Industrial Relations of the State of California, CAL-OSHA, applicable to the work and shall comply with all applicable laws, ordinances, codes, and regulations. Any omission on the part of the City Engineer's office to specify protective measures or devices in the Encroachment Permit shall not excuse the permittee from complying with all applicable requirements of law.

**GEP-10***[EP - Timely Performance of Work]*

If any part of the work performed under an Encroachment Permit is not completed within the period indicated in either the submitted application materials or the conditions of approval of the Encroachment Permit, the City may notify the person performing the work, in writing, to complete the work within forty-eight (48) hours thereafter, legal holidays excepted. If the work is not completed within this time period, the Public Works shall have full power to perform the work, including such measures as will restore the disturbed area to a safe and passable condition until the work can be completed. The cost thereof, including any inspection and administrative overhead costs incurred by City, shall be assessed against the permittee.

**GEP-11***[EP - Compliance with City Codes and Permit Conditions]*

Any person violating any provisions of or failing to comply with any of the requirements of this Permit or of DMMC Chapter 23.28 shall be subject to the enforcement provisions set forth in DMMC Chapters 1.08 and 30.98.

**GEP-12***[EP - Change of Permit Conditions at Direction of the City]*

The City retains the right to change conditions of this Permit granted and order the relocation or adjustment of lines, manholes, fixtures, and apparatus hereby allowed to be installed, whenever, in the opinion of the City, this becomes necessary; and desirable. In the event that such an order is made, all changes required pursuant thereto shall be made at the sole expense of the Permittee.

**GEP-14***[EP - No authorization for street closure]*

The permit does not authorize closure of any road or street, unless specifically stated on the permit.

**GEP-15***[EP - No Transfer in Property Interest]*

The granting of an encroachment permit pursuant to this chapter shall not constitute the transfer or relinquishment of any ownership or interest held by the City over the public right-of-way, nor shall such permit confer any vested or proprietary rights upon the holder of the permit beyond the right to utilize the encroachment area in the manner authorized by the permit and subject to all of the conditions set forth herein.

**GEP-17[EP - Improvements Subject to Compliance with ADA Accessibility Requirements]**

The applicant shall be responsible for ensuring that all improvements are implemented in compliance with the applicable provisions of the Americans with Disability Act (ADA). Information about requirements for complying with ADA requirements can be gained from the following website: <http://www.access-board.gov/adaag/html/adaag.htm>

**GEP-20[EP – Cleanup, Backfilling and Compaction]**

Cleanup, backfilling, and Compaction shall be as follows:

- a) Cleanup After Completion - Immediately after completion of the work, the permittee shall cleanup and remove all materials, earth and debris of any kind. If the permittee fails to do so within 24 hours after having been notified to do so by the City, the work may be done by the city and the permittee charged the costs of such work. When a pole, guy-stub or similar timber is removed and not replaces, the entire length thereof shall be removed from the ground and the hole backfilled and compacted.
- b) Backfilling and compaction – Backfilling and compaction of an excavation of an evacuation shall be in accordance with the Standard Specifications for Public Works Construction (Sections 301 and 306), as well as any special standards established by the City. Backfilling shall be completed before the end of the workday. No open trenches shall be left after normal working hours.
- c) Restoration of right-of-way - upon completion of the encroachment work authorized by a permit, the permittee shall restore the right-of-way by replacing, repairing or rebuilding it in accordance with the specifications or any specific requirements, but not less than to its original condition before the encroachment work was commences. The permittee shall remove all obstructions, materials, and debris upon the right-of-way and shall do any other work necessary to restore the right-of-way to a safe and usable condition, as directed by the City. When the excavation occurs within an area already paved, the city may make the necessary restoration. The permittee can be notified or can respond to notification; the City may make the necessary restoration. The permittee shall reimburse the City in accordance with the costs of such work. All work shall be in accordance with City standards and Public work Standard Specifications for Construction (Green Book Section 302 and 306.).

**GEP-22[EP – Construction Staging Area]**

Proposed locations of construction staging areas shall be approved by the City. Any construction staging area proposed outside of the public right-of-way shall be disallowed unless the Permittee has secured the prior written approval of the owner.

**Public Works Conditions:**

PW-C [*Custom Condition*]

The applicant and contractor must always maintain safe pedestrian access on the existing sidewalk when work is ongoing.

PW-1 [*Notification prior to and after Completion of Work*]

The applicant agrees to notify the Public Works representative at least forty-eight (48) hours in advance of time when work authorized in this permit will be started. Applicant shall state the EP number, original date of approval and a short description of the work. Additionally, upon completion of the work, the applicant agrees to immediately notify the Public Works *representative* of such completion. Any improvement or modification of the right-of-way shall be subject to inspection and approval of work from the Public Works representative. The permittee shall be responsible for calling MBI for an inspection at (760) 603-6264.

PW-17 [*Public Works Inspection*]

Permittee shall schedule inspections with the Public Works, through MBI at (760) 603-6264, at least 24 hours prior to need as follows:

- a. Sidewalk, Driveway, Curb and Gutter and other Concrete Work Pre-pour and Final
- b. Street Excavation T-Cut and Final
- c. Sewer Lateral Capping during Demolition and New Lateral Connection to Main
- d. Water- Cross Connection Inspection prior to final.
- e. All Other Encroachment Activity Final

**Document Conditions:**

DC-1 [*Recordation of a Covenant*]

Within sixty (60) days of final EP approval, the applicant shall record a covenant (at the applicant's expense) against the deed for the property benefited by the approved Encroachment Permit setting forth the terms and conditions of the Permit, including the requirement for applicant's maintenance/responsibility and removal of the encroachment upon demand by the City. The covenant shall run with the land and shall be binding on future owners and assigns. The form and content of the covenant shall be to the satisfaction of the City Attorney and City Manager.

**Special Conditions:**

SP-1 [*Encroachment Permit Revocation*]

At the City's discretion, the Encroachment Permit may be revoked at any time and the property owner will be required to remove the private improvement from the City right-of-way.

SP-2 [Building Permit}

Resolution 2025-XX  
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The Applicant is required to obtain a Building Permit prior to the installation of the guardrail and masonry wall repair.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, State of California, at a Regular Meeting held on the 16<sup>th</sup> day of June 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

Resolution 2025-XX  
Page 8 of 8

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

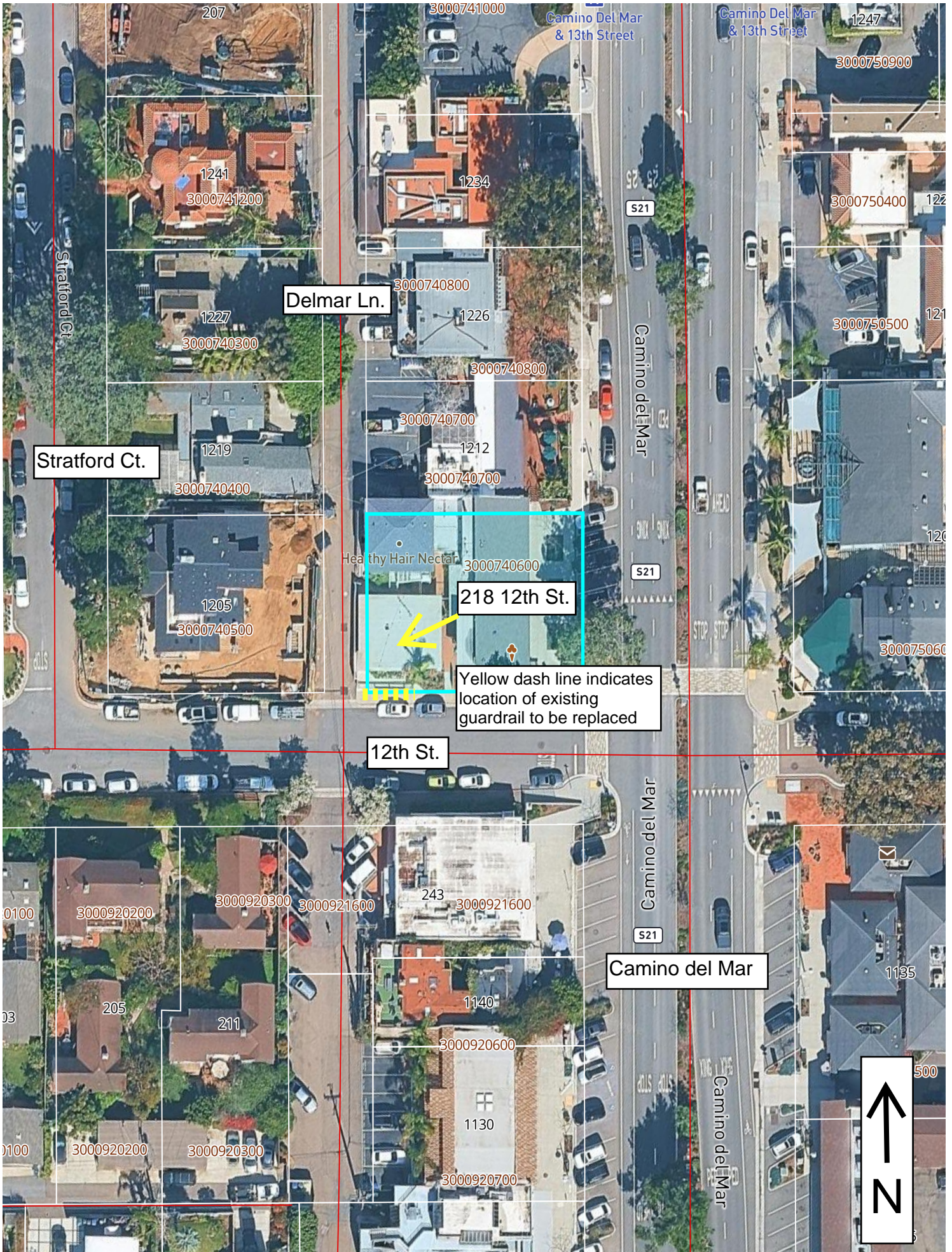
RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar



SUBMITTALS / REVISIONS		
#	Date	Revision/Submittal

**BCA**

Brian Church Architecture  
 507 S. Cedros Ave  
 Solana Beach, CA 92075  
 (858) 793-3437

**THE TORREY @ 12TH**  
 1202-1210 Camino del Mar

**MAJOR EP PLAN**

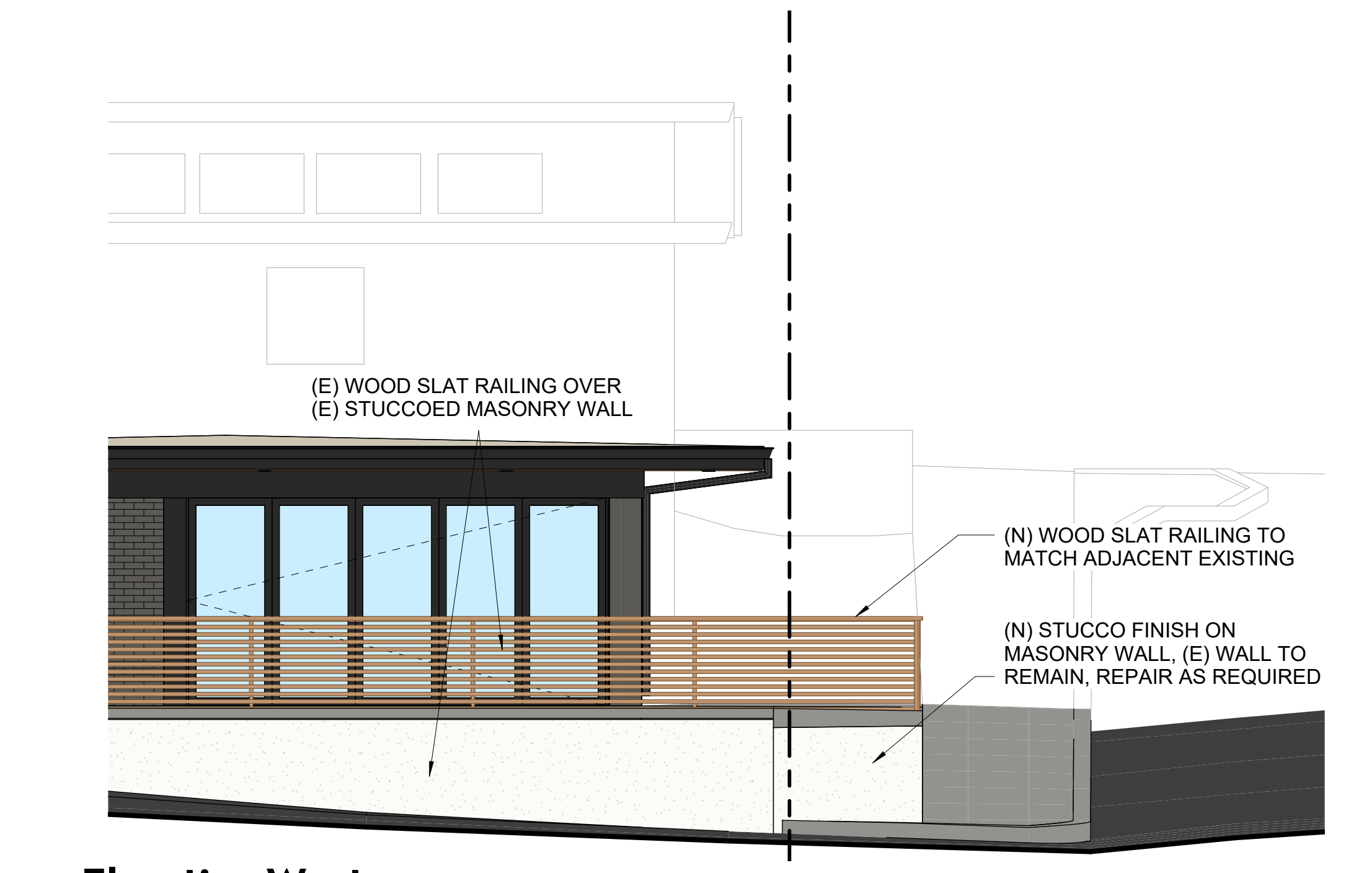


SCALE: As indicated  
 DATE: 04/23/25  
 SHEET

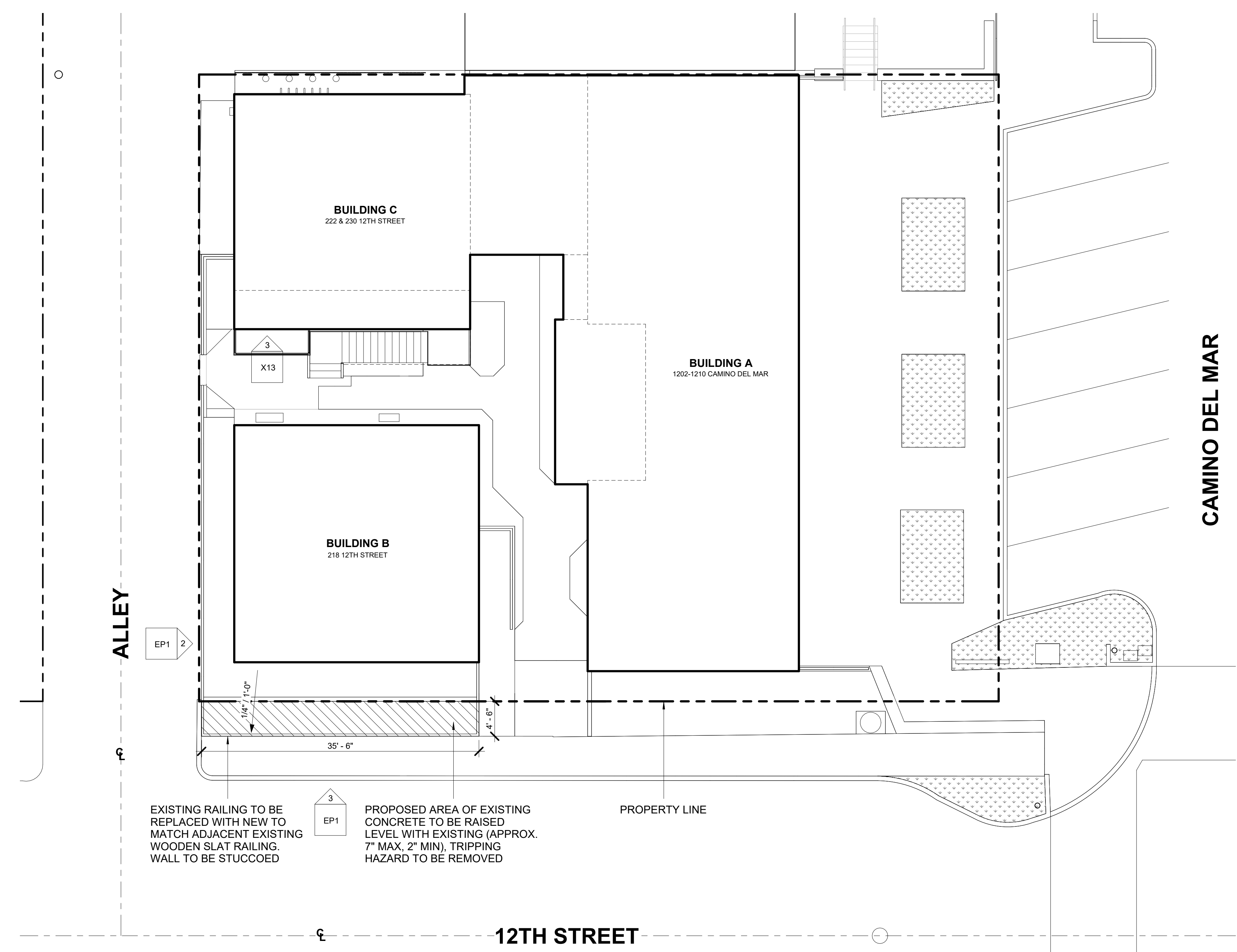
**EP1**



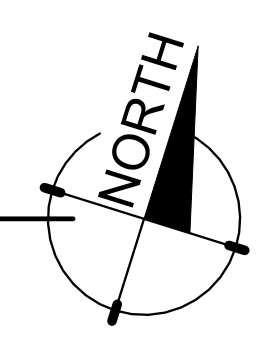
**3 Elevation South**  
 1/4" = 1'-0"



**2 Elevation West**  
 1/4" = 1'-0"



**1 Major EP Plan**  
 1/8" = 1'-0"







# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Sarah Krietor, Administrative Services Manager/City Clerk  
Kseniia Izgarskaia, Senior Management Analyst  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Introduction of an Ordinance to Eliminate the Design Review Board Ex-Officio Membership

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends the City Council hold a public hearing and introduce an Ordinance (Attachment A) amending Section 2.38.020 of the Del Mar Municipal Code eliminating the two Design Review Board ex-officio membership seats consistent with prior Council direction.

## BACKGROUND:

The City's quasi-judicial Design Review Board (DRB) is governed by the Del Mar Municipal Code (DMMC) Chapter 2.38 and consists of seven voting members who are Del Mar residents and who, by experience, training, education, or occupation, have demonstrated talent and interest in developing the aesthetics of environmentally sensitive design within the framework of practical considerations.

Additionally, the DRB has two ex-officio non-voting members (one primary and one alternate) who are intended to serve as subject matter experts assisting the Design Review Board members in their deliberations as to whether an application for a Design Review Permit is consistent with the applicable standards of review. The ex-officio, non-voting, positions rotate annually, and ex-officio members serve a two-year term, while voting DRB members serve four-year terms.

At the 2025 City Council Goals and Priorities Workshop, the City Council identified the review of the City's existing committee system as a priority Council-proposed project with the goal of strengthening and empowering committee members to contribute to important City initiatives in more substantive ways while streamlining the City's committee structure to further align committee efforts with the City Council's goals and priorities work plan, which has evolved over the last five years.

The City Council assigned Mayor Terry Gaasterland and Deputy Mayor Tracy Martinez to serve on the Committee Streamlining Taskforce (Taskforce) to complete the review. At the May 19, 2025, City Council meeting, the Taskforce presented its initial review and

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## City Council Action:

recommendations for Council's consideration, which included changes to the structure and membership of various City committees, including the DRB.

DISCUSSION/ANALYSIS:

In recent years, it has been difficult to fill ex-officio vacancies on the DRB with qualified experts (professional architect or planner as required by DMMC 2.38.020(D)). The City has been recruiting to fill the ex-officio positions on DRB unsuccessfully for over a year, with both positions remaining vacant.

On May 19, 2025, the Taskforce recommended that the Council consider eliminating the ex-officio membership category from the DRB. City Council provided direction to staff to return with an ordinance amending DMMC Chapter 2.38 to remove the two ex-officio DRB positions. As directed, staff closed the DRB ex-officio member recruitments on the City's website, and has prepared an ordinance amending DMMC Section 2.38.020- Membership, and eliminating the ex-officio DRB positions for City Council's review and consideration.

City Planning staff and will continue to provide technical expertise to the DRB members, and many permit applicants bring their own architects and design professionals to the DRB hearings for their applications. Therefore, no negative impact or loss of subject matter knowledge is anticipated from removing two ex-officio DRB positions.

If approved, the amendment will not impact any current DRB members, as both ex-officio positions are currently vacant, and no changes are proposed to the voting membership of the DRB.

FISCAL IMPACT:

There is no fiscal action to be taken by the City Council for this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

Review of the City's committee structure is listed a Council-initiated work plan item for fiscal year 2024-2025 and 2025-2026.

ATTACHMENTS:

- Attachment A – Proposed Ordinance Amending DMMC Section 2.38.020- Membership
- Exhibit A to Attachment A – Amended DMMC Section 2.38.020 (Clean)
- Attachment B – Redline DMMC Section 2.38.020

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING SECTION 2.38.020 OF THE CITY OF DEL MAR MUNICIPAL CODE – DESIGN REVIEW BOARD MEMBERSHIP

WHEREAS, the City of Del Mar Design Review Board membership is governed by the Del Mar Municipal Code Chapter 2.38.020; and

WHEREAS, the Design Review Board consists of seven voting members and includes an eighth, non-voting, ex-officio member and an ex-officio alternate, both appointed to a two-year term based on their professional experience in architecture, landscape architecture, planning or urban design; and

WHEREAS, the City Council desires to eliminate both ex-officio, non-voting positions from the Design Review Board.

NOW, THEREFORE, the City Council of the City of Del Mar, California, does hereby ordain as follows:

**SECTION ONE:**

The above recitals are true and correct and are incorporated by reference into this action.

**SECTION TWO:**

Section 2.38.020 of the Del Mar Municipal Code is hereby amended to read as shown in the attached Exhibit A, which is incorporated herein by this reference as though set forth in full at this point.

**SECTION THREE**

If any section, sentence, clause, or phrase of this Ordinance is determined to be invalid, illegal, or unconstitutional by a decision or order of any court or agency of competent jurisdiction, then such decision or order will not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted the Ordinance, and each section, sentence, clause, or phrase thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION FOUR**

This Ordinance was introduced by the City Council on June 16, 2025.

**SECTION FIVE**

The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

**SECTION SIX**

The Ordinance will take effect and be in force 30 days from the date that the City Council takes action to adopt the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a regular meeting held on the 7<sup>th</sup> day of July, 2025,

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 7<sup>th</sup> day of July, 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

**2.38.020 Membership.**

- A. The Design Review Board shall consist of seven members who are registered voters of the City of Del Mar and maintain residency within the City's municipal boundaries. Residency shall be maintained for no less than six months prior to appointment and if a Board Member ceases to reside within the City during their membership on the Design Review Board, the appointment of such person shall be deemed to have been terminated. For the purposes of this section, residency shall mean someone who maintains residence and is physically present in the City of Del Mar for no less than six months per calendar year.
- B. Members shall serve staggered, four-year terms.
- C. The members shall be persons who, by experience, training, education, or occupation, have demonstrated talent and interest in developing the aesthetics of environmentally sensitive design within the framework of practical considerations.

(Ord. No. 767; Ord. No. 785; Ord. No. 793; Ord. No. 825; Ord No. 931, § 1, 9-18-2017)

## 2.38.020 Membership.

- A. The Design Review Board shall consist of seven members who are registered voters of the City of Del Mar and maintain residency within the City's municipal boundaries. Residency shall be maintained for no less than six months prior to appointment and if a Board Member ceases to reside within the City during their membership on the Design Review Board, the appointment of such person shall be deemed to have been terminated. For the purposes of this section, residency shall mean someone who maintains residence and is physically present in the City of Del Mar for no less than six months per calendar year.
- B. Members shall serve staggered, four-year terms.
- C. The members shall be persons who, by experience, training, education, or occupation, have demonstrated talent and interest in developing the aesthetics of environmentally sensitive design within the framework of practical considerations.
- ~~D. The Design Review Board shall also include an eighth, ex-officio member and an ex-officio alternate, both appointed to a two-year term by a majority of the City Council.~~
- ~~1. The ex-officio member and alternate shall be appointed based on their professional experience in architecture, landscape architecture, planning or urban design.~~
  - ~~2. The ex-officio member, or alternate, shall assist the Design Review Board members in their deliberations as to whether an application for a Design Review Permit is consistent with the applicable standards of review. As requested, the ex-officio member, or alternate, shall also assist the members in a determination of the existence of feasible design alternatives. However, neither the ex-officio member, nor alternate, shall participate in the votes on applications.~~
  - ~~3. The ex-officio member, or alternate, shall not be counted for purposes of determining the existence of a quorum of the Design Review Board.~~
  - ~~4. The ex-officio member and alternate should preferably be residents of the City but neither is required to be a resident of the City.~~
  - ~~5. The ex-officio alternate shall serve in the absence of the ex-officio member.~~
  - ~~6. The ex-officio member and alternate shall comply with all City of Del Mar Conflict of Interest regulations.~~

(Ord. No. 767; Ord. No. 785; Ord. No. 793; Ord. No. 825; Ord No. 931, § 1, 9-18-2017)



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Council Members

FROM: Ashlea Houston, Management Analyst  
Clem Brown, Assistant City Manager  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Introduction of an Ordinance to Regulate Bicycles, Including Electric Bicycles, in the City of Del Mar

## REQUESTED ACTIONS/RECOMMENDATION:

Staff recommends that the City Council introduce an ordinance (Attachment A) amending Chapter 8.12, San Dieguito Lagoon and River, and adding Chapter 14.54, Bicycles, to the Del Mar Municipal Code (DMMC) regulating the use of bicycles, including e-bikes, in the City of Del Mar.

## BACKGROUND:

In Del Mar, as in other neighboring jurisdictions, the rise in e-bike use has highlighted the need for local regulations to enhance safety for pedestrians and cyclists. Bicycles, including e-bikes, are regulated by the California Vehicle Code (CVC); however, cities may adopt local regulations by ordinance for their specific needs.

The cities of Encinitas and Solana Beach updated their municipal codes in 2023 to give the San Diego County Sheriff's Department (Sheriff's Department) educational tools for e-bike riders and alternative enforcement options. The Sheriff's Department supports consistent enforcement across the three cities served by the North Coastal Sheriff's Station: Del Mar, Encinitas, and Solana Beach. As a result, the Fiscal Year (FY) 2024-2025 City Council Work Plan includes a Tier 2 priority work item to update the DMMC with bicycle/e-bike regulations similar to Encinitas and Solana Beach.

On April 7, 2025, the City Council held a public hearing to introduce an ordinance to add Chapter 14.54 to the DMMC, regulating bicycle and e-bike activity in the City. The Sheriff's Department collaborated with City staff on the proposed regulations, which were substantively similar to those of Encinitas and Solana Beach. During the public hearing, the Council voted to approve the introduction of the ordinance with a minor amendment described in option two of a public communication prepared by staff after the posting of the agenda packet (i.e., staff Red Dot). The amendment clarified when a cyclist must ride in a bike lane, and when exceptions apply under the CVC. The Council also directed staff to return with more information and options for how to regulate bikes on sidewalks. The

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City Council Action:

agenda report and Red Dots for Item 10 of the April 7, 2025, agenda may be accessed in the following link: [https://www.delmar.ca.us/DocumentCenter/View/9910/04072025-Item-10-Agenda-Report\\_Red-Dots](https://www.delmar.ca.us/DocumentCenter/View/9910/04072025-Item-10-Agenda-Report_Red-Dots).

DISCUSSION/ANALYSIS:

After April 7, staff conducted research and received additional public input related to the proposed ordinance. In order to address all information and feedback on the proposed restrictions, the item returned as a Council discussion on June 2, 2025. During the discussion, Council provided direction to staff for regulating bicycles and e-bikes on trails and sidewalks in Del Mar, to be included in a revised ordinance. The agenda report for Item 14 of the June 2, 2025, agenda may be accessed in the following link: [https://www.delmar.ca.us/DocumentCenter/View/9923/06022025\\_Item-14---Bike-and-E-Bike-Regulations](https://www.delmar.ca.us/DocumentCenter/View/9923/06022025_Item-14---Bike-and-E-Bike-Regulations).

For trails, staff proposed amending DMMC Chapter 8.12 to expressly permit bicycles, including class 1 and 2 e-bikes, on the portion of the Coast to Crest Trail located in the City of Del Mar. Class 1 e-bikes provide motor assistance only when the rider is pedaling and cease to provide assistance when the bicycle reaches a speed of 20 mph. Class 2 e-bikes operate via pedal-assist or throttle and cease to provide assistance when the bicycle reaches a speed of 20 mph.

Currently, the DMMC prohibits bicycles on all trails in the San Dieguito Lagoon and River Valley, unless signed otherwise (see DMMC Section 8.12.030, Subsection D). Given that bicycles, including class 1 and 2 e-bikes, are allowed on the Coast to Crest Trail outside the City of Del Mar, the proposed amendment to the DMMC would align the City with neighboring jurisdictions and support consistent enforcement.

For sidewalks, staff presented multiple options for City Council consideration based on research and resident feedback on the topic. The options, ordered from least to most restrictive were as follows:

1. Prohibit bicycles on sidewalks in business districts and when a bike lane is present.
2. Prohibit bicycles on all sidewalks, with exceptions for specified areas, and when reasonably necessary to leave the road to avoid debris or other hazardous conditions.
3. Prohibit bicycles on all sidewalks.

The City Council discussed the proposed options for sidewalk restrictions and concluded that option 2 provided the best balance between pedestrian safety and cyclist mobility within the City. The Council directed staff to incorporate the sidewalk provisions in option 2 above, along with Del Mar's proposed bicycle regulations for the Coast to Crest Trail, into a revised ordinance for Council consideration at an upcoming meeting.

The attached ordinance (Attachment A) proposes amending Chapter 8.12 and adding Chapter 14.54 to the DMMC to regulate bicycle and e-bike activity in Del Mar. The ordinance incorporates the provisions of the original ordinance introduced on April 7, 2025, with revisions to address the updated trail and sidewalk regulations discussed with the City Council on June 2, 2025.

Currently, the DMMC lacks a dedicated chapter for bicycle/e-bike regulations, aside from the Pilot Bike Share Program under Chapter 14.60. Adding Chapter 14.54 to the DMMC would define bicycles and e-bikes based on the CVC; specify regulations applicable to riders and their passengers; and give the Sheriff's Department authority to divert first-time bicycle/e-bike offenders to a bicycle safety training program rather than issuing a citation. Amending Chapter 8.12 to expressly permit bicycles, including class 1 and 2 e-bikes, on the Coast to Crest Trail would align Del Mar with the restrictions of neighboring jurisdictions.

If introduced by the City Council, the ordinance would return to Council for consideration and adoption on July 7, 2025, and would be effective 30 days after adoption.

FISCAL IMPACT:

There is no fiscal impact or action to be taken related to this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

E-Bike Safety – Municipal Code Amendments is a Tier 2 City Council priority for FY 2024-2025.

ATTACHMENTS:

Attachment A – Proposed Ordinance to Regulate Bicycles/E-Bikes

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE CHAPTER 8.12 SAN DIEGUITO LAGOON AND RIVER, AND ADDING CHAPTER 14.54 BICYCLES, REGULATING BICYCLES, INCLUDING ELECTRIC BICYCLES, IN THE CITY OF DEL MAR

WHEREAS, the City of Del Mar (City) enacted Title 8 of the Del Mar Municipal Code (DMMC) to regulate beaches, waterways, and parks within the City; and

WHEREAS, the City enacted Title 14 of the DMMC to regulate traffic within the City; and

WHEREAS, violations of DMMC Title 8 and 14 provisions are generally punishable as infractions, unless otherwise expressly stated; and

WHEREAS, the City has seen an increase in the use of electric bicycles, also commonly referred to as “e-bikes”, within the City; and

WHEREAS, the City Council desires to adopt provisions regulating the use of bicycles within the City, including e-bikes, to continue protecting the public health, safety and welfare of the community and its residents and visitors, including by enhancing traffic and pedestrian safety; and

WHEREAS, the City Council further desires to allow first-time offenders who violate any such provisions with an opportunity to take an approved bicycle training safety course in lieu of receiving a citation.

NOW, THEREFORE, the City Council of the City of Del Mar, California, does hereby ordain as follows:

**SECTION ONE:**

The above recitals are true and correct and are incorporated by reference into this action.

**SECTION TWO:**

That Subsection (D) of Section 8.12.030 be amended in the Del Mar Municipal code as follows:

**Chapter 8.12 – San Dieguito Lagoon and River**

**8.12.30 Prohibited Activities.**

- D. Bicycles and similar non-motorized vehicles shall be permitted only on trails and walkways designated and signed as permitting bicycle access, with the exception of the Coast to Crest Trail, which shall expressly permit bicycles, including class 1 and class 2 electric bicycles as defined by California Vehicle Code Section 312.5, as that Section may be amended from time to time.

**SECTION THREE:**

That a new Chapter 14.54 be added to the Del Mar Municipal Code as follows:

**Chapter 14.54 – Bicycles**

**14.54.010 – Purpose.** The purpose of this Chapter is to establish regulations regarding the use of Bicycles and Electric Bicycles on any public roadway, street, highway, parkway, right-of-way, alley, or other public property within the City of Del Mar.

**14.54.020 – Definitions.** For purposes of Chapter 14.54, the following definitions shall apply:

*Bicycle* shall have the same meaning as ascribed in California Vehicle Code Section 231, as that section may be amended from time to time. The term Bicycle as used herein shall include Electric Bicycles, as defined below.

*Electric Bicycle (E-bike)* shall have the same meaning as ascribed in California Vehicle Code Section 312.5, as that section may be amended from time to time.

**14.54.030 – Laws Applicable to Persons Operating and/or Riding Bicycles.**

- A. Any person operating or riding a Bicycle shall exercise reasonable care and safety, and shall observe all applicable laws, including, but not limited to, yielding to pedestrians and obeying the instructions of official traffic control signals, signs, and other devices applicable to vehicles.
- B. Any person operating or riding a Bicycle upon a roadway shall be granted those rights and subject to those duties established by the laws of the State of California and by this Title, which are applicable to persons operating or riding in a vehicle, except for those provisions that, by their nature, can have no application.
- C. It shall be unlawful for any person required by the California Vehicle Code to wear a helmet while operating or riding a Bicycle to wear the helmet in any way other than the fashion for which the helmet is designed to be worn, including, but not limited to, the use of straps and strap closure mechanisms.
- D. It shall be unlawful for any person operating or riding a Bicycle to cling or attach themselves or the Bicycle to any other moving vehicle.

**14.54.040 – Areas Where Riding Bicycles is Prohibited.**

Within the City of Del Mar, it shall be unlawful for any person to ride a Bicycle in, on or upon:

- A. Any sidewalk in the City, with exceptions for areas designated and signed as permitting Bicycle access, and when it is reasonably necessary to leave the road to avoid debris or other hazardous conditions.

- B. Any street with a designated bicycle path or way, requiring such riding to be within the designated bicycle lane, unless an exception applies in accordance with Section 21208 of the California Vehicle Code, as that Section may be amended from time to time.
- C. Any park or preserve (consistent with Section 8.04.090 of this Municipal Code).
- D. Any trail or walkway within the confines of the San Dieguito Lagoon and River Valley, unless designated and signed as permitting Bicycle access, with the exception of the Coast to Crest Trail, which shall expressly permit Bicycles, including class 1 and class 2 Electric Bicycles as defined in California Vehicle Code Section 312.5, as that Section may be amended from time to time (consistent with Section 8.12.030 of this Municipal Code).

**14.54.050 – Enforcement.**

In lieu of the imposition of the penalties authorized by this Title and/or the filing of charges in a court of competent jurisdiction, the Sheriff or Chief of Police or designee may allow a first-time violator of this Chapter to complete an agency-approved bicycle training safety course, if and when such a program is available.

**SECTION FOUR:**

The City Council finds that approval of this Ordinance is exempt from the preparation of an environmental document pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378. This action does not constitute a “project” under the definition set forth in CEQA Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

**SECTION FIVE:**

This Ordinance was introduced by the City Council on June 16, 2025.

**SECTION SIX:**

The City Clerk is direct to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

**SECTION SEVEN:**

If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**SECTION EIGHT:**

Upon adoption, the Ordinance will take effect and be in force 30 days from the date that the City Council takes action to adopt the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a regular meeting held on the 7<sup>th</sup> day of July 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 7<sup>th</sup> day of July 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Clem Brown, Assistant City Manager  
Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: City of Del Mar Comments on the Updated Notice of Preparation of a Draft Environmental Impact Report for the San Diego LOSSAN Rail Realignment Project

## REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council review the City's proposed comments (Attachment A) on the Updated Notice of Preparation of a Draft Environmental Impact Report for the San Diego LOSSAN Rail Realignment Project (Attachment B), provide any additional feedback, and direct staff to submit final comments to the San Diego Association of Governments (SANDAG) by the public comment deadline of June 20, 2025.

## BACKGROUND:

The City of Del Mar has closely monitored the SANDAG LOSSAN Rail Realignment project (Project) since public outreach began in 2020. The Project includes studying options for removing the rail line from the fragile Del Mar coastal bluffs to an inland location by 2035. The Project has generated a high level of community concern and engagement. While SANDAG is leading and has ultimate authority over the Project, the City has taken significant steps to keep the public informed, share information in a timely manner, and stay actively engaged on the Project.

### ***Prior Notice of Preparation (NOP)***

On June 4, 2024, SANDAG initiated the environmental review process for the Project, as required by the California Environmental Quality Act (CEQA), with the issuance of a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) that included a 45-day public comment period. The NOP is the preliminary step in the State's CEQA process that will determine the technical studies needed to develop a DEIR for the Project. The NOP is a public process that gives stakeholders the opportunity to inform what alignment alternatives will be included in the environmental review, the environmental concerns and potential impacts to be studied, and the opportunity to provide general feedback, questions and comments about the Project.

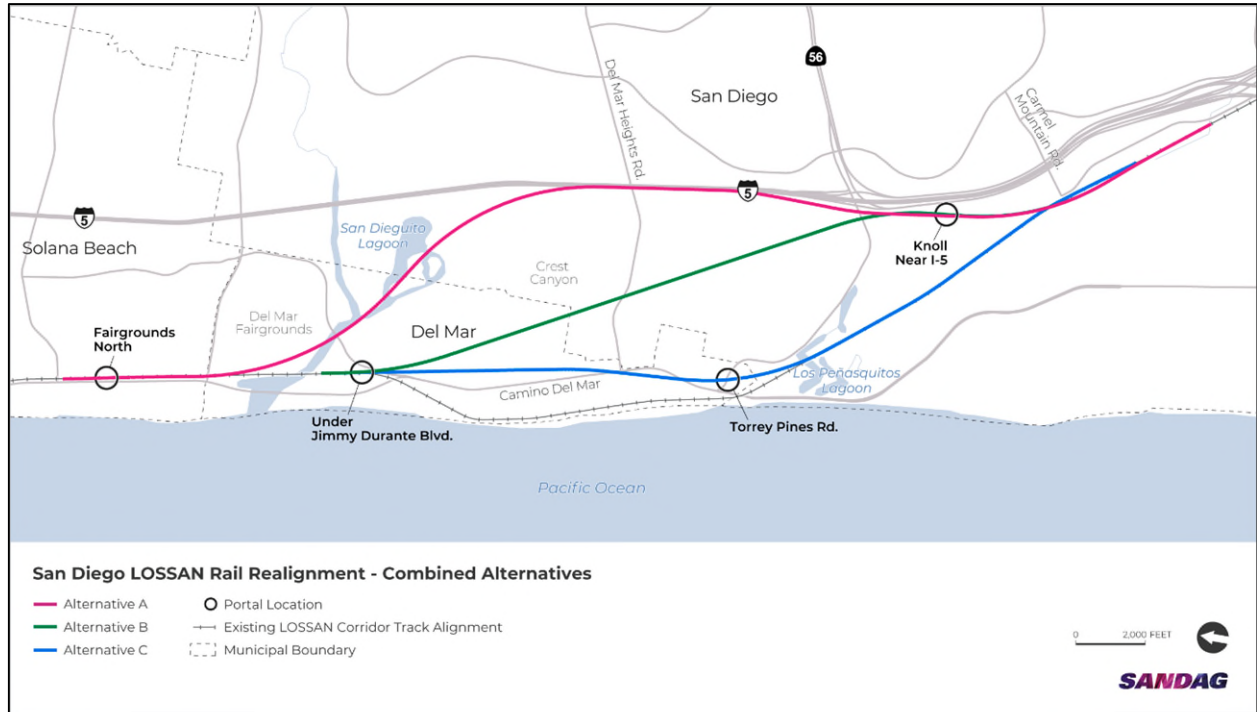
The 2024 NOP included the following three proposed alignments and a "no build" alternative:

1. *Alternative A – I-5 Alignment*
2. *Alternative B – Crest Canyon Alignment*
3. *Alternative C – Camino del Mar Alignment*

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## City Council Action:

The following map excerpted from the 2024 NOP shows the approximate locations of the proposed portal locations and three alignments at that time:



On June 17, 2024, the City Council received an overview of the NOP, heard comments from the public, and reviewed preliminary comments on the NOP provided by members of the City Council. A recording of that discussion is archived on the City's website here: <https://delmar.12milesout.com/video/meeting/758724be-96ad-40dd-b841-e2bd88ede780>.

At the direction of the City Council, staff coordinated with City on-call environmental consulting firm SWCA Environmental Consultants, and retained special legal counsel with CEQA expertise, Doug Carstens with Carstens, Black & Minter, LLP, to review the NOP and assist with finalizing the City's NOP comments. On July 16, 2024, the City Council approved the City's comment letter on the NOP, which is included as Attachment C.

### **Value Analysis Study**

After the conclusion of the scoping period on July 19, 2024, SANDAG initiated a Value Analysis (VA) Study process involving representatives from SANDAG member agencies and other public agency stakeholders to gather further input on the proposed alternatives in the NOP and collaboratively develop other potential project alignments for consideration. The City of Del Mar, alongside multiple agencies, provided input via a series of workshops and meetings held between September and December 2024. The VA team identified key themes to be incorporated into updated Project Objectives that would inform the alternative concepts developed as part of the VA Study. The key themes include:

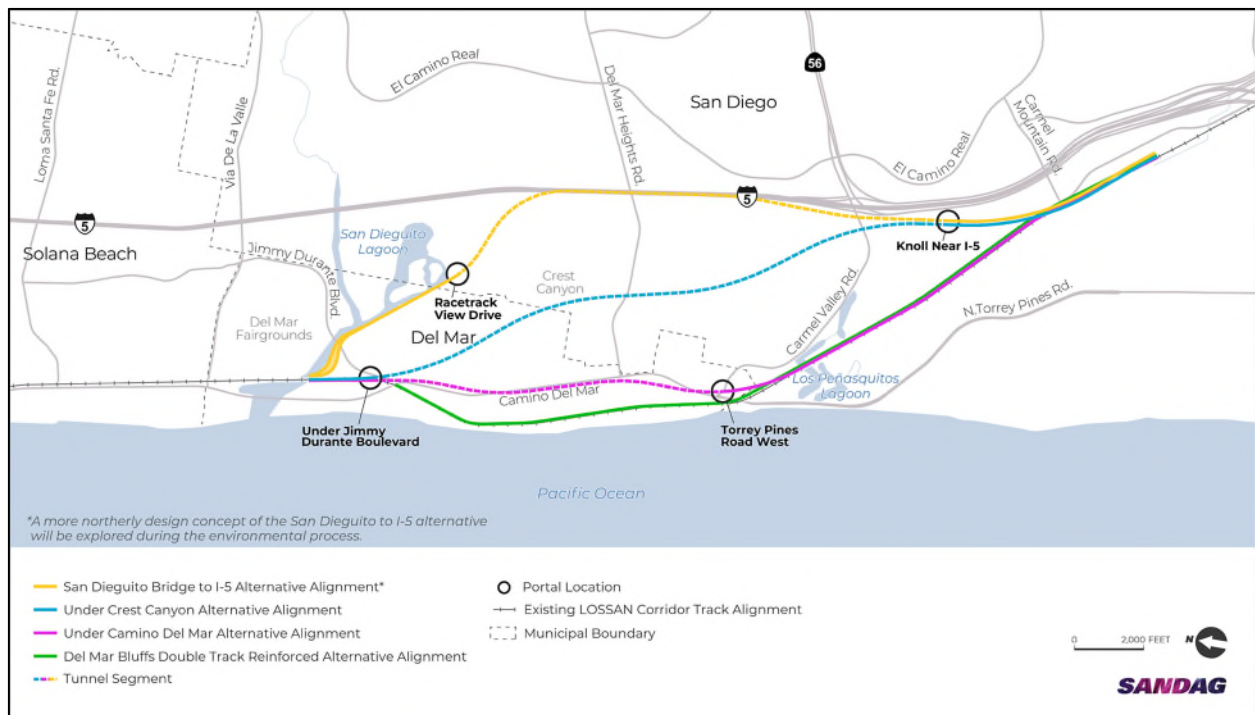
- Minimizing effects to private properties, including subsurface easements
- Minimizing disruptions to economic generators
- Demonstrating public stewardship by minimizing conflicts with prior and ongoing investments

The VA process resulted in the development of 16 alternative alignments, which included the three NOP alternative alignments and 13 new concepts. The Del Mar City Council received an informational presentation of the VA process and the additional alternative alignments identified by SANDAG staff at the Council meeting on February 18, 2025. A recording of the presentation is available on the City's website here:

<https://delmar.12milesout.com/video/meeting/e2a58716-e8e7-48be-aded-cf298e4b8ae8>.

The final VA Study Report is available on the SANDAG website and linked here: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/lossan-realignment/sandag-lossan-rail-realignment-final-value-analysis-study-report-2025-02-07.pdf>.

Following the completion of the VA Study Report, SANDAG reviewed the 16 alternative alignments, as well as prior studies and public feedback, and proposed five rail alignment options—four realignments and one no-build option—to the SANDAG Board of Directors for consideration to advance for analysis in the DEIR. A map of the four alternative alignments is included below:



The City of Del Mar held a special City Council meeting on February 27, 2025, to address the VA Study Report and approve a City comment letter to the SANDAG Board (Attachment D). The letter expressed concerns about all four realignment options proposed by SANDAG staff.

On February 28, 2025, the SANDAG Board of Directors voted to move the proposed Project goals, objectives, and four alternative alignments, including a no build alternative, forward into the environmental review phase.

DISCUSSION/ANALYSIS:

***Updated NOP***

An Updated NOP (Attachment B) was released in May 2025, starting a 45-day scoping period to collect feedback. A public scoping meeting was held on May 29, 2025, at the Del Mar Fairgrounds. SANDAG is seeking input on the scope of the DEIR, with comments accepted through June 30, 2025.

City staff worked with the City Attorney and special legal counsel with CEQA expertise, Doug Carstens with Carstens, Black & Minter, LLP, to prepare the City's official draft comment letter to the Updated NOP, which is included as Attachment A. The draft comment letter addresses the City's concerns with the Project and the four alternative alignments and their adverse impact on the City of Del Mar. The letter asserts that given the disproportionate and significant potential impacts to the City, as well as SANDAG's lack of approval authority over the Project, the Lead Agency role, for the purpose of overseeing the environmental review of the Project, should be transferred to the City.

In addition, the letter addresses City concerns regarding the vague and incomplete project objectives, project description, and the insufficient level of detail provided for the four alternative alignments. The draft comment letter also notes that the current Project alternative alignments are deficient. The City, if it were the Lead Agency, would explore alternative solutions with the goal of avoiding significant impacts to the City. For these reasons, the letter includes a request for a meeting with SANDAG staff to discuss whether an agreement can be reached to transfer the Lead Agency role from SANDAG to City in lieu of going through the State's CEQA process.

Staff requests that the City Council review the proposed City comment letter, provide feedback or request changes, and direct staff to submit final comments to SANDAG by the public comment deadline of June 20, 2025.

FISCAL IMPACT:

There is no fiscal action to be taken by the Council related to this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO COUNCIL GOALS AND PRIORITIES:

City involvement in major SANDAG initiatives, including the San Diego LOSSAN Rail Realignment Project, is a Tier 1 City Council priority.

ATTACHMENTS:

- Attachment A – Draft City Comment Letter on the Updated LOSSAN Rail Realignment NOP
- Attachment B – SANDAG Updated Notice of Preparation
- Attachment C – 2024 NOP City of Del Mar Comment Letter
- Attachment D – City of Del Mar Value Analysis Study Report Comment Letter



# CITY OF DEL MAR

June 16, 2025

**DRAFT**

San Diego Association of Governments (SANDAG)  
 1011 Union Street, Suite 400  
 San Diego, CA 92101  
 ATTN: LOSSAN Comments

**Re: City of Del Mar Comments on the Updated Notice of Preparation of a Draft Environmental Impact Report for the San Diego LOSSAN Rail Realignment Project**

LOSSAN Rail Realignment Project Team,

This letter is respectfully submitted on behalf of the City of Del Mar (City) as approved by the Del Mar City Council on June 16, 2025.

The City has closely monitored the SANDAG LOSSAN Rail Realignment project (Project) since public outreach began in 2020, given its potential to significantly and negatively impact Del Mar's quality of life. City representatives participated in the 2024 Value Analysis (VA) process and have been a driving force in encouraging SANDAG to identify alternative alignments that mitigate potential impacts to the City to the maximum extent practicable. However, the fundamental issue at hand is that SANDAG is not the proper Lead Agency to oversee the preparation of a Draft Environmental Impact Report (DEIR) for the Project under the California Environmental Quality Act (CEQA). For SANDAG to continue in this role will ensure that the DEIR and the entire CEQA process are defective.

The City appreciates the opportunity to formally submit the following comments and concerns regarding the Project's Updated Notice of Preparation (NOP) for the DEIR that was issued by SANDAG on May 16, 2025. The Updated NOP includes revised Project goals and objectives, a description and alternative alignments to be analyzed in the DEIR; however, **this is a City role and not SANDAG's**.

The comments below reflect the grave concerns that our community members have expressed in public hearings to the City Council. The Project and its alternatives have the potential to disproportionately and adversely impact our community's quality of life, tourism, local businesses, tax revenue, property values, and significantly impact our unique and sensitive coastal resources. Further, the Project's expansive environmental impacts have potential to forever alter the community character of our City, its history, and adversely impact our citizens' health and wellbeing. **Given these impacts and SANDAG's lack of approval authority over the Project, the Lead Agency role should be transferred to the City.** The City would like to discuss this transfer with SANDAG staff prior to seeking formal determination of the Lead Agency through the State's process.

## **I. SANDAG is Not the Proper Lead Agency under CEQA.**

SANDAG is the incorrect Lead Agency for the Project, and as a consequence any further actions to advance the environment review of the LOSSAN project is invalid and prejudicial to CEQA. Under CEQA, SANDAG is the **least favored** Lead Agency because it is a special purpose district, has the least regulatory oversight, assumes no environmental consequences from its limited actions, and is not the first agency to issue land use or development permits. Instead, SANDAG is merely a project manager and banker of Federal funds, should they be granted for the Project, and a contract manager that oversees the consultants processing the environmental documentation and associated engineering studies. Nearly all local municipalities have these abilities.

Conversely, the City, its community members, businesses, and visitors will all be significantly impacted by the Project. Unlike other SANDAG projects, the Realignment Project is almost entirely within the jurisdictional boundaries of the City. Therefore, it is the City that will be most impacted by air toxic emissions, short- and long-term traffic impacts, public access blockages to the coastline, sensitive coastal and wetland resource impacts, vibration impacts to residents and businesses, noise impacts to homes and businesses, and residents will face significant condemnation proceedings, property devaluation, and loss of marketability of their homes and businesses.

The City will be required to amend its Local Coastal Program (LCP), Community Plan Amendment, Zone Code and Map Amendment, issuance of Coastal Development Permits, Design Review Permits, grading permits, tree removal permits, encroachment permits, grant land leases, and in some cases, issue building permits for the Project. SANDAG has none of these regulatory roles.

CEQA defines the criteria for determining what agency should serve as a Lead Agency (14 CCR Sec. 15051). A Lead Agency is different than a Responsible Agency in that they exercise control of the preparation of the Environmental Impact Report (EIR) and related documentation for the project. SANDAG has historically acted in the capacity of Lead Agency for rail and highway projects under the authority granted to them under Senate Bill 1703. (As codified in Cal.Gov. Code 29532.1 and Division 12.7 of the CA Pub. Utilities Code). However, Senate Bill 1703 does not grant SANDAG plenary powers to function as the Lead Agency in all circumstances.

As discussed below, Senate Bill 1703 recognizes that SANDAG “shall not have any authority over local land use decisions affecting permitting or zoning of public or private development projects.” (CA Gov. Code Sec. 132354.6). In summary, Senate Bill 1703 leaves zoning and other land use controls in the hands of local government. Having the City act as the Lead Agency is a recognition that the City will be disproportionately impacted by the Project, and a further realization that it is the City who is the first to act in approving or denying several significant permits, zoning, and Local Coastal Program approvals.

### **A. SANDAG Cannot Override Local Land Use Control or Act As the CEQA Lead Agency in all Cases.**

The powers granted to SANDAG under SB 1703 include the following:

1. Sue and be sued;

2. To acquire any property by any means, and to hold, manage, occupy, develop, jointly develop, dispose of, convey, or encumber property;
3. To create a leasehold interest in property for the benefit of the consolidated agency;
4. To acquire, by eminent domain, any property necessary to carry out any of its powers or functions;
5. To merge or split parcels, adjust boundary lines, or take similar actions as part of the acquisition of land or as needed in order to carry out its functions;
6. To construct, acquire, develop, jointly develop, maintain, operate, lease, and dispose of work, property, rights-of-way, and facilities; and
7. To enter into and perform all necessary contracts, and to do any other things to carry out the purposes of this chapter. (CA Gov. Code Sec. 132354).

However, none of the powers listed above state that SANDAG is specifically granted Lead Agency status under CEQA. More importantly, Section 132354.6 states: “*Except as otherwise provided by law, [SANDAG] shall not have any authority over local land use decisions affecting permitting or zoning of public and private development.*” (CA Gov. Code Sec. 132354.6). Therefore, the conflicting provisions of SB 1703 and CEQA allow the City to assert that it should function as the CEQA Lead Agency. Further, the courts have the determination of Lead Agency as a procedural question subject to independent review. (Planning & Conservation League v. Department of Water Resources (2000) 83 Cal.App.4<sup>th</sup> 892,905-906). Improperly acting as Lead Agency is a failure to proceed in the manner required by law and an abuse of discretion. (PCL v. DWR, supra, 83 Cal.App.4<sup>th</sup> at 912).

## **B. Criteria for Identifying the Lead Agency.**

CEQA provides the criteria for determining the Lead Agency when there is a dispute between two agencies seeking to function as the Lead Agency. Where two or more public agencies will be involved with a project, the determination of which *agency* will be the Lead Agency shall be governed by the following criteria:

(a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.

(b) If the project is to be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.

(1) The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project.

(2) Where a city prezones an area, the city will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the appropriate environmental document at the time of the pre zoning. The local agency formation commission shall function as a Responsible Agency.

(c) Where more than one public agency equally meets the criteria in subdivision (b), the agency which will act first on the project in question will normally be the Lead Agency.

(d) Where the provisions of subdivisions (a), (b), and (c) leave two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate an agency as the Lead Agency. An agreement may also provide for cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices.

The City has compelling arguments for functioning as the Lead Agency or having similar oversight rights of a Lead Agency. The City faces irreparable harm from the alternative alignments as currently proposed for the Project.

The City also has significant approval authority over the Project because it will have to amend its LCP, Community Plan, Zoning Code and Map, issue Coastal Development, Design Review, grading, building, encroachment, and tree removal permits, and approve a host of other zoning changes.

### **C. Request for Formal Lead Agency Consultation.**

Therefore, the City formally requests a consultation with SANDAG's senior management team to resolve any dispute that it may have with the City acting as the Lead Agency for the Project.

## **II. The Public Works Exception Under the California Coastal Act does not Apply to the Project.**

SANDAG may not legitimately assert that the City has lost regulatory control over the Project because of the public works project exception under the California Coastal Act. The public works project is a narrowly applied provision of the California Coastal Act that allows for a public works project to override local LCPs for the greater good of the community.

### *Relevant section of the Coastal Act:*

*“Any person authorized to undertake a project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.*

*“If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing, approve and certify the proposed amendment if it finds, after a careful balancing of social, economic, and environmental effects, that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible, less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.” (Calif. Coastal [§ 30515.](#))*

In 2014, the California Coastal Commission approved a North Coast Corridor Public Works Plan for SANDAG, and one of its many features included rail upgrades, such as double tracking along the current rail footprint. It did not, however, include the alternative alignments currently proposed for environmental review in the DEIR. Further, SANDAG did not follow the procedures established in Section 30515 of the Coastal Act of first seeking the City's approval of an LCP amendment.

For SANDAG to effectively use the North Coast Corridor Public Works Plan to override the City's LCP, the EIR/EIS would have to be certified and then SANDAG would submit an LCP amendment to the City. Should the City deny the LCP amendment, then SANDAG could appeal the denial to the California Coastal Commission for consideration. SANDAG has not met these regulatory requirements to effectively use the Public Works Plan to override the City's LCP.

In summary, the California Coastal Commission's approval of the 2014 North Coast Corridor Public Works Plan does not override the City's authority under the Coastal Act to issue an LCP amendment for the Project. It is worth noting that the 11-year-old plan does not reflect the alternative alignments currently proposed, and in 2014, SANDAG failed to follow the necessary procedures to *first* submit an LCP amendment to the City prior to submitting the plan to the Coastal Commission for approval. These procedural failures and the fact that the 2014 North Coast Corridor Public Works Plan does not reflect the currently proposed alternative alignments voids the application of that plan to the Project.

### **III. The Project Objectives Place Rail Operations Above the Protection of Coastal Resources.**

The first project objective is to improve reliability of rail service at the expense of the City's businesses, residents, and the natural environment. This is highlighted by the fact that the goal is to "minimize negative effects" or "minimize impacts" to coastal resources or homes and businesses. CEQA's role is to reduce significant environmental impacts to below a level of significance. (Public Resources Code Sec. 21081; CEQA Guidelines Sec. 15021). Placing operational efficiency above the protection of the natural environment is contrary to the principles of CEQA.

### **IV. The Project Objectives are Unclear and Incomplete.**

The project goal and objectives included in the Updated NOP appear to place operational objectives before that of protecting the Del Mar community while the objectives state that the Project will minimize impacts to homes, businesses, and to natural resources it appears that any operational concern can override these impacts and that is not what CEQA requires. It further appears that the operational objectives could unfairly limit or unduly constrain the proposed alternative alignments making the protection of the Del Mar community a secondary concern rather than a primary concern of SANDAG. In sum, the Updated NOP's objectives predetermine the outcome of the DEIR, and consequently, could forever change the character of our City.

As the City stated in its comments to the 2024 NOP, the objectives provide no definitive method of comparing the environmental impacts of the Project alternatives with one another or provide a means to fairly weigh which objectives have precedence over another alternative this is because the operational objectives appear to override community and environmental impacts. Other objectives should be included when evaluating the relative benefits of the Project to its alternatives, such as quantifying the impacts from condemnation, including its costs, the number of properties affected, impacts on residents and businesses, property value impacts, and timing

considerations. Also missing in the objectives are the avoidance and/or minimization of negative impacts on air quality and public health and safety. Nowhere in the objectives is public health seriously considered. If an alternative places our residents at risk from toxic air pollution it should be disregarded from the outset.

Determining the relative weight of an objective from the onset of the EIR process is foundational to transparency, not providing this decision-making framework before the DEIR is released for public review obscures the value of the objectives and leaves these decisions to staff alone.

The objectives should also include the relative impacts to the character of the coastal communities. At present only the City of Del Mar is being asked to bear all the adverse impacts of the Project when compared to other coastal communities. In sum, the objectives fail to take into consideration the impacts on each coastal community or city and the objectives should place the historic and unique character of each impacted coastal community above operational efficiencies.

#### **V. The Project Description and Descriptions of Project Alternatives are Vague and Incomplete.**

The City remains concerned with SANDAG's approach of advancing multiple concepts (in this case, four alternative alignments including the "no build" option) for analysis in the DEIR without a clearly defined "Project Description" and without sufficient detail to understand the precise location of each of the alternatives. The Updated NOP continues to speak in terms of alternatives and fails to identify the actual project. Alternatives, under CEQA, are required to lessen the environmental consequences of the Project. Here, there is no single identified Project, just various alternatives. This basic failure further demonstrates why SANDAG should not be the Lead Agency.

CEQA requires a "proposed project" to be identified along with a "range of reasonable alternatives" to that proposed project. (*Washoe Meadows Community v. Department of Parks & Recreation* (2017) 17 Cal.App.5th 277, 290 ["The presentation of five very different alternative projects in the DEIR without the designation of a stable project was an obstacle to informed public participation"].) The EIR's "bona fide subject" must be "[t]he defined project and not some different project." (*Concerned Citizens of Costa Mesa v. 32nd Dist. Agric. Assn.* (1986) 42 Cal.3d 929, 938.) Further, inadequate or unstable descriptions of the Project may mislead the public and thwart the EIR process. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656.)

Without a clear identification of the proposed project, members of the public cannot comment in any meaningful way to the potential impacts of the project because there has been no identification of the proposed project. (*Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655, 676.) "A project description that gives conflicting signals to decision makers and the public about the nature of the project is fundamentally inadequate and misleading." (*South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 332.) Here, the public is asked to conjure what a reasonable range of alternatives might be to each of the four proposed alignments, and to numerous options for portal locations. SANDAG staff's recommendations to the Board of Directors identifies alternatives, but not the required proposed "bona fide" project. (CEQA Guidelines Sections 15378 and Section 15126.6).

## **VI. The Project and Each Alternative Should Be Fully Analyzed.**

The alternatives analysis is the “core of the EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553, 564.) “One of [an EIR’s] major functions . . . is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official.” (*Laurel Heights Improvement Ass’n. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400.) Accordingly, the Project and all alternatives should be reviewed in the DEIR at the same thorough level of analysis. Given the expansive scope and complexity of the Project, each alternative should be evaluated at the same level as the Project Description. Full analysis of each alternative is the only transparent method of insuring that the decision makers understand the full range of impacts of each alternative. The fundamental purpose of CEQA is to ensure informed decision-making. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515.) This includes socioeconomic impacts, condemnation impacts, and resource protection issues, which are required under NEPA.

## **VII. There is no Federal Lead Agency.**

SANDAG has yet to name their federal partner, which is critically important. The Project cannot proceed without federal funding and federal authorization. Failure to identify this federal partner will lead to a defective EIR because once an EIS is drafted, it is likely to contradict or add new evidence of impacts that are new or different than what the EIR evaluated. SANDAG, and more properly, the City should not proceed with the CEQA process until such time that a federal Lead Agency and a federal funding commitment has been made. Failure to secure a federal Lead Agency and associated funding is a prerequisite to proceeding with CEQA otherwise SANDAG is wasting valuable City and public resources. Finally, it is clear by federal statute that the Surface Transportation Board has plenary authority over rail expansion projects, yet they have to date shown no interest in the LOSSAN project. SANDAG is not entitled to shop for a favorable federal Lead Agency they are instead required to follow the regulations of the agency that has jurisdiction of major federal actions. (49 C.F.R. Part 1105).

## **VIII. The Range of Alternatives are Deficient.**

The four alternatives do not provide solutions to the unprecedented impacts that the City will be asked to absorb. The City as a Lead Agency would explore solutions that avoid all impacts to the City and more directly connect to the I-5 corridor. Alternatives that transit through the City are not acceptable. Alternatives that result in significant condemnation proceeding are equally not acceptable. Yet, no alternatives were presented that avoid these profound impacts. In the below we provide a few summary comments as it relates to each of the four alternatives. However, SANDAG has again failed to identify a single proposed Project, and to substitute multiple alternatives does not solve the need to actually define the project.

- San Dieguito Bridge to 1-5 Alignment: This 6.8-mile alternative that follows the lagoon along an elevated bridge to a cut and cover tunnel and then transitions to an undergrounding project has significant promise to reduce community impacts to the City. However, the key question left unaddressed is will this alternative be acceptable to the resource agencies given its proximity to protected wetlands? Should this alignment intrude into wetlands, how viable is this alternative? Moreover, the elevated bridge along the lagoon will impact protected public views to the coastline. The route could become more acceptable if it was contained fully in an underground tunnel or if the alignment was directed further away from protected wetlands and the community.

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- Under Crest Canyon Alignment: This alternative includes a north portal location that would require eminent domain to take private property and result in significant short-term and long-term impacts to Jimmy Durante Boulevard. This roadway is one of the City's main arterial roadways and would cause major disruption to the entire City's roadway system. Finally, this alternative continues to require subsurface easements.
- Under Camino Del Mar Alignment: This alignment includes north and south portal locations in the City that require eminent domain of private property. Like the "Under Crest Canyon" alternative, this alignment would result in significant short-term and long-term impacts to Jimmy Durante Boulevard. Again, subsurface easements would also be required.
- Del Mar Bluffs Double Track Reinforced Alignment: This alternative would result in significant and permanent impacts to protected and sensitive coastal resources, and the removal of permitted private encroachments in North County Transit District (NCTD) right-of-way. Environmental permitting of this alignment would face significant challenges. Again, it is worth noting that this alternative was previously studied and dismissed as infeasible for the reasons described above.

We appreciate the opportunity to comment on the NOP for the San Diego LOSSAN Rail Realignment Project and look forward to our discussion concerning the transfer of Lead Agency functions to the City.

Sincerely,

Terry Gaasterland  
Mayor

cc: Del Mar City Council  
Ashley Jones, Del Mar City Manager  
Mario Orso, SANDAG Chief Executive Officer  
Maria Rodriguez Molina, SANDAG Director of Mega Projects, Border, and Goods Movement

# Updated Notice of Preparation of a Draft Environmental Impact Report

May 16, 2025

## Subject

Updated Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the [San Diego-Los Angeles-San Diego-San Luis Obispo \(LOSSAN\) Rail Realignment \(SDLRR\) Project](#) (Project) located in the cities of Del Mar and San Diego, California.

## Introduction

The San Diego Association of Governments (SANDAG), as the Lead Agency under the California Environmental Quality Act (CEQA), is continuing to initiate the preparation of a Draft EIR for the SDLRR Project and is issuing this Updated NOP to reflect outreach conducted to date and solicit additional input on the Project, including alternatives under consideration and environmental effects. SANDAG is preparing an Environmental Impact Report for the Project and decided to forego preparing an Initial Study (*CEQA Guidelines* 15063(a)) and move directly into the preparation of a Draft EIR. In addition to soliciting input from the public, SANDAG is requesting feedback from agencies as to the scope and content of environmental information that is relevant to an agency's statutory responsibilities in connection with the SDLRR Project (e.g., if this Draft Environmental Impact Report [EIR] will be relied upon by the agency to satisfy CEQA obligations).

The SDLRR Project may require approvals and/or permits from agencies that would be subject to environmental review pursuant to the National Environmental Policy Act (NEPA). A NEPA Lead Agency has not yet been identified. Once the NEPA Lead Agency is identified, that agency will formally initiate the NEPA process.

## Prior Notice of Preparation and Subsequent Public Input

On June 4, 2024, SANDAG initiated formal environmental review of the SDLRR Project under CEQA, with the release of a NOP of a Draft EIR for the Project. The NOP identified three proposed build alternative alignments for consideration in an EIR, in addition to a No Project Alternative. SANDAG's release of the NOP initiated a Draft EIR scoping period under CEQA which lasted through July 19, 2024, and sought to solicit public and stakeholder input on the alternatives identified.

*Results of Public and Stakeholder Input* – In response to feedback received during the scoping period and feedback from the SANDAG Board of Directors, SANDAG initiated a Value Analysis (VA) Study process comprised of representatives from SANDAG member agencies and other public agency stakeholders to gather additional input on the proposed alternatives included in the NOP and collaboratively brainstorm ideas for other potential project alignments. The VA Study was completed via a series of workshops and meetings between September and December 2024 with representatives from the cities of Carlsbad, Del Mar, Encinitas, San Diego, and Solana Beach; the 22nd District Agricultural Association (Del Mar Fairgrounds); the California Department of Transportation (Caltrans); and the North County Transit District (NCTD). The San Diego Metropolitan Transit System and City of Oceanside were invited but declined to participate. The VA Study was a collaborative and technically driven process, leveraging the knowledge of the multidisciplinary VA team,

including subject matter experts and stakeholders, with the goal of providing a fresh look at alternative concepts that would address the challenges that sea level rise and the eroding Del Mar bluffs pose to the reliability of passenger and freight service on the bluffs.

Throughout this process, the VA team stressed the following themes: desire to minimize risks from sea level rise and negative effects on biological resources and communities. The VA team also stressed the importance of public stewardship, including preserving prior and ongoing investments in the LOSSAN corridor and considerations on the cost of constructing and maintaining the Project. The VA team also provided the following input:

- Interest was noted for alignments to focus on minimizing effects to private property, including subsurface easements.
- Interest in exploring alignments that did not require portals, including an option that would keep the railroad tracks on the bluffs, as well as alignments with slower design speeds.
- Interest, consistent with feedback received during outreach efforts in 2023 and comments on the June 2024 NOP, to continue to study an Interstate 5 (I-5) alignment that is similar to alignments identified in prior studies (e.g., 2007 LOSSAN Programmatic EIR/EIS, 2023 Alternatives Analysis).
- Desire to minimize disruptions to economic generators, such as the Del Mar Fairgrounds and minimize conflicts with prior and ongoing infrastructure investments.

Collectively, these themes and input were incorporated into the updated Project objectives and the alternative concepts developed as part of the VA Study. Upon conclusion of the VA Study, staff applied the themes to the four alternatives described under the “Project Description” heading. The Final VA Study Report is available on the project [website](#).

## Background

The San Diego Subdivision is an approximately 60-mile section of the 351-mile LOSSAN Rail Corridor, linking San Diego, Los Angeles, and San Luis Obispo from the Orange County line to the Santa Fe Depot in Downtown San Diego. The LOSSAN Rail Corridor is the second busiest intercity passenger rail corridor in the United States and supports commuter (COASTER), intercity (Pacific Surfliner), and freight (BNSF) rail services. Currently, three quarters of the San Diego Subdivision is double tracked, resulting in a total of approximately 15 miles of single track and 45 miles of double track.

### SANDAG Responsibilities

The San Diego Regional Transportation Consolidation Act (Senate Bill 1703, Peace) assigned SANDAG the responsibility for planning, funding allocation, project development, and construction in the San Diego region for all transit projects, including heavy rail. NCTD and San Diego Metropolitan Transit System retained the responsibility for the maintenance and operation of the rail services. As such, SANDAG is the CEQA Lead Agency for rail line projects proposed in San Diego County. As the County’s Metropolitan Planning Organization under federal and state law, SANDAG is also responsible for the development of the Regional Transportation Plan and a Sustainable Communities Strategy. The Regional Transportation Plan identifies transportation infrastructure investments and programming of transportation funding over a 30-year timeframe within the San Diego region in consideration of projected economic and population growth. The 2021 Regional Plan combines the Regional Transportation Plan and Sustainable Communities Strategy to achieve the regional

greenhouse gas emissions reduction targets set by the California Air Resources Board. SANDAG's current plan was adopted by the SANDAG Board of Directors in December 2021, with an amendment approved in October 2023.

As described in the 2021 Regional Plan, the regional vision for the San Diego Subdivision would result in an increase in commuter rail service operating at higher speeds in order to reduce travel times and provide a competitive alternative to driving, as well as aiding in continuation of goods movement through the region. The 2021 Regional Plan contemplates double tracking the remaining single-track segments of the LOSSAN Rail Corridor within San Diego County, modifications to the track configuration to accommodate higher speeds, and relocation of rail track into more climate resilient areas.

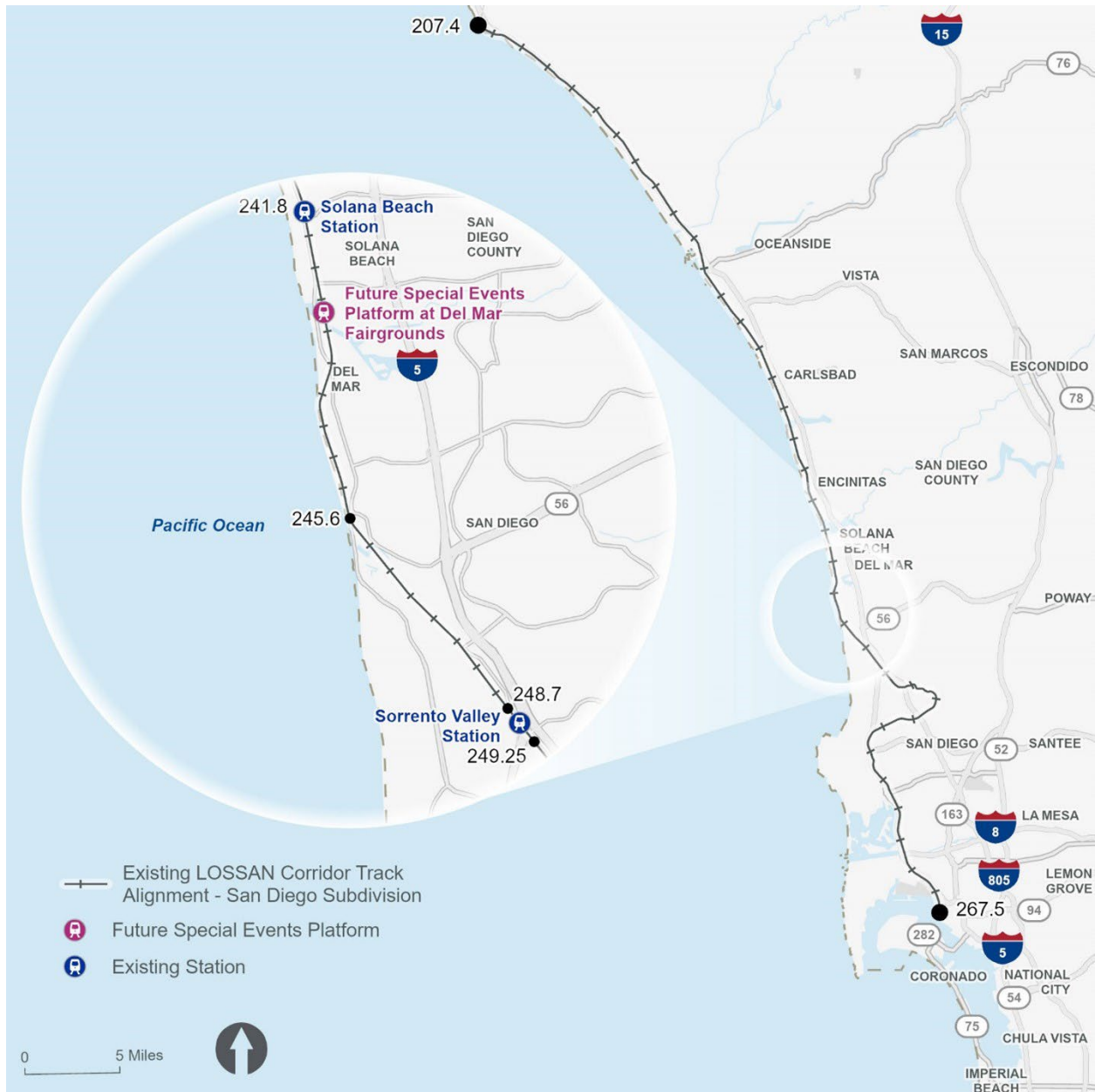
The segment of the San Diego Subdivision within the SDLRR Project area has experienced temporary closures and speed reductions resulting from bluff collapses, erosion, and repair work to stabilize the bluffs and protect the rail corridor from more substantial erosion effects. Four bluff stabilization projects have been completed in Del Mar since 2003, with the construction of Phase 4 recently completed in 2021. A fifth stabilization project (Phase 5) began construction in spring 2024. Phase 5 focuses on addressing additional seismic and stabilization needs, installing additional support columns, and replacing aging drainage structures to support the existing tracks.

In addition to the stabilization projects, multiple emergency repairs have been required since 1996 due to bluff failures that threatened train operations. While the Phase 5 stabilization project addresses safety and operational concerns with a 30-year design life, the stabilization projects and emergency repairs do not provide a long-term solution for sea level rise and the ongoing coastal erosion that pose substantial safety and economic risks to the region. Bluff retreat is estimated to occur at an average rate of 0.4 to 0.6 foot per year; however, large episodic bluff failures can result in more than 20 feet of bluff edge retreat in a single event. The California Coastal Commission (CCC) has required that SANDAG evaluate the removal of stabilization infrastructure prior to the expiration of the term of CCC approvals as part of their conditions of approval for current stabilization work. Further stabilization and emergency repair projects are likely to be required until the rail corridor is relocated from the coastal bluffs, or a more long-term structurally fortified solution is provided.

## **Study Area**

The Project is located within portions of the cities of Del Mar and San Diego, as depicted on Figure 1. The Project study area begins at the future Special Events Platform that will be constructed as part of the San Dieguito Double Track Project in the north and ends at the Sorrento Valley Station in the south. The study area is generally bounded to the west by the Pacific Ocean and to the east by I-5.

**Figure 1. Project Location**



Note: Within the San Diego Subdivision, right-of-way north of Milepost 245.6 is owned by North County Transit District and right-of-way south of Milepost 245.6 is owned by Metropolitan Transit System. The future Special Events Platform has been approved and fully funded and will be constructed as part of the San Dieguito Double Track Project.

## Planning Documents and Prior Studies

The Project is part of a larger program of improvements to be implemented on the LOSSAN Rail Corridor to enhance the reliability of existing services between San Luis Obispo, Los Angeles, and San Diego. Previous planning and environmental studies have been undertaken to analyze the potential for realigning and double tracking the San Diego Subdivision in the Project study area through the cities of Del Mar and San Diego.

- In **2007**, Caltrans and the Federal Railroad Administration (FRA) finalized the [Los Angeles—San Diego Final Program EIR/Environmental Impact Statement \(EIS\)](#)<sup>1</sup>, and on March 18, 2009, a [Record of Decision](#)<sup>2</sup> was published which records the decisions the United States Department of Transportation (U.S. DOT) made for proposed improvements to the LOSSAN Rail Corridor between Los Angeles and San Diego. The Program EIR/EIS carried forward two alternatives proposing tunnel options that deviated from the existing railroad alignment.
- In **August 2014**, the CCC unanimously approved the *North Coast Corridor Public Works Plan/Transportation and Resource Enhancement Program (PWP/TREP)*<sup>3</sup>. Jointly prepared by SANDAG and Caltrans, the PWP/TREP is a single, integrated document that establishes a framework for comprehensively planning, reviewing, and permitting of multimodal transportation improvements along a 27-mile corridor in North San Diego County that maintains and enhances public access and protects sensitive coastal resources. The scope of improvements discussed within the Project study area includes two conceptual alignments for a “rail tunnel to move the existing rail alignment away from the Del Mar bluffs, which are susceptible to failure and unable to accommodate double tracking due to significant excavation, stabilization and ongoing maintenance needs of such a facility” (Chapter 4).
- In **December 2017**, SANDAG published a report entitled [Conceptual Engineering and Environmental Constraints for Double Track Alignment Alternatives Between Del](#)

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<sup>1</sup> Web Page:  
<https://railroads.dot.gov/elibrary/los-angeles-san-diego-lossan-corridor-program-final-programmatic-eireis>

PDF:  
[https://railroads.dot.gov/sites/fra.dot.gov/files/2023-10/2.2.11%20LOSSAN%20Programmatic%20EIR-EIS%20%282007%29\\_PDFa.pdf](https://railroads.dot.gov/sites/fra.dot.gov/files/2023-10/2.2.11%20LOSSAN%20Programmatic%20EIR-EIS%20%282007%29_PDFa.pdf)

<sup>2</sup> Web Page:  
<https://railroads.dot.gov/elibrary/los-angeles-san-diego-lossan-corridor-program-eireis-record-decision>

PDF:  
[https://railroads.dot.gov/sites/fra.dot.gov/files/fra\\_net/192/LOSSAN\\_ROD\\_FINAL\\_2009.pdf](https://railroads.dot.gov/sites/fra.dot.gov/files/fra_net/192/LOSSAN_ROD_FINAL_2009.pdf)

<sup>3</sup> Web Page:  
<https://dot.ca.gov/caltrans-near-me/district-11/programs/district-11-environmental/i-5pwp-toc/overview#Introduction>

[\*Mar Fairgrounds and Sorrento Valley\*](#)<sup>4</sup> that analyzed the feasibility of five potential options for relocating the existing San Diego Subdivision onto a new alignment with a double track tunnel away from the Del Mar bluffs. The study included conceptual engineering and preliminary construction costs for each alignment option.

- In **September 2018**, Caltrans released the [\*2018 California State Rail Plan\*](#)<sup>5</sup>, which established a statewide vision describing a future integrated rail system that provides comprehensive and coordinated service to passengers through more frequent service, and convenient transfers between rail services and transit. The plan recognized the challenges coastal erosion and sea level rise pose to the railroad tracks atop the eroding bluffs in Del Mar. It noted that about 50 trains on weekdays (mostly passenger) traverse the Del Mar bluffs, and sea level rise will accelerate erosion of the bluffs, threatening stability and the viability of the route. The plan states “erosion by 2100 could eliminate the rail line completely, as well as adjacent homes, absent preventative measures.”
- In **December 2021**, SANDAG adopted the [\*2021 Regional Plan\*](#)<sup>6</sup>, which envisioned an expanded system of transit services to reduce greenhouse gases from automobiles, while promoting safe, clean, and economically friendly ways to move goods throughout the region and beyond. The 2021 Regional Plan envisioned the relocation, straightening, and double tracking of the rail line through the study area to a more climate resilient location that could reduce travel time and service reliability.
- In **June 2022**, the CCC issued a Federal Consistency Certification (No. 0005-21) for the Del Mar Bluff Stabilization V project, which required SANDAG to evaluate the removal of all shoreline armoring after the expiration of the 30-year authorization period. The 30-year authorization period was to “allow SANDAG to protect the important railway line while planning of the pursuing [its] relocation.”
- In **August 2023**, SANDAG released the [\*San Dieguito to Sorrento Valley Double Track Del Mar Tunnels Alternatives Analysis Report\*](#)<sup>7</sup>, which refined five potential alignment alternatives based on the previous conceptual engineering study and evaluated them against a set of performance criteria. Two of these alternatives were advanced to 10 percent conceptual engineering and were further analyzed for engineering and environmental considerations. Based on feedback from stakeholders and community groups, four additional potential tunnel portal locations were then also evaluated to further minimize impacts on the community and private properties. Additional

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<sup>4</sup> Web Page: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/del-mar-bluffs-stabilization/alignment-alternatives-and-environmental-constraints-study-2017-2023-09-08.pdf>

Appendices: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/del-mar-bluffs-stabilization/alignment-alternatives-and-environmental-constraints-study-2017-appendices-2023-09-08.pdf>

<sup>5</sup> Web Page: <https://dot.ca.gov/programs/rail/2018-california-state-rail-plan>

<sup>6</sup> Web Page: <https://www.sandag.org/regional-plan/2021-regional-plan/final-2021-regional-plan>

<sup>7</sup> PDF: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/del-mar-bluffs-stabilization/lossan-sdsdvt-alternatives-analysis-2023-09-01.pdf>

conceptual alignments were considered at a high level to demonstrate potential connections between various portal locations.

- In **May 2024** SANDAG released the [Alignments Screening Report](#)<sup>8</sup>, which documented, assessed, and incorporated into the formal environmental review process for the SDLRR Project the alignments developed as a result of previous planning studies, additional design, and public engagement in advance of the commencement of the formal environmental review process. The report recommended a subset of alignments for inclusion in the June 2024 NOP for the SDLRR Project for further input on the Draft EIR scope and the alignments identified in the NOP.
- In **June 2024** SANDAG released the [NOP](#)<sup>9</sup> which initiated formal environmental review of the SDLRR Project under CEQA. The NOP identified three proposed alternative alignments for consideration in the Draft EIR, and a No Project Alternative.
- In **January 2025** Caltrans released the final [2024 California State Rail Plan](#)<sup>10</sup>, which states “The rail line around San Clemente and the Del Mar bluffs in California is a scenic and crucial segment of the coastal rail corridor, connecting the southern Orange County area to San Diego, and facing ongoing challenges related to erosion and environmental concerns. The State views improving the resiliency in these areas as absolutely critical...” It goes on to recognize relocation of the tracks off the bluffs in Del Mar as a potential way to permanently improve climate resiliency and commits to providing funding and working to streamline the delivery of priority projects in this key corridor.
- In **February 2025** SANDAG released the [Final Value Analysis Study Report](#)<sup>11</sup>, which documented the VA Study that was completed via a series of workshops and meetings with representatives from the cities of Carlsbad, Del Mar, Encinitas, San Diego, and Solana Beach; the Del Mar Fairgrounds; Caltrans; and NCTD from September through December 2024. The VA Study was a collaborative process leveraging the knowledge of the multidisciplinary VA team to brainstorm ideas for potential project alignments and other refinements to the Project. The VA Study Report is a summary of the VA Study and presents the ideas, suggestions, and alternative concepts developed and evaluated collaboratively by the VA team.
- In **May 2025** SANDAG released the [San Diego LOSSAN Rail Realignment Project Post Value Analysis Study Assessment](#)<sup>12</sup>, which documented the steps taken by SANDAG staff following the VA Study. The outcomes of the VA Study Report helped inform SANDAG staff considerations of potential alternative concepts and refinements. This

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<sup>8</sup> PDF: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/lossan-realignment/sd-lossan-rail-realignment-screening-2024-06-03.pdf>

<sup>9</sup> PDF: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/lossan-realignment/sd-lossan-rail-realignment-nop-2024-06-03.pdf>

<sup>10</sup> Web Page: <https://dot.ca.gov/programs/rail/california-state-rail-plan>

<sup>11</sup> PDF: <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/featured-projects/lossan-rail-improvements-del-mar-bluffs/lossan-realignment/sandag-lossan-rail-realignment-final-value-analysis-study-report-2025-02-07.pdf>

<sup>12</sup> PDF: <https://www.sandag.org/sdlrrpostvastudyassessment>

document summarizes the SANDAG staff recommendation, based on information gained during the VA Study.

## Public Outreach

Leading up to and following the release of the June 2024 NOP, SANDAG conducted public outreach events to inform, engage, and solicit public input to refine the description of the Project and the range of alternatives to be identified in the NOP. The meetings are listed below and videos for many of these meetings are available on the [SANDAG website](#).

- July 24, 2023: SANDAG presentation to Del Mar City Council
- August 30, 2023: SD LOSSAN Rail Realignment Del Mar Community Open House
- October 4, 2023: LOSSAN Tunneling Workshop
- October 19, 2023: LOSSAN Virtual Information Session
- November 6, 2023: LOSSAN Alignments Workshop Del Mar
- November 7, 2023 – December 19, 2023: Weekly Community Field Office Hours
- November 15, 2023: LOSSAN Alignments Workshop Carmel Valley
- February 5, 2024: SANDAG presentation to Del Mar City Council
- March 19, 2024: SANDAG presentation to Torrey Pines Community Planning Board
- April 19, 2024: Oceanside Transit Center
- April 22, 2024: Encinitas Transit Center
- April 26, 2024: Solana Beach Transit Center
- April 30, 2024: Solana Beach Transit Center
- May 3, 2024: Old Town Transit Center
- May 14, 2024: Carlsbad Village Transit Center
- May 17, 2024: 12th and Imperial Transit Center
- June 1, 2024: Del Mar Farmer’s Market
- June 5, 2024: Solana Beach Transit Center
- June 7, 2024: Solana Beach Transit Center
- June 11, 2024: Solana Beach Transit Center
- June 18, 2024: Public Scoping Meeting
- June 26, 2024: Solana Beach City Council Meeting
- June 28, 2024: Carlsbad Village Station
- July 10, 2024: Encinitas Transit Center
- July 16, 2024: Oceanside Transit Center
- July 18, 2024: SANDAG presentation to NCTD Board of Directors
- July 26: Solana Beach Transit Center
- February 11, 2025: SANDAG presentation to 22nd District Agricultural Association (i.e., Del Mar Fairgrounds) Board meeting
- February 12, 2025: SANDAG presentation to Solana Beach City Council
- February 13, 2025: Solana Beach Office Hours

- February 18, 2025: SANDAG presentation to Del Mar City Council
- February 19, 2025: Del Mar Public Information Session
- February 20, 2025: SANDAG presentation to Torrey Pines Community Planning Board
- February 28, 2025: SANDAG Board of Directors meeting

## Project Goal and Objectives

The Project goal is as follows:

- To maintain and enhance passenger and freight service along the San Diego segment of the LOSSAN rail corridor.

The Project objectives are as follows:

- Improve rail service reliability by minimizing risks from climate change, including consideration of sea level rise, flooding, and the stability of the coastal bluffs.
- Maintain passenger rail service to Solana Beach and Sorrento Valley and accommodate direct rail access to the 22nd District Agricultural Association (Del Mar Fairgrounds) while minimizing disruptions to passenger and freight service during construction.
- Minimize impacts to existing homes, businesses, tourism, and major economic generators, including the Del Mar Fairgrounds, and transportation facilities during and after construction.
- Avoid and/or minimize negative effects, and where possible enhance biological, cultural, and recreational resources of national, state, or local significance, including publicly owned parks, recreational trails, beaches, wetlands, ecological reserves, wildlife or waterfowl refuges, and any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.
- Help meet the goals of the 2021 Regional Plan and the 2024 California State Rail Plan by increasing passenger and freight train capacity, further reducing travel times, improving reliability, and considering existing and planned investments.
- Improve coastal access and safety by eliminating at grade railroad crossings and minimizing points of interaction between rail and all other modes of transportation.
- Demonstrate good public stewardship by delivering the project in a timely way that considers prior and ongoing investments, construction, right-of-way, operations, and maintenance costs.

## Project Description

SANDAG proposes to improve resiliency and reliability of the segment of the San Diego Subdivision within the cities of Del Mar and San Diego where the rail line runs along a terrace on the eroding coastal bluffs. This includes double tracking the alignment between the future Special Events Platform that will be constructed as part of the San Dieguito Double Track Project in the City of Del Mar and the north end of Sorrento Valley in the City of San Diego. The improved resiliency and double tracking of the alignment would reduce reliability risks caused by bluff erosion and provide greater track capacity for trains that use the corridor, enabling projected increases in service and minimizing conflicts with pedestrians. The Project may include removal of existing stabilization infrastructure, consistent with the CCC's conditions of approval for the Del Mar stabilization projects.

Pursuant to State CEQA Guidelines, the SDLRR Draft EIR will consider a No Project Alternative and a reasonable range of Project alternatives. In accordance with CEQA, SANDAG has identified alternatives to be analyzed in the Draft EIR based on their potential feasibility, ability to attain the Project goal and the majority of the Project objectives, and potential to avoid or substantially lessen the significant effects of the Project and evaluate the comparative merits of the alternatives (California Code of Regulations title 14 § 15126.6).

As a result of prior planning studies, community engagement, comments received during the 2024 NOP scoping period, and the VA Study, in addition to the No Project alternative, four alternative alignments are proposed for analysis in the Draft EIR, as depicted on Figure 3. Of the four alternative alignments, three include a tunnel and have common components including a north and south portal, a bored tunnel connecting the portals, and double tracking of the rail line. These common components are described below under the heading “Tunnel Alternatives”. The fourth alternative alignment does not include a tunnel or portals and is described below under the heading “Non-Tunnel Alternative”.

The alignment types and infrastructure components defined in the callout box and depicted on Figure 2 are applicable to multiple of the alternative alignments.

**Graded:** rail tracks constructed on flat ground, earthen berms, or cuts into hillsides.

**Floodwalls:** a freestanding structure built along a shore or bank to prevent encroachment of floodwaters.

**Berm:** a segment of track that is on raised ground.

**U-structure:** a rectangular shaped structure with only three sides that is excavated from the surface and leaves an opening in the surface to allow the track to transition from a tunnel to the surface level.

**Cut-and-cover tunnel:** a rectangular shaped tunnel that is constructed within a trench which is excavated from the surface and then covered after it is constructed.

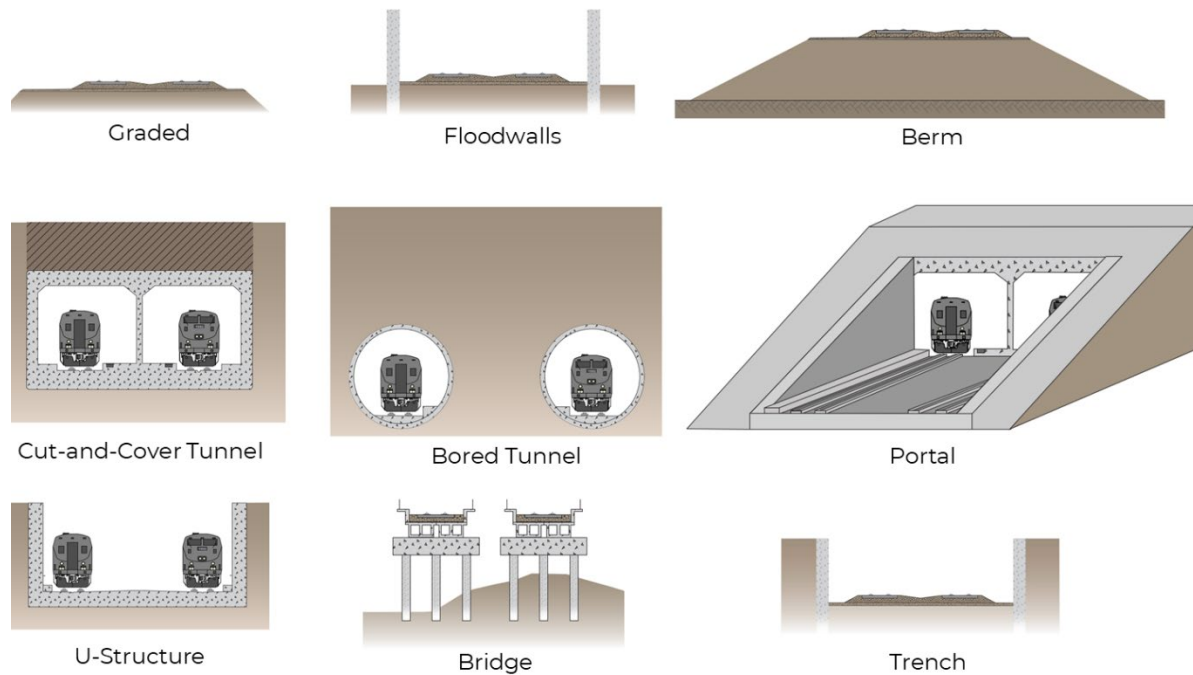
**Bored tunnel:** a circular shaped tunnel that is constructed using a tunnel boring machine that digs or bores through the earth without removing the ground above.

**Portal:** entrance to the tunnel.

**Bridge:** aerial structure carrying the rail tracks over roadways, canyons, or water.

**Trench:** a depressed section which is excavated from the surface that is typically protected with retaining walls.

**Figure 2. Project Alignment Types and Infrastructure Components**



### Tunnel Alternative Alignments

The three tunnel alternative alignments are (1) San Dieguito Bridge to I-5 Alternative Alignment; (2) Under Crest Canyon Alternative Alignment; and (3) Under Camino Del Mar Alternative Alignment. Each alternative alignment is described below and includes the following components:

- Removal of existing rail infrastructure (e.g. rail track, ties, and ballast) on areas no longer needed after track relocation (timing of removal dependent on coordination with, and approval by, the rail owner and operators)
- Construction of bridge structures
- Construction of U-structures, retaining walls, and floodwalls
- Construction of twin-bored tunnels and cut-and-cover tunnels
- Construction of tunnel portals and associated portal infrastructure
- Installation of a tunnel system power supply
- Installation of tunnel ventilation systems
- Installation of communication systems, including signals, switches, and control points
- Modifications to drainage and roadways, as needed
- Relocation of utilities, as needed
- Potential placement of beach-quality sand excavated from tunnel boring activities onto beach(es) or near shore, in the vicinity of the study area
- Removal of prior bluff stabilization improvements consistent with the CCC's certification of Federal Consistency Certifications

## North Portals

Two north portal locations have been identified depending on the track alignment. The portal locations are as follows:

### Under Jimmy Durante Boulevard

This proposed portal would be located north of the intersection of Camino Del Mar and Jimmy Durante Boulevard. The portal's infrastructure would cross underneath Jimmy Durante Boulevard, which would be raised. The portal structures would potentially extend into commercial and residential properties.

### Racetrack View Drive

This proposed portal would be located east of Crest Canyon Trail and south of Racetrack View Drive. The portal infrastructure would be located within the northern portion of Crest Canyon Open Space Park.

## South Portals

Two south portal locations have been identified depending on the track alignment. The portal locations are as follows:

### Torrey Pines Road West

This proposed portal would be located near the intersection of Carmel Valley Road and North Torrey Pines Road. The portal infrastructure would be located on the southside of Carmel Valley Road.

### Knoll Near I-5

This proposed portal would be located at a knoll south of Carmel Valley Road between I-5 and the segment of Sorrento Valley Road Trail that is closed to public vehicular traffic but open for bikes, pedestrians, and authorized vehicles. The portal infrastructure would be within the undeveloped knoll and extend into the Los Peñasquitos Lagoon.

## San Dieguito Bridge to I-5 Alternative Alignment:

As depicted on Figure 4, the San Dieguito Bridge to I-5 Knoll Alternative has two design variations that will be evaluated at the northern extent. One variation would transition from the south end of the future San Dieguito Double Track Project bridge and the other would transition from the south end of the future Special Events Platform. Both options would curve to the east toward the intersection of Jimmy Durante Boulevard and San Dieguito Drive. The alignment would be on a bridge located adjacent to the south side of San Dieguito Lagoon. The alignment would pass over Jimmy Durante Boulevard and continue over Racetrack View Drive on a bridge and then enter the Racetrack View Drive North Portal. The alignment would continue southeast and turn to follow under the I-5 freeway, then continue south and exit at the Knoll Near I-5 South Portal. The alignment would then rise above ground as it transitions back into the existing railroad alignment north of the Sorrento Valley Station.

During the post-VA Study period, SANDAG also conducted outreach in stakeholder communities. During those events, stakeholders described a more northerly variation of this alternative alignment. Staff will explore this design concept during the environmental process.

#### **Under Crest Canyon Alternative Alignment:**

As depicted on Figure 5, the Under Crest Canyon Alternative Alignment is approximately 5.1 miles in length and would descend immediately south of the future San Dieguito Double Track Project bridge that spans over the San Dieguito Lagoon and enter the Under Jimmy Durante Boulevard North Portal, then continue south, following under Crest Canyon, and exit at the Knoll Near I-5 South Portal. The tracks would then rise above ground as it transitions back into the existing railroad alignment north of the Sorrento Valley Station.

#### **Under Camino Del Mar Alternative Alignment:**

As depicted on Figure 6, the Under Camino Del Mar Alternative Alignment is approximately 4.9 miles in length and would descend immediately south of the future San Dieguito Double Track Project bridge that spans over the San Dieguito Lagoon and enter the Under Jimmy Durante Boulevard North Portal. This alternative would continue south, following mostly under Camino Del Mar, and exit at the Torrey Pines Road West South Portal, on a bridge over the Los Peñasquitos Lagoon, and then transition back to the existing railroad alignment. The existing railroad alignment within Los Peñasquitos Lagoon would be double tracked, which would require raising and widening the existing berm in the lagoon to address flooding and sea level rise projections.

### **Non-Tunnel Alternative Alignment**

#### **Del Mar Bluffs Double Track Reinforced Alternative Alignment**

The non-tunnel alternative alignment, referred to as the Del Mar Bluffs Double Track Reinforced Alternative Alignment, includes the following components:

- Construction of a second railroad track adjacent to the existing line on the Del Mar bluffs
- Construction of a trench and retaining walls
- Construction of bluff stabilization elements, including new and expanded seawalls
- Construction of new and/or retrofit of existing bridge structures
- Installation of communication systems, including signals, switches, and control points
- Modifications to drainage and roadways, as needed
- Relocation of utilities, as needed
- Potential placement of beach-quality sand excavated from the trench excavation activities onto beach(es) or near shore, in the vicinity of the study area
- Grade separation of the rail line under Coast Boulevard

As depicted on Figure 7, the Del Mar Bluffs Double Track Reinforced Alternative Alignment would begin south of the Camino Del Mar roadway bridge and descend into a trench along the existing railroad alignment to the south and pass under Coast Boulevard removing the existing at-grade roadway crossing (i.e., railroad grade separation). The grade separation would also require raising Coast Boulevard to provide the necessary clearance. This alternative would continue south ascending to grade along the existing railroad alignment with grading and drainage improvements. This segment would require retaining walls along the eastern boundary. On the western side, adjacent to the beach, this alternative would include slope stabilization, including approximately 1.5 miles of sea walls up to approximately 20 feet in height. This alternative alignment would expand and increase the size of the existing stabilization infrastructure. The existing North Torrey Pines Road Overhead Bridge at the southern end of the bluffs may require modifications to accommodate the additional track. South of this bridge, the alternative would continue south on bridge and widened berm over Los Peñasquitos Lagoon, and then transition back to the existing railroad alignment. The existing railroad alignment within Los Peñasquitos Lagoon would be double tracked, which would require raising and widening the existing berm in the lagoon to address flooding and sea level rise projections.

### No Project Alternative

The No Project Alternative would consist of the continuation of an existing single-track alignment along the bluffs that would require the continuation of major stabilization efforts to protect the tracks. The stabilization efforts would require the continued use and possible expansion of the existing stabilization infrastructure.

### Potential Environmental Effects

The EIR will address impacts to the following resource categories listed in Appendix G:

- |                                    |  |
|------------------------------------|--|
| 1. Aesthetics                      | 11. Mineral Resources                  |
| 2. Air Quality                     | 12. Noise and Vibration                |
| 3. Biological Resources            | 13. Population and Housing             |
| 4. Cultural Resources              | 14. Public Services                    |
| 5. Energy                          | 15. Recreation                         |
| 6. Geology and Soils               | 16. Transportation                     |
| 7. Greenhouse Gas Emissions        | 17. Tribal Cultural Resources          |
| 8. Hazards and Hazardous Materials | 18. Utilities and Service Systems      |
| 9. Hydrology and Water Quality     | 19. Wildfire                           |
| 10. Land Use and Planning          | 20. Mandatory Findings of Significance |

In addition, the EIR will address cumulative impacts, growth-inducing impacts, and other mandatory CEQA topics.

### Comments Requested

Comments in response to this NOP should be provided to SANDAG at the earliest possible date but not later than 45 days after receipt of this notice (May 16, 2025). Your comments may be submitted in writing to SANDAG no later than **June 30, 2025**.

SANDAG is seeking input on the Draft EIR scope, including the alternative alignments under consideration and potential environmental effects. A public scoping meeting is scheduled on May 29, 2025, from 6:00 to 7:30 p.m., as noted below. Written comments should be sent to SANDAG, 1011 Union Street, Suite 400, San Diego, CA 92101, ATTN: LOSSAN Comments; via email with subject line “SDLRR Project NOP” to: [LOSSANcomments@sandag.org](mailto:LOSSANcomments@sandag.org); or online at [sandag.org/railrealignment](https://sandag.org/railrealignment). Comments may also be provided orally or in writing via the public scoping meeting.

### **Public Scoping Meetings**

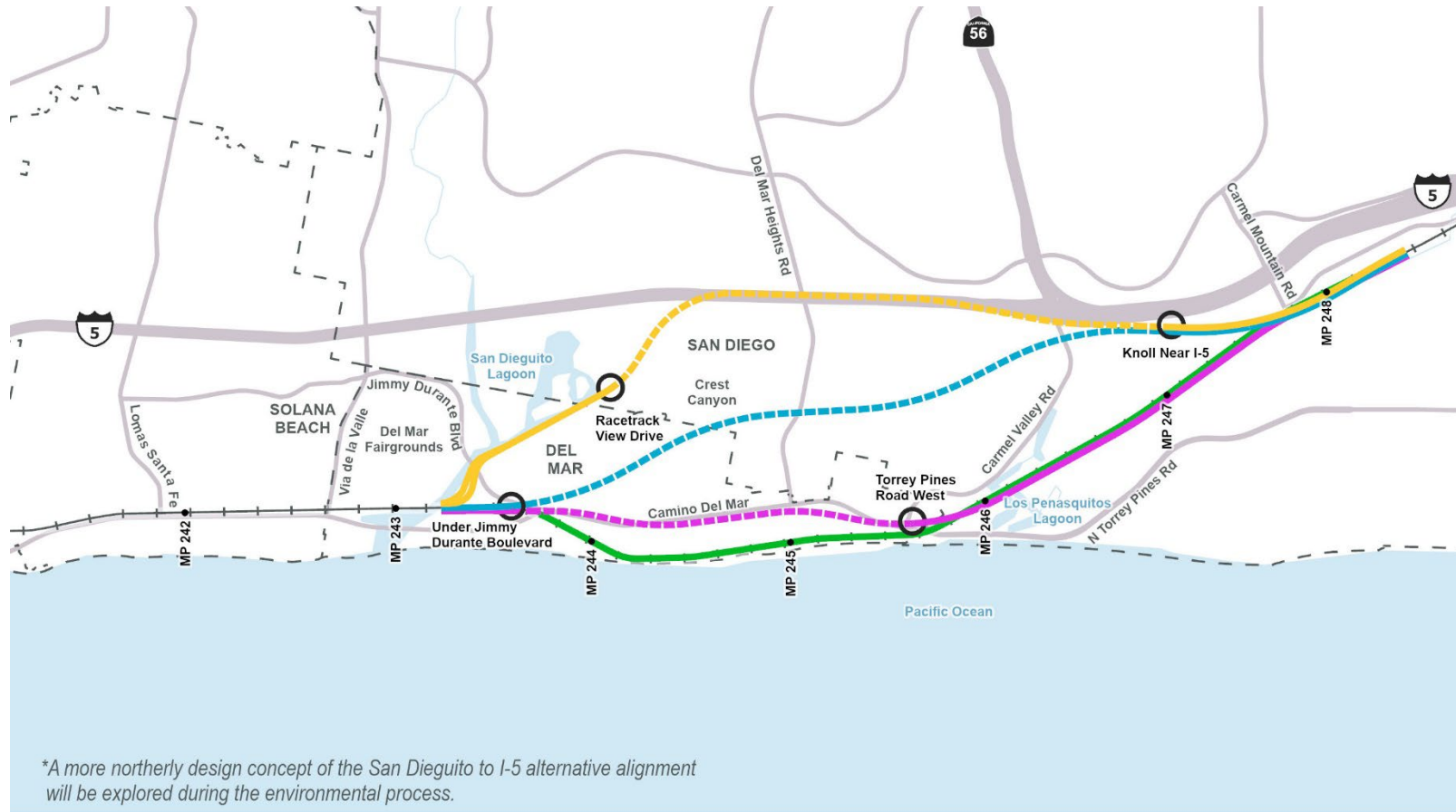
Pursuant to Public Resources Code Section 21083.9, a public scoping meeting is scheduled for May 29, 2025, from 6:00 p.m. to 7:30 p.m. at The Sound at the Del Mar Fairgrounds, 2260 Jimmy Durante Boulevard, Del Mar, CA 92014.

### **Additional Information**

For additional information regarding the SDLRR Project, the scoping period, or the environmental process, please contact [LOSSANcomments@sandag.org](mailto:LOSSANcomments@sandag.org) or visit [sandag.org/railrealignment](https://sandag.org/railrealignment).

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**Figure 3. Four Project Alternative Alignments**



- San Dieguito Bridge to I-5 Alternative Alignment\*
  - Under Crest Canyon Alternative Alignment
  - Under Camino Del Mar Alternative Alignment
  - Del Mar Bluffs Double Track Reinforced Alternative Alignment
  - - - Tunnel Segment
  - Portal Location
  - Mile Post Marker
  - Existing LOSSAN Corridor Track Alignment
  - Municipal Boundary
- 0      0.5 Miles

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**Figure 4. San Dieguito to I-5 Alternative Alignment**



- Bored Tunnel
  - Cut-and-Cover Tunnel
  - Bridge
  - Floodwalls
  - Graded
  - U-Section
  - Tunnel Segment
  - Portal Location
  - Mile Post Marker
  - Existing LOSSAN Corridor Track Alignment
  - Municipal Boundary
- 0 0.5 Miles

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**Figure 5. Under Crest Canyon Alternative Alignment**



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**Figure 6. Under Camino Del Mar Alternative Alignment**



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**Figure 7. Del Mar Bluffs Double Track Reinforced Alternative Alignment**



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# CITY OF DEL MAR

July 19, 2024

San Diego Association of Governments (SANDAG)  
 401 B Street, Suite 800  
 San Diego, CA 92101  
[LOSSANcorridor@sandag.org](mailto:LOSSANcorridor@sandag.org)  
 ATTN: Tim Pesce

Re: City of Del Mar Comments on the Notice of Preparation (NOP) of a Draft  
 Environmental Impact Report (EIR) for the LOSSAN Rail Realignment Project

Dear Mr. Pesce,

Thank you for the opportunity to comment on the LOSSAN Rail Realignment Project (“Project”). The City of Del Mar provides the following comments to ensure that the Draft Environmental Impact Report (“DEIR”) fully analyzes the Project and a range of alternatives aimed at avoiding the Project’s adverse impacts. Our comments reflect the grave concerns that our community members have expressed in public hearings to the City Council. The Project and its alternatives have the potential to adversely impact our community’s quality of life, tourism, local businesses, tax revenue, property values, and our unique and sensitive coastal resources.

The Project’s expansive environmental impacts have potential to threaten our community character, history, and our citizens’ health and wellbeing.

## **I. The Project Description and Descriptions of Project Alternatives are Vague and Incomplete.**

Generally, the NOP is deficient in several regards. First, both the Project Description and the three alternatives fail to provide enough detail for a reader to determine the scope and level of environmental impacts. It fails to identify a complete list of construction related impacts, short-term and long-term health risks, socioeconomic impacts, the property condemnation process, and what properties could be taken, hazardous material transportation risks, geologic impacts, and the full impact on coastal resources.

Additionally, while the NOP identifies three alternative rail alignments, it does not clearly identify the “proposed project.” The California Environmental Quality Act (“CEQA”) requires a “proposed project” to be identified along with a “range of reasonable alternatives” to that proposed project. The EIR’s “bona fide subject” must be “[t]he defined project and not some different project.” (*Concerned Citizens of Costa Mesa v. 32nd Dist. Agric. Assn.* (1986) 42 Cal.3d 929, 938.) Further, inadequate or unstable descriptions of the Project may mislead the public and thwart the EIR process. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656.)

Without a clear identification of the proposed project, members of the public cannot comment meaningfully on the NOP. (*Save Our Capitol! v. Department of General Services* (2023) 87

Cal.App.5th 655, 676.) “A project description that gives conflicting signals to decision makers and the public about the nature of the project is fundamentally inadequate and misleading.” (*South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 332.) Here, the public is asked to conjure what a reasonable range of alternatives might be to each of three proposed alignments, and to numerous options for portal locations. The current NOP identifies alternatives, but not the required proposed “bona fide” project. (CEQA Guidelines Sections 15378 and Section 15126.6).

Critically, the NOP does not identify whether rail removal from the bluff is part of the Project to be addressed in the DEIR. The NOP states part of the Project objective is to “Improve rail service reliability by relocating the existing railroad tracks away from the eroding coastal bluffs in Del Mar.” But the project description cannot fail to describe key elements of the Project. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730-35.)

CEQA explicitly defines a project to be studied in an EIR as “the whole of an action” and does not allow breaking a project into smaller pieces to reduce the cumulative effects of a larger project. Section 15378 subdivision (a) of the CEQA Guidelines clearly defines a “project” as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment...” (See also, *Bozung v. Local Agency Formation Commission* (1975) 13 Cal. 3d 263, 283-284 [“environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment -- which cumulatively may have disastrous consequences.”].)

Here, the DEIR must consider all Project elements, including the removal of existing rail structures and any additional facilities as part of the overall Project.

## **II. NEPA is Required.**

While the NOP suggests that a National Environmental Policy Act (“NEPA”) document is required and will be prepared, the NOP omits the identification of the lead agency for that document. It is unclear why SANDAG omitted the identification of the relevant federal agency. The Federal Rail Administration’s (“FRA”) mission is “to enable the safe, reliable, and efficient movement of people and goods.” Thus, the FRA would be the likely candidate, or alternatively, the Surface Transportation Board, which is charged with economic regulation of rail. In any case, regardless of the agency a joint EIR/EIS (Environmental Impact Study) should be prepared for the Project. The coordination between the State, SANDAG, and the federal government is critically important to this Project and owed to the citizens of the region. Given that the Project will be subject to NEPA, the EIR needs to address irreversible changes to the environment. (CEQA Guidelines Section 15127). It is undeniable that the Project will have significant irreversible impacts to local coastal communities, wetlands, and require the relocation of residents.

## **III. The City of Del Mar Is a “Responsible Agency” Under CEQA.**

The City of Del Mar is a “Responsible Agency” under CEQA and maintains all review and adoption rights granted under CEQA. CEQA defines a “Responsible Agency” as “an agency other than the lead agency with a legal responsibility for carrying out or approving a project” and mandates that “a responsible agency... be involved during the project scoping, planning and CEQA document preparation stages.” (CEQA Guidelines, Sections 15096 and 15381). Here, the City of Del Mar

will have the authority and the discretion to issue Coastal Development Permits and approve other discretionary permits such as encroachment permits and traffic plans. Accordingly, the City qualifies as a Responsible Agency under CEQA and must be treated as such.

#### **IV. Objectives are Incomplete.**

The Objectives listed in the NOP, and particularly regarding the 2021 Regional Plan and the 2018 California State Rail Plan, are too broad. Moreover, the objectives provide no definitive method of comparing the environmental impacts of the Project alternatives with one another. Other objectives should be included when evaluating the relative benefits of the Project to its alternatives, such as quantifying the impacts from condemnation including its costs, the number of properties affected, impacts to residents and businesses, property value impacts, and timing considerations. And while the NOP broadly identifies some environmental impacts based on their resource categories, the NOP and any EIR/EIS should rank the significance of such impacts compared to other impacts. For example, if one alternative impacts a wetland resource while another alternative does not but has other serious public safety impacts, how will the agency resolve these conflicts between the objectives? The objectives should also include the relative impacts to the character of the coastal communities. Will one coastal city bear all the adverse impacts of the Project when compared to other coastal communities? In sum, the objectives fail to take in consideration the impacts on each coastal community or city and the objectives should recognize the historic and unique character of each impacted community.

#### **V. Construction Impacts Have Not been Defined.**

CEQA requires that construction impacts be analyzed, even though they are temporary. (*City of Arcadia v. State Water Resources Control Bd.* (2006) 135 Cal.App.4th 1392, 1425.) The NOP fails to properly identify the full range of construction related impacts in both the Project Description and its alternatives. It is a given that construction of the Project or the selection of any one of the alternatives will involve several years of construction. These multiyear projects are complex and have discrete construction phases and elements. Each phase of construction should be analyzed, and each major Project element should be evaluated. For example, the boring tunnels or cut and cover should each be fully evaluated as their own discrete Project element.

##### Impacts to be Addressed During Construction:

During each construction phase the DEIR must address impacts and include appropriate mitigation measures to reduce levels to insignificance related to:

- Noise impacts to residents and businesses, the number of residents and businesses impacted compared to the no-project alternative and the three alternatives listed in the NOP.
- Vibration impacts to adjacent residents and businesses, and the potential occurrence of earthquakes during construction.
- Air pollution impacts during construction and the number of residents and businesses impacted by the Project and its alternatives.

- Water pollution runoff that includes surface and ground water deterioration or impacts associated with accidental spills during construction.
- Risks associated with hazardous materials, including petroleum products during construction.
- Evaluation of the increased risk of derailments or other rail accidents from construction activities.
- Direct and indirect impacts to the San Dieguito and Peñasquitos Lagoons during each phase of construction.
- Impacts to public health during construction.
- Identification of unstable soils and other geologic risks during construction.
- Identification of how drainage and runoff issues will be mitigated during construction.
- Identification of the impacts from tunneling when the tunnel is below the water table and of any required dewatering.
- Identification of where soils will be disposed, including location, manner, and volume of soil disposal.
- Identification of increases in pollutant emissions during each phase of construction.
- Identification of locations subject to nighttime construction and potential impacts to birds, other wildlife, and nearby residents.
- Identification of all related traffic impacts and mitigation, including alternate traffic and emergency evacuation routes. The duration of each alternate traffic route should be identified, and a reasonable range of traffic mitigation measures should be provided.
- Impacts on property values and the loss of tax revenue.

## **VI. The Project and Each Alternative Should Be Fully Analyzed.**

The alternatives analysis is the “core of the EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553, 564.) “One of [an EIR’s] major functions . . . is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official.” (*Laurel Heights Improvement Ass’n. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400.) Accordingly, the Project and all alternatives should be reviewed in the DEIR at the same thorough level of analysis. Given the expansive scope and complexity of the Project each alternative should be evaluated at the same level as the Project Description. Full analysis of each alternative is the only transparent method of insuring that the decision makers understand the full range of impacts of each alternative. The fundamental purpose of CEQA is to ensure

informed decision-making. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515.) This includes socioeconomic impacts, condemnation impacts, and resource protection issues, which are required under NEPA.

Impacts to be Addressed During Rail Operations Post-Construction:

The DEIR should specifically analyze the following potential environmental impacts due to rail operations after the Project is constructed:

- Geotechnical impacts including long-term settling, water drainage, impact of earthquakes, sea-level rise, composition of soils, and settlement of the tunnel structures.
- Long term impacts of single bore vs. twin bore tunnel construction.
- Impacts to the San Dieguito and Los Peñasquitos Lagoons.
- Impacts to the hydrology of the San Dieguito River and the City of Del Mar's ability to construct a living levee(s).
- Impacts on property values and the loss of tax revenue.
- Disruption to the community from relocation of residents and businesses.
- Identification of which properties will be subject to eminent domain.
- Identification of the short-term and long-term impacts to the tourism industries of the coastal communities.
- Impacts to City of Del Mar revenues during operations and including the long-term economic impacts to the City.
- Future increases of passenger and freight operations should be clearly quantified, and as rail traffic increases, each associated environmental impact should be identified and mitigation measures proposed.
- The DEIR should analyze the environmental benefits of each alternative alignment as compared to the Project. Again, each alternative should be fully analyzed at the same level of the Project.
- The DEIR should include examples of similar passenger and freight train tunnels that have been constructed under residential areas with similar geological features and provide both the short-term and long-term impacts to both the residential and business communities.
- The DEIR should visually document and map the precise path of the Project and the alternatives routes.

- The EIR preparer should use drones to visually map the proposed portal locations to create realistic 3D renderings.
- Provide the public with three-dimensional models (physical or computer graphic) of the alternative portals, permanent facilities, private and public property to be acquired, elevated Jimmy Durante Boulevard, new above ground track alignment with elevated berms, floodwalls, U-structures, and cut and cover tunnels with their locations, designs and any landscaping details.
- Prior to and in the DEIR, SANDAG should install story poles showing building/tunnel ventilation locations, and at each proposed portal site for the public to view prior to the close of the comment period.
- The DEIR should consider the worst-case scenario and the associated public health and safety concerns of a freight train derailment occurring within a tunnel and account for trains that carry hazardous and/or flammable materials. In this regard, the DEIR should address the personnel and emergency equipment needed to respond to such an event, and whether the tunnel design will integrate fire suppression systems, public alert systems, and whether evacuation plans will be put in place prior to operations.
- The DEIR should address pollutant air emissions from the tunnel portals and/or ventilation systems. The DEIR should address the public health impacts from these pollutants and identify the sensitive receptors living or working near these pollutant point sources.
- Identification at a NEPA level of all economic and social impacts to each city in the Project area and their residents and businesses.
- Identification of the public safety risk from derailments, pedestrian strikes, transportation of military munitions, and hazardous waste transportation.

## **VII. The DEIR Should Address the Range of Socioeconomic Impacts to Each Coastal Community.**

It is appropriate for the DEIR to address socioeconomic impacts associated with the Project and for each of its three alternatives. The Project has the potential to literally fractionize communities, cause mass relocations of residents and businesses, disrupt tourism for many years, decrease property values, and increase health risks. CEQA provides the ability for SANDAG to address these project consequences in CEQA Guidelines Section 15131(b):

*(b) Economic or social effects of a project may be used to determine the significance of physical changes caused by the project. For example, if the construction of a new freeway or rail line divides an existing community, the construction would be the physical change, but the social effect on the community would be the basis for determining that the effect would be significant.*

The Project will split Del Mar above and below ground. The social and economic impacts to residents and the business community, City finances, property values, Fairgrounds attendance, short and long-term impacts to tourism, and indirect impacts to the community's sense of wellbeing and safety all should be addressed.

### **VIII. Other CEQA Issues Must Be Addressed in the DEIR.**

The DEIR should address additional CEQA issues, including, but not limited to:

- The DEIR should address for Alternative A (I-5 Alignment), the additional impact of requiring a 2% grade (downward north to south) in the Solana Beach trench on top of the already planned double tracking construction.
- The DEIR should also include if there is any additional trenching needed for the downward grade beyond what is needed for the double tracking. The DEIR should also identify if the trench will be "covered" and where covering would occur.
- The DEIR should identify the trade-offs and parameters to be considered when deciding where to end tunneling and start cut-and-cover at the north end of Alternative A.
- Identify the incremental cost of double tracking in Solana Beach versus Alternative A.
- As part of the Alternative analysis, identify whether tunneling can extend further northward and thus shift the cut-and-cover north, closer to Via de la Valle.
- Identify the necessary tunnel depth to avoid or reduce noise and vibration impacts to residential and business properties that are above or near the tunnel to a level of insignificance.
- The DEIR should identify all right-of-way acquisitions by Assessor Parcel Number (APN) for the Project and its alternatives.
- Identify specific (by APN) residential and commercial property located within 500 feet of portals/tunnels for all alignments.
- In addition to public views, identify all private property view modifications for the Project and for each alternative.
- Address if there will be significant impacts to Steven's Creek resulting from the Project and its alternatives.
- Show the ventilation plan for the Project and each alternative.
- Identify the noise impacts of each tunnel ventilation system including impacts to adjacent properties.

- Identify and incorporate mitigation measures to reduce noise impacts emanating from the trains that extend out from the portals and to local residences and businesses for the Project and its alternatives.
- Identify and incorporate mitigation measures for any tunnels located under private properties and businesses, including state-of-the art vibration dampening technology, such the Springed System installed for the tracks built under the London opera house (London, England) on the newly constructed Elizabethan Line.
- The DEIR noise analysis should also include the noise frequency and impacts of, including, but not limited to, train horn; wheels screeching; signal crossings; locomotive noise; whooshing sounds when train enters tunnel portal; and high-speed passenger and freight trains.
- The DEIR should include noise and vibration simulations.
- The DEIR should identify the typical freight trains lengths currently running on the along the bluffs and if the new tunnels limit train size or nighttime durations.
- Identify the current and expected type of freight carried and to be carried on the rail system.
- Identify and incorporate enhanced safety measures associated with the tunnel to reduce the possibility of derailments.
- Identify how deep each of the portals will be for Alignments B & C, and how much of the structure(s) will be above ground.
- Identify for the Project and all alternatives if additional structures will be needed for flood walls, gates, higher bridges, berms, and levees.
- Identify the evaluation criteria that determines the environmentally superior alternative and any ranking criteria.
- The DEIR should address whether the removal of the tracks from the North Portal and/or from the Camino del Mar Bridge to Coast Blvd will be analyzed.
- The DEIR should address all future actions relating to the land under the current tracks and what will occur to those vacated lands. It should address the ownership of those lands post vacation and the uses for those lands.
- The DEIR should address the mitigation opportunities for the railroad Wye property and the old spur line to the North County Transit District parking lot.
- The DEIR should include studies of all potential flood areas including the North Beach and the Wye properties including identification of what type of structures will be used to mitigate floods.

- The DEIR should recognize that the Project is of “Statewide, Regional, or Area wide Significance” within the meaning of CEQA Guidelines Section 15206. Accordingly, the DEIR should be prepared under those Guidelines.
- Another alternative that the DEIR should include is bifurcating rail service by separating the freight rail service from passenger service and moving freight service further inland, while leaving passenger service in the City of Del Mar.
- The DEIR should include all location options for the northern portal structures. Each alternative should include different location options for the portals.
- The DEIR alternative section should consider the option of locating a north portal farther north between the Camino del Mar/Jimmy Durante Boulevard intersection and the railroad trestle.
- The DEIR should provide a detailed timeline for the public, which should include timelines of the EIR process, property acquisition, the complete construction schedule with all major milestones, and other critical path timelines.
- The DEIR should discuss any alternatives that were considered in the scoping process but were later rejected. The rejected alternatives should contain a reasonable explanation why they were dismissed.
- As the lead agency, SANDAG should make available their technical consultants in a follow-on public forum and prior to the EIR certification hearing.
- The DEIR should assess impacts on the hydrology of the San Dieguito River Floodplain for the portal proposed under Jimmy Durante Boulevard. The DEIR should consider the effect of the alteration of the 100-year floodplain caused by raising the current track bed south of the San Dieguito River on the higher berm and protecting its descent to the portal (which is below the 100-year floodplain) with flood walls, a U structure, and a cut and cover tunnel (with floodgates at the portal). This effectively divides the 100-year floodplain of the North Commercial District and North Beach neighborhood into two. The DEIR should consider whether this approach will alter the flooding potential of the North Commercial District or North Beach neighborhoods. Should this be the case, mitigation measure(s) will be required and must be incorporated into the Project. This analysis should take into consideration flooding from both heavy rains and tidal surges with expected sea level rise over the anticipated lifetime of the tunnel. Mitigation must be disclosed and objectively evaluated in the DEIR.
- The Alignment Screening Report (SANDAG, May 31, 2024) notes the 2022 construction cost estimates for the 3 alignments: Alternative A (referred to as Alignment P7-A) = \$4.14 billion; Alternative B (referred to as Alignment 5) = \$2.28 billion; and Alternative C (referred to as Alignment 3)= \$1.85 billion. Given substantial increases in construction costs over the past 2 years, the Project and alternatives should be updated and adjusted for future inflation and the costs should reflect current 2024 dollars.

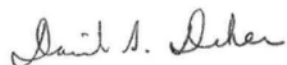
July 19, 2024

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- Given the substantial but significantly varying financial costs of the three alternative routes, as well as the growing public concern about the Project, the EIR should include a financial and economic cost benefit analysis of the Project. These economic studies should consider the low ridership of the passenger trains.

We appreciate the opportunity to comment on the NOP for the LOSSAN Rail Realignment Project and look forward to working with SANDAG in the coming months to address the many important concerns being raised by the public and various Project stakeholders.

Sincerely,

A handwritten signature in cursive script that reads "Dave Druker".

Dave Druker  
Mayor



## CITY OF DEL MAR

February 27, 2025

San Diego Association of Governments (SANDAG)  
 401 B Street, Suite 800  
 San Diego, CA 92101  
[clerkoftheboard@sandag.org](mailto:clerkoftheboard@sandag.org)  
 ATTN: Clerk of the Board

**Re: City of Del Mar Comments on the San Diego LOSSAN Rail Realignment Project Objectives and Alternative Alignments**

Honorable Members of the SANDAG Board,

This letter is respectfully being submitted on behalf of the City of Del Mar as approved by the Del Mar City Council on February 27, 2025.

On February 28, 2025, you will be asked to provide feedback on the project goals and objectives for the San Diego LOSSAN Rail Realignment Project (Realignment Project) and provide direction on the alternative alignments to be analyzed in the Draft Environmental Impact Report (DEIR).

Given the significant long-term impacts of the LOSSAN project, the City of Del Mar (City) has closely monitored the Realignment Project since public outreach first began in 2020. Most recently, the City Council received an informational presentation on the Value Analysis (VA) process and the additional alternative alignments identified by SANDAG staff post-VA process at our Council meeting on February 18, 2025. **No other city or stakeholder will be more adversely impacted by the project than the City of Del Mar.**

At the meeting, the City Council did not ask questions or make comments regarding the alternative alignments now being considered based on the City's role as a California Environmental Quality Act (CEQA) "responsible agency." It is the City's intent to keep all options open to preserve any future challenges that we may later make in protecting the City's interest. **The City will be the only jurisdiction having to amend its Local Coastal Program, issue Coastal Development Permits, and consider a host of other approvals.**

The City appreciates the opportunity to formally submit the following comments and concerns regarding the Board's consideration of the Realignment Project's goals, objectives and alternative alignments to analyze in the DEIR.

These comments reflect the grave concerns that our community members have expressed in public hearings to the City Council. **The Realignment Project and its alternatives have the potential to disproportionately and adversely impact the Del Mar community's quality of life, tourism, local businesses, tax revenue, property values, and significantly impact our unique and sensitive coastal resources.** Further, the Realignment Project's expansive environmental impacts have potential to forever alter the community character of our City, its history, and adversely impact citizens' health and wellbeing.

## **I. Application of Project Objectives is Unclear and Incomplete.**

The project goal and objectives included in the VA Study Report, which are now presented to the SANDAG Board for consideration, include refinements from the objectives included in the previously issued Notice of Preparation (NOP). As noted in the report, these refinements were not universally agreed upon by the VA participant stakeholder agencies. The City remains concerned that the objectives referencing that the Realignment Project "...consider existing and ongoing investments" along the LOSSAN rail corridor unfairly limit and unduly constrain the alternative alignments that will be considered in the DEIR. In sum, this objective predetermines the outcome of the DEIR.

Further, the identified objectives provide no definitive method of comparing the environmental impacts of the Realignment Project alternatives with one another, nor do they provide a means to fairly weigh which objectives have precedence over another. Other objectives should be included when evaluating the relative benefits of the Realignment Project to its alternatives, such as quantifying the impacts from condemnation, including its costs, the number of properties affected, impacts on residents and businesses, property value impacts, and timing considerations. Also missing in the objectives are the avoidance and/or minimization of negative impacts on air quality and public health and safety. Nowhere in the objectives is public health considered. Yet, the project objectives state that expanded rail service is a goal of the project. This translates to greater and more significant public health impacts and the objectives should account for these detrimental impacts.

And, while some of the project objectives broadly mention the avoidance/minimization of potential negative environmental impacts, the weighting of those objectives compared to other objectives (such as improved rail service or reducing travel times) has not been provided. For example, if one alternative impacts a wetland resource while another alternative does not, how are these objectives reconciled, what objective wins out, does a wetland suffer because a particular route provides greater rail efficiency? Determining the relative weight of an objective from the onset of the EIR process is foundational to transparency. Not providing this decision-making framework – before the DEIR is released for public review – obscures the value of the objectives and leaves these decisions to staff alone.

The objectives should also include the relative impacts to the character of the coastal communities. At present, only the City of Del Mar is being asked to bear all the adverse impacts of the Realignment Project when compared to other coastal communities. The objectives fail to take into consideration the impacts on each coastal community or city and should recognize the historic and unique character of each impacted coastal community.

## **II. City of Del Mar is a "Responsible Agency" Under CEQA**

The City is a "Responsible Agency" under CEQA and maintains all review and adoption rights granted under CEQA. CEQA defines a "Responsible Agency" as "an agency other than the lead agency with a legal responsibility for carrying out or approving a project" and mandates that "a responsible agency... be involved during the project scoping, planning and CEQA document preparation stages." (CEQA Guidelines, Sections 15096 and 15381). Here, the City will be required to amend its Local Coastal Program (LCP) that must then be approved and certified by the California Coastal Commission. Only with an LCP amendment will the City have the ability

and the discretion to issue Coastal Development Permits, consider encroachment permits, agree to leases for construction staging areas, consider building permits for construction activities, and a host of other discretionary actions that will be required for the project. As a Responsible Agency, the City must consider the adequacy of the Environmental Impact Report (EIR) when considering its approval actions. If the EIR fails to meet the requirements of CEQA, the City may challenge it, prepare a subsequent EIR, or in some cases assume the role of Lead Agency. Accordingly, it is important that the objectives be weighed and aligned with the reality of the long-term impacts to the City of Del Mar.

### **III. Concerns with Proposed Alternative Alignments**

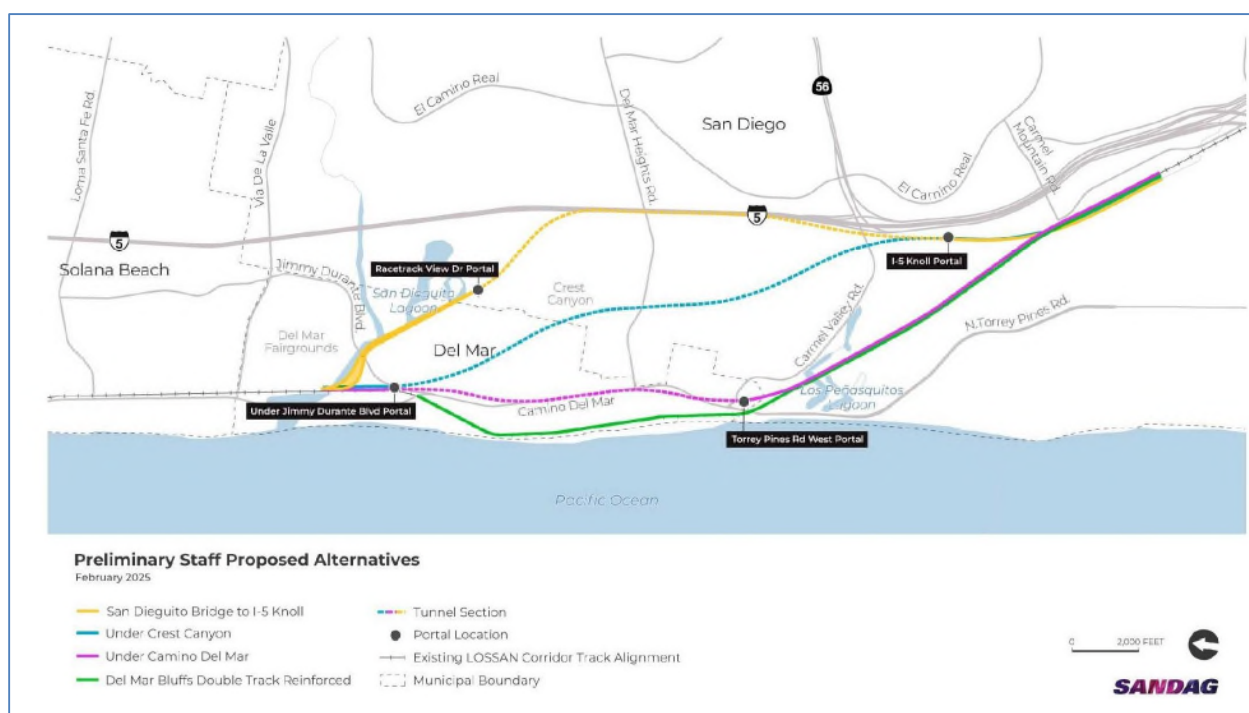
The VA process resulted in the development of 16 alternative alignments that include the three NOP alternative alignments and 13 new concepts. After the VA process was completed, SANDAG evaluated these alternative alignments and reviewed prior project studies and is now recommending that four alignment options, in addition to a “no build” alternative, be included for analysis in the DEIR.

It is important to note that CEQA requires the evaluation of all reasonably feasible alternatives that can reduce impacts below a level of significance. In short, the EIR would be defective if only the chosen four alternatives are evaluated. All feasible alternatives that reasonably meet the objectives should be considered. This includes routes that avoid impacts to wetlands and the community. Moreover, from a National Environmental Policy Act (NEPA) perspective, alternatives that go beyond SANDAG’s jurisdiction should be considered because bluff failure is not endemic to San Diego County alone. Below are the City’s comments and concerns regarding the four alignment options as currently proposed by SANDAG staff:

- San Dieguito Bridge to I-5 Knoll (yellow line on map): This alignment places the project’s impacts solely within the cities of Del Mar and San Diego and would result in significant and adverse environmental impacts to highly productive wetland habitat in the San Dieguito Lagoon. Based on the limited information provided, it appears this alignment would result in the need for both public and private property acquisition (eminent domain) within the City of Del Mar. Further, a majority of this route is located within a floodplain. Moreover, it is worth noting that this alignment was evaluated in the VA process but was ultimately dismissed as infeasible and not advanced as one of the 16 concepts.
- Under Crest Canyon (Under Jimmy Durante to I-5 Knoll) (blue line on map): This alignment includes a north portal location that would require acquisition (eminent domain) of private property and would result in significant short and long-term impacts to Jimmy Durante Boulevard, including elevating the roadway adjacent to residential homes. This is one of the City’s main arterial roadways and would cause major disruption to the entire City’s roadway system. This alternative also continues to require private property subsurface easements. This alignment would put freight trains under residential homes, and places a portal that will emit toxic air pollutants next to homes.
- Under Camino Del Mar (Under Jimmy Durante to Torrey Pines Road West) (pink line on map): This alignment includes north and south portal locations in the City of Del Mar that require acquisition (eminent domain) of private property. Like the “Under Crest Canyon” alternative, this alignment would result in significant short and long-term impacts to Jimmy Durante Boulevard, including reconfiguration of one of the City’s largest intersections.

Private property subsurface easements would also be required. This alignment would also put freight trains under residential homes, and places two portals that will emit toxic air pollutants next to homes.

- Del Mar Bluffs Double Track Reinforced (green line on map): This concept would result in significant and permanent impacts to protected and sensitive coastal resources, and the removal of permitted private encroachments in North County Transit District (NCTD) right-of-way. Double tracking in this area would increase train volume, resulting in increased air quality impacts. Environmental permitting of this alignment would face significant challenges, including the processing of Coastal Development Permits. Importantly, it must be noted that this alternative was previously studied in the 2007 LOSSAN Program EIR and eliminated for the reasons described above.



#### IV. The Project Description and Descriptions of Project Alternatives are Vague and Incomplete

The City remains concerned with SANDAG’s approach of advancing multiple concepts (in this case, four alternative alignment options plus a “no build” option) for analysis in the DEIR without a clearly defined “Project Description” and with insufficient detail of the alternatives, particularly the San Dieguito Bridge to I-5 Knoll alignment, for the public to determine the scope and level of environmental impacts.

CEQA requires a “proposed project” to be identified along with a “range of reasonable alternatives” to that proposed project. The EIR’s “bona fide subject” must be “[t]he defined project and not some different project.” (*Concerned Citizens of Costa Mesa v. 32nd Dist. Agric. Assn.* (1986) 42 Cal.3d 929, 938.) Further, inadequate or unstable descriptions of the Realignment

Project may mislead the public and thwart the EIR process. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656.)

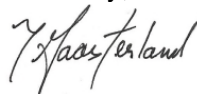
Without a clear identification of the proposed project, members of the public cannot comment meaningfully on the potential impacts. (*Save Our Capitol! v. Department of General Services* (2023) 87 Cal.App.5th 655, 676.) “A project description that gives conflicting signals to decision makers and the public about the nature of the project is fundamentally inadequate and misleading.” (*South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 332.) Here, the public is asked to conjure what a reasonable range of alternatives might be to each of the four proposed alignments, and to numerous options for portal locations. SANDAG staff’s recommendations to the Board of Directors identifies alternatives, but not the required proposed “bona fide” project. (CEQA Guidelines Sections 15378 and Section 15126.6).

## V. The Project and Each Alternative Should Be Fully Analyzed

The alternatives analysis is the “core of the EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553, 564.) “One of [an EIR’s] major functions . . . is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official.” (*Laurel Heights Improvement Ass’n. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400.) Accordingly, the Realignment Project and all alternatives should be reviewed in the DEIR at the same thorough level of analysis. Given the expansive scope and complexity of the Realignment Project, each alternative should be evaluated at the same level as the Project Description. Full analysis of each alternative is the only transparent method of insuring that the decision makers understand the full range of impacts of each alternative. The fundamental purpose of CEQA is to ensure informed decision-making. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515.) This includes socioeconomic impacts, condemnation impacts, and resource protection issues, which are required under NEPA. Because the EIR will be a combined EIR/EIS that must satisfy federal NEPA requirements, the level of detail of alternatives must be similar to the level of detail of the project itself. An EIS must “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” (40 C.F.R. section 1502.14, subdivision (b).)

We appreciate the opportunity to comment on SANDAG staff’s recommendations to the Board of Directors on the Realignment Project and anticipate working with SANDAG to address the many important and substantial concerns being raised by the public and various stakeholders.

Sincerely,



Terry Gaasterland  
Mayor

cc: Del Mar City Council  
Ashley Jones, Del Mar City Manager  
Mario Orso, SANDAG Chief Executive Officer

Maria Rodriguez Molina, SANDAG Director of Mega Projects, Border, and Goods Movement



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Council Members

FROM: Deputy Mayor Tracy Martinez and Councilmember John Spelich

DATE: June 16, 2025

SUBJECT: Potential Conflict of Interest Involving Mayor Gaasterland Related to the City's Short-Term Rental Regulations

## REQUESTED ACTIONS/RECOMMENDATION:

Refer this matter and all relevant documents in the City's possession to the Fair Political Practices Commission (FPPC), San Diego County District Attorney Political Integrity Unit, California Attorney General, and San Diego County Grand Jury for third-party review and action as appropriate.

## BACKGROUND:

The purpose of this item is to consider concerns and potential Council action about the Mayor's participation in the 2023-24 development of Del Mar's Short-Term Rental (STR) Ordinance. Then-Deputy Mayor Gaasterland (Mayor), along with former Mayor Dave Druker, were Council liaisons for the development of STR regulations and adoption of an STR Ordinance by the City Council on September 23, 2024 (Attachment A).

During deliberations on the STR Ordinance, Mayor Gaasterland made several failed attempts to achieve majority Council support to make amendments to the draft STR Ordinance that would benefit existing STR operators. The Mayor's requested changes involved removing the 10% limit on condominium complexes; removing the requirement for new STRs to be within a primary residence; and removing the self-certification of compliance with the life safety inspection requirement. The Mayor participated in the Council discussion and actions for introduction and adoption of the STR Ordinance during two public meetings in September 2024, which included voting in both meetings:

September 9, 2024, Item 8: <https://delmar.12milesout.com/video/meeting/e2991973-108a-49f6-8656-8c409f936a3b>

September 23, 2024, Item 6: <https://delmar.12milesout.com/video/meeting/db9749d0-4faf-4ac1-97db-ee20d90ce2fb>

An element of the approved STR Ordinance was the creation of a registry database to identify "Existing STRs" in the community that had operated during the ten-year period prior to the STR Ordinance adoption on September 23, 2024. An Existing STR as defined in Del Mar Municipal Code Section 30.96.020 of the STR Ordinance "*means a STR operating in the City prior to adoption of the City's STR Ordinance where the Owner timely registered the STR with the City as of the date stated in the Ordinance.*"

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City Council Action:

The deadline for existing STR operators to register was December 31, 2024. Registrants who provided sufficient documentation to establish that they were an Existing STR operator during the defined timeframe will be included on the City's STR registry and accommodated as Existing STRs. Existing STR owners are required to apply for a STR Permit within 60 days of the date of effective date of the Ordinance (i.e., once final certification is obtained by the Coastal Commission). Upon issuance of a STR Permit, those Existing STR operators will be accommodated, meaning they will be exempt from certain more restrictive requirements of the STR regulations until their property changes ownership, is no longer in operation, they fail to timely renew their STR permit, or the STR permit is revoked.

The STR Ordinance specifies a maximum of 129 STR permits citywide. However, permits for Existing STR owners will be accommodated above the citywide cap. If the number of STR Permits granted to Existing STR owners exceeds the Citywide cap of 129 STRs, new STR permit applicants will be added to the waitlist and processed in accordance with the order of the waitlist at the time the STR permit capacity drops below 129.

On December 31, 2024, Mayor Gaasterland submitted registries for two properties in Del Mar as Existing STRs (Attachment B). If confirmed as Existing STRs, both properties would be accommodated into the STR program under less restrictive regulations than those required for new STRs. In the submitted registries, the Mayor and/or her spouse stated they had operated each of the two units as short-term rentals at some point during the past 10 years prior to adoption of the STR ordinance as required by the Ordinance. As such, the Mayor should have publicly disclosed her STR rental activities and been recused from participating in the development and adoption of the City's STR Ordinance.

Mayor Gaasterland did not publicly disclose her ownership of one of the properties she registered as an existing STR (since January 15, 2022) on Sea Cliff Way on her required annual 700 Form filing until August 22, 2024 (Attachment C), just before an agendaized Council discussion on August 26, 2024, to determine the definition of an STR.

A timeline of events is included with this Agenda Report as background (Attachment D).

#### DISCUSSION/ANALYSIS:

As part of a commitment to public transparency and adherence to the ethical standards required of public officials, the sponsors of this report feel they have a responsibility to refer this matter to outside agencies such as the Fair Political Practices Commission (FPPC), District Attorney's Public Integrity Unit, State Attorney General or San Diego Grand Jury to determine whether the Mayor had a conflict, potential impacts to the City, and take action if deemed appropriate.

To be clear, this is not a recommendation for the City to investigate whether the Mayor had a conflict. Following whatever privileged/confidential advice the Mayor was given by the City Attorney's office, any determination of a conflict would be personal to the Mayor and within the jurisdiction of the FPPC, District Attorney and possibly other agencies. In this instance, the Mayor was advised about when, and under what facts, she should vote or refrain from voting. The decision about whether or not to participate was ultimately left to the Mayor.

It is settled law that wrongful actions by an individual Councilmember do not necessarily create liability for the City should someone sue. Whether or not the conflicted Councilmember

influenced the vote or the decision and whether the conflicted Councilmember's vote was essential to the outcome of the action are often determining factors. Aside from potential legal liability, conflicts of interest or the perception thereof can erode the public's trust and should not be ignored.

The goal of this agenda item is to be transparent to the public and ultimately determine if there is anything the City needs to do to protect the integrity of the adopted STR Ordinance, keep the Ordinance on track for Coastal Commission consideration, and understand potential conflicts for future participation in Council's acceptance of any suggested modifications to the STR Ordinance by the Coastal Commission.

This item's sponsors had hoped to discuss this matter in a publicly noticed Closed Session on June 2, 2025, following the open session Council meeting, to assess whether the City could face litigation over the STR Ordinance because of the Mayor's potential conflict of interest. The City Attorney was ready to provide background on the issue and legal guidance.

However, Councilmember Dan Quirk refused to attend. Mayor Gaasterland was also invited to attend the start of the meeting to hear the background and purpose of the session, but she declined based on conflict concerns. Therefore, there was no quorum to consider and potentially act on this matter in closed session.

As a result, the two sponsors of this item had no choice but to bring this matter to open session out of an abundance of caution surrounding the integrity of the process and maximum transparency. We ask for patience and understanding from the residents of Del Mar while this matter is handled as fairly and transparently as possible for the benefit of all the parties involved, including the Mayor.

FISCAL IMPACT:

There is no fiscal impact or action to be taken related to this agenda item.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

ATTACHMENTS:

- Attachment A – Adopted STR Ordinance
- Attachment B - STR Registries for Properties Owned by Mayor Gaasterland
- Attachment C – Gaasterland 700 Form Filings for 2023 Period (Original and Amended)
- Attachment D - Timeline of Events

## ORDINANCE NO. 1010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE DEL MAR MUNICIPAL CODE (TITLE 30 ZONING CODE) TO ESTABLISH A NEW CHAPTER 30.96 SHORT TERM RENTAL REGULATIONS; AND AMENDING THE CITY'S CERTIFIED LOCAL COASTAL PROGRAM ALL RELATING TO THE ESTABLISHMENT OF SHORT-TERM RENTAL REGULATIONS AND PERMIT REQUIREMENTS AND IMPLEMENTATION OF THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT PROGRAM 5C (PRESERVE THE CITY'S EXISTING HOUSING STOCK)

WHEREAS, the term short-term rental (STR) means the rental of a dwelling unit, or any portion thereof, for dwelling, lodging, or sleeping purposes, for a period of thirty (30) consecutive calendar days or less, unless otherwise exempted as a rental for a term of at least one month or longer; and

WHEREAS, the purpose of this Ordinance is to create a new Del Mar Municipal Code Chapter 30.96 to establish short term rental regulations that provide a permitting process and reasonable standards regulating the use and operation of STRs with the intent to preserve long term housing; and

WHEREAS, preparation of the STR Regulations Ordinance has been a multi-year process, which has involved studies and consideration of how the availability of dwelling units in the community for short-term visitor use can supplement the availability of visitor accommodations and support visitor-serving uses without sacrificing the City's need to maintain its long-term housing stock; and

WHEREAS, the State legislature declared that "Housing is a statewide concern", that California faces a housing crisis, and that local jurisdictions are mandated to comply with applicable State housing laws; and

WHEREAS, the City of Del Mar Community Plan is the General Plan for the City of Del Mar and has an overall goal to "preserve and enhance the special character of Del Mar," this includes maintaining the "village-like community of substantially single family residential character, a picturesque and rugged site, and a beautiful beach" as well as preserving and enhancing "Del Mar's special residential character and small town atmosphere with its harmonious blending of buildings and landscape in proximity to a beautiful shoreline"; and

WHEREAS, the City's certified Housing Element is one of many required components that is part of the Del Mar Community Plan consistent with State laws applicable to General Plans; and

WHEREAS, the certified Housing Element identifies programs and resources required for the preservation, improvement, and production of housing to meet the existing and projected needs of its population which requires the creation of additional affordable housing stock; and

WHEREAS, the proposed amendments to the Del Mar Municipal Code and Local Coastal Program (LCP) are required to implement the City's 6<sup>th</sup> Cycle Housing Element commitments identified in Program 5C (Preserve the City's Existing Housing Stock); and

WHEREAS, the City of Del Mar is located entirely within the "Coastal Zone" boundary and is therefore subject to compliance with the California Coastal Act, including the required submittal of all amendments to the City's certified LCP land use policies and zoning regulations for certification by the California Coastal Commission consistent with the Coastal Act; and

WHEREAS, City staff engaged in a multi-year public outreach process to encourage public participation for the formulation of guiding principles and objectives, draft regulations, and this Ordinance, which included articles posted on the City's website, multiple announcements made in the City's weekly updates, and multiple announcements made during public meetings including the Planning Commission and City Council meetings; and

WHEREAS, on September 5, 2023, the City Council provided direction to staff to establish a database of existing STRs in operation within the last ten (10) years to inform the City of a reasonable baseline to use for future City Council determinations of the number of existing STRs to be accommodated; and

WHEREAS, an online registry was established on the City of Del Mar website and beginning September 8, 2023, multiple newsflash articles were published and distributed in the City's weekly update and in all Agenda Reports to the City Council and Planning Commission relating to short term rentals from that date to the present to encourage existing STR owners seeking to continue their existing operations to add their properties to the database; and

WHEREAS, on January 22, 2024, the City Council provided policy direction to accommodate existing STRs under the new STR regulations where the existing STR owners timely register with the City and obtain a STR Permit to allow their existing STR operations to exist subject to compliance with the STR regulations, as applicable, until the property changes ownership, the STR Permit is not renewed, or the permit is revoked for non-compliance; and

WHEREAS, this STR Ordinance will accommodate existing STR owners operating in the City of Del Mar prior to adoption of the Ordinance where the owner timely registers the existing STR with the City by December 31, 2024;

WHEREAS, STR Permit applications for existing STRs must be submitted within sixty (60) days of the effective date of the Ordinance which will be the date the Coastal Commission grants final certification of the Ordinance; and

WHEREAS, the Notice of Availability and Notice of Planning Commission public hearing for the Amendments to the Community Plan, Zoning Ordinance, and LCP was posted in the Coast News on July 26, 2024, and individual mailed notices were sent to all interested parties who participated by submitting written correspondence, requested notification, and/or submitted speaker slips on the topic of short term rentals in the public

meetings of the Planning Commission and City Council held between January 2023 through September 2024; and

WHEREAS, on August 13, 2024, the Planning Commission recommended approval of the CEQA determination and recommended the City Council adopt the amendments and modify the definition of short-term rentals to define STRs as less than one month and define what that means; and

WHEREAS, on August 23, 2024, the notice of City Council public hearing was published in the San Diego Union Tribune and mailed notices were sent to all interested parties including those who participated through the Planning Commission hearing on August 13, 2024; and

WHEREAS, as part of Item 17 on the August 26, 2024, City Council meeting, the City Council reviewed options for definitions of short-term rental, long-term rental, and exemptions for monthly rentals, and the Council expressed a desire to exempt rentals for a month from the STR regulations and the requirement to collect and remit Transient Occupancy Tax (TOT); and

WHEREAS, on September 9, 2024, the City Council held a duly noticed public hearing for introduction of the Ordinance; and

WHEREAS, as introduced by the City Council on September 9, 2024, modifications were made to the Ordinance relating to the topics of the citywide cap (Section 30.96.050(B)), exemption of rentals for one month from the STR regulations (Section 30.96.025(A)(2)(a)), and STR operator self-certification of compliance with life safety requirements (30.96.040(E)(5) and deletion of 30.06.070(F)(3)), as shown in the findings under Section Two, below; and

WHEREAS, adoption of this Ordinance will amend the Del Mar Municipal Code Title 30 (Zoning) and certified Local Coastal Program to establish short term rental regulations in a new Del Mar Municipal Code Chapter 30.96 and implement the 6th Cycle Housing Element Program 5C commitment for preservation of existing stock which is consistent with the California Coastal Commission policy guidance to limit new short term rentals to primary residences.

NOW THEREFORE, the City Council of the City of Del Mar does hereby ordain as follows:

**SECTION ONE:** The above stated Recitals are true and correct and are incorporated by reference into this action.

**SECTION TWO:** That a new Chapter 30.96 be added to the Del Mar Municipal Code and the City's Local Coastal Program as follows:

**Chapter 30.96 – Short-Term Rentals**

**30.96.010 – Purpose**

The purpose of this Chapter is to provide a permitting process and reasonable standards regulating the use and operation of Short-Term Rentals (STRs) for visitor lodging involving timeframes of thirty (30) consecutive days or less, with the intent to maintain long-term housing stock in the City of Del Mar; honor the existing policies in the Del Mar Community Plan; maintain the residential character of neighborhoods in residential zones; honor the tradition of vacation rentals during the summer, holiday, and horse-racing seasons; ensure protection of the public health, safety, and general welfare; ensure the City's natural resources will be preserved and protected; ensure STRs will not overburden public improvements, facilities, and services; minimize adverse impacts to adjacent private properties and the surrounding neighborhood; establish distribution and concentration of STRs throughout the community; establish enforcement protocols; and ensure the regulation of STRs is, at a minimum, revenue-neutral to the City. For purposes of this Chapter, long-term rentals (including rentals for a fixed-term or periodic tenancy and rentals for a month), and home exchanges are exempt from compliance with the provisions of this Chapter.

### **30.96.020 – Definitions**

For purposes of Chapter 30.96, the following definitions shall apply:

*Accessory Dwelling Unit (ADU)* shall have the same meaning as in Section 30.04.010(C) of this Municipal Code.

*Bedroom* shall be defined as an enclosed space within a dwelling unit that is designed for or could be used for sleeping and has or is designed to have a door permitting complete closure and separation from the kitchen, living room, and hallway areas.

*Designated Local Contact Person* means the person designated by the Owner to be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within thirty (30) minutes to complaints regarding the condition, operation, and/or conduct of occupants and guests of the STR, and taking remedial action to resolve any such complaints.

*Existing Short-Term Rental (Existing STR)* means a STR operating in the City prior to adoption of the City's STR Ordinance where the Owner timely registered the STR with the City as of the date stated in the Ordinance. A STR shall cease to be protected as an Existing STR upon any of the following: the transfer of ownership of the STR property, the STR Permit is not maintained in good standing, including a STR Permit that is not timely renewed prior to the permit expiration date, or the STR Permit is revoked due to non-compliance with any provision of this Chapter. A change in title that is processed in accordance with Section 30.96.030(G) shall not be considered a transfer of ownership that would terminate rights to an Existing STR. Unless otherwise expressly stated herein, an Existing STR is subject to all applicable provisions of this Chapter.

*Home Exchange* means an agreement between parties for exclusive use of each other's homes for dwelling, lodging, or sleeping purposes, for a set period of time,

with no monetary exchange or other consideration exchanged between the parties.

*Long-Term Rental* means the rental of a dwelling unit, or any portion thereof, for dwelling, lodging, or sleeping purposes, subject to a rental agreement, for (i) a fixed-term (e.g., annual) or periodic tenancy (e.g., month-to-month), with a total rental period of more than thirty (30) consecutive calendar days; or (ii) a rental for a month as described in Section 30.96.025 of this Chapter.

*Owner* means the natural person(s) who is/are the owner(s) of record of the dwelling unit, at least one of whom occupies the dwelling unit at which the STR will operate as their Primary Residence, unless identified as an Existing STR by the City. All owner(s) of record of the dwelling unit are required to sign the STR Permit application and shall be held jointly and severally liable for any violation(s) of this Chapter. For purposes of this Chapter, "Owner" may also include:

(i) A personal trust or family trust whose beneficiaries consist solely of natural persons and the trustee(s) of such trust, so long as at least one beneficiary or trustee of the trust occupies the dwelling unit at which the STR will operate as their Primary Residence. If the dwelling unit is held in a personal or family trust, each trustee must sign the STR Permit application, and shall be held jointly and severally liable for any violation(s) of this Chapter; and

(ii) A limited liability company (LLC), limited partnership (LP), or limited liability partnership (LLP) owned by natural persons (not business entities), so long as at least one manager/member occupies the dwelling unit at which the STR will operate as their Primary Residence. Each manager/member of the LLC, LP, or LLP must sign the STR Permit application, and shall be held jointly and severally liable for any violation(s) of this Chapter.

Unless identified as an Existing STR by the City, the term "Owner" does not include a dwelling unit that is fully or partially owned as a timeshare, a business trust, corporation, general partnership, or any other business entity other than a LLC, LP, or LLP.

*Primary Residence* means a dwelling unit owned and occupied as the Owner's principal place of residence, where the Owner lives more than six (6) months per year. For purposes of this Chapter, an Owner can only have one Primary Residence at any given time.

*Short-Term Rental (STR)* means, unless otherwise exempt under Section 30.96.025 of this Chapter, the rental of a dwelling unit, or any portion thereof, for dwelling, lodging, or sleeping purposes, for a period of thirty (30) consecutive calendar days or less. For purposes of this Chapter, Home Exchanges and Long-Term Rentals (each defined by this Chapter) are not considered STRs, and are expressly exempt from the requirements of this Chapter under Section 30.96.025.

### 30.96.025 – Exemptions

- A. The following uses are exempt from the provisions of this Chapter:
1. Home Exchanges, as that term is defined in Section 30.96.020; and
  2. Long-Term Rentals, as that term is defined in Section 30.96.020, to include (i) rentals for a fixed-term (e.g., annual) or periodic tenancy (e.g., month-to-month) totaling more than thirty (30) consecutive calendar days; and (ii) rentals for a month, as described below.

For purposes of this Section, a “rental for a month” must meet all of the following requirements to be considered exempt from the provisions of this Chapter:

- a. The rental of the dwelling unit, or portion thereof, is rented for a month. This includes a rental period that starts at the beginning of a calendar month and goes through the end of the same calendar month, or a rental period that starts on a certain day within the calendar month and goes through the prior day of the subsequent calendar month;
- b. The rental of the dwelling unit, or portion thereof, is reserved to the same renter for the entire rental period of a month; and
- c. Should the renter leave the dwelling unit, or the rented portion thereof, prior to the expiration of the monthly rental period, then the dwelling unit, or the rented portion thereof, shall not be re-rented for a new rental period prior to the expiration of the monthly rental period. If the dwelling unit, or the rented portion thereof, is re-rented prior to the expiration of the monthly rental period, then the rental of the dwelling unit, or the rented portion thereof, is no longer exempt from the provisions of this Chapter and becomes subject to compliance with the requirements of this Chapter.

An Owner may choose to rent their dwelling unit, or portion thereof, both as a STR subject to compliance with this Chapter, and as a Long-Term Rental exempt from the provisions of this Chapter, so long as the Owner applies for and obtains a valid and current STR Permit issued by the City in accordance with the terms of this Chapter. During those rental periods in which the dwelling unit, or portion thereof, is rented as a STR and is not considered exempt under this Section, the Owner shall be subject to all requirements of this Chapter, including the requirement to collect and remit Transient Occupancy Tax to the City.

- B. In addition to an exemption from the provisions of this Chapter, the above uses under (A)(1) and (A)(2) of this Section are further exempt from the requirement to collect and remit Transient Occupancy Tax to the City in accordance with Chapter 3.12 of this Municipal Code.

### **30.96.030 – When a Short-Term Rental Permit is Required**

- A. Any person or entity operating a STR in the City of Del Mar must have a valid STR Permit issued by the City pursuant to Section 30.96.050 of this Chapter. Notwithstanding Section 30.96.060(A) and (B), the following properties have existing entitlements for visitor accommodations that are subject to the requirement to collect and remit Transient Occupancy Tax under Chapter 3.12 of this Municipal Code, but are not subject to the requirement to obtain a STR Permit pursuant to this Chapter:
1. Hotels in the Visitor Commercial Zone including the Best Western Premier (720 Camino del Mar), Del Mar Beach Hotel (1702 Coast Boulevard), Hotel Indigo (710 Camino del Mar), Hotel L’Auberge (1540 Camino del Mar), Les Artistes (944 Camino del Mar), and Secret Garden Inn (1140 Camino del Mar);
  2. L’Auberge Vacation Villas (1570 Camino del Mar) in the Hotel Specific Plan Zone; and
  3. Wavecrest Resort Timeshares (1400 Ocean Avenue) in the R2 Zone.
- B. A STR Permit will only be issued to the Owner of the dwelling unit.
- C. No person shall rent, offer to rent, or advertise a STR without a valid STR Permit.
- D. A STR Permit shall be valid for a period of two (2) years from the date of issuance, and must be timely renewed prior to the STR Permit expiration date every two (2) years thereafter to maintain a valid STR Permit for STR operations.
- E. The subletting of a STR is prohibited. Only an Owner with a valid STR Permit issued by the City is permitted to rent out a dwelling unit or portion thereof as a STR.
- F. A STR Permit shall not be transferred, sold or assigned to any other person or entity. Upon transfer of ownership of a dwelling unit at which an STR operates, the STR Permit shall automatically terminate and no STR may be operated at the dwelling unit until a new STR Permit is issued by the City.
- G. A new STR Permit is not required for changes in title to the dwelling unit resulting from inheritance or where an original Owner under the STR Permit remains an Owner under the new title. In such an event, notice of the change of title shall be provided to the City within thirty (30) days of such transfer.

### **30.96.040 – Application Requirements**

An application for a STR Permit, or renewal thereof, shall be filed on a form provided by the City, shall be signed by the applicant(s) under penalty of perjury, and must include all of the following information, which shall be updated when there is any change to ensure that the City has current information on file at all times relating to the STR:

- A. Legal name, address, telephone number, and email address of each Owner and the address and Assessor's Parcel Number (APN) of the STR.
  - 1. Each Owner of the dwelling unit is required to sign the STR Permit application and acknowledge that (i) all information contained in the STR Permit application is true and correct; (ii) each Owner and the Designated Local Contact Person have reviewed, understand and are familiar with the requirements of this Chapter; (iii) each Owner and the Designated Local Contact Person are responsible for ensuring compliance with this Chapter; (iv) failure to comply with this Chapter and all applicable provisions of the Del Mar Municipal Code may result in suspension and/or revocation of a STR Permit; and (v) each Owner may be held jointly and severally liable for any violation(s) of this Chapter.
  - 2. If the dwelling unit is held in a personal or family trust, the trustee(s) must sign the STR Permit application and must acknowledge the information is true and correct in accordance with Section 30.96.040(A)(1).
  - 3. If the dwelling unit Owner is a LLC, LP, LLP, or other form of business entity operating as an Existing STR, each manager/member of the entity must sign the STR Permit application and must acknowledge the information is true and correct in accordance with Section 30.96.040(A)(1).
  - 4. Each Owner of a STR, or multiple Existing STRs, operating in the City shall disclose the name(s) and contact information for each person holding the legal, equitable, and/or beneficial interest of each of their respective STR ownership properties, as applicable.
  - 5. Except for Existing STRs, documentation that the STR will operate as a Primary Residence shall be demonstrated by providing proof of the Owner's STR address as follows:
    - a. Proof of address on at least two (2) of the following documents:
      - i. Federal and State tax returns
      - ii. Bank account
      - iii. Vehicle registration
      - iv. Driver's license
      - v. Voter registration
      - vi. Employment records
      - vii. Homeowner's tax exemption
    - b. If the Owner is a LLC, LP, LLP, or other form of business entity operating as an Existing STR, the Owner shall demonstrate proof of

address by providing a current Certificate of Status, or similar documentation demonstrating the business entity is active and in good standing with the state of formation.

6. Written consent from the homeowners' association (HOA), if applicable, or acknowledgement that there are no CC&Rs, private covenants, deed restrictions, or any other governing documents that prohibit or limit STR use of the dwelling unit.
- B. Commencing from the effective date of this Ordinance, the Owner of an Existing STR, which meets the definition of an Existing STR as defined in Section 30.96.020 of this Chapter, will be eligible to apply for a STR Permit. The Owner of an Existing STR must submit and have all STR Permit application requirements to the City within sixty (60) days following the effective date of this Chapter to be considered an Existing STR.
  - C. Legal name, address, telephone number, and email address of the Designated Local Contact Person, if different from the Owner, and written consent from the Designated Local Contact Person to act as the responsible person designated by the Owner to be available twenty-four (24) hours a day, seven (7) days a week, for the purpose of responding within thirty (30) minutes to complaints regarding the condition, operation, and/or conduct of occupants and guests of the STR and taking remedial action to resolve any such complaints.
  - D. Owner shall provide a Deed or Title Report for the STR property to confirm ownership interest in the property.
  - E. STR Rental Agreement and Site-Specific Details.
    1. Owner shall provide a copy of their standard STR rental agreement, which shall, at a minimum, include the following information: STR Permit number, STR address and information regarding the maximum STR occupancy, parking capacity, noise restrictions, trash, organics, and recycling disposal requirements, and rules and regulations that will be distributed to STR occupants and acknowledgment of receipt and review of the City's Good Neighbor Policy.
    2. Site plan and/or photos showing the number and location of designated off-street parking spaces for the exclusive use of the STR.
    3. Floor plan(s) showing the layout of the dwelling unit, including all bedrooms and bathrooms; and the location of fire extinguishers, smoke alarms, and carbon monoxide alarms.
    4. Acknowledgement that the STR Permit does not authorize STR lodging in non-dwelling units such as garages or vehicles (e.g., recreational vehicles, motor homes, travel trailers, truck campers, tent trailers), treehouses, tents and other temporary shelters.

5. Prior to the issuance or renewal of a STR Permit, Owner shall complete and submit, a self-certification inspection form on a form provided by the City and signed by Owner under penalty of perjury, acknowledging that the STR and property comply with all applicable laws, rules and regulations of the STR relating to life safety, including the provisions of this Chapter.
- F. Evidence of property liability insurance in the amount of at least One Million Dollars (\$1,000,000), combined single limit, which insurance shall be maintained during the entire term of any STR Permit issued by the City. Evidence of insurance renewal must be provided to the City before expiration of the policy.
- G. Each Owner shall jointly and severally agree to indemnify, hold harmless, and defend the City and its officials, employees and agents from any and all liability, actions, claims, damages, costs, and expenses of any kind whatsoever, including reasonable attorneys' fees and costs, which may be asserted by any person or entity arising from or relating to the issuance of a STR Permit or operation of a STR.
- H. Any other information as the City Manager, or designee, deems reasonably necessary to administer this Chapter.
- I. Payment of STR Permit application fee or renewal fee, as applicable, for initial application or STR Permit renewal in accordance with the fee schedule established by the City Council, which may be amended from time-to-time.

### **30.96.050 – Permit Issuance**

- A. STR Permits shall be issued on a first-come, first-served basis, except that an Existing STR Owner, which applies for a STR Permit in accordance with Section 30.96.040(B), shall be granted priority to obtain a STR Permit.
  1. Notwithstanding the permit issuance and locational requirements applicable to new STRs under Chapter 30.96, Existing STRs shall be accommodated as allowable uses in accordance with a valid STR Permit unless a termination of existing rights occurs upon any of the following: the transfer of ownership of the STR property, the STR Permit is not maintained in good standing, including a STR Permit that is not timely renewed prior to the date of STR Permit expiration, or the STR Permit is revoked due to non-compliance with any provision(s) of this Chapter. A change in title that is processed in accordance with Section 30.96.030(G) shall not be considered a transfer of ownership that would terminate rights to an Existing STR.
  2. Notwithstanding Sections 30.96.060(A)(3)(a), (A)(4) and (A)(5) of this Chapter, Existing STRs shall be accommodated as allowable uses with a valid STR Permit, regardless of whether the existing operations are non-conforming with respect to operation of more than one STR (on the same lot or separate lots), and/or whether the operations are not within a Primary Residence.

- B. The maximum number of STR Permits issued by the City shall be limited to 129 STRs, which is equivalent to five percent (5%) of the total number of dwelling units located in the City based on the 2020 United States Census data. Any future increase in capacity for new STRs shall be subject to processing an amendment by Ordinance subject to approval by the City Council and the California Coastal Commission.
1. STR Permits for new STRs shall be restricted to one (1) per Owner and Existing STRs shall be restricted in accordance with Section 30.96.050(B)(3). Once the maximum allowable number of STR Permits has been issued by the City (including Existing STRs and new STRs), the Owner of any applications submitted that would exceed the cap identified in this Section shall be placed on a waitlist that will be established based on the order the applications are filed and applications will be processed in the order in which the applications are received.
  2. Once a STR Permit becomes available for issuance, application submittals will be accepted by the City in the order appearing on the City's STR Permit waitlist. Person(s) listed on the City's STR Permit waitlist, who are contacted by the City to submit a STR Permit application, will have thirty (30) days from the date of notification by the City to submit a STR Permit application for consideration. If the person(s) contacted by the City do not submit a STR Permit application to the City within the required thirty (30) day period, that person(s) will be removed from the waitlist and the City will move on to notifying the next person appearing on the City's STR Permit waitlist.
  3. The Owner of an Existing STR may request a separate STR Permit for each Existing STR in operation by the Owner and registered with the City as of December 31, 2024 as stated in the STR Ordinance. If the number of Existing STRs exceeds the cap identified by this Section, then no additional STR Permits shall be issued by the City for new STRs until available capacity is reached within the cap through attrition (including, but not limited to, when existing rights are terminated for Existing STRs in accordance with Section 30.96.050(A)(1)).
- C. New STR Owners may not include a dwelling unit fully or partially owned as a timeshare, a business trust, corporation, limited partnership, general partnership, or other business entity other than a LLC, LP, or LLP.
- D. A STR Permit shall be issued by the City if the applicant meets the conditions and requirements of this Chapter 30.96.
- E. A STR Permit shall not be issued by the City if:
1. The maximum number of STR Permits issued by the City already meets or exceeds the Citywide cap on STRs or exceeds the maximum number of permits allowed per Owner as established by Section 30.96.050(B).

2. The STR is a new STR, which is proposed in a prohibited location as set forth in Section 30.96.060 of this Chapter, or in a location that would exceed the neighborhood cap on STRs established by Section 30.96.060(A)(5).
  3. The Owner has a pending enforcement action by the City for any violation of the Del Mar Municipal Code relating to the operation of a STR, unless the approval is required to resolve the enforcement action.
- F. Following the issuance of a STR Permit, the City will provide written, mailed notice of the STR Permit approval to all property owners located within 300 feet of the STR. Such notice shall include the address of the STR, number of bedrooms available for rent, number of available on-site parking spaces, and contact information for the STR's Designated Local Contact Person.
- G. STR Permits may be suspended, revoked, or not renewed by the City in accordance with Section 30.96.080 of this Chapter.

### **30.96.060 – STR Locational Requirements**

#### **A. Residential Zones.**

1. STRs may be permitted in the following residential zones:
  - a. Single dwelling unit zones  
  
Very low Density Residential (R1-40)  
Modified Low Density Residential (R1-14)  
Low Density Residential (R1-10)  
Low Density Residential-Beach (R1-10B)  
Medium Density Single Family Residential (R1-5)  
Medium Density Single Family Residential-Beach (R1-5B)  
Carmel Valley Precise Plan (CVPP)
  - b. Multiple dwelling unit zones  
  
Medium Density Single-Mixed Residential-East (RM-East)  
Medium Density Mixed Residential-West (RM-West)  
Medium Density Mixed Residential-Central (RM-Central)  
Medium Density Mixed Residential-South (RM-South)  
High Density Mixed Residential (R2)
2. New STRs that are not within a Primary Residence shall be prohibited.
3. STRs are a prohibited use within:
  - a. Multi-dwelling unit rental apartment development located in residential zones.

- b. Any dwelling units that are subject to deed restrictions or affordable housing covenants that limit rental of the unit to housing for specific income-restricted households.
  - c. An Accessory Dwelling Unit located in residential zones.
  - d. Non-dwelling units including, but not limited to, garages or vehicles or temporary shelters such as tents.
4. Except for Existing STRs with a valid STR Permit, the maximum number of STRs per lot shall be restricted to:
- a. Maximum of one (1) STR per lot developed with one dwelling unit, including lots developed with one primary dwelling unit and ADU development.
  - b. Maximum of one (1) STR per Owner on a lot that is developed with two dwelling units, including lots developed with two primary dwelling units and ADU development.
  - c. Maximum of ten percent (10%) of the total primary dwelling units on a lot developed with multi-unit condominium development (three or more units). Lots with condominium development must provide documentation of written consent to operate a STR by the homeowner's association (HOA).
5. The total number of STRs permitted shall be further limited as follows to minimize the potential for overconcentration:
- a. A maximum of sixty percent (60%) of the total number of STRs may be located in the North Beach neighborhood, which includes the R1-5B, R1-10B, RM-East and RM-West zones.
  - b. A maximum of twenty-five percent (25%) of the total number of STRs may be located in the South Bluff neighborhood, which includes the R1-40, R2, RM-South, and RC zones.
  - c. A maximum of fifteen (15%) of the total number of STRs may be located in the Hills neighborhood, which includes the R1-5, R1-10, R1-14, R1-40, and RM-Central zones and the northerly R2 zone located north of 15th Street.

**B. Commercial Zones.**

1. STRs may be permitted within the following commercial zones:

Residential-Commercial (RC)  
Central Commercial (CC)  
North Commercial (NC)

Professional Commercial (PC)  
Visitor Commercial (VC)  
941 Camino del Mar Specific Plan (941SP)

2. STRs in commercial zones are subject to the requirements in Section 30.96.060(A)(2), (A)(4) and (A)(5) of this Chapter.
3. STR use is permitted in an Accessory Dwelling Unit (ADU) subject to the regulations in Chapter 30.91 of this Municipal Code, only where the ADU is used as a Primary Residence.
4. STRs are a prohibited use within:
  - a. The Beach Commercial (BC), Public Facilities (PF), Public Parkland (PP), Railroad Right-of-Way (RR), and Floodway zones.
  - b. Any dwelling units that are subject to deed restrictions or affordable housing covenants that limit rental of the unit to housing for specific income-restricted households.
  - c. Non-dwelling units including, but not limited to, garages or vehicles (e.g., recreational vehicles, motor homes, travel trailers, truck campers, tent trailers), treehouses, or temporary shelters such as tents.

### **30.96.070 – Operating Requirements**

STRs shall comply with all of the following operating requirements:

- A. Owner shall ensure that STR occupants and guests comply with all federal, state, and local laws, rules, and regulations including local regulations specific to noise, trash disposal, parking, coastal resources, and disclosure, inclusive of the following:
  1. Noise Control.
    - a. It shall be unlawful and shall constitute a public nuisance for any Owner of a STR to cause, allow or permit the emission or transmission of any loud noise from any sound-making equipment or sound-amplifying device to occur or be maintained at a STR, which may include, but is not limited to, the following: yelling, screaming, shouting, or other disturbing noises which unreasonably interfere with the peace and quiet of the nearby residents or members of the public. Owner shall ensure that STR occupants and guests comply with the noise provisions set forth in Del Mar Municipal Code Chapter 9.20 (Noise Regulations). DMMC Section 9.20.090 specifies that any noise that is plainly audible at a distance of fifty (50) feet between the hours of 10:00 p.m. and 8:00 a.m. is considered a prima facie violation.

- b. STRs are for overnight lodging. Hosting of weddings, receptions, corporate events, commercial functions, bachelor or bachelorette parties, and any other similar events or gatherings that have the potential to cause a public nuisance are strictly prohibited.
    - c. Guest hours at STRs shall be limited from 8:00 a.m. to 10:00 p.m. daily.
2. **Trash Disposal.** Trash, organic waste and recycling shall not be left or stored within public view, except in the appropriate container at a location that is designated for collection from 4:00 p.m. on the day prior to trash pick-up until up to 12:00 p.m. on the day following the day designated for pick-up. All trash and recycling shall be in approved receptacles pursuant to Del Mar Municipal Code Chapter 11.20 (Management of Solid Waste).
3. **Parking.** Owner shall limit the number of vehicles at the STR to the number designated in the STR Permit, which shall be determined by the City at the time of permit issuance based on the number of available on-site parking spaces. All garage, driveway, and designated on-site parking spaces shall be made available for the vehicles of STR occupants and guests. Vehicles shall not impede access to sidewalks and neighboring properties or driveways.
4. **Coastal Resource Protection.** The coastal resource protections in the California Coastal Act Chapter 3, Article 6, Section 30240 (Cal. Pub. Res. Code Section 30240) and the City's certified Local Coastal Program are not to be superseded or lessened in any way through implementation of the Chapter 30.96 STR regulations. The Owner shall disclose if the property contains environmentally sensitive habitat areas, and shall identify STR operational requirements to avoid potential impacts to coastal resources.
5. **Disclosure of Site-Specific STR Requirements and Contact Information.**
  - a. The primary STR occupant listed on the STR rental application and present at the STR during the STR rental period must be at least twenty-five (25) years of age, provide the Owner with a telephone number, and shall be accessible to the Owner or Local Designated Contact Person by telephone at all times during the STR rental period.
  - b. **Interior Display of STR Permit.** Owner shall affix the valid STR Permit provided by the City, which shall include reference to the City's Good Neighbor Policy and Transient Occupancy Tax rate, for interior display on the inside of the main entry door of the STR.
  - c. **Exterior Display of STR Notice.** Owner shall affix a sign on the exterior of the STR during operation, at a minimum size of 8.5 inches

by 11 inches, identifying the STR Permit number, name and contact information for the Designated Local Contact Person, the maximum number of occupants and guests permitted at the STR, and the maximum number of vehicles allowed at the property. The notice shall be located on-site in plain view of the general public and/or common areas and shall be maintained in good condition.

- d. Signs advertising availability of the STR for rent are not permitted on the property.
- B. **Minimum Night Stay.** STRs shall have a minimum night stay of three (3) consecutive calendar nights.
  - C. **Overnight Occupancy.** Owner shall limit overnight STR occupancy to a specific number of occupants, not to exceed two (2) persons per Bedroom plus two (2) additional persons per dwelling unit. All other applicable occupancy laws shall apply.
  - D. **Avoidance of Public Nuisance.** Owner shall ensure that the STR occupants and/or guests do not create a public nuisance. Owner shall ensure that any unreasonable noise disturbances, unruly gatherings, disorderly conduct, or other violations are timely abated.
  - E. **Prompt Response to Complaints.** Owner and/or the Designated Local Contact Person must be available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints. Complaints received from the City, the Sheriff's Department, or a resident must be addressed within thirty (30) minutes of receipt of the complaint. It is not intended that an Owner or Designated Local Contact Person act as a peace officer or place themselves in an at-risk situation. In follow up, Owner shall provide documentation to the City on what steps were taken to mitigate the issue. Failure to timely respond to complaints is grounds for enforcement as set forth in Section 39.96.080 of this Chapter.
  - F. **Safety Compliance.**
    1. The STR property must meet basic life safety requirements, including but not limited to, maintaining operable smoke alarms and carbon monoxide alarms, fire extinguishers, and first aid kits.
    2. All Bedrooms within a STR shall meet all applicable California Building Code life safety requirements.
  - G. **Advertisements.** All STR advertisements, including those posted on or by web- or application-based hosting platform or third-party booking vendor websites, must include the STR Permit number provided by the City.

- H. Record Keeping, Audit. STR Owner shall maintain records related to use and occupancy of the STR for the purpose of inspection and/or audit to demonstrate compliance with Chapter 30.96.
- I. Payment of Transient Occupancy Tax. Unless otherwise exempt under Section 30.96.025 of this Chapter, Owner shall comply with all provisions of Del Mar Municipal Code Chapter 3.12 concerning the collection and remittance of Transient Occupancy Tax (TOT) for STR rentals. The TOT calculation shall include cleaning fees, resort fees, and all other fees collected as part of the total rent charged for the STR. If the STR Owner uses a web- or application-based hosting platform or third-party booking vendor, the hosting platform or booking vendor shall be considered an agent of the STR Owner for purposes of collecting and remitting the TOT to the City.

**30.96.080 – Enforcement**

- A. It shall be unlawful for any person to fail to comply with any of the requirements of this Chapter or with any standards/conditions of a STR Permit, or to operate a STR within the jurisdiction of the City contrary to or in violation of any of the provisions of this Chapter, any applicable provisions of this Municipal Code, or any other applicable laws, rules, and regulations.
- B. Any person who violates any provision of this Chapter shall be subject to the fine amounts set forth in Government Code Section 36900(d), as that Section may be amended from time to time.
- C. Violations of this Chapter may be enforced by any method allowed in Del Mar Municipal Code Title 1 (General Provisions), Title 30 (Zoning Regulations), or any other applicable enforcement mechanism available to the City.
- D. Suspension or Revocation of STR Permit. In addition to any other remedy provided by this Chapter, a STR Permit may be suspended or revoked by the City Manager, or designee pursuant to this Section.
  - 1. The decision shall be based on at least one of the following grounds:
    - a. A material misrepresentation, false or misleading information was included on the application or renewal application for a STR Permit.
    - b. A violation of any applicable provision of the Del Mar Municipal Code or other applicable law relating to the operation of the STR.
    - c. An authorized official has given notification of existing health or safety violations on the STR property, or non-compliance with applicable laws, rules or regulations relating to fire, building, health or safety on the STR property.
    - d. An applicant or STR Permit holder is delinquent in the payment of any outstanding fees, assessments or taxes owed to the City related

to any property located in the City that is owned by the applicant, including, but not limited to, Transient Occupancy Taxes (TOT).

2. If a STR Permit is revoked, the Owner shall not operate a STR at the property for a period of twelve (12) months from the date of such revocation; and no STR Permit that is revoked may be transferred to any other person or entity to operate a STR at the property during such period of revocation.
3. The appeal procedures for the denial, suspension or revocation of a STR Permit are as follows:
  - a. A STR Permit applicant or STR Permit holder may request an administrative hearing to appeal the denial, suspension or revocation of a STR Permit by the City. The request for a hearing shall be submitted to the City Clerk within fifteen (15) days from the date the denial, suspension or revocation of the STR Permit is provided in writing.
  - b. The City Manager shall designate a fair and impartial administrative hearing officer to determine whether to uphold the City's decision to deny, suspend or revoke the STR Permit. Compensation for the hearing officer, if any, shall be paid by the City.
  - c. An administrative hearing shall be set for a date that is not sooner than thirty (30) days and not more than sixty (60) days from the date the request for the hearing is filed with the City, unless extended in writing by the City and the appellant. The appellant shall be notified of the time and place set for the hearing at least fifteen (15) days prior to the date of the hearing, unless the hearing date has been expedited.
  - d. The City and the appellant shall each submit all documents relating to the denial, suspension or revocation of the STR Permit that the respective party intends to discuss during the administrative hearing to the hearing officer and the other party at least seven (7) days in advance of the hearing date.
  - e. At the administrative hearing, the hearing officer shall only consider evidence that is relevant to determine whether the denial, suspension or revocation of a STR Permit is warranted. Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify, if the hearing officer determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the hearing officer in accordance with the fundamentals of due process. The hearing officer may limit the total length of the hearing to one (1) hour, at the hearing officer's

discretion, and shall allow the appellant at least as much time to present its case as is allowed the City.

- f. The appellant shall be given the opportunity to testify and present witnesses and evidence concerning the denial, suspension or revocation of the STR Permit. The appellant may be represented by counsel. The City's case shall be presented by a Code Enforcement Officer or by any other authorized agent of the City.
- g. The hearing officer may continue the hearing and request additional information from the City or the appellant prior to issuing a written decision.
- h. After considering all testimony and evidence submitted at the hearing, the hearing officer may announce a decision orally, but in any event, shall prepare a written decision. The decision shall be provided to the parties within ten (10) days of the hearing and shall either uphold the denial, suspension or revocation of the STR Permit or withdrawal the denial, suspension or revocation of the STR Permit. The decision shall briefly state the reason for the conclusion of the hearing officer. The City shall serve the decision on the appellant. The decision of the hearing officer shall be final and shall not be subject to further appeal to the City.
- i. The failure of the appellant to appear at the administrative hearing shall result in the hearing officer issuing a final decision to uphold the City's denial, suspension or revocation of the STR Permit and the appellant's exhaustion of administrative remedies.

**SECTION THREE:**

This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) because CEQA only applies to projects with the potential for causing a significant effect on the environment. There is no change in baseline environmental conditions or potential to cause a significant effect on the environment. On April 17, 2024, the City's CEQA consultant, Interwest Group, completed an Initial Study evaluation, which concluded that no environmental factors would be potentially affected by the STR Regulations contemplated by the City Council. The subsequent revisions to the regulations also would not result in a change in baseline environmental conditions or potential to cause a significant effect on the environment. A Notice of Exemption will be prepared identifying that the activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

**SECTION FOUR:**

This Ordinance establishes STR Regulations that will accommodate Existing STR owners operating in the City of Del Mar prior to adoption of the Ordinance where the STR owner timely registers the existing STR with the City by December 31, 2024, and submits a STR Permit application within sixty (60) days of the effective date of the Ordinance which will be the date the California Coastal Commission grants final certification of the Ordinance.

Applications for all STRs will be accepted following the date this Ordinance takes effect. Permits for Existing STRs will be processed prior to applications for new STR Permits.

Prior to finalizing the Existing STR registry, the City will verify that the owner has provided proof of at least one of the approved documents listed on the City's voluntary registry webpage. This document should be provided to the City (and verified by the City) prior to the December 31, 2024 deadline.

The list of acceptable documents includes provision of at least ONE supporting document to demonstrate that the STR was in operation within the past ten years. Just one of the options below will suffice for supporting documentation:

1. Fully executed rental agreement that identifies the STR address; or
2. A City of Del Mar business license indicating the short-term rental business at the subject property; or
3. A federal or state income tax return specifying a STR business operation at the subject property. Please be sure to redact all sensitive personal information such as social security number; or
4. Printed or online advertising, or contracts, indicating actively advertised STR operations at the subject property; or
5. Other evidence of STR operations at the subject property within the past ten years may be submitted for consideration.

**SECTION FIVE:**

This Ordinance was introduced by the City Council on September 9, 2024.

**SECTION SIX:**

The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

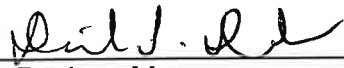
**SECTION SEVEN:**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

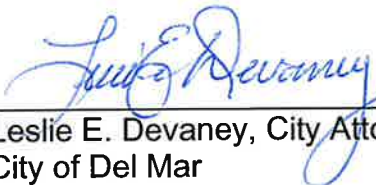
**SECTION EIGHT:**

Upon adoption, the Ordinance will be submitted to the California Coastal Commission for certification as a Local Coastal Program Amendment. The Ordinance will take effect and be in force on the date that the California Coastal Commission takes action to unconditionally certify the Local Coastal Program Amendment.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Del Mar, California, held on the 23rd day of September 2024.

  
\_\_\_\_\_  
Dave Druker, Mayor  
City of Del Mar


APPROVED AS TO FORM:

  
\_\_\_\_\_  
Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No.1010, which has been published pursuant to law, and adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 23rd day of September, 2024, by the following vote:

AYES: Mayor Druker, Councilmembers Martinez, Quirk, and Worden  
NOES: Deputy Mayor Gaasterland  
RECUSE: None  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

**Print**

**Short-Term Rental Registry - Submission #506**

**Date Submitted: 12/31/2024**

**Instructions**

To facilitate policy discussions about potential allowances for Short Term Rentals (STRs) in a future regulatory framework, the City is establishing a database of properties that have operated as an STR within the last ten years. Owners of a STR should register the property by submitting the information requested below. This information is being collected solely to identify the number of STRs operating for the purpose of future policy discussions. The database will not be utilized for code enforcement purposes.

**To receive a copy of the form you submitted, check the box "receive an email copy of this form" and enter your email address before submitting.** For additional information related to the regulation of short term rentals in the City of Del Mar, please visit the City's web page: <https://www.delmar.ca.us/str> or contact staff at [Planning@delmar.ca.us](mailto:Planning@delmar.ca.us)

**Assessor Parcel Number (APN)**

3003215905

This can be found on your property tax bill or grant deed. Enter the 10-digit number without hyphens or spaces.

**First Name\***

[Redacted]

**Last Name\***

[Redacted]

**Email Address\***

[Redacted]

**STR Street Address in Del Mar\***

131 Sea Cliff Way, Del Mar, CA 92014

**Owner Mailing Address\***

[Redacted]

**City\***

**State\***

**Zip\***

**Beginning date of STR**

**Is the STR the entire residence, or a portion of the residence?**

- Entire Residence
- Portion of Residence

**Size of STR (square feet)**

**Number of Bedrooms**

**Additional Details (500 character max)**

Previous registration had the wrong parcel number. Should be 300-321-59-05. The parcel address is currently 131 Sea Cliff Way, Del Mar, CA 92014. Previously (and on some documents) it was 526 Stratford Ct, Unit E, Del Mar, CA 92014.

This is a semi-detached house that is part of an HOA whose CC&R's allow 30 day rentals, which are included in the definition of STR in Del Mar.

Attached here is an executed rental agreement with the renter's name redacted for privacy.

**Upload Documentation\***

UnitE - Short Term Rental Agreement 2022.pdf

Please provide at least ONE supporting document to demonstrate that the STR was in operation within the past ten years. Just one of the options below will suffice for supporting documentation:

1. Fully executed rental agreement that identifies the STR address; or
2. A City of Del Mar business license indicating the short-term rental business at the subject property; or
3. A federal or state income tax return specifying a STR business operation at the subject property. Please be sure to redact all sensitive personal information such as social security number; or
4. Printed or online advertising, or contracts, indicating actively advertised STR operations at the subject property; or
5. Other evidence of STR operations at the subject property within the past ten years may be submitted for consideration.

# RENTAL AGREEMENT AND/OR LEASE

Landlord/OWNER/Agent: [REDACTED]	
Tenant(s)/RESIDENT: REDACTED	Tenant(s)/RESIDENT: _____
Tenant(s)/RESIDENT: _____	Tenant(s)/RESIDENT: _____
Unit Number: <u>E</u>	
Unit Address: <u>131 Sea Cliff Way</u>	
City: <u>Del Mar</u> , State <u>CA</u> , Zip <u>92014</u>	
Monthly Rental Rate: <u>\$3500</u>	This agreement shall commence on <u>January 30, 2022</u> , and continue: (check one below)
Rental Due Date: <u>January 31, 2022</u>	A. <input type="checkbox"/> Month-to-Month Agreement
Security Deposit: <u>\$500</u>	B. <input checked="" type="checkbox"/> Until <u>February 28, 2022</u> at which time thereafter shall become a month-to-month tenancy upon written approval of the landlord. If Tenant should move from premises prior to the expiration date, they shall be liable for all the rent due until expiration of said time period OR until the premises is re-rented, whichever comes first.
Late Charge: <u>\$500</u>	
Parking Space: <u>east side, end of driveway</u>	
Parking Space: _____	
Storage Space: <u>access to garage for limited storage</u>	

1. This Rental Agreement and/or Lease shall evidence the complete terms and conditions under which the parties whose signatures appear below have agreed. Landlord/OWNER/Agent shall be referred to as "OWNER" and Tenant(s)/Lessee(s) shall be referred to as "RESIDENT." As consideration for this agreement, OWNER agrees to rent/lease to RESIDENT and RESIDENT agrees to rent/lease from OWNER for use SOLELY AS A PRIVATE RESIDENCE, the premises listed above. RESIDENT acknowledges that any false statements found in RESIDENT'S application shall constitute a non-curable breach of this agreement. RESIDENT hereby agrees to complete an updated application, including a census as to the occupants in the unit upon seven days request of OWNER.

2. **PAYMENTS:** Rent and/or other charges are to be paid at the office or residence of the manager or at such other place designated in writing by OWNER. For the safety of the manager, all payments are to be made by check or money order and no cash shall be acceptable. The ~~First month's~~ rent of: \$3500, and a Security Deposit of \$500+\$500(pet), for a total payment of \$4500 shall be due upon execution of this agreement.

All payments are to be made payable to: [REDACTED] and delivered to: 151 Sea Cliff Way, Del Mar, CA 92014 California, Telephone Number [REDACTED] who is usually available on the following days: Su,M,Tu,W,Th,F,Sa during the following hours: 8am-8pm.

3. **LATE CHARGE/RETURNED CHECKS:** RESIDENT acknowledges that OWNER will incur various administrative costs in connection with a late Rental payment that would be extremely difficult or impractical to determine. Therefore, Parties agree that if RESIDENT fails to pay the rent in full by the end of business the day on which it is due, RESIDENT shall pay a late charge of six percent (6%) of the delinquent rent as a reasonable and negotiated amount for such administrative costs. RESIDENT further agrees that unless prohibited by law or ordinance, such administrative costs are deemed Additional Rent. Should a law or local ordinance prohibit late charges as "additional rent" then the late charge required herein shall be deemed an independent covenant. If OWNER elects to accept rent after the tenth day after it is due, payment in a form other than by personal check may be required. OWNER does not waive the right to insist on payment of rent in full on the day it is due. In the event RESIDENT'S payment is dishonored by the bank for any reason, RESIDENT shall pay a failed payment charge of \$25 for the first failed payment and \$35 for each failed payment thereafter. The same late charge stated above will be imposed if the failed payment causes the rent to be late. OWNER may require future payments to be in a form other than a personal check in the event of a failed payment. A fee of \$50.00 will be incurred each time the OWNER is required to serve a Notice to Pay the Rent due to the RESIDENT'S failure to pay rent on the day rent is due.

4. **SECURITY DEPOSITS:** The Security Deposit shall not exceed two times the monthly rent for unfurnished apartments (~~if RESIDENT has a waterbed, an extra half-month's deposit will be required~~), or three times the monthly rent for furnished apartments. The total of the above deposits shall secure compliance with the terms and conditions of this agreement and shall be refunded to RESIDENT within 21 days after the premises have been completely vacated less any amount necessary to pay OWNER: a) any unpaid rent, b) cleaning costs, c) key replacement costs, d) costs for repair of damages to apartment and/or common areas above ordinary wear and tear, and e) any other amount legally allowable under the terms of this agreement. A written accounting of said charges shall be presented to RESIDENT within 21 days of move-out. If deposits do not cover such costs and damages, the RESIDENT shall immediately pay said additional costs for damages to OWNER. During the term of tenancy, RESIDENT agrees to increase the deposit upon 30 days written notice by an amount equal to any future increases in rent and/or an amount necessary to cover the cost of rectifying any damage or expense for which RESIDENT is responsible. Security deposit is not to be used as last month's rent.

5. **UTILITIES:** ~~RESIDENT agrees to pay for all utilities and/or services based upon occupancy of the premises except Electricity, Water/Sewer, Trash, Cable/Internet in Landlord's name, paid by Landlord.~~ RESIDENT agrees to place utilities under the names of the RESIDENT'S listed on this rental agreement immediately upon move in.

6. **SUBLETTING OR ASSIGNING:** RESIDENT agrees not to assign or sublet the premises or advertise to do so without first obtaining written permission from the OWNER. RESIDENT agrees to not assign, sublet, or transfer the unit or to advertise the unit by word of mouth, short-term rental website posting, or by any other means; any such violation will be considered a non-curable breach of this agreement, if without the OWNER'S prior written consent. The unit listed above is for use SOLELY AS A PRIVATE RESIDENCE.

7. **OCCUPANTS:** Guest(s) staying over 10 days cumulative or longer during any 6-month period, without the OWNER'S written consent, shall be considered a breach of this agreement. ONLY the following listed individuals and/or animals, AND NO OTHERS shall occupy the apartment for more than 10 days unless the express consent of OWNER [REDACTED]

RESIDENT'S Initials: [REDACTED] RESIDENT'S Initials: [REDACTED] RESIDENT'S Initials: [REDACTED] RESIDENT'S Initials: [REDACTED]



obtained in advance, (the 10-day period may be extended by local Rent Control Laws): *List names and dates of birth of all occupants and animals*: Max (cat; birth date unknown)

Without prior, written permission from the OWNER, RESIDENT shall pay additional rent at the rate of \$100.00 per month or 25% (or the amount allowed under rent control) of the current monthly rent; whichever amount is greater, for the period of time that each additional guest in excess of the above named shall occupy the premises. With prior written permission from OWNER, RESIDENT shall pay the same additional monthly rent for each additional animal in excess of the above-named animal(s), which shall occupy the premises. Acceptance of additional rent or approval of a guest shall not waive any requirement of this agreement or convert the status of any "guest" into a RESIDENT.

8. **PETS AND FURNISHINGS:** Furnishings - No liquid-filled furniture of any kind may be kept on the premises ~~without prior written permission by OWNER. If the structure was built after 1972, RESIDENT may possess a waterbed if he maintains waterbed insurance valued at \$100,000.00 or more. RESIDENT must furnish OWNER with proof of said insurance upon request.~~ RESIDENT must also comply with Civil Code Section 1940.5. RESIDENT shall not keep on premises a receptacle containing more than ten gallons of liquid. Highly combustible materials or other items which may cause a hazard or affect insurance rates such as, musical instruments or other item(s) of unusual weight or dimension are prohibited. RESIDENT also agrees to carry insurance deemed appropriate by OWNER to cover possible losses caused by using said items. No animal, fowl, fish, reptile, and/or pet of any kind shall be kept on or about the premises, for any amount of time, without obtaining the prior written consent and meeting the requirements of the OWNER. Said consent, if granted, shall be revocable at OWNER'S option upon giving a 30-day written notice. In the event laws are passed or permission is granted to have any item prohibited by this agreement or if for any reason such item exists on the premises, there shall be minimum additional rent of \$25.00 a month for each such item if another amount is not stated in this agreement. In the event laws are passed or permission is granted to have a pet and/or animal of any kind, an additional deposit in the amount of \$ 500 shall be required along with the signing of OWNER'S "PET AGREEMENT."

9. **PARKING/STORAGE:** When and if RESIDENT is assigned a parking space on OWNER'S property, the parking space shall be used exclusively for parking of passenger automobiles and/or those approved vehicles listed on RESIDENT'S "Application to Rent/Lease" or attached hereto. RESIDENT may not wash, repair, or paint in this parking space or at any other common areas on the premises. (RESIDENT may not assign, sublet, or allow RESIDENT'S guest(s) to use this or any other parking space.) RESIDENT must not allow oil leaks or other vehicle discharges. RESIDENT shall be charged for cleaning polluted areas if deemed necessary by OWNER. Only vehicles that are operational may park in their assigned space.

10. **NOISE / ACTIVITY:** RESIDENT agrees to preserve the peace and quiet enjoyment of all RESIDENTS; they shall not cause or allow any noise or disruptive activity on the premises. RESIDENT shall not violate any law or use the premises for the use, storage, possession, manufacturing or selling of illicit drugs. Said noise and/or activity shall be a breach of this Agreement.

11. **LOITERING AND PLAY:** Lounging, playing, or unnecessary loitering in the halls, on the front steps, or in the common areas is prohibited.

12. **DESTRUCTION OF PREMISES:** If the premises become totally or partially destroyed during the term of this Agreement so that RESIDENT'S use is seriously impaired, RESIDENT or OWNER may terminate this Agreement immediately upon three-day written notice to the other.

13. **CONDITION OF PREMISES:** RESIDENT acknowledges that he has examined the premises and that said premises, all furnishings, fixtures, furniture, plumbing, heating, electrical facilities, all items listed on the attached inventory sheet, if any, and/or all other items provided by OWNER are all clean, and in good satisfactory condition except as may be indicated elsewhere in this Agreement. RESIDENT agrees to keep the premises and all items in good order and condition and to immediately pay for costs to repair and/or replace any portion of the above damaged by RESIDENT, his guests and/or invitees, except as provided by law. At the termination of this Agreement, all of the above-enumerated items in this provision shall be returned to OWNER in clean and good condition except for reasonable wear and tear; the premises shall be free of all personal property and trash not belonging to OWNER. It is agreed that all dirt, holes, tears, burns, or stains of any size or amount in the carpets, drapes, walls, fixtures, and/or any other part of the premises, do not constitute reasonable wear and tear.

14. **MAINTENANCE AND ALTERATIONS:** RESIDENT shall not paint, wallpaper, alter or redecorate, change or install locks, install antenna or other equipment, screws, fastening devices, excessively large nails, or adhesive materials, place signs, displays, or other exhibits, on or in any portion of the premises without the written consent of the OWNER except as may be provided by law. RESIDENT shall deposit all garbage and waste in a clean and sanitary manner into the proper receptacles as provided and shall cooperate in keeping the garbage area neat and clean. RESIDENT shall be responsible for disposing of items of such size or nature as is not normally acceptable by the garbage hauler for the building. RESIDENT shall be responsible for keeping the garbage disposal clean of chicken bones, toothpicks, match sticks, celery, pits, grease, metal vegetable ties, and all other items that may tend to cause stoppage of the mechanism. RESIDENT shall pay for the cleaning out of any plumbing fixture that may need to be cleared of stoppage and for the expense or damage caused by the stopping of waste pipes or overflow from bathtubs, washbasins, toilets, or sinks, if caused by negligence or misuse by RESIDENT or their guests. Tenant must notify LANDLORD with a written notice stating what item(s) need service or repair and give LANDLORD a reasonable opportunity to service or repair that item(s). Should any charges be incurred by the City as a result of not notifying the LANDLORD in writing of such needed service or repairs, tenant shall be responsible for a minimum of \$201.50 for each occurrence plus any additional fines or inspection fees imposed by a government office as a result of RESIDENT not notifying OWNER in writing of any deficiencies with the residence.

15. **SMOKE/CARBON MONOXIDE DETECTORS:** The rental unit is equipped with properly functioning smoke and carbon monoxide detectors. RESIDENT agrees to test the smoke and carbon monoxide detectors in the rental unit monthly for proper function. RESIDENT agrees not to interfere with their normal function or disable any detectors in any manner and agrees to immediately notify OWNER of any malfunction.

RESIDENT'S Initials:

[Redacted]

RESIDENT'S Initials:

[Redacted]

RESIDENT'S Initials:

[Redacted]

RESIDENT'S Initials

[Redacted]

16. **HOUSE, POOL, AND LAUNDRY RULES:** RESIDENT shall comply with all house, pool, pet, and laundry rules attached to this agreement which may be changed from time to time. These rules shall apply to, but are not limited to, noise, odors, disposal of trash, pets, parking, use of common areas, and storage of toys, bicycles, tools, and other personal items (including signs and laundry), which must be kept inside and out of view. OWNER shall not be liable to RESIDENT for any violation of such rules by any other RESIDENTS or persons. Rights of usage and maintenance of the laundry room and/or pool and pool area are gratuitous and subject to revocation by OWNER at any time.

17. **CHANGE OF TERMS:** The terms and conditions of this agreement are subject to future change by OWNER after the expiration of the agreed lease period upon 30 days written notice setting forth such change and delivered to RESIDENT. Any changes are subject to laws in existence at the time of the Notice of Change of Terms.

18. **TERMINATION:** After expiration of the leasing period, this agreement is automatically renewed from month-to-month upon written approval of the LANDLORD but may be terminated by either party with a written 30-day notice of intention to terminate. If tenancy exceeds one year, the OWNER shall give a written 60-day notice to terminate. Where laws require "just cause," such just cause shall be so stated on said notice. The premises shall be considered vacated only after all areas including storage areas are clear of all RESIDENT'S belongings, and keys and other property furnished for RESIDENT'S use are returned to OWNER. Should the RESIDENT hold over beyond the termination date or fail to vacate all possessions on or before the termination date, RESIDENT shall be liable for additional rent and damages, which may include damages due to OWNER'S loss of prospective new renters.

19. **POSSESSION:** If OWNER is unable to deliver possession of the Apartment to RESIDENT on the agreed date, because of the loss or destruction of the Apartment or because of the failure of the prior RESIDENT to vacate or for any other reason, the RESIDENT and/or OWNER may immediately cancel and terminate this agreement upon written notice to the other party at their last known address, whereupon neither party shall have liability to the other, and any sums paid under this Agreement shall be refunded in full. If neither party cancels, this Agreement shall be pro-rated and begin on the date of actual possession.

20. **INSURANCE:** RESIDENT acknowledges that OWNER'S insurance does not cover personal property damage caused by fire, theft, rain, war, acts of God, acts of others, and/or any other causes, nor shall OWNER be held liable for such losses. RESIDENT HEREBY AGREES TO OBTAIN HIS OWN INSURANCE POLICY TO COVER ANY PERSONAL LOSSES. This does not waive OWNER'S duty to prevent personal injury or property damage where that duty is imposed by law, however, RESIDENT'S failure to maintain said policy shall be a complete waiver of RESIDENT'S rights to seek damages against OWNER for above stated losses.

21. **RIGHT OF ENTRY AND INSPECTION:** OWNER or OWNER'S Agent by themselves or with others, may enter, inspect and/or repair the premises at any time in case of emergency or suspected abandonment. OWNER shall give 24 hours advance notice and may enter for the purpose of showing the premises during normal business hours to prospective renters, buyers, lenders, for smoke alarm inspections, and/or for normal inspection and repairs. OWNER is permitted to make all alterations, repairs and maintenance that in OWNER'S judgment is necessary to perform. In addition, OWNER has the right to enter pursuant to Civil Code Section 1954. If the work performed requires that RESIDENT temporarily vacate the unit, then RESIDENT shall vacate for this temporary period upon being served a 7-day notice by OWNER. RESIDENT agrees that in such event RESIDENT will be solely compensated by a corresponding reduction in the rent for those many days that RESIDENT was temporarily displaced. No other compensation shall be due to the RESIDENT. If the work to be performed requires the cooperation of the RESIDENT to perform certain tasks, then RESIDENT shall perform those tasks upon receiving a 24-hour written notice. (EXAMPLE: removing food items from cabinets so that the unit may be sprayed for pests.) Upon 24 hours' notice, RESIDENT hereby agrees to lend OWNER the keys to the premises for the purpose of having a duplicate made for OWNER'S use.

22. **PARTIAL INVALIDITY:** Nothing contained in this Agreement shall be construed as waiving any of RESIDENT'S or OWNER'S rights under the law. If any part of this Agreement shall be in conflict with the law, that part shall be void to the extent that it is in conflict, but shall not invalidate this Agreement nor shall it affect the validity or enforceability of any other provision of this Agreement.

23. **NO WAIVER:** OWNER'S acceptance of rent with knowledge of any default by RESIDENT or waiver by OWNER of any breach of any term or condition of this Agreement shall not constitute a waiver of subsequent breaches. Failure to require compliance or to exercise any right shall not be construed as a waiver by OWNER of said term, condition, and/or right, and shall not affect the validity or enforceability of any other provision of this Agreement.

24. **ATTORNEY'S FEES:** If any legal action or proceeding be brought by either party to this agreement, the prevailing party shall be reimbursed for all reasonable attorneys' fees up to but not more than \$500 in addition to other damages awarded.

25. **ABANDONMENT:** California Civil Code Section 1951.2 shall govern Abandonment. If any rent has remained unpaid for 14 or more consecutive days and the OWNER has a reasonable belief of abandonment of the premises, OWNER shall give 18 days' written notice to RESIDENT at any place (including the rented premises) that OWNER has reason to believe RESIDENT may receive said notice of OWNER'S intention to declare the premises abandoned. RESIDENT'S failure to respond to said notice as required by law shall allow OWNER to reclaim the premises.

26. **LIABILITY:** The undersigned RESIDENTS are jointly and severally responsible and liable for all obligations under this agreement and shall indemnify OWNER for liability caused by the actions (omission or commission) of RESIDENTS, their guests and invitees.

27. **NOTICE TO RESIDENT:** Pursuant to Section 1785.26 of the California Civil Code, as required by law, you are hereby notified that a negative credit report reflecting on your credit history may be submitted to a credit reporting agency, if you fail to fulfill the terms of your credit obligation. RESIDENT expressly authorizes OWNER/AGENT (including a collection agency) to obtain RESIDENT'S consumer credit report, which OWNER/AGENT may use if attempting to collect past due rent payments, late fees, or other charges from RESIDENT, both during the term of the Agreement and thereafter.

28. **Lead Warning Statement:** Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips and dust pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, OWNERS must disclose the presence of known lead-based paint hazards in the dwelling. RESIDENTS must also receive a federally approved pamphlet on lead poisoning prevention.

RESIDENT'S Initial

RESIDENT'S Initial

RESIDENT'S Initials

RESIDENT'S Initials

**29. OWNER/AGENT DISCLOSURE (Initial)**

\_\_\_\_\_ OWNER'S initials (on left) mean OWNER has no knowledge of lead-based paint and/or lead-based hazards in or on the Premises and OWNER has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in or on the Premises, and

\_\_\_\_\_ RESIDENT'S initial (on left) indicate that RESIDENT has received a copy of a "Protect Your Family from Lead in Your Home", and that RESIDENT shall notify OWNER promptly in writing of any deteriorating and/or peeling paint.

**30. MOLD:** The OWNER/AGENT has inspected the unit prior to lease and knows of no damp or wet building materials and knows of no mold contamination. RESIDENT agrees to accept full responsibility and maintain the premises in a manner that prevents the occurrence of an infestation of mold in the premises. RESIDENT also agrees to immediately report to the OWNER/AGENT any evidence of water leaks, excessive moisture or lack of proper ventilation and evidence of mold that cannot be removed by cleaning.

**31. ADDITIONS AND EXCEPTIONS:**

FIREPLACE IS NOT FUNCTIONAL - do not use. Premises are furnished and Kitchen is equipped, available for Renter's use, including the following:

LIVING ROOM: sofa, chair, 3 tables, TV, cabinet, 2 lamps, rug; DINING ROOM: wood dining table, 4 chairs, 1 bench, 2 bar chairs, glass side table;

BEDROOM 1: Queen bed, dresser, chair, tables, rug, 3 decorative pillows; BEDROOM 2: King bed, dresser, 2 side-tables with drawers, 1 side table, chair, 6 decorative pillows, 3 rugs;

APPLIANCES: Washer, Dryer, Refrigerator, Dishwasher, Induction cooktop/Oven; WALLS: 19 photos/paintings/prints;

KITCHEN: toaster, microwave, coffee maker, utensils, pots, pans, cutlery, dishes, cups, glasses, bowls, rug; PATIOS/BALCONY: 4 tables, 12 chairs;

PANTRY CLOSET, BEDROOM CLOSETS, HALL CLOSET, LAUNDRY CLOSET: shelves, rods, fitted to each closet;

LINENS & TOWELS: 1 set of linens and 2 pillows for each bed; 2 sets of towels for each bathroom; kitchen towels, various;

TRASH: trash can and garbage bags under kitchen sink; 1 trash can in each bathroom and bedroom; trash bins stored in garage (Tuesday collection)

**32. NOTICES / REQUESTS FOR REPAIR:** All notices to RESIDENT shall be served at RESIDENT'S apartment / house whether or not RESIDENT is present at the time of delivery and all repair requests or other notices to OWNER / AUTHORIZED PERSON MUST BE IN WRITING and shall be served by mail or by the digital medium indicated in writing by the OWNER to:

**Person Authorized to Manage Property:**

Name: \_\_\_\_\_

Address: 151 Sea Cliff Way (Unit C), Del Mar, CA 92014

Phone Number: \_\_\_\_\_

**OWNER of property or a person who is authorized to act for and on behalf of the OWNER for the purpose of service of process and for the purpose of receiving and receipting for all notices and demands.**

Name: \_\_\_\_\_

Address: 151 Sea Cliff Way (Unit C), Del Mar, CA 92014

Phone Number: \_\_\_\_\_

**Person or Entity Authorized to Receive Payment of Rent:**

Name: \_\_\_\_\_

Address: 151 Sea Cliff Way, Del Mar, CA 92014

Phone Number: \_\_\_\_\_

**33. INVENTORY:** The Apartment contains the following items for use by RESIDENT:

See 31. Additions and Exceptions for Inventory list - all items to remain with premises.

RESIDENT further acknowledges that the subject premises are furnished with the additional furnishings listed on the attached inventory and that said attached inventory is hereby made part of this agreement.

**34. RESIDENT acknowledges receipt of the following, which shall be deemed a part of this Agreement: (Please check all that apply).**

<input type="checkbox"/> Information About Bed Bugs	<input type="checkbox"/> Pest Control/Bed Bug Addendum	<input type="checkbox"/> Mold Booklet and Mold Addendum	<input type="checkbox"/> Unit Keys
<input type="checkbox"/> Flood Disclosure Addendum	<input type="checkbox"/> Move-in/Move-out Inspection	<input type="checkbox"/> Smoke-Free Addendum	<input type="checkbox"/> Mailbox Keys
<input type="checkbox"/> Lead-Based Paint Disclosure	<input checked="" type="checkbox"/> Pet Agreement/Comfort Animal Addendum	<input type="checkbox"/> Parking Agreement	<input type="checkbox"/> Common Area Keys
<input checked="" type="checkbox"/> House Rules	<input type="checkbox"/> Satellite Dish Addendum	<input type="checkbox"/> Plumbing Addendum	<input type="checkbox"/> Garage Remotes
<input type="checkbox"/> Pool Rules	<input type="checkbox"/> Smoke Detector Addendum	<input checked="" type="checkbox"/> Other No Smoking	<input type="checkbox"/> Other

**35. ENTIRE AGREEMENT:** This Agreement constitutes the entire Agreement between OWNER and RESIDENT. No oral agreements have been entered into, and all modifications or notices shall be in writing to be valid. The undersigned RESIDENTS are jointly and severally responsible for all obligations under this agreement and shall indemnify OWNER for liability caused by the actions (omission or commission) of RESIDENTS, their guests and invitees. RESIDENT has relied on his own judgment in entering into this agreement.

**36. NOTICE:** Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.

RESIDENT'S Initials: \_\_\_\_\_ RESIDENT'S Initials: \_\_\_\_\_ RESIDENT'S Initials: \_\_\_\_\_ RESIDENT'S Initials: \_\_\_\_\_



37. RECEIPT OF AGREEMENT: The undersigned RESIDENT hereby certifies that he/she is fluent in the English language and has read and completely understands this Agreement and hereby acknowledges receipt of a copy of this "Rental Agreement and/ or Lease." RESIDENT'S initials: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
OR Pursuant to California Civil Code 1632, which requires translation of specified contracts or agreements that are negotiated in Spanish, Chinese, Vietnamese, Tagalog or Korean:

(\_\_\_\_) RESIDENT'S initials on left hereby acknowledge that this agreement was translated and interpreted in their foreign language of: \_\_\_\_\_.

Printed Name of Interpreter \_\_\_\_\_

Signature of Interpreter \_\_\_\_\_ Date \_\_\_\_\_

38. TEXT AND EMAIL NOTIFICATIONS: Check:  OWNER/AGENT and RESIDENT agree that communication by text or email shall serve as legal notice in the following circumstances only: Repair requests, OWNER'S Notice to Enter and reminders of repairs being made, emergency repairs, and or warnings of suspicious activity on the premises.

OWNER'S Text Number: \_\_\_\_\_  
RESIDENT'S Text Number: \_\_\_\_\_  
RESIDENT'S Text Number: \_\_\_\_\_  
RESIDENT'S Text Number: \_\_\_\_\_  
RESIDENT'S Text Number: \_\_\_\_\_

OWNER'S Email Address: \_\_\_\_\_  
RESIDENT'S Email Address: \_\_\_\_\_  
RESIDENT'S Email Address: \_\_\_\_\_  
RESIDENT'S Email Address: \_\_\_\_\_  
RESIDENT'S Email Address: \_\_\_\_\_

39. NOTICE TO RESIDENT: STATEWIDE RENT CONTROL (CHECK ONE)

PROPERTY EXEMPT FROM STATEWIDE RENT CONTROL: "This property is not subject to the rent limits imposed by Section 1947.12 of the Civil Code and is not subject to the just cause requirements of Section 1946.2 of the Civil Code. This property meets the requirements of Sections 1947.12 (d)(5) and 1946.2 (e)(8) of the Civil Code and the OWNER is not any of the following: (1) a real estate investment trust, as defined by Section 856 of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation."

PROPERTY SUBJECT TO STATEWIDE RENT CONTROL: California law limits the amount your rent can be increased. See Section 1947.12 of the Civil Code for more information. California law also provides that after all of the tenants have continuously and lawfully occupied the property for 12 months or more or at least one of the tenants has continuously and lawfully occupied the property for 24 months or more, a landlord must provide a statement of cause in any notice to terminate a tenancy. See Section 1946.2 of the Civil Code for more information."

JUST CAUSE: "Pursuant to Civil Code Section 1946.2(b)(2)(A)(i)" just cause" includes the following: Intent to occupy the residential real property by the OWNER or their spouse, domestic partner, children, grandchildren, parents, or grandparents. This provision of the lease allows the OWNER to terminate the lease if the OWNER, or their spouse, domestic partner, children, grandchildren, parents, or grandparents, unilaterally decides to occupy the residential real property."

RESIDENT: \_\_\_\_\_ Date: January 15, 2022  
RESIDENT: \_\_\_\_\_ Date: \_\_\_\_\_  
RESIDENT: \_\_\_\_\_ Date: \_\_\_\_\_  
RESIDENT: \_\_\_\_\_ Date: \_\_\_\_\_  
OWNER: \_\_\_\_\_ Date: January 15, 2022

NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR THE ADEQUACY OF ANY PROVISION IN THIS AGREEMENT. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.



**Print**

**Short-Term Rental Registry - Submission #507**

**Date Submitted: 12/31/2024**

**Instructions**

To facilitate policy discussions about potential allowances for Short Term Rentals (STRs) in a future regulatory framework, the City is establishing a database of properties that have operated as an STR within the last ten years. Owners of a STR should register the property by submitting the information requested below. This information is being collected solely to identify the number of STRs operating for the purpose of future policy discussions. The database will not be utilized for code enforcement purposes.

**To receive a copy of the form you submitted, check the box "receive an email copy of this form" and enter your email address before submitting.** For additional information related to the regulation of short term rentals in the City of Del Mar, please visit the City's web page: <https://www.delmar.ca.us/str> or contact staff at [Planning@delmar.ca.us](mailto:Planning@delmar.ca.us)

**Assessor Parcel Number (APN)**

3003215903

This can be found on your property tax bill or grant deed. Enter the 10-digit number without hyphens or spaces.

**First Name\***

**Last Name\***

[Redacted] [Redacted]

**Email Address\***

[Redacted]

**STR Street Address in Del Mar\***

151 Sea Cliff Way

**Owner Mailing Address\***

[Redacted]

**City\***

Del Mar

**State\***

CA

**Zip\***

92014

**Beginning date of STR**

6/1/2006

**Is the STR the entire residence, or a portion of the residence?**

- Entire Residence
- Portion of Residence

**Size of STR (square feet)**

1400

**Number of Bedrooms**

2

**Additional Details (500 character max)**

The parcel address is currently 151 Sea Cliff Way, Del Mar, CA 92014. Previously (and on some documents) it was 526 Stratford Ct, Unit C, Del Mar, CA 92014.

This is a semi-detached house that is part of an HOA whose CC&R's allow 30 day rentals, which are included in the definition of a Short Term Rental in Del Mar.

Attached here is a recent executed 30-day rental agreement with the renter's name redacted for privacy.

**Upload Documentation\***

UnitC-short-term-rental-2024.pdf

Please provide at least ONE supporting document to demonstrate that the STR was in operation within the past ten years. Just one of the options below will suffice for supporting documentation:

1. Fully executed rental agreement that identifies the STR address; or
2. A City of Del Mar business license indicating the short-term rental business at the subject property; or
3. A federal or state income tax return specifying a STR business operation at the subject property. Please be sure to redact all sensitive personal information such as social security number; or
4. Printed or online advertising, or contracts, indicating actively advertised STR operations at the subject property; or
5. Other evidence of STR operations at the subject property within the past ten years may be submitted for consideration.

## SHORT TERM LEASE

This short term lease is made on September 14, 2024

BETWEEN the Tenant(s) **NAME\_REDACTED**, PhD

Whose address is about to temporarily be 526 Stratford Court, Unit C, Del Mar, California 92014

Referred to as the "Tenant"

AND the Landlord **REDACTED**

Whose address is 526 Stratford Court, Unit C, Del Mar, California 92014

Referred to as the "Landlord".

The word "Tenant" means each Tenant named above.

1. **Property.** The tenant agrees to rent from the Landlord, and the Landlord agrees to lease to the Tenant, the condominium located at 526 Stratford Court, Unit C, Del Mar, California 92014 referred to as the "House."
2. **Term.** The term of this Lease is from October 29, 2024 until November 27, 2024.
3. **Rent.** The tenant agrees to pay **\$3,500.00** total as rent to be paid in advance of the Tenant taking occupancy of the House. The rent will be paid by international wire or in any other way acceptable to Landlord. The rent is the entire amount of rent due from the Tenant for the term.
4. **Security Deposit.** Intentionally deleted.
5. **Landlord's Agent.** Intentionally deleted.
6. **Use of Property.** The Tenant may use the House only as a private residence for herself and shall not have other household members. The Tenant will not keep anything in the House that is dangerous, flammable, explosive or might increase the danger of fire or any other hazard. No dogs, cats, or other animals are allowed in this House without the Landlord's prior written consent.
7. **Utilities.** The Landlord will pay for all utilities.
8. **Eviction.** The Tenant may be evicted if the Tenant does not comply with all the terms of this Lease and for all other causes allowed by law. If evicted, the Tenant shall not be entitled to any refund of the rent. The Tenant must also pay all costs, including reasonable attorney fees, related to any eviction and the collection of any moneys owed the Landlord.
9. **Payments by Landlord.** If the Tenant fails to comply with the terms of this Lease, the Landlord may take any required action and charge the cost, including reasonable attorney fees, to the Tenant as additional rent. Failure to pay such additional rent upon demand is a violation of this Lease.

10. **Lead Paint Lease Disclosure.** The Landlord, Tenant and Agent (if any), have signed the "Disclosure to Tenants" form for lease of residential property (if the housing was built before 1978). For all such above leases, the tenant has also been provided with a copy of the EPA pamphlet, "Protect Your Family from Lead in Your Home", 42 U.S.C. 4582d; 24 C.F.R. 35.88; 40 C.F.R. 745.107.
11. **Private Well Testing Act.** Not applicable.
12. **Care of the House.** The Tenant agrees to maintain and leave the House, including all furniture and appliances, in as good condition as it is at the start of this Lease. The Tenant will removal all the Tenant's property at the end of this Lease. Any property that is left becomes the property of the Landlord and may be thrown out.
13. **Repairs by Landlord.** Intentionally deleted.
14. **Compliance with Laws.** The Tenant must comply with laws, orders, rules and requirements of governmental authorities and insurance companies that have issued policies covering the House. The Landlord represents that she has complied with all laws regarding short term rentals in the State of California and that she is legally entitled to rent the House to Tenant. The laws of the State of California shall govern this short term Lease.
15. **No Waiver, Assignment or Sublease.** The Landlord does not give up any right by accepting rent or by failing to enforce any terms of this Lease. The Tenant may not sublease the House or assign this Lease without the Landlord's prior written consent.
16. **Entry by Landlord.** Upon reasonable notice, the Landlord may enter the House to provide services, inspect, repair, improve or show it. In case of emergency or Tenant's absence, the Landlord may enter the House without Tenant's consent.
17. **Quiet Enjoyment.** The Tenant may live and use the House without interference subject to this Lease.
18. **Subordination.** This Lease and the Tenant's rights are subject and subordinate to present and future mortgages on the premises that include the House.
19. **Injury or Damage.** The Tenant will be responsible for any injury or damage caused by the act of the Tenant, the Tenant's household member or their visitors. The Landlord is not responsible for any injury or damage unless due to the negligence or improper conduct of the Landlord.
20. **Renewals and Change in Lease.** Intentionally deleted.
21. **Notices.** All notices provided by this Lease must be written and delivered personally or by email.
22. **Rules.** The Tenant will not interfere with the quiet enjoyment of any other Tenant. The Tenant will likewise be responsible for the acts of the Tenant's visitors, if any.
23. **Validity of Lease.** If a clause or provision of the Lease is legally invalid, the rest of this Lease remains in effect.

24. **Entire Lease.** All promises the Landlord has made are contained in this written Lease. This Lease can only be changed by an agreement in writing by both the Tenant and the Landlord. The Landlord, each Tenant and all who lawfully succeed to their rights and responsibilities are bound by this Lease.

25. **Signatures.** The Landlord and the Tenant agree to the terms of this Lease. If this Lease is made by a corporation, its proper corporate officer's sign and its corporate seal is affixed.

26. **Insurance.** The Landlord represents that she has a policy of insurance on the House which insurance provides liability coverage in an amount of \$ 1,000,000 (liability limits). The liability coverage policy has been issued by USAA (insurance company name) under policy number 3384988. Upon Tenant's request, the Landlord shall provide Tenant with evidence of the liability insurance such as a Declaration page or policy.

Witnessed or Attested by:



September 13, 2024



, Landlord



September 28, 2024

NAME REDACTED, Short-term Tenant

STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
A PUBLIC DOCUMENT

Filed Date: 03/26/2024 12:37 PM  
SAN: FPPC

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Gaasterland Theresa

1. Office, Agency, or Court

Agency Name (Do not use acronyms)  
City of Del Mar

Division, Board, Department, District, if applicable Your Position  
City Council Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

2. Jurisdiction of Office (Check at least one box)

- State  Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)
- Multi-County  County of
- City of Del Mar  Other

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2023, through December 31, 2023.  Leaving Office: Date Left / / (Check one circle.)
- or- The period covered is / /, through  The period covered is January 1, 2023, through the date of leaving office.
- Assuming Office: Date assumed / / -or-  The period covered is / /, through the date of leaving office.
- Candidate: Date of Election and office sought, if different than Part 1:

4. Schedule Summary (required)

► Total number of pages including this cover page: 3

Schedules attached

- Schedule A-1 - Investments - schedule attached  Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule A-2 - Investments - schedule attached  Schedule D - Income - Gifts - schedule attached
- Schedule B - Real Property - schedule attached  Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-  None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)  
DAYTIME TELEPHONE NUMBER EMAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 03/26/2024 12:37 PM Signature





**AMENDMENT**

**COVER PAGE**

Filed Date: 08/22/2024 04:24 PM  
SAN: FPPC

Please type or print in ink.

NAME OF FILER (LAST) Gaasterland (FIRST) Theresa (MIDDLE)

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

City of Del Mar

Division, Board, Department, District, if applicable

Your Position

City Council Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

**2. Jurisdiction of Office (Check at least one box)**

- State  Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)
- Multi-County \_\_\_\_\_  County of \_\_\_\_\_
- City of Del Mar  Other \_\_\_\_\_

**3. Type of Statement (Check at least one box)**

- Annual: The period covered is January 1, 2023, through December 31, 2023.  Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one circle.)
- or- The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through December 31, 2023.  The period covered is January 1, 2023, through the date of leaving office.
- Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_  -or-  The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through the date of leaving office.
- Candidate: Date of Election \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_

**4. Schedule Summary (required)**

► Total number of pages including this cover page: 2

**Schedules attached**

- Schedule A-1 - Investments – schedule attached  Schedule C - Income, Loans, & Business Positions – schedule attached
- Schedule A-2 - Investments – schedule attached  Schedule D - Income – Gifts – schedule attached
- Schedule B - Real Property – schedule attached  Schedule E - Income – Gifts – Travel Payments – schedule attached

-or-

None - No reportable interests on any schedule

**5. Verification**

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 08/22/2024 04:24 PM  
(month, day, year)

Signature \_\_\_\_\_  
(File the originally signed paper statement with your filing official.)

**SCHEDULE B**  
**Interests in Real Property**  
(Including Rental Income)

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS  
131 Sea Cliff Way  
CITY  
Del Mar, CA 92014

FAIR MARKET VALUE IF APPLICABLE, LIST DATE:  
 \$2,000 - \$10,000  
 \$10,001 - \$100,000  
 \$100,001 - \$1,000,000  
 Over \$1,000,000

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/23 \_\_\_\_/\_\_\_\_/23  
ACQUIRED DISPOSED

NATURE OF INTEREST  
 Ownership/Deed of Trust  Easement  
 Leasehold \_\_\_\_\_  
Yrs. remaining Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
 \$0 - \$499  \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
 None

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS  
151 Sea Cliff Way  
CITY  
Del Mar, CA 92014

FAIR MARKET VALUE IF APPLICABLE, LIST DATE:  
 \$2,000 - \$10,000  
 \$10,001 - \$100,000  
 \$100,001 - \$1,000,000  
 Over \$1,000,000

IF APPLICABLE, LIST DATE:  
\_\_\_\_/\_\_\_\_/23 \_\_\_\_/\_\_\_\_/23  
ACQUIRED DISPOSED

NATURE OF INTEREST  
 Ownership/Deed of Trust  Easement  
 Leasehold \_\_\_\_\_  
Yrs. remaining Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
 \$0 - \$499  \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
 None

\* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\* \_\_\_\_\_  
ADDRESS (Business Address Acceptable) \_\_\_\_\_  
BUSINESS ACTIVITY, IF ANY, OF LENDER \_\_\_\_\_  
INTEREST RATE \_\_\_\_\_ TERM (Months/Years) \_\_\_\_\_  
\_\_\_\_\_%  None

HIGHEST BALANCE DURING REPORTING PERIOD  
 \$500 - \$1,000  \$1,001 - \$10,000  
 \$10,001 - \$100,000  OVER \$100,000  
 Guarantor, if applicable

**Filer's Verification**

Print Name Theresa Gaasterland  
Office, Agency or Court City of Del Mar

Statement Type  2023/2024 Annual  Assuming  Leaving  
 \_\_\_\_\_ Annual  Candidate  
(yr)

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete.

**I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

Date Signed 08/22/2024 04:24 PM  
(month, day, year)

Filer's Signature \_\_\_\_\_

Comments: \_\_\_\_\_

## **TIMELINE OF EVENTS – DEL MAR SHORT-TERM RENTAL ORDINANCE**

Former Mayor Dave Druker and then Deputy Mayor Gaasterland (Gaasterland) were the Council Planning liaisons between January 2023 and December 2024. In this role, the liaisons met multiple times with City staff in preparation for STR-related City Council (Council) open session discussions and Council consideration of the STR Ordinance.

On August 26, 2024, the City Council held closed and open session discussions related to STRs. Just prior to these meetings, Gaasterland, for the first time in the STR regulation development process raised concerns about possibly being conflicted on the basis that she does monthly rentals of her property, which was the basis for her recusing from the STR related open and closed session Council agenda items that day. The open session Council agenda Item 17 was focused on the definition of a STR and whether to explicitly exempt monthly rentals from the STR regulations and TOT regulations in the draft STR Ordinance. Prior to this time, Gaasterland had been discussing how STRs should be defined and differentiated from monthly rentals with staff and the City Attorney's office. Gaasterland did not participate in the closed or open session items on August 26, 2024. Below are the minutes.

Minutes for 8/26/24 City Council closed session and open session:

[https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/\\_08262024-3509](https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/_08262024-3509)

On September 9, 2024, the Council held a noticed public hearing to introduce the STR Ordinance (Item 8). Gaasterland actively participated in the item, making multiple requests for changes to STR requirements that had been in the draft Ordinance at the direction of Council since May 20, 2024. Gaasterland's proposed changes (i.e., removing the 10% limit on condo complexes, removing the requirement for new STRs to be within a primary residence, and removing the self-certification of compliance with the life safety inspection requirement) would have benefited STR operators, but were not supported by the rest of the Council. The Ordinance, including changes supported by the Council, was introduced by a 5-0 vote, which included Gaasterland.

Minutes for September 9, 2024:

[https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/\\_09092024-3514](https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/_09092024-3514)

On September 23, 2024, the STR Ordinance adoption was on the Council agenda consent calendar as Item 6. The item was pulled for public comments and Council discussion. The STR Ordinance was adopted by a 4-1 vote, with Mayor Gaasterland opposed. Gaasterland explained that she did not support the primary residency requirement and felt there was more work to do on the Ordinance.

Minutes for September 23, 2024:

[https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/\\_09232024-3524](https://www.delmar.ca.us/AgendaCenter/ViewFile/Minutes/_09232024-3524)

In September 2023, the City created an STR Registry for existing STR owners to register with the City. Upon acceptance on the Registry, existing STR operators will be accommodated and therefore subject to less restrictive requirements than new STR operators. On the final day to register, December 31, 2024, Gaasterland and/or her spouse registered two properties under Gaasterland's ownership as existing STRs on the STR Registry. The information submitted does not meet the criteria for an existing STR per the Council adopted STR Ordinance. City staff sent Gaasterland letters requesting additional supporting documentation to qualify her properties as existing STRs; however, there was no response to the City by the required deadline of June 5, 2025. Therefore, Gaasterland's properties will be removed from the STR Registry.



# City of Del Mar Agenda Report

TO: Honorable Mayor and Councilmembers

FROM: Ashley Jones, City Manager  
Marco Camacho, Finance Manager/Treasurer

DATE: June 16, 2025

SUBJECT: Adoption of the Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget and Related Budget Resolutions

## REQUESTED ACTION/RECOMMENDATION:

It is recommended that the City Council: 1) Accept final changes to the proposed budget document identified in Table A; 2) Receive the report on City employee vacancies, recruitment, and retention efforts, pursuant to Assembly Bill (AB) 2561 requirements; and 3) Adopt the Resolutions included as Attachments A and C-H as required in order to formally adopt the Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget.

## EXECUTIVE SUMMARY:

During a public workshop held on May 27, 2025, the City Council received public input and reviewed, discussed, and provided direction to staff on the proposed Fiscal Years 2025-2026 and 2026-2027 operating expenditures; capital and special projects; Measure Q Fund; and City reserve balances (Proposed Budget). The budget proposal has been updated to reflect the feedback provided by the City Council at the budget workshop and other adjustments, which are further described in this report.

The revised City budget for Council adoption (Revised Budget) included as Exhibit A of Attachment A reflects an Operating and Capital Budget of \$48.4 million in Fiscal Year (FY) 2025-2026, and \$65.0 million in FY 2026-2027. The Revised Budget presented in this report results in a projected General Fund Contingency (GFC) for FY 2025-2026 of 21.33% (78 days of operations), and 19.85% (72 days of operations) in FY 2026-2027. The City's proposed two-year balanced budget conforms to the City's financial policies, maintains a healthy GFC in both years, and includes transfers towards reserve goals. The final proposed budget includes annual transfers of \$250,000 to both the Pension Reserve Fund and Housing Reserve Fund, and \$525,000 to the Capital Reserve Fund in FY 2026-2027.

## DISCUSSION/ANALYSIS:

Below is a more detailed discussion of the nominal changes made to the Proposed Budget presented at the City Council budget workshop based on feedback provided by the City Council and updated information.

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City Council Action:

**Revenue Adjustments**

Revenues in the Revised Budget remain unchanged from the Proposed Budget presented to the City Council on May 27, 2025. Total proposed General Fund revenues are \$23.4 million in FY 2025-2026 and \$24.6 million in FY 2026-2027. Consistent with Finance Committee feedback and Council discussion, revenue projections will be re-evaluated and subsequently revised during the Mid-Year or Budget Update based on the latest reports from the San Diego County Assessor’s Office and actual activity. These county reports were not yet available during the preparation of the Proposed Budget.

**Expenditure Adjustments**

The Revised Budget expenditures in the General Fund have increased by 0.32% in FY 2025-2026 and by 0.07% in FY 2026-2027 when compared to the Proposed Budget presented at the City Council Budget Workshop. These nominal increases are summarized by expenditure category in Table A and further discussed below.

**Table A: Summary of General Fund Expenditure Changes**

Expenditure Category	Proposed Budget FY 2025-2026	Revised Budget FY 2025-2026	Proposed Budget FY 2026-2027	Revised Budget FY 2026-2027
Employee Services	\$9,548,190	\$9,587,800	\$10,026,730	\$10,034,330
Maintenance & Operations	1,922,850	1,922,850	2,004,960	2,004,960
Contract Services	6,726,450	6,749,480	6,825,540	6,830,580
<b>Total Expenditure</b>	<b>\$18,197,490</b>	<b>\$18,260,130</b>	<b>\$18,857,230</b>	<b>\$18,869,870</b>

**Changes to Employee Salaries**

The Revised Budget reflects minor increases in Employee Services of 0.41% in FY 2025-2026 and 0.08% in FY 2026-2027 when compared to the Proposed Budget. This change is due to the staffing and operational improvements discussed in the following summaries. Also included is the AB 2561 report pertaining to position vacancies, and recruitment and retention activity.

**Staffing and Compensation Updates**

**Public Works Department**

The Public Works Department is responsible for maintaining the City’s essential infrastructure including City facilities and buildings. Due to a recent retirement of a Maintenance and Construction Superintendent, the position was reclassified into Facilities Supervisor in April 2025. After further evaluating the Department’s current workload and existing organizational structure, it is recommended to reclassify the Facilities Supervisor position to a Facilities Manager I/II to provide for a broader scope of job duties and responsibilities, better meet the needs of the department, and to increase operational efficiency. The Facilities Manager Level I position will be placed on Grade P274 (\$101,982.51 to \$123,960.38) and Level II on Grade P287 (\$116,065.60 - \$141,078.46) of the Management and Professional Compensation Plan. The job description for the Facilities Manager I/II position is approved by the City Manager. Reclassifying this position from a supervisor to a manager will come at an estimated cost of \$15,000 to the City.

### Administrative Services Department

The Finance division of the Administrative Services Department handles all of the City's accounting and finance activities. In addition to the two managerial positions of Finance Manager and Finance Officer, the division is comprised of two Accounting Technicians handling utility billing and payroll, and one Administrative Assistant handling accounts payable. It is recommended to reclassify the division's Administrative Assistant I/II to an Accounting Technician I/II to align the duties and responsibilities of the position with the work performed and to better meet the needs of the division. The Accounting Technician I/II is an existing position in the City's general employee's compensation schedule. There is little to no fiscal impact associated with this recommendation.

### Part-time Seasonal Employees

Currently, part-time seasonal employees in the Student Lifeguard, Seasonal Lifeguard I/II and Seasonal Worker I/II classifications receive one and a half times their normal hourly rate for all hours worked on summer holidays (Memorial Day, Independence Day, and Labor Day). To incentivize part-time staff to pick up more holiday shifts ensuring better coverage on holidays year-round, it is recommended to pay these classifications one and a half times their normal hourly rate on all designated City holidays. There is no fiscal impact associated with expanding the list of holidays qualifying for holiday pay for seasonal staff, due to the anticipated savings from scheduling less full-time staff for overtime on City holidays and covering these shifts with part-time staff.

### Del Mar City Employees Association (DMCEA) Memorandum of Agreement (MOA)

The proposed two-year budget that was presented to the City Council during the budget workshop did not include the total costs associated with a new labor agreement between the City and Del Mar City Employees Association (DMCEA), which was and continues to be under negotiation. Once agreement has been reached between the parties, staff will bring the proposed Memorandum of Agreement (MOA) and related budget adjustments to the Council for consideration.

### **AB 2561 - City Employee Vacancies, Recruitment and Retention**

Assembly Bill 2561 amending California Government Code Section 3502.3 (Meyers-Milias-Brown Act (MMBA)) went into effect on January 1, 2025, requiring that at least once per fiscal year prior to the adoption of a budget the City Council receive a report on the City's vacancy rates; recruitment and retention efforts; review and identify changes to recruitment activities that may lessen or remove obstacles in the hiring process; and permit recognized employee organizations to make a presentation.

The City has 66 authorized budgeted full-time positions, including 9 positions in the fire employee group represented by the Del Mar Firefighters Association (DMFA), 25 positions in the general employee group, the majority of which have opted for representation by the Del Mar City Employees Association (DMCEA), and 32 positions in the unrepresented management-professional employee group.

As required by law, staff conducted an analysis of citywide full-time vacancies that occurred going back to January 1, 2024. In calendar year 2024, the average annual vacancy rates were:

3.7% for fire; 3% for DMCEA; and the average annual vacancy rate for the management-professional employee group was 3.9%. In calendar year 2025 to date, there have been no vacancies in the general and fire employee groups, and the vacancy rate in the management-professional group is 3.1% with one position currently vacant.

The City employs the following strategies to ensure successful recruitment and staff retention: using targeted online job websites and social media to attract a wider candidate pool; when appropriate, reviewing salary structures to remain market-competitive; maintaining competitive benefits; developing internal talent with training/development; utilizing City internships; facilitating internal promotions for qualifying staff; and offering longevity pay. As part of the normal course of business and now in compliance with the new requirements of AB 2561, staff conducted a review of the policies and recruitment activities that may lead to obstacles in the hiring process and has not identified any necessary changes to current practices.

Changes to Contract Services

The change in Contract Services is associated with a network security need in the Information Systems Program. The minor budget change provides for professional services to improve the City’s security for remote access to better protect sensitive data and applications from unauthorized access. These services and the related cybersecurity solution will help defend the City’s remote access server from malicious threats while providing a secure network to support daily operations. Also included is additional support for specialized human resources advisory services and training.

Table B summarizes the aforementioned expenditures adjustments included in the Revised Budget and the impact on the General Fund Contingency in both FY 2025-2026 and FY 2026-2027.

**Table B: Impact on General Fund Contingency Based on Budget Changes**

Item	FY 2025-2026 Exp	FY 2025-2026 GFC Impact	FY 2026-2027 Exp	FY 2026-2027 GFC Impact
<b>Proposed Budget</b>	<b>\$18,197,490</b>	<b>21.76%</b>	<b>\$18,857,230</b>	<b>20.45%</b>
Salary adjustments	39,610	-0.29%	7,600	-0.46%
Cybersecurity solution	8,030	-0.05%	5,040	-0.06%
HR advisory services	15,000	-0.09%	-	-0.08%
<b>Revised Budget</b>	<b>\$18,260,130</b>	<b>21.33%</b>	<b>\$18,869,870</b>	<b>19.85%</b>

Changes to Equipment Replacement

The Proposed Budget included planned expenditures of \$108,000 in FY 2025-2026 which have increased slightly in the Revised Budget to \$112,240. This 3.9% increase is to account for the updated specifications on the new fire engine, which include a backup camera system and additional LED emergency lighting. There are no changes to planned expenditures in FY 2026-2027.

Reserves and Cash Flow

The previously described adjustments included in the Revised Budget have resulted in minor changes to the General Fund Contingency (GFC) rates when compared to the Proposed

Budget. As displayed in Table C, these updates have changed the ending General Fund Contingency rate to 21.33% in FY 2025-2026 and to 19.85% in FY 2026-2027. These rates are inclusive of the reserve contributions also summarized in Table C which are consistent with fiscal policy and practices. As expressed by the Finance Committee, and supported by the Council, the City will remain focused on increasing the GFC back to a target goal of 25% as capital needs diminish and opportunities are recognized during preparation of the Mid-Year Report and Budget Update in Spring of 2026.

Table C below provides the changes between the Proposed Budget and Revised Budget to the General Fund Contingency and reserves and projected ending balances for the next two fiscal years. As noted in the table, the General Fund continues in a strong financial position. The budget is balanced and provides for the continuity of high-level services to the public, and the advancement of critical capital improvement and special projects. Additionally, as of March 31, 2025, the City's total cash and investment portfolio book value was \$39.8 million. Included with the budget adoption is the updated Investment Policy for FY 2025-2026 which will continue to guide the City's prudent investment strategy.

**Table C: General Fund Contingency and Reserves**

Reserve	Proposed Budget FY 2025-2026	Revised Budget FY 2025-2026	Proposed Budget FY 2026-2027	Revised Budget FY 2026-2027
<b>General Fund Contingency</b>	<b>21.76%</b>	<b>21.33%</b>	<b>20.45%</b>	<b>19.85%</b>
General Fund Contingency	\$4,412,072	\$4,341,582	\$4,244,746	\$4,130,247
Pension Reserve	5,031,894	5,200,000	5,281,894	5,450,000
Self-Insurance	300,000	300,000	300,000	300,000
Leave Liability	100,000	100,000	100,000	100,000
Equipment Replacement	549,342	545,102	502,342	498,102
Housing Reserve	1,900,000	1,900,000	1,650,000	1,650,000
<b>Total General Fund</b>	<b>\$12,293,308</b>	<b>\$12,386,684</b>	<b>\$12,078,982</b>	<b>\$12,128,349</b>
Capital Reserve	2,250,000	2,250,000	2,775,000	2,775,000

Required Budget Resolutions

In conjunction with the approval of the proposed two-year budget, the City Council is required to approve the following resolutions, which are described in more detail as attachments to this report:

- 1) Adopting the Compensation Plan for the Management and Professional and Miscellaneous, Part-Time, Temporary and Hourly Employees for Fiscal Year 2025-2026 (Attachment C);
- 2) Setting the User Fee Schedule effective July 1, 2025 (Attachment D);
- 3) Fixed charge assessments for bonded indebtedness (Attachment E);
- 4) Establishing the Appropriations Limit (Attachment F);
- 5) Adopting the Statement of Investment Policy for Fiscal Year 2025-26 (Attachment G); and
- 6) Setting Parking Violation fees effective July 1, 2025 (Attachment H).

FISCAL IMPACT:

City Council approval of this item will adopt the City's Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget and related resolutions. The new two-year budget is balanced, fiscally sound, and provides for high-level public services and capital and special projects. A summary of the budget is provided earlier in this report, and additional details can be found within Attachment A, Exhibit A and Attachment B.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This is an annual requirement and operational item and is not included in the City Council's list of Goals & Priorities.

ATTACHMENTS:

- Attachment A - Resolution Adopting Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget
- Attachment B - Fiscal Year 2025-26 and 2026-27 Updated Cash Flow Report
- Attachment C - Resolution Adopting the Compensation Plans for the Management and Professional, General, and Miscellaneous, Part Time, Temporary and Hourly Employees for Fiscal Year 2024-2025
- Attachment D - Resolution Setting User Fee Schedule effective July 1, 2025
- Attachment E - Resolution Establishing the Fixed Charge Assessments for Bonded Indebtedness for Fiscal Year 2025-2026
- Attachment F - Resolution Establishing the Appropriations Limit for Fiscal Year 2025-2026
- Attachment G - Resolution Approving the Statement of Investment Policy for Fiscal Year 2025-2026
- Attachment H - Resolution Setting Parking Violation Fees effective July 1, 2025

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ADOPTING THE FISCAL YEARS 2025-2026 AND 2026-2027 OPERATING AND CAPITAL BUDGET AND CITY COUNCIL PRIORITIES

WHEREAS, on May 27, 2025, the City Council of the City of Del Mar held budget workshops to review the proposed Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget; and

WHEREAS, the City Council has been presented with and has reviewed the final Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget along with additional recommendations and appropriations setting the levels of reserves and transfers in and transfers out between funds, and other related expenditures; and

WHEREAS, the City Council approves the allocation of the remaining \$162,196 of Coronavirus State and Local Fiscal Recovery Funds to be used for FY 2025-26 Street Paving and Repairs, which were deferred in Fiscal Year 2020-2021 based on the loss in revenue due to the COVID-19 pandemic; and

WHEREAS, the City Council hereby provides authorization to the City Manager to approve the purchase of equipment from the Equipment Replacement Fund for Fiscal Year 2025-2026 that has been included in the Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget, which are as follows:

Replace Lifeguard Vehicle (CS)	\$55,000
Replace Utility Truck (PW)	50,000
Fire Truck-Equipment	45,240

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that:

1. The above recitals are true and correct; and
2. The Fiscal Years 2025-2026 and 2026-2027 Operating and Capital Budget is approved and adopted as shown on Exhibit "A"; and
3. The City Manager has the authority to make the equipment replacement purchases identified above and move appropriations between programs as long as the total dollars do not exceed that approved by the City Council.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held on the 16<sup>th</sup> day of June 2025.

\_\_\_\_\_  
Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

---

Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

---

Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

CITY OF DEL MAR  
RESERVE SUMMARY REPORT  
FISCAL YEAR 2025-2026

	BEGINNING BALANCE JUL 1, 2025 ESTIMATE	REVENUES FY 2026	O & M EXPENDITURES FY 2026	CIP EXPENDITURES FY 2026	TRANSFERS IN FY 2026	TRANSFERS (OUT) FY 2026	ENDING BALANCE JUN 30, 2026 ESTIMATE
<b>GENERAL FUND</b>							
CONTINGENCY	21.33%	5,683,024	23,394,220	(18,140,130)	-	297,000 \$ (6,892,532)	4,341,582
RESTRICTED:							
SELF-INSURANCE		300,000	-	(120,000)	-	120,000	300,000
DESIGNATED:							
ENCUMBRANCES		-	-	-	-	-	-
COASTAL PARKING REVENUE		-	-	-	-	-	-
SIDEWALK CAFÉ		-	-	-	-	-	-
HOUSING RESERVE		1,650,000	-	-	250,000	-	1,900,000
PENSION RESERVE		4,950,000	-	-	250,000	-	5,200,000
LEAVE LIABILITY		100,000	-	-	-	-	100,000
EQUIPMENT REPLACEMENT		657,342	-	(112,240)	-	-	545,102
TOTAL GENERAL FUND		13,340,366	23,394,220	(18,372,370)	-	917,000 (6,892,532)	12,386,684
<b>MEASURE Q</b>							
LOAN PROCEEDS/DEBT SERVICE		(1,272,220)	3,627,380	-	(5,839,250)	11,833,500	8,349,410
		(1,272,220)	12,000,000	-	(166,500)	(11,833,500)	-
		(1,272,220)	15,627,380	-	(6,005,750)	11,833,500 (11,833,500)	8,349,410
<b>ROAD MAINTENANCE REHABILITATION ACCT</b>							
		-	107,000	-	-	(107,000)	-
<b>GAS TAX FUND</b>							
		-	119,560	(1,031,360)	-	911,800	-
<b>OPEN SPACE FUND</b>							
		-	630,200	(1,516,230)	-	886,030	-
<b>DESIGNATED</b>							
ENCUMBRANCES		-	-	-	-	-	-
CAPITAL IMPROVEMENT PROJECTS		-	-	-	(50,000)	50,000	-
OPEN SPACE ACQUISITION		86,388	-	-	-	-	86,388
TREE RESERVE		41,017	-	-	-	-	41,017
TOTAL OPEN SPACE FUND		127,405	630,200	(1,516,230)	(50,000)	936,030	127,405
<b>SUPPLEMENTAL LAW ENFORCEMENT FUND</b>							
		-	160,000	-	-	(160,000)	-
<b>REGIONAL COMMUNICATIONS FUND</b>							
		13,178	46,000	(61,250)	-	2,072	-
<b>GRANTS FUND</b>							
		154,605	62,400	(61,500)	-	-	155,505
<b>HOUSING FUND</b>							
		154,355	-	(61,660)	-	-	92,695
<b>AB 939 FUND</b>							
		607,172	154,000	(95,480)	-	-	665,692
<b>PEG FEE FUND</b>							
		18,041	37,200	(11,900)	-	(30,000)	13,341
<b>CAPITAL IMPROVEMENT FUND</b>							
ENCUMBRANCES		-	1,389,000	(899,880)	(3,807,750)	3,318,630	-
RESERVE FOR CAPITAL		3,150,000	-	-	(900,000)	-	2,250,000
TOTAL CAPITAL IMPROVEMENT FUND		3,150,000	1,389,000	(899,880)	(4,707,750)	3,318,630	2,250,000
<b>SPECIAL PROJECT FUND</b>							
		250,000	1,545,000	-	(2,093,000)	298,000	-
<b>TRANSNET FUND</b>							
		3,365	131,000	-	(131,000)	-	3,365
<b>RTCIP</b>							
		36,605	-	-	(36,000)	-	605
<b>WORKERS' COMPENSATION FUND</b>							
		382,611	419,190	(322,750)	-	-	479,051

**CITY OF DEL MAR  
RESERVE SUMMARY REPORT  
FISCAL YEAR 2025-2026**

	<b>BEGINNING BALANCE JUL 1, 2025 ESTIMATE</b>	<b>REVENUES FY 2026</b>	<b>O &amp; M EXPENDITURES FY 2026</b>	<b>CIP EXPENDITURES FY 2026</b>	<b>TRANSFERS IN FY 2026</b>	<b>(OUT) FY 2026</b>	<b>ENDING BALANCE JUN 30, 2026 ESTIMATE</b>
<b>WATER FUND</b>							
NET POSITION	1,430,601	4,795,000	(4,561,290)	-	-	(847,576)	816,735
RESTRICTED:							
CONTRIBUTED CAPITAL	4,028,272	-	-	-	-	-	4,028,272
DESIGNATED							
ENCUMBRANCES	-	-	-	-	-	-	-
SELF-INSURANCE	50,000	-	-	-	-	-	50,000
RATE STABILIZATION	200,000	-	-	-	-	-	200,000
CAPITAL REPLACEMENT	376,794	-	-	(312,000)	435,206	-	500,000
NET PENSION LIABILITY	(1,976,172)	-	-	-	-	-	(1,976,172)
PENSION RESERVE	1,000,000	-	-	-	-	-	1,000,000
OPERATING RESERVE	500,000	-	-	-	69,470	-	569,470
EQUIPMENT REPLACEMENT	200,000	-	(342,900)	-	342,900	-	200,000
UTILITY PLANT IN SERVICE	6,962,968	-	(385,000)	-	-	-	6,577,968
TOTAL WATER FUND	12,772,463	4,795,000	(5,289,190)	(312,000)	847,576	(847,576)	11,966,273
<b>CLEANWATER FUND</b>							
NET POSITION	-	612,500	(1,028,500)	-	416,000	-	-
DESIGNATED							
UTILITY PLANT IN SERVICE	446,876	-	(163,000)	-	-	-	283,876
ENCUMBRANCES	-	-	-	-	-	-	-
CAPITAL REPLACEMENT	-	244,790	-	(634,790)	390,000	-	-
TOTAL CLEAN WATER FUND	446,876	857,290	(1,028,500)	(634,790)	806,000	-	283,876
<b>WASTEWATER FUND</b>							
NET POSITION	266,437	4,396,000	(4,369,140)	-	400,000	(489,990)	203,307
RESTRICTED							
IBANK RESERVE	228,828	-	-	-	-	-	228,828
CONTRIBUTED CAPITAL	650,814	-	-	-	-	-	650,814
LOAN RESERVE-STATE REVOLVING	332,979	-	-	-	-	-	332,979
DESIGNATED							
ENCUMBRANCES	-	-	-	-	-	-	-
SELF-INSURANCE	50,000	-	-	-	-	-	50,000
CAPITAL REPLACEMENT	500,000	34,960	-	(250,000)	115,040	-	400,000
NET PENSION LIABILITY	(1,986,628)	-	-	-	-	-	(1,986,628)
PENSION RESERVE	900,000	-	-	-	-	(400,000)	500,000
OPERATING RESERVE	408,000	-	-	-	137,450	-	545,450
EQUIPMENT REPLACEMENT	300,000	-	(337,500)	-	237,500	-	200,000
UTILITY PLANT IN SERVICE	7,848,709	-	(700,000)	-	-	-	7,148,709
RATE STABILIZATION	200,000	-	-	-	-	-	200,000
TOTAL WASTEWATER FUND	9,699,139	4,430,960	(5,406,640)	(250,000)	889,990	(889,990)	8,473,459
<b>TOTAL ENTERPRISE FUNDS</b>	<b>22,918,478</b>	<b>10,083,250</b>	<b>(11,724,330)</b>	<b>(1,196,790)</b>	<b>2,543,566</b>	<b>(1,737,566)</b>	<b>20,886,608</b>
<b>TOTAL - ALL FUNDS</b>	<b>39,883,961</b>	<b>53,905,400</b>	<b>(34,158,710)</b>	<b>(14,220,290)</b>	<b>20,760,598</b>	<b>(20,760,598)</b>	<b>45,410,361</b>

**CITY OF DEL MAR  
RESERVE SUMMARY REPORT  
FISCAL YEAR 2026-2027**

	BEGINNING BALANCE JUL 1, 2026 ESTIMATE	REVENUES FY 2027	O & M EXPENDITURES FY 2027	CIP/SP EXPENDITURES FY 2027	TRANSFERS IN FY 2027	TRANSFERS (OUT) FY 2027	ENDING BALANCE JUN 30, 2027 ESTIMATE
<b>GENERAL FUND</b>							
CONTINGENCY	19.85%	4,341,582	24,592,090	(18,749,870)	-	806,375 \$ (6,859,930)	4,130,247
RESTRICTED:							
SELF-INSURANCE		300,000	-	(120,000)	-	120,000	300,000
DESIGNATED:							
ENCUMBRANCES		-	-	-	-	-	-
COASTAL PARKING REVENUE		-	-	-	-	-	-
SIDEWALK CAFÉ		-	-	-	-	-	-
HOUSING RESERVE		1,900,000	-	-	-	250,000 (500,000)	1,650,000
PENSION RESERVE		5,200,000	-	-	-	250,000	5,450,000
LEAVE LIABILITY		100,000	-	-	-	-	100,000
EQUIPMENT REPLACEMENT		545,102	-	(47,000)	-	-	498,102
TOTAL GENERAL FUND		12,386,684	24,592,090	(18,916,870)	-	1,426,375 (7,359,930)	12,128,349
<b>MEASURE Q</b>							
LOAN PROCEEDS/DEBT SERVICE		8,349,410	3,686,120	-	(7,606,870)	- (1,442,360)	2,986,300
		-	-	-	(1,442,360)	1,442,360	-
		8,349,410	3,686,120	-	(9,049,230)	1,442,360 (1,442,360)	2,986,300
<b>ROAD MAINTENANCE REHABILITATION ACCT</b>							
		-	107,000	-	-	- (107,000)	-
<b>GAS TAX FUND</b>							
		-	119,560	(907,600)	-	788,040	-
<b>OPEN SPACE FUND</b>							
		-	640,200	(1,615,710)	-	975,510	-
<b>DESIGNATED</b>							
ENCUMBRANCES		-	-	-	-	-	-
CAPITAL IMPROVEMENT PROJECTS		-	35,000	-	(1,300,000)	1,265,000	-
OPEN SPACE ACQUISITION		86,388	-	-	-	-	86,388
TREE RESERVE		41,017	-	-	-	-	41,017
TOTAL OPEN SPACE FUND		127,405	675,200	(1,615,710)	(1,300,000)	2,240,510	127,405
<b>SUPPLEMENTAL LAW ENFORCEMENT FUND</b>							
		-	160,000	-	-	- (160,000)	-
<b>REGIONAL COMMUNICATIONS FUND</b>							
		-	46,000	(36,000)	-	-	10,000
<b>GRANTS FUND</b>							
		155,505	62,400	(61,500)	-	-	156,405
<b>HOUSING FUND</b>							
		92,695	-	(61,660)	-	- (4,375)	26,660
<b>AB 939 FUND</b>							
		665,692	154,000	(63,850)	-	-	755,842
<b>PEG FEE FUND</b>							
		13,341	37,200	(10,700)	-	- (35,000)	4,841
<b>CAPITAL IMPROVEMENT FUND</b>							
ENCUMBRANCES		-	15,019,000	(898,310)	(15,727,750)	1,607,060	-
RESERVE FOR CAPITAL		2,250,000	-	-	-	525,000	2,775,000
TOTAL CAPITAL IMPROVEMENT FUND		2,250,000	15,019,000	(898,310)	(15,727,750)	2,132,060	2,775,000
<b>SPECIAL PROJECT FUND</b>							
		-	2,600,000	-	(3,390,000)	790,000	-
<b>TRANSNET FUND</b>							
		3,365	135,000	-	(135,000)	-	3,365
<b>RTCIP</b>							
		605	-	-	-	-	605
<b>WORKERS' COMPENSATION FUND</b>							
		479,051	433,650	(357,950)	-	-	554,751

**CITY OF DEL MAR  
RESERVE SUMMARY REPORT  
FISCAL YEAR 2026-2027**

	BEGINNING BALANCE JUL 1, 2026 ESTIMATE	REVENUES FY 2027	O & M EXPENDITURES FY 2027	CIP/SP EXPENDITURES FY 2027	TRANSFERS IN FY 2027	(OUT) FY 2027	ENDING BALANCE JUN 30, 2027 ESTIMATE
<b>WATER FUND</b>							
NET POSITION	816,735	4,795,000	(4,742,240)	-	-	(484,730)	384,765
RESTRICTED:							
CONTRIBUTED CAPITAL	4,028,272	-	-	-	-	-	4,028,272
DESIGNATED							
ENCUMBRANCES	-	-	-	-	-	-	-
SELF-INSURANCE	50,000	-	-	-	-	-	50,000
RATE STABILIZATION	200,000	-	-	-	-	-	200,000
CAPITAL REPLACEMENT	500,000	-	-	(369,000)	369,000	-	500,000
NET PENSION LIABILITY	(1,976,172)	-	-	-	-	-	(1,976,172)
PENSION RESERVE	1,000,000	-	-	-	-	-	1,000,000
OPERATING RESERVE	569,470	-	-	-	92,830	-	662,300
EQUIPMENT REPLACEMENT	200,000	-	(22,900)	-	22,900	-	200,000
UTILITY PLANT IN SERVICE	6,577,968	-	(385,000)	-	-	-	6,192,968
TOTAL WATER FUND	11,966,273	4,795,000	(5,150,140)	(369,000)	484,730	(484,730)	11,242,133
<b>CLEANWATER FUND</b>							
NET POSITION	-	612,500	(901,820)	-	289,320	-	-
DESIGNATED							
UTILITY PLANT IN SERVICE	283,876	-	-	-	-	-	283,876
ENCUMBRANCES	-	-	-	-	-	-	-
CAPITAL REPLACEMENT	-	595,000	-	(595,000)	-	-	-
TOTAL CLEAN WATER FUND	283,876	1,207,500	(901,820)	(595,000)	289,320	-	283,876
<b>WASTEWATER FUND</b>							
NET POSITION	203,307	4,396,000	(4,409,770)	-	200,000	(291,890)	97,647
RESTRICTED							
IBANK RESERVE	228,828	-	-	-	-	-	228,828
CONTRIBUTED CAPITAL	650,814	-	-	-	-	-	650,814
LOAN RESERVE-STATE REVOLVING	332,979	-	-	-	-	-	332,979
DESIGNATED							
ENCUMBRANCES	-	-	-	-	-	-	-
SELF-INSURANCE	50,000	-	-	-	-	-	50,000
CAPITAL REPLACEMENT	400,000	85,000	-	(300,000)	215,000	-	400,000
NET PENSION LIABILITY	(1,986,628)	-	-	-	-	-	(1,986,628)
PENSION RESERVE	500,000	-	-	-	-	(200,000)	300,000
OPERATING RESERVE	545,450	-	-	-	76,890	-	622,340
EQUIPMENT REPLACEMENT	200,000	-	(17,500)	-	-	-	182,500
UTILITY PLANT IN SERVICE	7,148,709	-	(700,000)	-	-	-	6,448,709
RATE STABILIZATION	200,000	-	-	-	-	-	200,000
TOTAL WASTEWATER FUND	8,473,459	4,481,000	(5,127,270)	(300,000)	491,890	(491,890)	7,527,189
<b>TOTAL ENTERPRISE FUNDS</b>	<b>20,723,608</b>	<b>10,483,500</b>	<b>(11,179,230)</b>	<b>(1,264,000)</b>	<b>1,265,940</b>	<b>(976,620)</b>	<b>19,053,198</b>
<b>TOTAL - ALL FUNDS</b>	<b>45,247,361</b>	<b>58,310,720</b>	<b>(34,109,380)</b>	<b>(30,865,980)</b>	<b>10,085,285</b>	<b>(10,085,285)</b>	<b>38,582,721</b>

**CITY OF DEL MAR  
FISCAL YEAR 2025-2026 AND 2026-2027  
OPERATING AND CAPITAL BUDGET  
REVENUE SUMMARIES**

SOURCE OF FUNDS	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTION FY 2024-25	PROPOSED FY 2025-26	PROPOSED FY 2026-27	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2026 vs FY2027 PROP (%)
<b>GENERAL FUND</b>										
<b>TAXES</b>										
PROPERTY TAX	7,241,627	7,651,288	8,032,500	8,070,000	8,394,000	8,771,690	361,500	4.5%	377,690	4.5%
VLF IN LIEU OF PROPERTY TAX	759,841	807,116	821,800	860,000	860,000	860,000	38,200	4.6%	-	0.0%
SALES AND USE TAX	2,306,262	2,196,466	2,300,000	2,300,000	2,300,000	2,400,000	-	0.0%	100,000	4.3%
TRANSIENT OCCUPANCY TAX	3,816,392	3,799,038	4,000,000	4,000,000	4,160,000	4,326,400	160,000	4.0%	166,400	4.0%
TRANSIENT OCCUPANCY TAX-STR	-	-	-	-	193,750	775,000	193,750	100.0%	581,250	300.0%
BUSINESS LICENSE TAX	276,466	362,769	350,000	330,000	350,000	350,000	-	0.0%	-	0.0%
FRANCHISE TAX	442,409	446,816	430,000	430,000	420,000	420,000	(10,000)	-2.3%	-	0.0%
REAL PROPERTY TRANSFER TAX	134,893	178,484	140,000	145,000	150,000	150,000	10,000	7.1%	-	0.0%
<b>TOTAL</b>	<b>14,977,890</b>	<b>15,441,977</b>	<b>16,074,300</b>	<b>16,135,000</b>	<b>16,827,750</b>	<b>18,053,090</b>	<b>753,450</b>	<b>4.7%</b>	<b>1,225,340</b>	<b>7.3%</b>
<b>LICENSES &amp; PERMITS</b>										
LICENSES & PERMITS	2,335	3,485	500	750	500	500	-	0.0%	-	0.0%
JUNIOR LIFEGUARD	96,990	90,310	95,000	95,000	95,000	95,000	-	0.0%	-	0.0%
PARKING PERMITS	30,060	27,387	25,000	30,000	30,000	30,000	5,000	20.0%	-	0.0%
<b>TOTAL</b>	<b>129,385</b>	<b>121,182</b>	<b>120,500</b>	<b>125,750</b>	<b>125,500</b>	<b>125,500</b>	<b>5,000</b>	<b>4.1%</b>	<b>-</b>	<b>0.0%</b>
<b>FINES &amp; FORFEITURES</b>										
MOVING VIOLATIONS/VEHICLE CODE FINES	58,170	69,284	55,000	65,000	65,000	65,000	10,000	18.2%	-	0.0%
PARKING VIOLATIONS	1,368,108	1,395,851	1,350,000	1,450,000	1,400,000	1,450,000	50,000	3.7%	50,000	3.6%
PENALTIES	5,712	25,267	12,000	9,000	9,000	9,000	(3,000)	-25.0%	-	0.0%
ADMINISTRATIVE CITATIONS	88,167	55,152	45,000	45,000	45,000	45,000	-	0.0%	-	0.0%
RED LIGHT ENFORCEMENT	73,937	94,156	65,000	80,000	80,000	80,000	15,000	23.1%	-	0.0%
<b>TOTAL</b>	<b>1,594,094</b>	<b>1,639,710</b>	<b>1,527,000</b>	<b>1,649,000</b>	<b>1,599,000</b>	<b>1,649,000</b>	<b>72,000</b>	<b>4.7%</b>	<b>50,000</b>	<b>3.1%</b>
<b>REVENUE FROM USE OF ASSETS</b>										
INV EARN-GENERAL	199,381	925,444	400,000	400,000	400,000	400,000	-	0.0%	-	0.0%
RENTAL INCOME	230,372	240,743	200,000	228,000	235,000	240,000	35,000	17.5%	5,000	2.1%
PARKING METER INCOME	1,268,930	1,433,473	1,700,000	1,650,000	1,535,000	1,585,000	(165,000)	-9.7%	50,000	3.3%
SIDEWALK CAFÉ USER FEE	1,469	12,371	3,000	4,000	4,000	4,000	1,000	33.3%	-	0.0%
<b>TOTAL</b>	<b>1,700,152</b>	<b>2,612,031</b>	<b>2,303,000</b>	<b>2,282,000</b>	<b>2,174,000</b>	<b>2,229,000</b>	<b>(129,000)</b>	<b>-5.6%</b>	<b>55,000</b>	<b>2.5%</b>
<b>REVENUE FROM OTHER AGENCIES</b>										
MOTOR VEHICLE LICENSE FEE	4,040	4,868	4,000	4,000	4,000	4,000	-	0.0%	-	0.0%
PUBLIC SAFETY AUGMENTATION FUND	107,147	107,890	100,000	100,000	100,000	100,000	-	0.0%	-	0.0%
HOMEOWNER EXEMPT	35,835	34,592	35,000	30,000	30,000	30,000	(5,000)	-14.3%	-	0.0%
FEDERAL/STATE/LOCAL GRANTS	5,000	24,406	162,200	162,200	-	-	(162,200)	-100.0%	-	0.0%
CORONAVIRUS RELIEF FUNDS	870,883	-	162,310	-	162,310	-	-	0.0%	(162,310)	-100.0%
OFF-TRACK PARIMUTUEL	9,009	7,465	8,000	5,000	5,000	5,000	(3,000)	-37.5%	-	0.0%
SOLID WASTE	10,996	12,620	11,000	12,900	12,900	12,900	1,900	17.3%	-	0.0%
<b>TOTAL</b>	<b>1,042,910</b>	<b>191,841</b>	<b>482,510</b>	<b>314,100</b>	<b>314,210</b>	<b>151,900</b>	<b>(168,300)</b>	<b>-34.9%</b>	<b>(162,310)</b>	<b>-51.7%</b>

**CITY OF DEL MAR**  
**FISCAL YEAR 2025-2026 AND 2026-2027**  
**OPERATING AND CAPITAL BUDGET**  
**REVENUE SUMMARIES**

SOURCE OF FUNDS	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTION FY 2024-25	PROPOSED FY 2025-26	PROPOSED FY 2026-27	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2026 vs FY2027 PROP (%)
<b>CHARGES - PLANNING SERVICES</b>										
PLANNING SERVICES	625,509	502,183	520,000	525,000	525,000	525,000	5,000	1.0%	-	0.0%
ENGINEERING SERVICES	181,888	171,259	200,000	120,000	120,000	120,000	(80,000)	-40.0%	-	0.0%
BUILDING SERVICES	606,602	612,862	500,000	450,000	500,000	500,000	-	0.0%	-	0.0%
<b>TOTAL</b>	<b>1,413,999</b>	<b>1,286,304</b>	<b>1,220,000</b>	<b>1,095,000</b>	<b>1,145,000</b>	<b>1,145,000</b>	<b>(75,000)</b>	<b>-6.1%</b>	<b>-</b>	<b>0.0%</b>
<b>OTHER REVENUE SOURCES</b>										
PARKING IN-LIEU FEE	-	13,764	1,500	2,700	2,500	2,500	1,000	66.7%	-	0.0%
ADMINISTRATIVE CHARGE	910,344	937,650	990,000	965,800	994,760	1,024,600	4,760	0.5%	29,840	3.0%
ADMINISTRATIVE CHARGE-MEASURE Q	59,875	90,528	150,000	150,000	150,000	150,000	-	0.0%	-	0.0%
EXPENDITURE REIMBURSEMENT	3,811	148,006	35,000	47,000	35,000	35,000	-	0.0%	-	0.0%
MISCELLANEOUS	167,314	73,722	102,120	106,900	26,500	26,500	(75,620)	-74.1%	-	0.0%
<b>TOTAL</b>	<b>1,141,344</b>	<b>1,263,670</b>	<b>1,278,620</b>	<b>1,272,400</b>	<b>1,208,760</b>	<b>1,238,600</b>	<b>(69,860)</b>	<b>-5.5%</b>	<b>29,840</b>	<b>2.5%</b>
<b>TOTAL GENERAL FUND</b>	<b>21,999,774</b>	<b>22,556,715</b>	<b>23,005,930</b>	<b>22,873,250</b>	<b>23,394,220</b>	<b>24,592,090</b>	<b>388,290</b>	<b>1.7%</b>	<b>1,197,870</b>	<b>5.1%</b>
<b>MEASURE Q FUND</b>	<b>3,401,946</b>	<b>3,780,939</b>	<b>3,500,000</b>	<b>3,565,840</b>	<b>3,627,380</b>	<b>3,686,120</b>	<b>127,380</b>	<b>3.6%</b>	<b>58,740</b>	<b>1.6%</b>
LOAN PROCEEDS					12,000,000	-	12,000,000	100.0%	(12,000,000)	-100.0%
	<b>3,401,946</b>	<b>3,780,939</b>	<b>3,500,000</b>	<b>3,565,840</b>	<b>15,627,380</b>	<b>3,686,120</b>	<b>12,127,380</b>	<b>103.6%</b>	<b>(11,941,260)</b>	<b>-98.4%</b>
<b>ROAD MAINTENANCE REHAB ACCOUNT</b>	<b>90,384</b>	<b>107,381</b>	<b>100,860</b>	<b>99,760</b>	<b>107,000</b>	<b>107,000</b>	<b>6,140</b>	<b>6.1%</b>	<b>-</b>	<b>0.0%</b>
<b>GAS TAX FUND</b>	<b>105,890</b>	<b>114,641</b>	<b>114,770</b>	<b>117,400</b>	<b>119,560</b>	<b>119,560</b>	<b>4,790</b>	<b>4.2%</b>	<b>-</b>	<b>0.0%</b>
<b>OPEN SPACE FUND</b>										
TAXES	34,115	18,144	12,000	5,500	6,000	6,000	(6,000)	-50.0%	-	0.0%
LICENSE & PERMITS	390,339	403,365	440,000	367,000	390,000	400,000	(50,000)	-11.4%	10,000	2.6%
RENTAL INCOME	-	-	221,670	240,000	227,200	227,200	5,530	2.5%	-	0.0%
FEDERAL/STATE/LOCAL GRANTS	-	215,672	-	-	-	-	-	0.0%	-	0.0%
OFF-TRACK PARIMUTUEL	4,334	4,976	5,000	3,000	3,000	3,000	(2,000)	-40.0%	-	0.0%
CONTRIBUTIONS	102,856	34,000	1,621,673	1,621,673	-	35,000	(1,621,673)	-100.0%	35,000	0.0%
MISCELLANEOUS	8,021	8,952	42,860	4,000	4,000	4,000	(38,860)	-90.7%	-	0.0%
<b>TOTAL OPEN SPACE FUND</b>	<b>539,665</b>	<b>685,109</b>	<b>2,343,203</b>	<b>2,241,173</b>	<b>630,200</b>	<b>675,200</b>	<b>(1,713,003)</b>	<b>-73.1%</b>	<b>45,000</b>	<b>7.1%</b>
<b>SUPPLEMENTAL LAW FUND</b>	<b>166,847</b>	<b>192,923</b>	<b>194,000</b>	<b>195,120</b>	<b>160,000</b>	<b>160,000</b>	<b>(34,000)</b>	<b>-17.5%</b>	<b>-</b>	<b>0.0%</b>
<b>REGIONAL COMMUNICATION</b>	<b>43,990</b>	<b>46,159</b>	<b>45,000</b>	<b>46,000</b>	<b>46,000</b>	<b>46,000</b>	<b>1,000</b>	<b>2.2%</b>	<b>-</b>	<b>0.0%</b>
<b>GRANTS FUND</b>	<b>71,515</b>	<b>87,833</b>	<b>66,352</b>	<b>80,300</b>	<b>62,400</b>	<b>62,400</b>	<b>(3,952)</b>	<b>-6.0%</b>	<b>-</b>	<b>0.0%</b>
<b>HOUSING FUND</b>	<b>2,546</b>	<b>42,364</b>	<b>162,850</b>	<b>176,000</b>	<b>-</b>	<b>-</b>	<b>(162,850)</b>	<b>-100.0%</b>	<b>-</b>	<b>0.0%</b>
<b>AB 939</b>	<b>159,145</b>	<b>251,345</b>	<b>154,000</b>	<b>160,000</b>	<b>154,000</b>	<b>154,000</b>	<b>-</b>	<b>0.0%</b>	<b>-</b>	<b>0.0%</b>
<b>PEG FEE FUND</b>	<b>43,647</b>	<b>40,405</b>	<b>46,000</b>	<b>36,880</b>	<b>37,200</b>	<b>37,200</b>	<b>(8,800)</b>	<b>-19.1%</b>	<b>-</b>	<b>0.0%</b>

CITY OF DEL MAR  
FISCAL YEAR 2025-2026 AND 2026-2027  
OPERATING AND CAPITAL BUDGET  
REVENUE SUMMARIES

SOURCE OF FUNDS	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTION FY 2024-25	PROPOSED FY 2025-26	PROPOSED FY 2026-27	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2026 vs FY2027 PROP (%)
<b>CAPITAL IMPROVEMENT FUND</b>										
FEDERAL/STATE/LOCAL GRANTS	684,949	208,899	2,835,764	2,672,450	1,170,000	15,000,000	(1,665,764)	-58.7%	13,830,000	1182.1%
MISCELLANEOUS	63,564	202,872	-	-	219,000	19,000	219,000	100.0%	(200,000)	-91.3%
<b>TOTAL CAPITAL IMPROVEMENT FUND</b>	<b>748,513</b>	<b>411,771</b>	<b>2,835,764</b>	<b>2,672,450</b>	<b>1,389,000</b>	<b>15,019,000</b>	<b>(1,446,764)</b>	<b>-51.0%</b>	<b>13,630,000</b>	<b>981.3%</b>
<b>TRANSNET FUND</b>										
	133,698	228,931	578,000	578,000	131,000	135,000	(447,000)	-77.3%	4,000	3.1%
<b>RTCIP FUND</b>										
	23,784	4,977	-	400	-	-	-	0.0%	-	0.0%
<b>SPECIAL PROJECTS FUND</b>										
	225,000	-	-	-	1,545,000	2,600,000	1,545,000	100.0%	1,055,000	68.3%
<b>TOTAL GENERAL GOVERNMENTAL FUNDS</b>	<b>27,756,344</b>	<b>28,551,493</b>	<b>33,146,729</b>	<b>32,842,573</b>	<b>43,402,960</b>	<b>47,393,570</b>	<b>10,256,231</b>	<b>30.9%</b>	<b>3,990,610</b>	<b>9.2%</b>
<b>WORKERS' COMPENSATION FUND</b>										
	290,088	349,499	290,000	325,000	419,190	433,650	129,190	44.5%	14,460	3.4%
<b>WATER UTILITY FUND</b>										
WATER SALES	2,250,941	2,365,627	2,575,000	2,650,000	2,700,000	2,700,000	125,000	4.9%	-	0.0%
READY TO SERVE CHARGE	1,860,332	1,954,206	1,950,000	1,975,000	2,000,000	2,000,000	50,000	2.6%	-	0.0%
OTHER CONNECTION FEES	57,667	68,356	54,000	30,000	30,000	30,000	(24,000)	-44.4%	-	0.0%
MISCELLANEOUS	101,824	200,549	90,000	68,000	65,000	65,000	(25,000)	-27.8%	-	0.0%
<b>TOTAL OPERATING REVENUE</b>	<b>4,270,764</b>	<b>4,588,738</b>	<b>4,669,000</b>	<b>4,723,000</b>	<b>4,795,000</b>	<b>4,795,000</b>	<b>126,000</b>	<b>2.7%</b>	<b>-</b>	<b>0.0%</b>
<b>CLEAN WATER PROGRAM</b>										
MISCELLANEOUS	5,266	10,973	5,000	40,900	282,290	632,500	277,290	5545.8%	350,210	124.1%
SERVICE CHARGE	623,696	657,722	630,000	560,000	575,000	575,000	(55,000)	-8.7%	-	0.0%
<b>TOTAL CLEAN WATER PROGRAM</b>	<b>628,962</b>	<b>668,695</b>	<b>635,000</b>	<b>600,900</b>	<b>857,290</b>	<b>1,207,500</b>	<b>222,290</b>	<b>35.0%</b>	<b>350,210</b>	<b>40.9%</b>
<b>WASTEWATER FUND</b>										
SERVICE CHARGES	1,860,666	1,954,106	2,000,000	2,100,000	2,200,000	2,200,000	200,000	10.0%	-	0.0%
USAGE CHARGES	1,923,924	1,950,126	2,000,000	2,000,000	2,100,000	2,100,000	100,000	5.0%	-	0.0%
OTHER SEWER FEES	67,657	83,766	75,000	40,000	40,000	40,000	(35,000)	-46.7%	-	0.0%
MISCELLANEOUS	56,127	188,378	77,000	56,000	90,960	141,000	13,960	18.1%	50,040	55.0%
<b>TOTAL WASTEWATER FUND</b>	<b>3,908,374</b>	<b>4,176,376</b>	<b>4,152,000</b>	<b>4,196,000</b>	<b>4,430,960</b>	<b>4,481,000</b>	<b>278,960</b>	<b>6.7%</b>	<b>50,040</b>	<b>1.1%</b>
<b>TOTAL ENTERPRISE FUNDS</b>	<b>8,808,100</b>	<b>9,433,809</b>	<b>9,456,000</b>	<b>9,519,900</b>	<b>10,083,250</b>	<b>10,483,500</b>	<b>627,250</b>	<b>6.6%</b>	<b>400,250</b>	<b>4.0%</b>
<b>TOTAL ALL FUNDS</b>	<b>36,854,532</b>	<b>38,334,801</b>	<b>42,892,729</b>	<b>42,687,473</b>	<b>53,905,400</b>	<b>58,310,720</b>	<b>11,012,671</b>	<b>25.7%</b>	<b>4,405,320</b>	<b>8.2%</b>

**CITY OF DEL MAR  
FISCAL YEAR 2025-2026 AND 2026-2027  
OPERATING AND CAPITAL BUDGET  
EXPENDITURE SUMMARIES**

DEPARTMENT	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTED FY 2024-25	PROPOSED BUDGET FY 2025-2026	PROPOSED BUDGET FY 2026-2027	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2027 vs FY2025 PROP (%)
<b>GENERAL FUND</b>										
<b>GENERAL GOVERNMENT</b>										
CITY COUNCIL	23,400	41,603	35,280	48,870	78,970	80,270	43,690	123.8%	1,300	1.6%
LEGAL SERVICES	625,181	700,194	606,000	603,100	550,000	550,000	(56,000)	-9.2%	-	0.0%
CITY MANAGER	714,344	878,774	922,090	900,000	1,071,350	1,124,890	149,260	16.2%	53,540	5.0%
HUMAN RESOURCES	226,829	258,453	249,590	230,000	316,850	318,030	67,260	26.9%	1,180	0.4%
CITY CLERK	337,212	361,529	364,740	381,790	370,080	429,410	5,340	1.5%	59,330	16.0%
INFORMATION SYSTEMS	504,087	548,153	544,960	520,950	540,380	545,600	(4,580)	-0.8%	5,220	1.0%
FINANCE SERVICES	736,709	764,865	810,410	760,080	976,380	961,940	165,970	20.5%	(14,440)	-1.5%
RISK MANAGEMENT	280,408	368,636	481,350	778,000	554,500	654,800	73,150	15.2%	100,300	18.1%
PLANNING SERVICES	1,196,048	1,508,816	1,877,340	1,716,460	1,929,860	1,963,120	52,520	2.8%	33,260	1.7%
CODE ENFORCEMENT	148,242	161,031	149,550	157,180	141,990	147,070	(7,560)	-5.1%	5,080	3.6%
BUILDING SERVICES	485,477	476,118	403,500	403,500	403,500	403,500	-	0.0%	-	0.0%
<b>TOTAL</b>	<b>5,277,936</b>	<b>6,068,173</b>	<b>6,444,810</b>	<b>6,499,930</b>	<b>6,933,860</b>	<b>7,178,630</b>	<b>489,050</b>	<b>7.6%</b>	<b>244,770</b>	<b>3.5%</b>
<b>PUBLIC SAFETY</b>										
LAW ENFORCEMENT	2,687,591	2,747,809	2,962,340	2,842,560	3,072,560	3,178,700	110,220	3.7%	106,140	3.5%
LIFEGUARD SERVICES	1,393,458	1,516,815	1,547,960	1,553,100	1,730,100	1,802,750	182,140	11.8%	72,650	4.2%
PARKING ENFORCEMENT	1,084,591	1,046,838	1,189,520	1,188,200	1,213,570	1,262,040	24,050	2.0%	48,470	4.0%
FIRE PROTECTION	2,303,087	2,741,927	3,032,062	3,014,730	3,116,030	3,237,900	83,968	2.8%	121,870	3.9%
HAZARDOUS WASTE MANAGEMENT	17,632	20,077	22,960	22,910	23,850	23,850	890	3.9%	-	0.0%
SOLID WASTE	3,508	3,001	5,000	3,500	5,000	5,000	-	0.0%	-	0.0%
EMERGENCY PREPAREDNESS	2,884	3,152	5,750	5,500	5,750	5,750	-	0.0%	-	0.0%
<b>TOTAL</b>	<b>7,492,751</b>	<b>8,079,619</b>	<b>8,765,592</b>	<b>8,630,500</b>	<b>9,166,860</b>	<b>9,515,990</b>	<b>401,268</b>	<b>4.6%</b>	<b>349,130</b>	<b>3.8%</b>
<b>PUBLIC WORKS</b>										
ENGINEERING SERVICES	220,798	284,858	263,750	250,000	314,750	314,750	51,000	19.3%	-	0.0%
STORM WATER	154,487	199,913	221,783	249,300	556,740	500,690	334,957	151.0%	(56,050)	-10.1%
FACILITIES	237,242	284,889	359,280	378,090	380,010	386,520	20,730	5.8%	6,510	1.7%
<b>TOTAL</b>	<b>612,527</b>	<b>769,659</b>	<b>844,813</b>	<b>877,390</b>	<b>1,251,500</b>	<b>1,201,960</b>	<b>406,687</b>	<b>48.1%</b>	<b>(49,540)</b>	<b>-4.0%</b>
<b>NON-DEPARTMENTAL</b>										
COMMUNITY SUPPORT	415,129	385,398	427,510	468,000	482,600	540,100	55,090	12.9%	57,500	11.9%
TV STUDIO	97,575	89,375	119,420	120,800	124,950	128,070	5,530	4.6%	3,120	2.5%
CITY MEMBERSHIPS	93,740	101,741	109,890	105,180	112,310	117,070	2,420	2.2%	4,760	4.2%
CITY HALL - GENERAL	157,091	156,326	185,750	195,330	188,050	188,050	2,300	1.2%	-	0.0%
<b>TOTAL</b>	<b>763,535</b>	<b>732,840</b>	<b>842,570</b>	<b>889,310</b>	<b>907,910</b>	<b>973,290</b>	<b>65,340</b>	<b>7.8%</b>	<b>65,380</b>	<b>7.2%</b>
<b>TOTAL GENERAL FUND BEFORE EQUIPMENT REPLACEMENT</b>	<b>14,146,749</b>	<b>15,650,292</b>	<b>16,897,785</b>	<b>16,897,130</b>	<b>18,260,130</b>	<b>18,869,870</b>	<b>1,362,345</b>	<b>8.1%</b>	<b>609,740</b>	<b>3.3%</b>
EQUIPMENT REPLACEMENT	987,427	270,159	257,899	257,890	112,240	47,000	(145,659)	-56.5%	(65,240)	-58.1%
<b>TOTAL GENERAL FUND INCLUDING EQUIPMENT REPLACEMENT</b>	<b>15,134,176</b>	<b>15,920,451</b>	<b>17,155,684</b>	<b>17,155,020</b>	<b>18,372,370</b>	<b>18,916,870</b>	<b>1,216,686</b>	<b>7.1%</b>	<b>544,500</b>	<b>3.0%</b>
<b>MEASURE Q FUND</b>	<b>1,325,555</b>	<b>1,174,333</b>	<b>15,216,225</b>	<b>15,216,225</b>	<b>6,005,750</b>	<b>9,049,230</b>	<b>(9,210,475)</b>	<b>-60.5%</b>	<b>3,043,480</b>	<b>50.7%</b>

CITY OF DEL MAR  
FISCAL YEAR 2025-2026 AND 2026-2027  
OPERATING AND CAPITAL BUDGET  
EXPENDITURE SUMMARIES

DEPARTMENT	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTED FY 2024-25	PROPOSED BUDGET FY 2025-2026	PROPOSED BUDGET FY 2026-2027	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2027 vs FY2025 PROP (%)
<b>GAS TAX FUND</b>										
STREET MAINTENANCE	421,688	269,233	382,485	295,350	518,280	395,020	135,795	35.5%	(123,260)	-23.8%
STREET LIGHTS/SIGNS	161,080	174,857	213,850	176,740	204,630	197,260	(9,220)	-4.3%	(7,370)	-3.6%
STREET LANDSCAPING	272,320	314,882	306,180	287,110	308,450	315,320	2,270	0.7%	6,870	2.2%
<b>TOTAL GAX TAX FUND</b>	<b>855,089</b>	<b>758,972</b>	<b>902,515</b>	<b>759,200</b>	<b>1,031,360</b>	<b>907,600</b>	<b>128,845</b>	<b>14.3%</b>	<b>(123,760)</b>	<b>-12.0%</b>
<b>OPEN SPACE FUND</b>										
POWERHOUSE OPERATIONS	379,591	426,569	489,199	472,110	518,870	540,200	29,671	6.1%	21,330	4.1%
BEACH MAINTENANCE	363,402	334,473	451,679	413,660	481,570	497,030	29,891	6.6%	15,460	3.2%
PARK MAINTENANCE	309,117	434,342	493,710	496,240	515,790	578,480	22,080	4.5%	62,690	12.2%
<b>TOTAL OPEN SPACE FUND</b>	<b>1,052,109</b>	<b>1,195,384</b>	<b>1,434,588</b>	<b>1,382,010</b>	<b>1,516,230</b>	<b>1,615,710</b>	<b>81,642</b>	<b>5.7%</b>	<b>99,480</b>	<b>6.6%</b>
<b>REGIONAL COMMUNICATION FUND</b>	<b>40,960</b>	<b>44,521</b>	<b>61,250</b>	<b>61,250</b>	<b>61,250</b>	<b>36,000</b>	<b>-</b>	<b>0.0%</b>	<b>(25,250)</b>	<b>-41.2%</b>
<b>GRANTS FUND</b>	<b>69,752</b>	<b>68,491</b>	<b>67,522</b>	<b>66,240</b>	<b>61,500</b>	<b>61,500</b>	<b>(6,022)</b>	<b>-8.9%</b>	<b>-</b>	<b>0.0%</b>
<b>HOUSING FUND</b>	<b>101,143</b>	<b>45,684</b>	<b>57,240</b>	<b>57,250</b>	<b>61,660</b>	<b>61,660</b>	<b>4,420</b>	<b>7.7%</b>	<b>-</b>	<b>0.0%</b>
<b>AB 939</b>	<b>35,989</b>	<b>64,849</b>	<b>118,890</b>	<b>86,510</b>	<b>95,480</b>	<b>63,850</b>	<b>(23,410)</b>	<b>-19.7%</b>	<b>(31,630)</b>	<b>-33.1%</b>
<b>PEG FEE FUND</b>	<b>18,510</b>	<b>10,736</b>	<b>31,200</b>	<b>29,000</b>	<b>11,900</b>	<b>10,700</b>	<b>(19,300)</b>	<b>-61.9%</b>	<b>(1,200)</b>	<b>-10.1%</b>
<b>TOTAL GENERAL O&amp;M FUNDS</b>	<b>18,633,284</b>	<b>19,283,421</b>	<b>35,045,114</b>	<b>34,812,705</b>	<b>27,217,500</b>	<b>30,723,120</b>	<b>(7,827,614)</b>	<b>-22.3%</b>	<b>3,505,620</b>	<b>12.9%</b>
<b>CAPITAL IMPROVEMENT FUNDS</b>										
OPEN SPACE CIP	584,768	146,197	1,807,398	1,807,398	50,000	1,300,000	(1,757,398)	-97.2%	1,250,000	2500.0%
GENERAL FUND CIP	909,191	2,230,198	4,971,925	4,926,925	4,707,750	15,727,750	(264,175)	-5.3%	11,020,000	234.1%
DEBT SERVICE-CITY HALL	904,283	902,860	904,290	901,390	899,880	898,310	(4,410)	-0.5%	(1,570)	-0.2%
TRANSNET II CIP	132,760	228,756	578,000	578,000	131,000	135,000	(447,000)	-77.3%	4,000	3.1%
RTCIP FUND	(1)	-	-	-	36,000	-	36,000	0.0%	(36,000)	0.0%
<b>TOTAL CAPITAL IMPROVEMENT FUNDS</b>	<b>2,531,002</b>	<b>3,508,011</b>	<b>8,261,613</b>	<b>8,213,713</b>	<b>5,824,630</b>	<b>18,061,060</b>	<b>(2,436,983)</b>	<b>-29.5%</b>	<b>12,236,430</b>	<b>210.1%</b>
<b>SPECIAL PROJECT FUND</b>	<b>452,662</b>	<b>430,060</b>	<b>1,538,274</b>	<b>1,245,774</b>	<b>2,093,000</b>	<b>3,390,000</b>	<b>554,726</b>	<b>36.1%</b>	<b>1,297,000</b>	<b>62.0%</b>
<b>TOTAL GENERAL GOVERNMENTAL FUNDS</b>	<b>21,616,948</b>	<b>23,221,492</b>	<b>44,845,001</b>	<b>44,272,192</b>	<b>35,135,130</b>	<b>52,174,180</b>	<b>(9,709,871)</b>	<b>-21.7%</b>	<b>17,039,050</b>	<b>48.5%</b>
<b>WORKERS' COMPENSATION FUND</b>	<b>380,724</b>	<b>261,612</b>	<b>304,000</b>	<b>292,320</b>	<b>322,750</b>	<b>357,950</b>	<b>18,750</b>	<b>6.2%</b>	<b>35,200</b>	<b>10.9%</b>

CITY OF DEL MAR  
FISCAL YEAR 2025-2026 AND 2026-2027  
OPERATING AND CAPITAL BUDGET  
EXPENDITURE SUMMARIES

DEPARTMENT	ACTUAL FY 2022-23	ACTUAL FY 2023-24	BUDGET FY 2024-25	PROJECTED FY 2024-25	PROPOSED BUDGET FY 2025-2026	PROPOSED BUDGET FY 2026-2027	FY2026 vs FY2025 BUDGET (\$)	FY2026 vs FY2025 BUDGET (%)	FY2027 vs FY2026 PROP (\$)	FY2027 vs FY2025 PROP (%)
<b>WATER FUND</b>										
GENERAL ADMINISTRATION	1,500,066	1,946,868	2,182,522	2,107,620	2,550,360	2,247,060	367,838	16.9%	(303,300)	-11.9%
RISK MANAGEMENT	132,948	162,220	187,540	203,910	266,750	316,910	79,210	42.2%	50,160	18.8%
RAW WATER SUPPLY	1,677,581	1,717,992	2,102,040	1,980,000	1,997,150	2,097,000	(104,890)	-5.0%	99,850	5.0%
TREATMENT/DELIVERY	441,012	374,796	461,090	425,000	474,930	489,170	13,840	3.0%	14,240	3.0%
<b>TOTAL WATER FUND O&amp;M</b>	<b>3,751,607</b>	<b>4,201,876</b>	<b>4,933,192</b>	<b>4,716,530</b>	<b>5,289,190</b>	<b>5,150,140</b>	<b>355,998</b>	<b>7.2%</b>	<b>(139,050)</b>	<b>-2.6%</b>
WATER CAP IMPROVEMENT	102,988	894,560	741,217	741,217	312,000	369,000	(429,217)	-57.9%	57,000	18.3%
<b>TOTAL WATER FUND</b>	<b>3,854,595</b>	<b>5,096,436</b>	<b>5,674,409</b>	<b>5,457,747</b>	<b>5,601,190</b>	<b>5,519,140</b>	<b>(73,219)</b>	<b>-1.3%</b>	<b>(82,050)</b>	<b>-1.5%</b>
<b>CLEAN WATER FUND</b>										
PLANNING	66,315	78,255	91,460	103,000	82,300	85,830	(9,160)	-10.0%	3,530	4.3%
CODE ENFORCEMENT	37,415	39,025	39,560	39,590	36,600	37,950	(2,960)	-7.5%	1,350	3.7%
CLEAN WATER MANAGEMENT	281,209	307,573	344,030	339,250	343,750	374,050	(280)	-0.1%	30,300	8.8%
PUBLIC WORKS	275,141	287,993	350,784	350,620	565,850	403,990	215,066	61.3%	(161,860)	-28.6%
<b>TOTAL CLEAN WATER O &amp; M</b>	<b>660,080</b>	<b>712,846</b>	<b>825,834</b>	<b>832,460</b>	<b>1,028,500</b>	<b>901,820</b>	<b>202,666</b>	<b>24.5%</b>	<b>(126,680)</b>	<b>-12.3%</b>
CLEAN WATER CAP IMPROVEMENT	85,375	369,739	482,322	482,322	634,790	595,000	152,468	31.6%	(39,790)	-6.3%
<b>TOTAL CLEAN WATER FUND</b>	<b>745,455</b>	<b>1,082,585</b>	<b>1,308,156</b>	<b>1,314,782</b>	<b>1,663,290</b>	<b>1,496,820</b>	<b>355,134</b>	<b>27.1%</b>	<b>(166,470)</b>	<b>-10.0%</b>
<b>WASTEWATER FUND</b>										
RISK MANAGEMENT	131,867	162,220	196,540	207,900	275,750	325,900	79,210	40.3%	50,150	18.2%
WASTEWATER TRANSPORTATION	102,276	57,498	139,740	176,000	146,730	146,730	6,990	5.0%	-	0.0%
WASTEWATER TREATMENT	909,145	927,290	1,169,550	1,226,000	1,310,890	1,385,630	141,340	12.1%	74,740	5.7%
DEBT SERVICE	564,094	563,446	568,850	568,850	568,300	567,750	(550)	-0.1%	(550)	0.0%
WASTEWATER PROGRAM	2,344,994	2,436,518	2,802,032	2,665,030	3,104,970	2,701,260	302,938	10.8%	(403,710)	-13.0%
<b>TOTAL WASTEWATER FUND O&amp;M</b>	<b>4,052,376</b>	<b>4,146,972</b>	<b>4,876,712</b>	<b>4,843,780</b>	<b>5,406,640</b>	<b>5,127,270</b>	<b>529,928</b>	<b>10.9%</b>	<b>(279,370)</b>	<b>-5.2%</b>
WASTEWATER CAPITAL IMPROVEMENT	15,297	257,223	797,679	797,679	250,000	300,000	(547,679)	-68.7%	50,000	20.0%
<b>TOTAL WASTEWATER FUND</b>	<b>4,067,673</b>	<b>4,404,195</b>	<b>5,674,391</b>	<b>5,641,459</b>	<b>5,656,640</b>	<b>5,427,270</b>	<b>(17,751)</b>	<b>-0.3%</b>	<b>(229,370)</b>	<b>-4.1%</b>
<b>TOTAL ENTERPRISE FUNDS</b>	<b>8,667,722</b>	<b>10,583,216</b>	<b>12,656,956</b>	<b>12,413,988</b>	<b>12,921,120</b>	<b>12,443,230</b>	<b>264,164</b>	<b>2.1%</b>	<b>(477,890)</b>	<b>-3.7%</b>
<b>TOTAL EXPENDITURES</b>	<b>30,665,394</b>	<b>34,066,320</b>	<b>57,805,957</b>	<b>56,978,500</b>	<b>48,379,000</b>	<b>64,975,360</b>	<b>(9,426,957)</b>	<b>-16.3%</b>	<b>16,596,360</b>	<b>34.3%</b>

**City of Del Mar  
Cash Flow Report  
General Fund  
Fiscal Year 2025-26 & 2026-27**

	<b>Proposed Budget FY 2025-26</b>	<b>Proposed Budget FY 2026-27</b>
	<hr/>	<hr/>
<b>Total Revenue</b>	23,394,220	24,592,090
<b>Total Expenditures</b>	18,372,370	18,916,870
<b>Transfers</b>		
RMRA Reimb	(107,000)	(107,000)
Gas Tax	911,800	788,040
Open Space	886,030	975,510
SLESF	(160,000)	(160,000)
Regional Comm	2,072	-
Housing Fund	-	(4,375)
Clean Water (non-CIP)	416,000	289,320
PEG Fee Reimb	(30,000)	(35,000)
Total Transfers	<hr/> 1,918,902	<hr/> 1,746,495
<b>City Hall Debt</b>	899,880	898,310
<b>Cash Flow (before CIP &amp; SP)</b>	<b>\$ 2,203,068</b>	<b>\$ 3,030,415</b>
<b>Transfer to CIP</b>		
Open Space	50,000	1,265,000
General Fund	2,418,750	708,750
RTCIP	-	-
Clean Water	390,000	-
Total CIP	<hr/> 2,858,750	<hr/> 1,973,750
<b>Transfer to Special Projects</b>	298,000	790,000
<b>Cash Flow (after CIP &amp; SP)</b>	<b>\$ (953,682)</b>	<b>\$ 266,665</b>
<b><u>Reserves</u></b>		
Contingency Reserves	4,341,582	4,130,247
Self-Insurance	300,000	300,000
Housing Reserves	1,900,000	1,650,000
Pension Reserves	5,200,000	5,450,000
Leave Liability	100,000	100,000
Equipment Replcement	545,102	498,102
Total Reserves	<hr/> 12,386,684	<hr/> 12,128,349
<b><u>Capital Reserve</u></b>		
Capital Reserve Transfer	\$ -	\$ 525,000
Capital Reserve Balance	\$ 2,250,000	\$ 2,775,000

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE RECLASSIFICATION OF THE FACILITIES SUPERVISOR POSITION TO FACILITIES MANAGER I/II AND THE ADMINISTRATIVE ASSISTANT I/II POSITION TO ACCOUNTING TECHNICIAN I/II, AND ADOPTING THE COMPENSATION PLANS FOR MANAGEMENT AND PROFESSIONAL, FIRE, AND MISCELLANEOUS, PART-TIME, TEMPORARY AND HOURLY EMPLOYEES

WHEREAS, on July 10, 2023, the City Council of the City of Del Mar adopted Resolution 2023-29, approving the Memorandum of Agreement (MOA) between the City of Del Mar and the Del Mar Firefighters Association (“Fire group”) for the period July 1, 2023, through June 30, 2027; and

WHEREAS, in accordance with the Del Mar Firefighters Association MOAs, employees shall receive a 3.0% salary increase effective July 1, 2025; and

WHEREAS, the City Council also desires to provide Management and Professional, and Miscellaneous, Part-Time, Temporary and Hourly Del Mar employees with a 3.0% salary increase effective July 1, 2025, in order to ensure competitive wages for Management and Professional, Fire, and Miscellaneous, Part-Time, Temporary and Hourly City employees; and

WHEREAS, to provide the necessary level of support to the Public Works and Administrative Services Departments and increase operational efficiency, the Facilities Supervisor position is being reclassified to a multi-level Facilities Manager I/II, and the Administrative Assistant I/II position in the Finance Division of the Administrative Services Department is being reclassified to an Accounting Technician I/II position; and

WHEREAS, the City Council desires to pay Student Lifeguard, Seasonal Lifeguard I/II and Seasonal Worker I/II part-time seasonal classifications one and a half times their normal hourly rate on all designated City holidays; and

WHEREAS, the California Public Employees Retirement System (CalPERS) regulations require all City employee compensation to be reflected on a publicly available, City Council approved compensation plan; and

WHEREAS, the City Council has been presented with and has reviewed the compensation plans for Management and Professional, Fire, and Miscellaneous, Part-Time, Temporary and Hourly employees for inclusion in the Fiscal Year 2025-2026 Operating and Capital Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that:

1. The above recitals are true and correct.
2. One Facilities Supervisor position is hereby unfunded, and one Facilities Manager I/II position is funded.
3. One Administrative Assistant I/II position in the Administrative Services Department is hereby unfunded, and one Accounting Technician I/II position is funded.
4. The City Council does hereby approve and adopt compensation plans for the Management and Professional, Fire, and Miscellaneous, Part-Time, Temporary and Hourly employees as shown in Exhibit "A" to the Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at the Regular Meeting held this 16<sup>th</sup> day of June 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

**CITY OF DEL MAR  
FIRE EMPLOYEE COMPENSATION PLAN  
SALARY INCREASE 3.0%**

**EFFECTIVE JULY 1, 2025**

<b>POSITION TITLE</b>	<b>RANGE</b>	<b>ANNUAL SALARY</b>	
<b>Administratvie Fire Battalion Chief</b>	<b>F519</b>		
-Hourly		50.1800 -	60.9941
-Bi-Weekly		5,620.16 -	6,831.34
-Monthly		12,177.01 -	14,801.24
-Annual		146,124.16 -	177,614.83
<b>Fire Battalion Chief</b>	<b>F510</b>		
-Hourly		45.8816 -	55.7693
-Bi-Weekly		5,138.74 -	6,246.16
-Monthly		11,133.93 -	13,533.36
-Annual		133,607.12 -	162,400.29
<b>Fire Captain</b>	<b>F480</b>		
-Hourly		35.1878 -	42.7710
-Bi-Weekly		3,941.03 -	4,790.35
-Monthly		8,538.91 -	10,379.09
-Annual		102,466.88 -	124,549.13
<b>Fire Engineer</b>	<b>F465</b>		
-Hourly		30.3676 -	36.9120
-Bi-Weekly		3,401.17 -	4,134.15
-Monthly		7,369.21 -	8,957.32
-Annual		88,430.50 -	107,487.82
<b>Firefighter/Paramedic</b>	<b>F462</b>		
-Hourly		29.9297 -	36.3798
-Bi-Weekly		3,352.13 -	4,074.53
-Monthly		7,262.95 -	8,828.16
-Annual		87,155.36 -	105,937.88

**CITY OF DEL MAR  
 FIRE EMPLOYEE COMPENSATION PLAN  
 SALARY INCREASE 3.0%**

**EFFECTIVE JULY 1, 2025**

<b>POSITION TITLE</b>	<b>RANGE</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>Administrative Fire Battalion Chief</b>	<b>F519</b>					
-Hourly		50.1800	52.6890	55.3234	58.0896	60.9941
-Bi-Weekly		5,620.16	5,901.17	6,196.23	6,506.04	6,831.34
-Monthly		12,177.01	12,785.86	13,425.16	14,096.41	14,801.24
-Annual		146,124.16	153,430.37	161,101.88	169,156.98	177,614.83
<b>Fire Battalion Chief</b>	<b>F510</b>					
-Hourly		45.8816	48.1756	50.5844	53.1136	55.7693
-Bi-Weekly		5,138.74	5,395.67	5,665.46	5,948.73	6,246.16
-Monthly		11,133.93	11,690.62	12,275.15	12,888.91	13,533.36
-Annual		133,607.12	140,287.47	147,301.85	154,666.94	162,400.29
<b>Fire Captain</b>	<b>F480</b>					
-Hourly		35.1878	36.9472	38.7946	40.7343	42.7710
-Bi-Weekly		3,941.03	4,138.09	4,344.99	4,562.24	4,790.35
-Monthly		8,538.91	8,965.85	9,414.14	9,884.85	10,379.09
-Annual		102,466.88	107,590.23	112,969.74	118,618.22	124,549.13
<b>Fire Engineer</b>	<b>F465</b>					
-Hourly		30.3676	31.8860	33.4803	35.1543	36.9120
-Bi-Weekly		3,401.17	3,571.23	3,749.79	3,937.28	4,134.15
-Monthly		7,369.21	7,737.67	8,124.55	8,530.78	8,957.32
-Annual		88,430.50	92,852.02	97,494.62	102,369.36	107,487.82
<b>Firefighter/Paramedic</b>	<b>F462</b>					
-Hourly		29.9297	31.4262	32.9975	34.6474	36.3798
-Bi-Weekly		3,352.13	3,519.74	3,695.72	3,880.51	4,074.53
-Monthly		7,262.95	7,626.09	8,007.40	8,407.77	8,828.16
-Annual		87,155.36	91,513.12	96,088.78	100,893.22	105,937.88

**CITY OF DEL MAR  
MANAGEMENT AND PROFESSIONAL COMPENSATION PLAN  
SALARY INCREASE 3.0%**

**EFFECTIVE JULY 1, 2025**

<b>POSITION TITLE</b>	<b>RANGE</b>	<b>ANNUAL SALARY</b>	
<b>City Manager</b>	<b>M500</b>	Contract	267,372.00
<b>Assistant City Manager</b>	<b>M900</b>	185,259.94 -	225,184.62
<b>Department Directors</b>	<b>M850</b>	165,410.66 -	201,057.69
<b>Principal Engineer</b>	<b>M810</b>	137,468.60 -	167,093.94
<b>Deputy Directors/Managers</b>	<b>M800</b>	129,687.37 -	157,635.80
<b>Finance Officer</b>	<b>M780</b>	118,637.32 -	144,204.40
<b>Information Technology Manager II</b>	<b>P287</b>	116,065.60 -	141,078.46
<b>Public Works Operations Manager II</b>	<b>P287</b>	116,065.60 -	141,078.46
<b>Facilities Manager II</b>	<b>P287</b>	116,065.60 -	141,078.46
<b>Information Technology Manager I</b>	<b>P274</b>	101,982.51 -	123,960.38
<b>Senior Management Analyst</b>	<b>P274</b>	101,982.51 -	123,960.38
<b>Senior Planner</b>	<b>P274</b>	101,982.51 -	123,960.38
<b>Public Works Operations Manager I</b>	<b>P274</b>	101,982.51 -	123,960.38
<b>Facilities Manager I</b>	<b>P274</b>	101,982.51 -	123,960.38
<b>Associate Management Analyst</b>	<b>P259</b>	87,842.58 -	106,773.20
<b>Associate Planner</b>	<b>P259</b>	87,842.58 -	106,773.20
<b>Parking and Community Enforcement Lieutenant</b>	<b>P259</b>	87,842.58 -	106,773.20
<b>Lifeguard Sergeant</b>	<b>P255</b>	78,700.92 -	95,661.46
<b>Management Analyst</b>	<b>P244</b>	75,663.17 -	91,969.05
<b>Assistant Planner II</b>	<b>P244</b>	75,663.17 -	91,969.05
<b>Assistant Management Analyst</b>	<b>P233</b>	67,818.69 -	82,434.04
<b>Assistant Planner I</b>	<b>P229</b>	65,172.41 -	79,217.48

CITY OF DEL MAR  
 MANAGEMENT AND PROFESSIONAL COMPENSATION PLAN  
 SALARY INCREASE 3.0%

EFFECTIVE JULY 1, 2025

POSITION TITLE	Grade	A	B	C	D	E
<b>Assistant City Manager</b>	<b>M900</b>					
-Hourly		89.0673	93.5206	98.1967	103.1065	108.2618
-Bi-Weekly		7,125.38	7,481.65	7,855.73	8,248.52	8,660.95
-Monthly		15,438.33	16,210.24	17,020.76	17,871.79	18,765.38
-Annual		185,259.94	194,522.94	204,249.08	214,461.54	225,184.62
<b>Department Directors*</b>	<b>M850</b>					
-Hourly		79.5244	83.5006	87.6756	92.0594	96.6624
-Bi-Weekly		6,361.95	6,680.05	7,014.05	7,364.75	7,732.99
-Monthly		13,784.22	14,473.43	15,197.10	15,956.96	16,754.81
-Annual		165,410.66	173,681.19	182,365.25	191,483.51	201,057.69
<b>Principal Engineer *</b>	<b>M810</b>					
-Hourly		66.0907	69.3952	72.8650	76.5082	80.3336
-Bi-Weekly		5,287.25	5,551.62	5,829.20	6,120.66	6,426.69
-Monthly		11,455.72	12,028.50	12,629.93	13,261.42	13,924.50
-Annual		137,468.60	144,342.03	151,559.13	159,137.09	167,093.94
<b>Deputy Directors/Managers**</b>	<b>M800</b>					
-Hourly		62.3497	65.4672	68.7405	72.1776	75.7864
-Bi-Weekly		4,987.98	5,237.37	5,499.24	5,774.21	6,062.92
-Monthly		10,807.28	11,347.64	11,915.03	12,510.78	13,136.32
-Annual		129,687.37	136,171.73	142,980.32	150,129.34	157,635.80
<b>Finance Officer</b>	<b>M780</b>					
-Hourly		57.0372	59.8890	62.8835	66.0277	69.3290
-Bi-Weekly		4,562.97	4,791.12	5,030.68	5,282.21	5,546.32
-Monthly		9,886.44	10,380.77	10,899.80	11,444.79	12,017.03
-Annual		118,637.32	124,569.18	130,797.64	137,337.52	144,204.40
<b>Information Technology Manager II Public Works Operations Manager II Facilities Manager II</b>	<b>P287</b>					
-Hourly		55.8008	58.5908	61.5203	64.5964	67.8262
-Bi-Weekly		4,464.06	4,687.26	4,921.63	5,167.71	5,426.09
-Monthly		9,672.13	10,155.74	10,663.53	11,196.70	11,756.54
-Annual		116,065.60	121,868.88	127,962.32	134,360.44	141,078.46
<b>Information Technology Manager I Senior Management Analyst Senior Planner Public Works Operations Manager I Facilities Manager I</b>	<b>P274</b>					
-Hourly		49.0301	51.4816	54.0556	56.7584	59.5963
-Bi-Weekly		3,922.40	4,118.52	4,324.45	4,540.67	4,767.71
-Monthly		8,498.54	8,923.47	9,369.64	9,838.13	10,330.03
-Annual		101,982.51	107,081.63	112,435.72	118,057.50	123,960.38

\* An additional 10% Special Compensation is paid to the Principal Engineer and Public Works Director who maintain an Engineer's License.

\*\* **Deputy Directors/Managers**  
 Administrative Services Manager/City Clerk  
 Deputy Chief Lifeguard/Community Services Director  
 Finance Manager/City Treasurer  
 Principal Planner/Planning Manager  
 Special Projects and Programs Manager

CITY OF DEL MAR  
 MANAGEMENT AND PROFESSIONAL COMPENSATION PLAN  
 SALARY INCREASE 3.0%

EFFECTIVE JULY 1, 2025

POSITION TITLE	Grade	A	B	C	D	E
<b>Associate Management Analyst</b>	<b>P259</b>					
<b>Associate Planner</b>						
<b>Parking and Community Enforcement Lieutenant</b>						
-Hourly		42.2320	44.3436	46.5608	48.8888	51.3333
-Bi-Weekly		3,378.56	3,547.49	3,724.86	3,911.11	4,106.66
-Monthly		7,320.21	7,686.23	8,070.54	8,474.06	8,897.77
-Annual		87,842.58	92,234.70	96,846.44	101,688.76	106,773.20
<b>Lifeguard Sergeant</b>	<b>P255</b>					
-Hourly		37.8370	39.7288	41.7153	43.8010	45.9911
-Bi-Weekly		3,026.96	3,178.31	3,337.22	3,504.08	3,679.29
-Monthly		6,558.41	6,886.33	7,230.65	7,592.18	7,971.79
-Annual		78,700.92	82,635.96	86,767.76	91,106.15	95,661.46
<b>Management Analyst</b>	<b>P244</b>					
<b>Assistant Planner II</b>						
-Hourly		36.3765	38.1953	40.1051	42.1104	44.2159
-Bi-Weekly		2,910.12	3,055.63	3,208.41	3,368.83	3,537.27
-Monthly		6,305.26	6,620.53	6,951.55	7,299.13	7,664.09
-Annual		75,663.17	79,446.32	83,418.64	87,589.57	91,969.05
<b>Assistant Management Analyst</b>	<b>P233</b>					
-Hourly		32.6051	34.2354	35.9472	37.7445	39.6318
-Bi-Weekly		2,608.41	2,738.83	2,875.77	3,019.56	3,170.54
-Monthly		5,651.56	5,934.14	6,230.84	6,542.38	6,869.50
-Annual		67,818.69	71,209.62	74,770.11	78,508.61	82,434.04
<b>Assistant Planner I</b>	<b>P229</b>					
-Hourly		31.3329	32.8995	34.5445	36.2717	38.0853
-Bi-Weekly		2,506.63	2,631.96	2,763.56	2,901.74	3,046.83
-Monthly		5,431.03	5,702.59	5,987.72	6,287.10	6,601.46
-Annual		65,172.41	68,431.03	71,852.59	75,445.21	79,217.48

**CITY OF DEL MAR  
 MISCELLANEOUS, PART-TIME, TEMPORARY AND HOURLY EMPLOYEES  
 SALARY INCREASE 3.0%**

**EFFECTIVE JULY 1, 2025**

<b>POSITION TITLE</b>	<b>Grade</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
Student Lifeguard *	700			\$17.40 (no steps)		
Seasonal Lifeguard I*	709	20.79	21.82	22.92	24.06	25.26
Seasonal Lifeguard II *	710	26.13	27.44	28.81	30.25	31.76
Seasonal Worker I *	704	18.19	19.10	20.05	21.06	22.11
Seasonal Worker II *	713	20.87	21.91	23.01	24.16	25.36
Minutes Clerk I/Clerical Asst/Planning	700	18.19	19.10	20.05	21.06	22.11
Minutes Clerk II	712	20.20	21.21	22.27	23.38	24.55
On-Call Clerical/Secretarial Aide	700	18.19	19.10	20.05	21.06	22.11
Code Enforcement Clerk	712	20.20	21.21	22.27	23.38	24.55
Intern I	700			\$17.40 (no steps)		
Intern II	701	18.99	19.94	20.94	21.99	23.09
<i><u>The positions listed below are currently inactive, but remain on the salary schedule in the event that the City wishes</u></i>						
Student Firefighters	600	17.40				
Student Paramedics	600	17.40				
Call Firefighters	601	17.40				

Employees in these positions will receive one and a half times (1.5x) their normal hourly rate for all hours worked on all designated City holidays.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, SETTING THE FISCAL YEAR 2025-2026 CITY OF DEL MAR FEE SCHEDULE FOR PLANNING, PUBLIC WORKS, COMMUNITY SERVICES, AND ADMINISTRATION SERVICES

WHEREAS, the provisions of the California Mitigation Fee Act relating to fee and service charges provide for the adoption and implementation of fees, rates, and service charges for municipal services; and

WHEREAS, the City desires to recover an increased percentage of the costs it incurs to provide Planning Review, Community Services, Public Works, Administration or Fire Prevention services to reduce the amount that general funds are diverted from general services to subsidize such services; and

WHEREAS, as part of Resolution 2020-39, the City Council has reserved the right to update the Fee Schedule annually, at the beginning of each Fiscal Year (July 1), based on the Consumer Price Index (U.S. City Average), not to exceed 3% in a given year; and

WHEREAS, the Consumer Price Index (U.S. City Average) as of April 2025 is 2.3%, therefore adjusting fees by 2.3%; and

WHEREAS, the fees, rates, and charges in the City of Del Mar Fee Schedule contained in Exhibit "A", of this Resolution do not exceed the City's reasonable administrative costs of providing such services; and

WHEREAS, the City Council desires to update the fire plan check and mitigation fees as adopted by the City of Encinitas effective July 1, 2025, for fire prevention services which do not exceed the reasonable administrative cost of providing such services; and

WHEREAS, the City Council also desires to update the fees charged by the San Diego Humane Society (SDHS) to the public for animal control related services as shown in Exhibit "B" which do not exceed the reasonable administrative cost of the SDHS providing such services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar, California, hereby approves the City of Del Mar Fiscal Year 2025-2026 Fee Schedule, which includes fees and charges for providing Planning Review, Community Services, Public Works, Administration Services, Fire prevention service, and SDHS animal control services public fees attached hereto as Exhibits "A" and "B".

BE IT FURTHER RESOLVED, the fees and charges contained in the City of Del Mar Fee Schedule approved herein supersede any and all fees and charges for corresponding services as previously approved by the City Council.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 16<sup>th</sup> day of June 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

---

Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar



*Exhibit A*  
*Adopted June 16, 2025 by*  
*City Council Resolution*  
*2025-XX*  
*Effective July 1, 2025*

## CITY OF DEL MAR FY 2026 FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>Administrative Fees</b>	
Notary Fee	\$15.00 per signature
Public Records Act Request Copy Fees	\$0.10 per page
Returned Check Fee	\$25.00
<b>Building-Clean Water Construction Inspection Fee</b>	
Standard Priority Construction Projects	\$1,919
High Priority Construction Projects	\$3,811
<b>Park and Beach Use Fees</b>	
Powerhouse Park Permit: Groups 25-99 (resident rate)	\$230
Powerhouse Park Permit: Groups 25-99 (non-resident rate)	\$516
Powerhouse Park Permit: Groups 100-199 (resident rate)	\$399
Powerhouse Park Permit: Groups 100-199 (non-resident rate)	\$921
15th Street Sand Permit: Groups 25-99 (resident rate)	\$230
15th Street Sand Permit: Groups 25-99 (non-resident rate)	\$516
15th Street Sand Permit: Groups 100-199 (resident rate)	\$399
15th Street Sand Permit: Groups 100-199 (non-resident rate)	\$921
Seagrove Park Permit: Groups > 25 (residential rate)	\$1,054
Seagrove Park Permit: Groups > 25 (non-residential rate)	\$1,581
Groups of 200 - 299	\$1,152
Groups of 300 - 499	\$1,727
Groups > 500	\$2,302
Shores Park Athletic Fields - Del Mar non-profit related activities	\$0
Shores Park Athletic Fields	\$5/hour
Commercial Film Permit	\$60
<b>Junior Lifeguard Fees</b>	
Del Mar Non-Resident	\$409
Del Mar Resident	\$358
<b>Parking Passes</b>	
<b>L'AUBERGE PARKING PERMIT (YELLOW PASS)</b>	
3 Month Pass	\$199
6 Month Pass	\$342
Annual Pass	\$691
<b>VOLUNTARY PRE-PAID PERMIT (PINK PASS)</b>	
Annual Pass	\$803
<b>REPLACEMENT Fee</b>	
Replacement	\$26



*Exhibit A*  
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## CITY OF DEL MAR FY 2026 FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>Parking Meter Rates</b>	
Hourly Parking Rate: Coast Blvd./Lifeguard Headquarters	\$4.12
All Day Parking Rate: Coast Blvd./Lifeguard Headquarters	\$20.60
Hourly Parking Rate: 1540 Camino Del Mar	\$4.12
All Day Parking Rate: 1540 Camino Del Mar	\$20.60
Hourly Parking Rate: South Del Mar	\$4.12
All Day Parking Rate: South Del Mar	\$20.60
Hourly Parking Rate: North Beach	\$4.12
All Day Parking Rate: North Beach	\$20.60
Hourly Parking Rate: Via De La Valle	\$4.12
All Day Parking Rate: Via De La Valle	\$20.60
Hourly (8am - 11am) Parking Rate: Trailhead Lot	\$1.00
Hourly Parking Rate: Trailhead Lot	\$4.12
All Day Parking Rate:	\$20.60
<b>Powerhouse Community Center Fees</b>	
<b>DEL MAR RESIDENTS: LOW SEASON (NOV-FEB)</b>	
Daily Rental	\$2,016
Hourly Rental	\$199
<b>DEL MAR RESIDENTS: HIGH SEASON (MAR-OCT)</b>	
Daily Rental	\$4,026
Hourly Rental	\$399
<b>NON-RESIDENTS: LOW SEASON (NOV-FEB)</b>	
Daily Rental	\$4,604
Hourly Rental	\$461
<b>NON-RESIDENTS: HIGH SEASON (MAR-OCT)</b>	
Daily Rental	\$5,181
Hourly Rental	\$634
<b>NON-PROFIT - DEL MAR</b>	
Hourly Rental	\$0
<b>NON-PROFIT - NON-DEL MAR</b>	
Hourly Rental	\$112
<b>PARKING RENTAL</b>	
Parking Rental	\$169



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## CITY OF DEL MAR FY 2026 FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>Public Works Fees</b>	
After-Hours Turn on	\$185
During-Hours Turn on	\$123
Backflow Non-Compliance	\$169
Backflow Monthly Service	\$4
Construction Meter Deposit	\$2,295 deposit
Fats, Oil, and Grease - Annual Administration	\$358
Fats, Oil, and Grease - Plan Check	\$1,150
Fats, Oil, and Grease - Variance	\$977
Door Hanger	\$76
Water Shut-Off	\$62
Curb Painting - Review Fee	\$332
Curb Painting - Installation & Maintenance	\$185
Right-of-Way (ROW) Access Fee	\$429
Traffic Device Petition Fee	\$1,360



**Exhibit A**  
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 by  
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**2025-XX**  
 Effective July 1, 2025

## CITY OF DEL MAR FY 2026 ENGINEERING REVIEWS FEE SCHEDULE

Program / Fee	FY2026 Fee
<b>Engineering Reviews</b>	
<b>ENGINEERING REVIEW FEES FOR DISCRETIONARY APPLICATIONS</b>	
Maximum review cycles for lump sum fees are shown in parenthesis. Additional review will be deposit based.	
Design Review Board (one review cycle)	\$1,324
Administrative Design Review - Major (one review cycle)	\$1,023
Administrative Design Review - Minor (one review cycle)	\$656
Conditional Use Permit (one review cycle)	\$1,054
Flood Plain Permit (one review cycle)	\$1,053
Preliminary SWMP Review (one review cycle)	\$628
Preliminary Stormwater Checklist Review (one review cycle)	\$374
TPM (3 review cycles)	\$3,281
TM (3 review cycles)	\$6,908
-each additional lot over 5	\$150
ADU Review and Inspection (one review cycle)	\$748
Additional ADU Review	\$518
<b>ENGINEERING REVIEW FEES FOR FINAL APPLICATIONS</b>	
<b>Mapping</b>	
Parcel Map	\$4,375
Final Map	\$8,456
-plus per Acre	\$5
Easement Document	\$852
Easement Vacation	\$1,739
Lot Line Adjustment	\$1,572
Certificate of Compliance	\$1,364
Certificate of Correction	\$1,065
Grading/Drainage Plan As-Build Inspection	\$363
<b>Grading Plan Review</b>	
Earthwork Estimate	
200 cy or less	\$1,911
201-2,000 cy (first 200)	\$1,833
-each additional 100 cy or fraction thereof	\$134
2,001-10,000 cy	\$4,175
-each additional 1000 cy or fraction thereof	\$66
10,000 or greater cy	\$4,729
-each additional 1000 cy or fraction thereof	\$31
Additional fees will be required for any private storm drain, erosion control, or other on-lot improvements. The additional fees will be based on the estimated value of the improvements and the improvement fee schedule below.	
<b>Improvement Plan Review</b>	
\$0.00 - 20,000	\$1,646
-plus 5% of value of improvement	5.00%
\$20,001 - 50,000	\$2,101
-plus 4% of value of improvement	4.00%
\$50,001 - 100,000	\$2,712
-plus 3% of value of improvement (\$4,982 minimum)	3.00%
\$100,001 - 250,000	\$3,045
-plus 2.5% of value of improvement (\$7,120 minimum)	2.50%
\$250,001 - 500,000	\$9,205
-plus 2% of value of improvement (\$16,961 minimum)	2.00%
\$500,001 - 1,000,000	\$15,215
-plus 1.5% of value of improvement (\$29,308 minimum)	1.50%
\$1,000,001 and over	\$17,242
-plus 0.75% of value of improvement (\$35,354 minimum)	0.75%



**Exhibit A**  
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**Effective July 1, 2025**

## CITY OF DEL MAR FY 2026 ENGINEERING REVIEWS FEE SCHEDULE

Program / Fee	FY2026 Fee
<b>SWPPP Review</b>	
Single-Family Detached	\$288
-each additional lot/unit	\$311
Multi-Family Attached	\$288
-each additional lot/unit	\$311
Commercial / Industrial	\$403
-each additional lot/unit	\$311
<b>SWMP Review</b>	
Final SWMP	\$1,002
Final Stormwater Checklist	\$501
<b>Drainage Plan</b>	
Amount of Affected Area	
2,500 sf or less	\$1,704
2,501 - 5,000 sf	\$2,556
5,001 - 10,000 sf	\$2,948
Greater than 10,001 sf	\$2,948
-each additional SF over 10,000 sf	\$0.05
Construction Change Drainage/Grading Plans	\$576
<b>Inspection</b>	
\$0.00 - 20,000	5.50%
\$20,001 - 50,000	\$1,877
-plus 4% of value of improvements over \$20,000	4.00%
\$50,001 - 100,000	\$3,995
-plus 3% of value of improvements over \$50,000	3.00%
\$100,001 - 250 000	\$4,870
-plus 2% of value of improvements over \$100,000	2.00%
\$250 001 - 500,000	\$8,371
-plus 1% of value of improvements over \$250,000	1.00%
\$500,001 - 1,000,000	\$11,744
-plus 0.5% of value of improvements over \$500,000	0.50%
\$1,000,001 and over	\$14,698
-plus 0.25% of value of improvements over \$1,000,000	0.25%



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## CITY OF DEL MAR FY 2026 PLANNING FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>Planning and Land Use Applications</b>	
<b>ACCESSORY DWELLING UNIT (ADU)</b>	
Accessory Dwelling Unit (ADU)	\$1,192
<b>ADMINISTRATIVE DESIGN REVIEW PERMIT (ADR) / DESIGNREVIEW BOARD PERMITS (DRB)*</b>	
Non-contested ADR Projects	
Administrative Design Review - Minor	\$737
Administrative Design Review - Major	\$1,274
Contested ADR Projects - Where an ADR application is formally contested pursuant to DMMC Section 23.08.035(D), <u>additional</u> fees shall be charged to cover the anticipated average administrative costs of preparation for and attendance at one Design Review Board (DRB) hearing as follows:	
Administrative Design Review - Minor (additional fee)	\$2,164
Administrative Design Review - Major (additional fee)	\$3,509
Design Review - Miscellaneous	\$2,997
Design Review - < 500 square feet	\$3,627
Design Review - > 500 square feet	\$6,138
Design Review Board - Residential: 1 -2 New Dwelling Units	\$9,135
Design Review Board - Residential: 3 or more New Dwelling Units	\$11,990
Design Review Board - Commercial: Remodel < 1000 sf	\$5,606
Design Review Board - Commercial: Remodel > 1000 sf	\$8,450
Design Review Board - Commercial: New Construction	\$11,990
Design Review Board - Modification	\$2,583
Citizens' Participation Program (does not include public noticing)	\$4,767
Design Review Board Hearing Preparation - This application fee covers the administrative costs of preparation for and attendance at one Design Review Board (DRB) hearing. Where an application necessitates review at more than one DRB hearing, additional fees shall be charged as follows:	
Preparation for and attendance at a second DRB hearing	\$1,913
Preparation for and attendance at a third or subsequent DRB hearing(s)	\$1,243
<b>APPEALS - FILED WITH THE CITY CLERK</b>	
Appeal of decision by Planning Director or lower decision-making body to City Council - request for Initial Consideration and de novo hearing by City Council. (\$250 is refunded if an appeal is not set for a de novo hearing)	\$1,678
<b>CONDITIONAL USE PERMITS (CUP) / VARIANCES (V)</b>	
CUP	\$2,737
CUP modificatio of use (no new structures or additional floor area)	\$2,737
Variance	\$3,488
<b>COASTAL DEVELOPMENT PERMITS (CDP)</b>	
Coastal Development Permit - With hearing by a discretionary body	\$3,355
Coastal Development Permit - Review and/or hearing at staff level	\$332
<b>DETERMINATION OF SUBSTANTIAL CONFORMANCE (DSC)</b>	
Determination of Substantial Conformance	\$373
<b>DOCUMENTATION REPRODUCTION FEE</b>	
Document Reproduction Fee (applies to application material)	\$0.25/pg up to 11X17 \$2/pg plan sheet



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## CITY OF DEL MAR FY 2026 PLANNING FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>ENCROACHMENT PERMITS (EP)</b>	
Encroachment Permit - Short term	\$501
Encroachment Permit - Long term/Minor	\$670
Encroachment Permit - Long term/Major (with City Council review)	\$1,974
<b>FLOODPLAIN DEVELOPMENT PERMIST (FDP)</b>	
Floodplain Development Permit	\$3,355
Floodplain Development Permit - With request for harship relief from regulations	\$3,581
<b>HORIZONTAL ZONING REQUEST (HZ)</b>	
Request to City Council for relief from Horizontal Zoning regulations	\$2,348
<b>LAND CONSERVATION PERMITS (LC)</b>	
Land Conservation Permit	\$3,355
Administrative Land Conservation Permit	\$1,089
<b>MISCELLANEOUS</b>	
Bingo Permit	\$82
Demolition Permit	\$404
Address Change	\$251
<b>NEWS RACK PERMT (NRP)</b>	
News Rack Permit	\$169
<b>PARKING PERMIT (P)</b>	
Off-site Parking Permit	\$1,678
Shared Parking Permit	\$3,018
<b>PLANNING FINAL CONSISTENCY REVIEW/INSTPECTION(S)</b>	
Plan Check & Inspection - Non-residential < 5,000 sq ft	\$5,033
Plan Check & Inspection - Non-residential > 5,000 sq ft	\$7,555
Plan Check & Inspection - Multi-Family and Duplex	\$4,366
Plan Check & Inspection - Single-Family	\$2,519
Plan Check & Inspection - Add > 100 sq ft	\$1,340
Plan Check & Inspection - Add < 100 sq ft	\$1,171
Plan Check & Inspection - Miscellaneous	\$670
Plan Check & Inspection - Residential: 1-2 New Dwelling Units	\$2,931
Plan Check & Inspection - Residential: 3 or more New Dwelling Units	\$7,330
Plan Check & Inspection - Residential: Remodel <500 sf	\$972
Plan Check & Inspection - Residential: Remodel >500 sf	\$1,463
<b>PLAZA REVIEW</b>	
Plaza Tenant Improvement Review (PTI)	\$419
Plaza Sign Review (PLZ-S)	\$251
<b>PUBLIC NOTICE</b>	
Public Notice Service Fee	\$159
Parcel Fee	\$0.69
<b>REDEVELOPMENT PERMIT (R)</b>	
Redevelopment Permit	\$5,877
<b>RESEARCH</b>	
Staff will provide the first half-hour worth of research without charge. Thereafter, the research charge will be applied.	\$143
<b>SIDEWALK CAFÉ PERMIT (SCP)</b>	
Sidewalk Cafe Permit	\$3,760
<b>SITE SPECIFIC PARKING PLAN</b>	
Site Specific Parking Plan	\$3,141
<b>SHORELINE PROTECTION PERMITS</b>	
Shoreline Protection Permit (SPP)	\$4,414
Setback Seawall Permit (SSP)	\$7,100
Emergency Beach Barrier (IB)	\$3,089



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## CITY OF DEL MAR FY 2026 PLANNING FEE SCHEDULE

Program / Fee	FY 2026 Fee
<b>SIGN PERMITS</b>	
Administrative Sign Review Permit (ASR)	\$261
DRB Sign Permit (DRB-S)	\$2,517
<b>STREET VACATION (SV)</b>	
Street Vacation	\$7,488
<b>SUBDIVISIONS</b>	
Boundary Adjustment (BA) with Certificate of Compliance	\$3,744
Certificate of Compliance (COC) Only	\$1,350
Tentative Parcel Map (TPM) - Four (4) or few new lots	\$9,734
Tentative Parcel Map (TPM) - Condo Conversion	\$3,555
Revised Parcel Map	\$6,915
Final Parcel Map	\$3,683
Tentative Tract Map - Five (5) or more new lots	\$10,731
Tentative Tract Map - Condo Conversion of five (5) or more units	\$4,527
Final Tract Map	\$4,527
<b>TEMPORARY USE PERMIT (TUP)</b>	
Minor Temporary Use Permit	\$670
Major Temporary Use Permit	\$3,355
<b>TREES, SCENIC, VIEW, SUNLIGHT (TSVS) APPLICATION</b>	
Trees, Scenic View and Sunlight Determination	\$3,355
Trees, Scenic View and Sunlight Remediation	\$3,355
Trees, Scenic View and Sunlight Inspection	\$670
<b>TREE PERMITS</b>	
Tree Removal Permit (TRP)	\$578
Notice of Intent (NOI) to remove a protected tree	\$327
<b>WATER EFFICIENT LANDSCAPE - WELO</b>	
Water Efficient Landscape - WELO	\$824
<b>ZONING CODE DETERMINATION / INTERPRETATION</b>	
Determination of allowable use (D)	\$2,895
Interpretation of Zoning Code (I)	\$2,895
<b>Application Type</b>	
<b>COMMUNITY (GENERAL PLAN) PLAN AMENDMENT, ZONING AMENDMENT, SPECIFIC PLAN OR SPECIFIC PLAN AMENDMENT</b>	
General Plan Amendment - Text Change	\$11,509
General Plan Amendment - Map Change	\$11,509
Local Coastal Plan Amendment	\$11,509
Zoning Code Amendment - Change of Text	\$11,509
Rezone - Change of designation on Zoning Map	\$11,509
Specific Plan	\$28,782
Specific Plan Amendment	\$5,754
Development Agreement	\$11,509
Development Agreement Amendment	\$5,754
<b>ENVIRONMENTAL REVIEW</b>	
Environmental Assessment / Initial Study	\$1,151
EIR	\$6,905
EIR Addendum / Supplemental	\$2,875
Environmental Monitoring	\$2,875

All of the application types listed above are processed by the City on a time-and-materials basis. At the time of submittal, an initial deposit is required in the amount listed.

During the course of review, City staff will track the time-and-materials expenses incurred against the submitted deposit. When the amount incurred reaches 80% of the submitted deposit amount, an additional deposit shall be required. Failure to submit any additional required deposit amounts will result in a cessation of staff work on the application.

**Additional charges, taxes and fees are noted below, including:**

- Community (General) Plan/Zoning Code Update Charge (10% charge)
- Construction License Tax
- Regional Transportation Congestion Improvement Program
- In-Lieu Housing Mitigation Fee
- Housing Reduction Mitigation Fee
- In-Lieu Parking Fee

**COMMUNITY (GENERAL) PLAN/ZONING CODE UPDATE CHARGE (10% CHARGE)**

This charge was established by the City Council to create a reserve of funds to support the periodic updates to the City's Community Plan mandated by state law. The charge is also intended to support associated updates to the City's Zoning Code. The charges that are collected are placed in a reserve account dedicated to funding Community Plan and Zoning Code Updates.

The amount of the Community Plan/Zoning Code Update Charge is determined as follows:

- The payment of the Community Plan/Zoning Code Update Charge applies only to applications that involve review by one of the City's discretionary review bodies (City Council, Planning Commission, and Design Review Board).
- For applications that require payment of a flat fee, the Community Plan/Zoning Code Update Charge shall be 10% of the amount of the flat fee for the application, as listed in this Schedule.
- For applications that require submittal of a time and materials deposit, the Community Plan/Zoning Code Update Charge shall be a figure of either: 10% of the required Initial Deposit, as listed in this schedule, or \$1,000, whichever is less.
- Where multiple applications are submitted concurrently for a project, only one Community Plan/Zoning Code Update Charge shall be required, based on 10% of the amount of the highest of the fees or deposits required for the submitted applications.

The charges listed below are not required at the time of application submittal but, as applicable under the Del Mar Municipal Code, may be required as a condition(s) of approval of an approved permit:

# City of Del Mar Fee Schedule

Effective 7/1/2025

<b>Construction License Tax:</b>	0.35¢ per square foot <i>(applies to all new floor area and/or replacement floor area)</i>
<b>Regional Transportation Congestion Improvement Program (RTCIP):</b>	\$3,047.57 per new (versus replacement) residential unit <i>(applies to a net increase of residential units on a parcel, e.g., new residence on a vacant parcel; new additional residential units on an existing developed parcel, etc.)</i>
<b>Housing Reduction Mitigation Fee:</b>	\$27,171 per unit <i>(as required pursuant to the City's Affordable Housing Programs)</i>
<b>In-Lieu Housing Mitigation Fees:</b>	<b>Subdivisions:</b> \$27,979 per lot created <i>(per DMMC 24.21)</i>
	<b>New Condominium Construction or Conversion:</b> \$35 per square foot of habitable area <i>(per DMMC 24.21)</i>
<b>In-Lieu Parking Fee</b>	\$38,762 per stall (one-time fee); or \$1,366 per stall (recurring annual fee for participation in the program) <i>(fee is not available for residential or hotel/motel uses; the in-lieu program has a cap of 50 spaces)</i>

## **Other Notes Applicable to this Schedule of Fees and Charges:**

1. The figures listed for Flat Fees in this Schedule of Fees and Charges shall be updated annually at the beginning of each Fiscal Year (July 1), based on the Consumer Price Index for all Urban Consumers (CPI-U) (San Diego-Carlsbad) all items category, using the period of change from April of the prior year to April of the current year, and adjustments shall be no less than zero-percent (0%), but not to exceed three-percent (3%).
2. Work started prior to authorization of proper required permits shall be subject to payment of double the amount of the fees/charges otherwise applicable to the required permit application(s).
3. If a proposed development requires receipt of multiple permits, the applicant shall pay 100% of all required application fees and/or deposits, as identified in this Schedule of Fees and Charges.
4. Application fees and charges collected pursuant to this schedule are non-refundable. However, at the discretion of the Director of Planning and Community Development, a portion of a submitted fee may be refunded if an application is withdrawn. The withdrawal of the application and the request for refund shall be made in writing. The Director of Planning and Community Development shall determine the amount of the refund based on the administrative costs expended on the project as of the date the application is withdrawn. Refunds will be paid to the party named on the application Fee/Charge payment receipt. No refunds will be issued for applications deemed inactive for more than 6 months.
5. The Director of Planning and Community Development may reduce all, or a portion of, planning fees for projects that include affordable housing units, as those units are defined in the Del Mar Housing Element.
6. When a request for a engineering review and planning service is submitted that is not listed in the Schedule of Fees and Charges, the Director of Planning and Community Development shall determine which of the items that is listed on the Schedule would most closely match the expected staff workload required to review and administer the application/request. That fee or charge shall be applied to the unlisted request.

**City of Del Mar Fee Schedule**  
*Effective 7/1/2025*

7. Where an application is re-submitted for a project that was previously approved but not implemented, the Director of Planning and Community Development shall have the discretion to reduce the amount of the required fees or deposit charges for the re-submitted permit applications by a factor of not more than 50%. Such reduction shall be granted only upon a determination by the Director that there have not been changed circumstances which would necessitate additional staff analysis to prepare staff reports and other related documents for processing the new application.
8. Any interest accrued from a deposit submitted in accordance with this Schedule of Fees and Charges shall be used to off-set the City's administrative costs to maintain said deposits. Accrued interest shall not be reimbursed to the applicant.
9. As part of the application process, the applicant is required to indemnify and hold the City harmless for any costs on any challenge to the City's action on the application/permit.
10. This fee schedule is **not inclusive** of fees imposed by other jurisdictions or agencies (State or Federal).

City Council History:

1. Resolution 2020-39 adopted July 6, 2021 (Comprehensive User Fee Schedule)
2. Resolution 2021-29 adopted June 21, 2021 (3% CPI Increase)
3. Resolution 2022-50 adopted June 20, 2022 (3% CPI Increase)
4. Resolution 2022-65 adopted October 17, 2022 (Amended Increase)
5. Resolution 2023-23 adopted June 19, 2023 (3% CPI Increase)
6. Resolution 2024-31 adopted June 17, 2024 (3% CPI Increase)
7. Resolution 2025-XX adopted June 16, 2025 (2.3% CPI Increase)

San Diego Humane Society Fees

Fee Type	Fee Title	Current Fee	2025 Update
**Red eared slider turtles are \$5.00			
*The unaltered fee is inclusive of State unaltered fees			
Adoptions	Cat	\$100.00	\$125.00
Adoptions	Dog	\$150.00	\$175.00
Adoptions	Kitten	\$150.00	\$200.00
Adoptions	Puppy	\$250.00	\$300.00
Adoptions	Rabbits, Guineas', chins, large birds, reptiles**	\$30.00	\$40.00
Adoptions	Sheep / Horse / Livestock	\$250.00	\$275.00
Adoptions	Small birds, mice, rats, hamsters	\$15.00	\$25.00
Boarding	Dog, Cat, small animal	\$25.00	\$30.00
Boarding	Equine, Bovine, large (plus 1/2 for 1st day)	\$80.00	\$100.00
Boarding	Sheep, Goats. Medium animal (per day)	\$30.00	\$40.00
Dangerous Dog / Public Nuisance	Annual Renewal	\$30.00	\$30.00
Dangerous Dog / Public Nuisance	Initial Registration	\$100.00	\$100.00
Dangerous Dog / Public Nuisance	Inspection	\$50.00	\$50.00
Dangerous Dog / Public Nuisance	Reg. Late Fee	\$50.00	\$50.00
Dangerous Dog / Public Nuisance	Renewal Late Fee	\$50.00	\$50.00
Dog Licenses	Adopted Dogs: 1 time exempt	\$0.00	\$0.00
Dog Licenses	Altered, one year license	\$20.00	\$20.00
Dog Licenses	Altered, three year license	\$50.00	\$50.00
Dog Licenses	Altered, two year license	\$35.00	\$35.00
Dog Licenses	Change of ownership	\$15.00	\$15.00
Dog Licenses	Late fee	\$25.00	\$25.00
Dog Licenses	Tag replacement	\$15.00	\$15.00
Dog Licenses	Transfer fee	\$15.00	\$15.00
Dog Licenses	Unaltered, one year license	\$50.00	\$60.00
Dog Licenses	Unaltered, three year license	\$140.00	\$150.00
Dog Licenses	Unaltered, two year license	\$90.00	\$100.00
Guard Dogs	Operator Permit	\$100.00	\$100.00
Guard Dogs	Premise Permit	\$50.00	\$50.00
Impounds	Dog at large 2nd time	\$55.00	\$55.00
Impounds	Dog at large 3rd time	\$100.00	\$100.00
Impounds	Dog, Cat, small animals	\$40.00	\$40.00
Impounds	Equine, Bovine, large animals	\$65.00	\$65.00
Impounds	Fowl	\$40.00	\$40.00
Impounds	Sheep, Goats. Medium animals	\$40.00	\$40.00
Impounds	Unaltered Fee* Dog & Cat	\$150.00	\$150.00
Kennels	Deficiency Follow-up	\$50.00	\$50.00
Kennels	Late Fee	\$50.00	\$50.00
Kennels	Late Fee > 6 mos.	\$100.00	\$100.00
Kennels	License Application	\$150.00	\$150.00
Medical Services	Vaccinations (per injection)	\$20.00	\$35.00
Miscellaneous	Microchip	\$25.00	\$30.00
Miscellaneous	Spay/Neuter Deposit	\$60.00	\$60.00
Miscellaneous	Trailer (per trip)	\$98.00	\$98.00
Owner Requested Euthanasia	Cost by Weight, up to	\$60.00	\$80.00
Protection Dogs	Premise Inspection	\$30.00	\$30.00
Quarantines	Fee Per Visit	\$50.00	\$50.00
Relinquishment	Dog, Cat, small animals at shelter	\$50.00	\$50.00
Relinquishment	Dog, Cat, small animals in field	\$50.00	\$50.00
Relinquishment	Livestock	\$100.00	\$100.00

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE FIXED CHARGE ASSESSMENTS FOR FISCAL YEAR 2025-2026

WHEREAS, Special Assessment District No. 2005-01 was created in 2005 for the purpose of financing the conversion of certain overhead electric and communications facilities to underground locations; and

WHEREAS, Special Assessment District was created in 2024 for the purpose of road improvements along San Dieguito Drive creating a special benefit to homes along San Dieguito Drive and homes along Oribia Road.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that:

- 1. Special Assessment District 2005-01 (Ocean View/Pines) requires a flat charge assessment to be raised for bonded indebtedness, City Council hereby approves the flat charge assessments for Fiscal Year 2025-2026 as shown on Exhibit "A" to this resolution; and
- 2. Special Assessment District (San Dieguito Drive Improvements) requires a flat charge assessment, City Council hereby approves the flat charge assessments for Fiscal Year 2025-2026 as shown on Exhibit "B" to this resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 16<sup>th</sup> day of June 2025.

\_\_\_\_\_  
Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

\_\_\_\_\_  
Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

---

Sarah Krietor, Administrative Services  
Manager/ City Clerk  
City of Del Mar

Exhibit A to Attachment E

CITY OF DEL MAR  
FIXED CHARGE SPECIAL ASSESSMENT (OCEAN VIEW/PINES)

City or District: City of Del Mar  
Assessment District No. 2005-01 (Ocean View/Pines)

Submitted By: Monica Molina  
Finance Officer

Type of Assessment: Utility Undergrounding  
Fund Number: 6022-07  
Code: 1  
Fiscal Year 2025-2026

Book	Parcel Number		Undivided Interest	Amount	City Admin. Fee	Reduction	Total Assessment	For State Roll Only	
	Page	Parcel						Tax Rate Area	Assessee Number
301	021	01-00		810.43	97.67	(293.86)	\$ 614.24		
301	021	02-00		1,080.94	97.67	(391.95)	786.66		
301	021	03-00		1,989.43	97.67	(721.36)	1,365.74		
301	021	05-00		3,331.75	97.67	(1,208.11)	2,221.30		
301	021	06-00		2,525.33	97.67	(915.68)	1,707.32		
301	021	10-00		1,162.60	97.67	(421.57)	838.70		
301	022	01-00		1,591.33	97.67	(577.02)	1,111.98		
301	022	02-00		673.71	97.67	(244.28)	527.10		
301	023	03-00		1,024.80	97.67	(371.59)	750.88		
301	023	05-00		1,004.38	97.67	(364.19)	737.86		
301	023	10-00		681.98	97.67	(247.29)	532.36		
301	023	13-00		656.46	97.67	(238.04)	516.08		
301	023	14-00		605.42	97.67	(219.53)	483.56		
301	023	20-00		448.18	97.67	(162.50)	383.34		
301	023	22-00		2,122.13	97.67	(769.50)	1,450.30		
301	023	26-00		978.86	97.67	(354.94)	721.60		
301	024	02-00		1,611.74	97.67	(584.41)	1,125.00		
301	024	03-00		1,489.25	97.67	(540.01)	1,046.90		
301	024	04-00		1,392.28	97.67	(504.84)	985.10		
301	024	05-00		963.55	97.67	(349.38)	711.84		
301	024	06-00		1,672.99	97.67	(606.63)	1,164.04		
301	024	07-00		1,397.38	97.67	(506.69)	988.34		
301	024	09-00		1,734.23	97.67	(628.83)	1,203.08		
301	024	12-00		989.07	97.67	(358.64)	728.10		
301	024	17-00		1,040.11	97.67	(377.14)	760.64		
301	024	18-00		1,371.86	97.67	(497.45)	972.08		
301	024	19-00		1,244.26	97.67	(451.16)	890.76		
301	024	21-00		1,142.19	97.67	(414.17)	825.68		
301	024	22-00		2,510.02	97.67	(910.13)	1,697.56		
301	024	24-00		1,279.99	97.67	(464.14)	913.52		
301	024	26-00		2,259.93	97.67	(819.44)	1,538.16		
301	024	29-00		1,397.38	97.67	(506.70)	988.34		
301	024	37-00		1,917.97	97.67	(695.45)	1,320.20		
301	024	38-00		1,070.73	97.67	(388.26)	780.14		
301	024	43-00		341.91	97.67	(123.97)	315.60		
301	025	07-00		921.86	97.67	(334.27)	685.26		
301	025	10-00		1,064.77	97.67	(386.10)	776.34		
301	025	11-00		861.47	97.67	(312.37)	646.76		
301	033	29-00		494.96	97.67	(179.46)	413.16		
301	033	34-00		367.36	97.67	(133.21)	331.82		
				<u>\$ 51,225.00</u>	<u>\$ 3,906.80</u>	<u>\$ (18,574.24)</u>	<u>\$ 36,557.56</u>		

**CITY OF DEL MAR  
FIXED CHARGE SPECIAL ASSESSMENT (SAN DIEGUITO DRIVE)**

**City or District:** City of Del Mar                      **Submitted By:** Monica Molina  
Finance Officer

**Type of Assessment:** San Dieguito Drive Improvement  
**Fund Number:** 6022-08  
**Code:** 1  
Fiscal Year 2025-26

<u>Book</u>	<u>Parcel Number</u>		<u>Undivided Interest</u>	<u>Amount</u>	<u>For State Roll Only</u>	
	<u>Page</u>	<u>Parcel</u>			<u>Tax Rate Area</u>	<u>Assessee Number</u>
299	200	18-00		846.22		
299	200	19-00		846.22		
299	200	20-00		846.22		
299	200	21-00		846.22		
299	200	23-00		846.22		
299	200	24-00		846.22		
299	200	29-00		423.10		
299	200	33-00		846.22		
299	200	34-00		846.22		
299	200	35-00		846.22		
299	200	37-00		423.10		
299	200	40-00		846.22		
299	200	50-00		846.22		
299	200	56-00		846.22		
299	200	60-00		846.22		
299	200	66-00		423.10		
299	200	73-00		846.22		
300	60	06-00		423.10		
300	60	07-00		423.10		
300	60	08-00		423.10		
300	60	10-00		423.10		
300	60	11-00		423.10		
300	60	13-00		423.10		
300	60	15-00		423.10		
300	60	17-00		423.10		
300	60	24-00		423.10		
300	153	03-00		423.10		
300	153	09-00		423.10		
300	153	24-00		423.10		
300	153	25-00		423.10		
				<u>\$ 18,616.68</u>		

## RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2025-2026

WHEREAS, Constitutional Article XIII-B (Propositions 4 and 111) places an appropriations limitation on State and Local Government; and

WHEREAS, this appropriations limitation is based on proceeds of taxes adjusted annually from the base Fiscal Year 1986-1987 by either the population growth factor for the City of Del Mar or for the County of San Diego, and by either the change in the California Per Capita Personal Income or the change in Non-Residential Construction for the City of Del Mar; and

WHEREAS, the City has received inflation and population data from the State Department of Finance to calculate the Fiscal Year 2025-2026 Appropriations Limit; and

WHEREAS, the City Council of the City of Del Mar wishes to select those options providing the greatest ratio of change as shown below and included as Exhibit A:

Change in California Per Capita Personal Income <u>(inflation factor)</u>	County of San Diego Population Change <u>(population factor)</u>	<u>Factor</u>
1.0644	1.0044	1.0691

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that the appropriations limit be established at \$38,889,922 and that the City Council does hereby adopt the annual appropriations limitation for Fiscal Year 2025-2026 and selects the options for calculation using the population growth of the City of Del Mar and the change in California Per Capita Personal Income.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 16<sup>th</sup> day of June 2025.

\_\_\_\_\_  
Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

\_\_\_\_\_  
Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

---

Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

CITY OF DEL MAR  
INFORMATION RELATED TO ESTABLISHING THE APPROPRIATIONS LIMIT  
FOR FISCAL YEAR 2025-2026

Article XIII-B of the California State Constitution places limits on the amount of revenue that can be spent by all entities of government. It is the responsibility of the City to calculate the annual appropriations limit. The previous fiscal year's limit is increased by a factor calculated by changes in population and inflation. Cities may choose an inflation factor, which is either the change in the California Per Capita Personal Income (CCPI) or the local assessment roll change due to non-residential construction. The population factor option is either the growth rate in the City or the County. The choice of each of these factors is an annual election.

Amounts for the change in non-residential new construction become available at the end of the current fiscal year. When calculating the appropriations limit for the new fiscal year, the previous year's calculation is reviewed by using the non-residential new construction figures currently available. If the City experienced a large amount of non-residential new construction during the previous fiscal year, the appropriations limit could be significantly affected.

The law provides for voter approval of an override that will allow cities to exceed their appropriation limit. In November 1992, Del Mar voters approved an override measure allowing the appropriations limit to equal the revenues from proceeds of taxes. This measure was effective for four fiscal years and ended in Fiscal Year 1995-1996. Since then, the City has not required a voter-approved override.

For Fiscal Year 2025-2026, the estimated proceeds of tax (\$20,663,394) is below the estimated appropriations limit of \$38,889,922 by \$18,226,528. The City's appropriations limit is high enough; therefore, there will be no need to return to voters for an override in the foreseeable future.

Cities are required to complete an appropriations calculation for each fiscal year. The City's auditors are required to review and approve the appropriations calculation as part of their audit of the City.

CITY OF DEL MAR  
INFORMATION RELATED TO ESTABLISHING THE APPROPRIATIONS LIMIT  
FOR FISCAL YEAR 2025-2026

Analysis:

The following analysis provides the figures for the estimate of the appropriations limit for the Fiscal Year 2025-2026.

INFLATION OPTION	FACTOR
CCPI	1.0644
Change in Non-Residential Construction	1.0000
POPULATION OPTION	
Del Mar	1.0005
San Diego County	1.0044

Using the factors for the change in CCPI and the change in population for the County of San Diego, which will give the optimum increase; the percent to be applied to the appropriations limit for Fiscal Year 2025-2026 is  $1.0644 \times 1.0044 = 1.0365$ . This factor applied to the appropriations limit for Fiscal Year 2024-2025 of \$36,376,885 sets the estimated appropriations limit for Fiscal Year 2025-2026 at \$38,889,922.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, APPROVING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2025-2026, AND DELEGATING THE AUTHORITY TO INVEST CITY FUNDS TO THE TREASURER

WHEREAS, the City Council of the City of Del Mar, California, pursuant to Title 5, Division 2, Part 1 of the Government Code of the State of California, is authorized to invest City funds more particularly set out in Section 53601 of said Code; and

WHEREAS, the City Council, pursuant to Section 53607 of the Government Code is authorized to delegate said authority to the Treasurer; and

WHEREAS, it is good practice for the City Council to review the Statement of Investment Policy as more particularly set out in Section 53646 of said Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that the above recitals are true and correct.

BE IT FURTHER RESOLVED, that the City Council of the City of Del Mar does hereby authorize the Treasurer to invest City funds and adopt the Statement of Investment Policy as attached in Exhibit "A" of this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 16<sup>th</sup> day of June 2025.

---

Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

---

Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/Clerk of the City of Del Mar, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

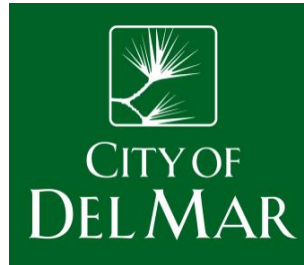
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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar

# CITY OF DEL MAR

## INVESTMENT POLICY

### Proposed Fiscal Year 2025-26



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## **1. Policy**

The City of Del Mar shall invest public funds in such a manner as to comply with federal, state and local laws; ensure prudent money management; provide for daily cash flow requirements; and meet the objectives of the Policy, in priority order of Safety, Liquidity and Return on investment. In accordance with the Municipal Code of the City of Del Mar and under authority granted by the City Council, the City Manager is responsible for investing the unexpended cash in the City Treasury.

## **2. Scope**

The investment policy applies to all investment activities and financial assets of the City of Del Mar as accounted for in the Annual Comprehensive Financial Report (ACFR). This policy is applicable, but not limited to, all funds listed below:

- General Fund
- Capital Funds
- Other Special Revenue Funds, Debt Service Funds, Internal Service Funds
- Any new fund created by the City Council unless specifically exempted.

## **3. Prudence**

The standard of prudence to be used by the designated representative shall be the “prudent investor” standard and shall be applied in the context of managing the overall portfolio. Persons authorized to make investment decisions on behalf of local agencies investing public funds are trustees and therefore fiduciaries subject to the prudent investor standard which states, “When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency”.

The City Manager, Finance Director, Finance Manager, Treasurer or other city staff designated as investment officers assigned to manage the investment portfolio, acting within the intent and scope of the investment policy and other written procedures and exercising due diligence, shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

## **4. Objectives**

The City's primary investment objectives, in order of priority, shall be:

1. **Safety:** Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The City shall seek to preserve principal by mitigating the two types of risk: credit risk and market risk.
  - a. Credit risk, defined as the risk of loss due to failure of the issuer of a security, shall be mitigated by investing in issuers that carry the direct or implied backing of the U.S. Government (including, but not limited to, the U.S. Treasury, U.S. Government Agencies, and federally insured banks). The portfolio will be diversified so that the failure of any one issuer does not unduly harm the City's capital base and cash flow.
  - b. Market risk, (aka "interest rate risk") defined as market value fluctuations due to overall changes in the general level of interest rates shall be mitigated by limiting the maximum maturity of any one security to five years, structuring the portfolio based on historic and current cash flow analysis eliminating the need to sell securities prior to maturity and avoiding the purchase of long-term securities for the sole purpose of short-term speculation. Moreover, it is the City's full intent, at the time of purchase, to hold all investments until maturity to ensure the return of all invested principal dollars. Limited exceptions will be granted for security swaps that would improve the portfolio's yield and/or credit quality.
2. **Liquidity:** The City's investment portfolio will remain sufficiently liquid to enable the City of Del Mar to meet all operating requirements which might be reasonably anticipated.
3. **Return on Investments:** The City's investment portfolio shall have the objective of attaining a comparative performance measurement or an acceptable rate of return throughout budgetary and economic cycles. These measurements should be commensurate with the City's investment risk constraints identified in this Investment Policy and the cash flow characteristics of the portfolio.

## 5. Delegation of Authority

The Municipal Code of the City of Del Mar and the authority granted by City Council assign the responsibility of investing unexpended cash to the City Manager. Daily management responsibility of the investment program may be delegated to the Finance Director or Finance Manager, who shall establish procedures for the operation consistent with this investment policy.

## 6. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that conflicts with proper execution of the investment program or impairs their ability to make impartial investment decisions. Additionally, the City Manager and



the Finance Director or Finance Manager are required to annually file applicable financial disclosures as required by the Fair Political Practices Commission (FPPC). Furthermore, Investment officials must refrain from undertaking personal investment transactions with the same individual(s) employed by the financial institution with whom business is conducted on behalf of the City.

## **7. Authorized Dealers and Institutions**

The Finance Director or Finance Manager will maintain a list of approved financial institutions authorized to provide investment services to the public agency in the State of California. These may include “primary” dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). Best practices include the following: 1) A determination that all approved broker/dealer firms, and individuals covering the public agency, are reputable and trustworthy; 2) the broker/dealer firms should have the ability to meet all their financial obligations in dealing with the Public Agency; 3) the firms, and individuals covering the agency, should be knowledgeable and experienced in Public Agency investing and the investment products involved; 4) no public deposit shall be made except in a qualified public depository as established by the established state laws; 4) all financial institutions and broker/dealers who desire to conduct investment transactions with the public agency may supply the Finance Director or Finance Manager with audited financial statements, proof of FINRA certification, trading resolution, proof of State of California registration, a completed broker/dealer questionnaire, certification of having read the Public Agency’s investment policy and depository contracts.

The Finance Director or Finance Manager may conduct an annual review of the financial condition and registrations of qualified dealers & institutions.

## **8. Authorized and Suitable Investments**

Investment of City funds is governed by the California Government Code Sections 53600 et seq. Within the context of the limitations, the following investments are authorized, as further limited herein:

1. United States Treasury Bills, Bonds, and Notes or those for which the full faith and credit of the United States are pledged for payment of principal and interest. There is no percentage limitation of the portfolio that can be invested in this category, although a five-year maturity limitation is applicable.
2. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
3. Local Agency Investment Fund (LAIF), which is a State of California managed investment pool, and the San Diego County Investment Pool, may be used up to the maximum permitted by California State Law. A review of the pool/fund is

required when part of the list of authorized investments, with the knowledge that the pool/fund may include some investments allowed by statute but not explicitly identified in this investment policy.

Additionally, shares of beneficial interest issued by a joint powers authority organized pursuant to CA Code (Section 6509.7) that invests in the securities and obligations in compliance with CA Code 53601 (subsection 'a' to 'r', inclusive) are also authorized. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

- The adviser is registered or exempt from registration with the Securities and Exchange Commission.
  - The adviser has not less than five years of experience investing in the securities and obligations authorized in CA Code (subsection 'a' to 'r', inclusive).
  - The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).
4. Negotiable Certificates of Deposit issued by nationally or state-chartered banks (FDIC insured institutions) or state or federal savings institutions. Purchases of negotiable certificates of deposit may not exceed 30% of total portfolio. Principal and accrued interest on these investments must not exceed the \$250,000 FDIC insurance limit. A maturity limitation of five years is applicable.
  5. Time deposits or placement service deposits, non-negotiable and collateralized in accordance with the California Government Code, may be purchased through banks or savings and loan associations. Since time deposits are not liquid, no more than 50% of the investment portfolio may be invested in this investment type. A maturity limitation of five years is applicable. Effective January 1, 2020, no more than 50 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under Section 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30 percent. Investments made pursuant to Section 53635.8 remain subject to a maximum of 30 percent of the portfolio.
  6. Various daily money market funds administered for or by trustees, paying agents and custodian banks contracted by the City of Del Mar may be purchased as allowed under the State of California Government Code. Only funds holding U.S. Treasury or Government agency obligations can be used.

7. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. 30% limit of agency's moneys; 10% limit per issuer. Rated "A" or its equivalent or better by an NRSRO.
8. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). Maximum maturity of 270 days; 25% limit of agency's moneys, may invest no more than 10 percent of its total investment assets in the commercial paper of any single issuer.
9. Bankers' acceptances, otherwise known as bills of exchange or time drafts, that are drawn on and accepted by a commercial bank. Maturity not to exceed 180 days; 40% limit of agency's moneys; 30% limit per bank.
10. Repurchase Agreements, or reverse repurchase agreements or securities lending agreements of securities authorized by this section, as long as the agreements are subject to this subdivision, including the delivery requirements specified in CA government code. Term not to exceed one year; Securities must be valued at 102% or greater of the funds borrowed against those securities and the value shall be adjusted no less than quarterly.
11. Shares of beneficial interest (Mutual Funds) issued by diversified management companies that invest in the securities and obligations as authorized by Section 53601, subdivisions (a) to (k), inclusive, and subdivisions (m) to (q), inclusive, and that comply with the investment restrictions. No more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund.
12. Supranationals-United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30 percent of the agency's moneys that may be invested.

The following summary of maximum percentage limits, by instrument, are established for the City's investment portfolio:

Authorized Investment Type	Government Code	Maximum Maturity	Minimum Credit Quality	Maximum in Portfolio	Maximum Investment in One Issuer
Treasury Obligations (bills, notes, & bonds)	53601(b)	5 Years	N/A	100%	N/A
US Government Agency and Federal Agency Securities	53601(f)	5 Years	N/A	100%	N/A
Local Agency Investment Fund (LAIF)	16429.1	Upon Demand	N/A	As permitted by LAIF (currently \$65 million per account)	N/A
San Diego County Investment Pool	53684	Upon Demand	N/A	As permitted by County Treasurer (currently no limit)	N/A
Joint Powers Authority Pool	53601(p)	N/A	See § 8.3 (above)	As permitted by each JPA	N/A
Negotiable Certificates of Deposit	53601(i)	5 Years	N/A	30%	N/A
Placement Service Deposits	53601.8 and 53635.8	5 Years	N/A	50%	N/A
Medium-term notes	53601(k)	5 Years	Rated "A" or its equivalent or better by an NRSRO	30%	10%
Commercial paper	53601(h)	270 Days	Highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO)	25%	10%
Bankers' Acceptances	53601(g)	180 Days	N/A	40%	30%
Repurchase Agreements	53601(j)	1 Year	N/A	N/A	N/A



Shares of beneficial interest (Mutual Funds)	53601(l)	N/A	Highest ranking or highest letter and numerical rating by not less than two NRSROs	20%	10%
Supranationals	53601(q)	5 Years	Rated "AA" or its equivalent or better by an NRSRO	30%	N/A

### 9. Review of Investment Portfolio

The securities held by the City of Del Mar must be in compliance with Section 8.0 “Authorized and Suitable Investments” at the time of purchase. The Finance Director or Finance Manager should review the portfolio (at least annually) to identify those securities that do not comply.

The Finance Director or Finance Manager should establish procedures to report any major and critical incidences of noncompliance identified through the review of the portfolio.

### 10. Investment Pools / Money Market Funds

A thorough investigation of the investment pool/money market fund is required prior to investing, and on a continual basis. Best efforts will be made to acquire the following information:

1. A description of eligible investment securities, and a written statement of investment policy and objectives.
2. A description of interest calculations and how it is distributed, and how gains and losses are treated.
3. A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced and the program audited.
4. A description of who may invest in the program, how often, and what size deposit and withdrawal are allowed.
5. A schedule for receiving statements and portfolio listings.
6. Are reserves, retained earnings, etc. utilized by the pool/fund?
7. A fee schedule, and when and how it is assessed.
8. Is the pool/fund eligible for bond proceeds and/or will it accept such proceeds?

## **11. Collateralization**

Collateralization will be required on two types of investments: non-negotiable certificates of deposit and repurchase (and reverse repurchase) agreements. To anticipate market changes and provide a level of security for all funds, the collateralization level will be 110% of market value for non-negotiable certificate of deposit and 102% for reverse repurchase agreements of principal and accrued interest.

Collateral will always be held by an independent third party with whom the entity has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the entity and retained.

The City may waive the collateralization requirements for any portion of the deposit that is covered by Federal Deposit Insurance.

## **12. Safekeeping and Custody**

All security transactions shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third-party custodian designated by the Finance Director or Finance Manager and evidenced by safekeeping receipts.

## **13. Diversification**

The City shall diversify the investments within the portfolio to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions, or maturities. To promote diversification, no more than 5% of the portfolio may be invested in the securities of any one issuer, regardless of security type, excluding U.S. Treasuries, federal agencies, and pooled investments such as LAIF, money market funds, or local government investment pools.

## **14. Maximum Maturities**

To the extent possible, the City of Del Mar will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than 5 years from the date of purchase. Any investment longer than 5 years must be done with advance permission from City Council.

## **15. Internal Controls**

The Finance Director or Finance Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City of Del Mar are protected from loss, theft, fraud or misuse.

Separation of functions between the Finance Director or Finance Manager, and the Finance Officer is designed to provide an ongoing internal review to prevent the potential for converting assets or concealing transactions.

Investment decisions are made by the City Manager, executed by the third-party administrator and confirmed by the Finance Director or Finance Manager. All wire transfers initiated by the Finance Officer must be reconfirmed by the appropriate financial

institution to the Finance Director or Finance Manager. Proper documentation obtained from confirmation and cash disbursement wire transfers is required for each investment transaction. Timely bank reconciliation is conducted to ensure proper handling of all transactions.

The investment portfolio and all related transactions are reviewed and balanced to appropriate general ledger accounts by the Finance Officer on a monthly basis. An independent analysis by an external auditor shall be conducted annually to review and perform procedure testing on the City's cash and investments that have a material impact on the financial statements. The Finance Director or Finance Manager shall review and assure compliance with investment process and procedures.

## **16. Performance Standards**

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs.

The City intends to spread its investments relatively evenly between 0 and 5 years and hold those investments to maturity. The City will attempt to limit its authorized investments to the safest end of the investment spectrum—debt issued by the U.S. Treasury, U.S. Government Agencies, and debt that is federally insured (see section 8.0 Authorized and Suitable Investments, above, for a complete list of authorized investments).

Therefore, an appropriate performance benchmark will be a Constant Treasury Maturity Rate consistent with the weighted average maturity of the portfolio. The City recognizes that benchmarks may change over time based on changes in market conditions or cash flow requirements.

## **17. Reporting**

The Finance Director or Finance Manager shall review and render quarterly reports to the City Council that include the following information:

- Investment type (e.g. U.S. Treasury Note, U.S. Government Agency Bond)
- Name of the issuer (e.g. Federal Farm Credit Bank, Federal Home Loan Bank)
- Maturity date
- Yield to maturity
- Current market value and source of market value
- Par and dollar amount for each security the City has invested in
- Par and dollar amount on any money held by the City (e.g. LAIF balance, Cash Balance).

The report shall also include a description of any of the City's funds, investments, or programs that are under the management of contracted parties, including lending programs.

The quarterly report shall state compliance of the portfolio to the investment policy, or manner in which the portfolio is not in compliance.

The quarterly report shall include a statement denoting the ability of the City to meet its expenditure requirements for the next six months or provide an explanation as to why sufficient money shall (or may not) be available.

The quarterly reports shall be placed on the City Council meeting agenda for its review and approval no later than 45 days after the quarter ends. If there are no Council meetings within the 45-day period, the quarterly report shall be presented to the Council at the soonest possible meeting thereafter.

### **18. Investment Policy Adoption**

The City of Del Mar investment policy shall be adopted by resolution of the City Council. The policy shall be reviewed annually by the City Council and any modifications made thereto must be approved by the City Council.

The Finance Director or Finance Manager shall establish written investment policy procedures for the operation of the investment program consistent with this policy. The procedures should include reference to: safekeeping, master repurchase agreements, wire transfer agreements, banking service contracts and collateral/depository agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the City of Del Mar.

### **19. Glossary of Terms in this Policy**

**Accrued Interest:** Interest earned but not yet received.

**Annual Comprehensive Financial Report (ACFR):** The official annual financial report for the City. It includes five combined statements and basic financial statements for each individual fund and account group prepared in conformity with Generally Accepted Accounting Principles (GAAP).

**Bankers' Acceptances:** Also known as bills of exchange or time drafts, are short-term debt instruments that are issued by a borrower (typically a business) and are guaranteed by a commercial bank. These instruments are used primarily in international trade to finance the purchase of goods or services.

**Bond:** A financial obligation for which the issuer promises to pay the bondholder a specified stream of future cash flows, including periodic interest payments and a principal repayment.

**Bond Swap:** Selling one bond issue and buying another at the same time in order to create an advantage for the investor. Some benefits of swapping may include tax-deductible losses, increased yields, and an improved quality portfolio.

**Broker:** In securities, the intermediary between a buyer and a seller of securities. The broker, who usually charges a commission, must be registered with the exchange in which he or she is trading, accounting for the name registered representative.

**Certificate of Deposit:** A deposit insured up to \$250,000 by the Federal Deposit Insurance Corporation (FDIC) at a set rate for a specified period of time.

**Collateral:** Securities, evidence of deposit or pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposit of public moneys.

**Constant Maturity Treasury (CMT):** An average yield of a specific Treasury maturity sector for a specific time frame. This is a market index for reference of past direction of interest rates for the given Treasury maturity range.

**Custody:** A banking service that provides safekeeping for the individual securities in a customer's investment portfolio under a written agreement that also calls for the bank to collect and pay out income, to buy, sell, receive and deliver securities when ordered to do so by the principal.

**Delivery vs. Payment (DVP):** Delivery of securities with a simultaneous exchange of money for the securities.

**Diversification:** Dividing investment funds among a variety of securities offering independent returns and risk profiles.

**Federal Deposit Insurance Corporation (FDIC):** Insurance provided to customers of a subscribing bank that guarantees deposits to a set limit (currently \$250,000) per account.

**Interest Rate:** The annual yield earned on an investment, expressed as a percentage.

**Liquidity:** Refers to the ability to rapidly convert an investment into cash.

**Market Value:** The price at which a security is trading and could presumably be purchased or sold.

**Maturity:** The date upon which the principal or stated value of an investment becomes due and payable.

**Portfolio:** Collection of securities held by an investor.

**Primary Dealer:** A group of government securities dealers that submit daily reports of market activity and security positions held to the Federal Reserve Bank of New York and are subject to its informal oversight.

**Purchase Date:** The date in which a security is purchased for settlement on that or a later date.

**Rate of Return:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.



**Risk:** Degree of uncertainty of return on an asset. **Safekeeping:** See Custody.

**Settlement Date:** The date on which a trade is cleared by delivery of securities against funds.

**Time Deposit:** A deposit in an interest-paying account that requires the money to remain on account for a specific length of time. While withdrawals can generally be made from a passbook account at any time, other time deposits, such as certificates of deposit, are penalized for early withdrawal.

**Treasury Obligations:** Debt obligations of the U.S. Government that are sold by the Treasury Department in the forms of bills, notes, and bonds. Bills are short-term obligations that mature in one year or less. Notes are obligations that mature between one year and ten years. Bonds are long-term obligations that generally mature in ten years or more.

**U.S. Government Agencies:** Instruments issued by various US Government Agencies most of which are secured only by the credit worthiness of the particular agency.

**Yield:** The rate of annual income return on an investment, expressed as a percentage. It is obtained by dividing the current dollar income by the current market price of the security.

**Yield to Maturity:** The rate of income return on an investment, minus any premium or plus any discount, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond, expressed as a percentage.

## 20. Glossary of General Investment Terms

**Active Deposits:** Funds that are immediately required for disbursement.

**Amortization:** An accounting practice of gradually decreasing (increasing) an asset's book value by spreading its depreciation (accretion) over a period of time.

**Asked Price:** The price a broker dealer offers to sell securities. **Basis Point:** One basis point is one hundredth of one percent (.01). **Bid Price:** The price a broker / dealer offers to purchase securities.

**Book Entry Securities:** Securities, such stocks held in "street name," that are recorded in a customer's account, but are not accompanied by a certificate. The trend is toward a certificate-free society to cut down on paperwork and to diminish investors' concerns about the certificates themselves. All the large New York City banks, including those that handle the bulk of the transactions of the major government securities dealers, now clear most of their transactions with each other and with the Federal Reserve through the use of automated telecommunications and the "book-entry" custody system maintained by the Federal Reserve Bank of New York. These banks have deposited with the Federal Reserve Bank a major portion of their government and agency securities holdings, including securities held for the accounts of their customers or in a fiduciary capacity for



the City. Virtually all transfers for the account of the banks, as well as for the government securities dealers who are their clients, are now effected solely by bookkeeping entries. The system reduces the costs and risks of physical handling and speeds the completion of transactions.

**Book Value:** The value at which a debt security is shown on the holder's balance sheet. Book value is acquisition cost less amortization of premium or accretion of discount.

**Bullet Bond:** See “*Non-callable Bond.*”

**Callable Bond:** A debit obligation where the bond issuer (i.e. borrower) has the option to *call the bond* or pay it off early (before the scheduled maturity date). For instance, a 5-year bond might be “callable quarterly”—meaning that, although the bond has a scheduled end date 5 years from now, it could end in 3 months (and every 3 months after that, until the scheduled maturity date).

**Coupon:** The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value.

**Credit Analysis:** A critical review and appraisal of the economic and financial conditions or of the ability to meet debt obligations.

**Current Yield:** The interest paid on an investment expressed as a percentage of the current price of the security.

**Discount:** The difference between the cost of a security and its value at maturity when quoted at lower than face value.

**Duration:** The weighted average maturity of a bond's cash flow stream, where the present value of the cash flows serve as the weights; the future point in time at which on average, an investor has received exactly half of the original investment, in present value terms; a bond's zero-coupon equivalent; the fulcrum of a bond's present value cash flow time line.

**Fannie Mae:** Trade name for the Federal National Mortgage Association (FNMA), a U.S. sponsored corporation.

**Federal Reserve System:** The central bank of the U.S. that consists of a seven member Board of Governors, 12 regional banks and approximately 8,000 commercial banks that are members.

**Fed Wire:** A wire transmission service established by the Federal Reserve Bank to facilitate the transfer of funds through debits and credits of funds between participants within the Fed system.

**Freddie Mac:** Trade name for the Federal Home Loan Mortgage Corporation (FHLMC), a U.S. sponsored corporation.

**Investment Agreements:** An agreement with a financial institution to borrow public funds subject to certain negotiated terms and conditions concerning collateral, liquidity and interest rates.

**Nationally Recognized Statistical Rating Organizations (NRSRO):** A U.S. Securities & Exchange Commission registered agency that assesses the creditworthiness of an entity or specific security. NRSRO typically refers to Standard and Poor's Ratings Services, Fitch Ratings, Inc. or Moody's Investors Services.

**New Issue:** Term used when a security is originally "brought" to market.

**Non-callable Bond:** Also known as, "*Bullet Bond.*" A non-callable bond is a debt obligation where the bond issuer does not have the option to "call the bond" i.e.-end the bond before the scheduled maturity date.

**Perfect Delivery:** Refers to an investment where the actual security or collateral is held by an independent third party representing the purchasing entity.

**Repurchase Agreement (REPO):** A transaction where the seller (bank) agrees to buy back from the buyer (City) the securities at an agreed upon price after a stated period of time.

**Reverse Repurchase Agreement (REVERSE REPO):** A transaction where the seller (City) agrees to buy back from the buyer (bank) the securities at an agreed upon price after a stated period of time.

**Secondary Market:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**Yield Curve:** The yield on bonds, notes or bills of the same type and credit risk at a specific date for maturities up to thirty years.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, SETTING THE FISCAL YEAR 2025-2026 PARKING VIOLATION FINES SCHEDULE

WHEREAS, the City of Del Mar recognizes its responsibility to establish and enforce parking regulations to preserve and enhance public safety to manage the parking resources of the City; and

WHEREAS, to enforce these parking regulations the City is required to comply with the California Vehicle Code and the County of San Diego Traffic Code adopted by the City by reference; and

WHEREAS, the City desires to set fines to obtain compliance with the aforementioned codes and regulations that are fair and reasonable in comparison with our neighboring jurisdictions, including the cities of San Diego and Solana Beach, and with the State of California; and

WHEREAS, the State of California under Senate Bill 1407 has required a surcharge of \$12.50 per City administered violation for State and County of San Diego court and facilities costs since January 1, 2011; and

WHEREAS, on June 20, 2022, the City Council adopted Resolution 2022-43 and reserved the right to ensure the City's parking violation fines remain consistent with the regional market and reflect increasing costs to administer over time, the City will adjust fines annually, at the beginning of each Fiscal Year (July 1), based on the Consumer Price Index (U.S. City Average), in an amount not to exceed 3% in a given year; and

WHEREAS, the Consumer Price Index (U.S. City Average) as of April 2025 is 2.3%, therefore, allowing the City to adjust fines by 2.3%; and

WHEREAS, the violation fines in the City of Del Mar Bail Schedule contained in Exhibit "A" of this Resolution do not exceed the City's reasonable administrative costs of providing such services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar, California, hereby approves the City of Del Mar Fiscal Year 2025-2026 Parking Violation Fines Schedule, attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED, that parking violations not paid within 21 days from issuance will be subject to double the fines per this Resolution.

BE IT FURTHER RESOLVED, the fines contained in the City of Del Mar Bail Schedule approved herein supersede any and all fines for corresponding services as previously approved by the City Council.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at the Regular Meeting held this 16<sup>th</sup> day of June 2025.

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Terry Gaasterland, Mayor  
City of Del Mar

APPROVED AS TO FORM:

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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:  
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, Sarah Krietor, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2025-XX, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 16<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar



**CITY OF DEL MAR  
PARKING VIOLATION BAIL  
SCHEDULE**

*Exhibit A  
Adopted June 16, 2025 by  
City Council Resolution 2025-XX  
Effective July 1, 2025*

Violation Code	Description	Violation Fee
14.16.030(D)	NOT IN MARKED SPACE	\$62
14.16.040 DMMC	GREEN CURBS	\$54
14.16.060 DMMC	OVERSIZED VEHICLE	\$90
14.16-72.135	LOADING ZONE-CURB MARKINGS	\$62
14.16-72.140	POSTED TIME LIMIT	\$54
14.16-72.140	GREEN CURBS SIGNED	\$54
14.20.040 DMMC	EXPIRED METER	\$54
14.20.040B DMMC	PARKING MACHINE VIOLATION	\$54
14.20.040S DMMC	SEAGROVE PARKING	\$54
14.20.040T DMMC	TRAILHEAD PARKING	\$54
21113 (a) CVC	COUNTERFEIT/ALTERED PERMIT	\$307
21211 CVC	NO PARKING BIKE LANE	\$73
21458 (4) CVC	GREEN CURBS	\$54
22500 CVC	NO STOPPING, STANDING, PARKING	\$73
22500.1 CVC	POSTED FIRE LANE	\$73
22500(b) CVC	ON A CROSSWALK	\$73
22500(e)(1) CVC	BLOCKING DRIVEWAY	\$73
22500(f) CVC	BLOCKING SIDEWALK	\$73
22502 CVC	CURB AND WRONG WAY PARKING	\$62
22507.8(A) CVC	DISABLED ONLY	\$307
225078ADMIN	225078 DP ADMIN FEE	\$25
22507.8(B) CVC	OBSTRUCT ACCESS TO DISABLED SPACE	\$307
22507.8(C) CVC	PRKD ON DISABLED HASHMARKS/BNDARY LINES	\$307
22507(B) CVC	PERMIT REQUIRED	\$62
22509 CVC	PARKED ON HILL	\$73
22514 CVC	FIRE HYDRANT	\$62
22515 CVC	PARKED UNATTENDED - MOTOR ON	\$73
22521 CVC	PARKED WITHIN 7FT OF RR TRACKS	\$73
22651(K) CVC	STORAGE ON STREET 72 HOURS	\$68
22658 CVC	POSTED PRIVATE PROPERTY	\$62
CVC 26710	DEFECTIVE WINDSHIELD	\$68
CVC 27155	GAS CAP REQUIRED	\$62
CVC 27465(B)	BALD TIRES	\$68
4000(a)(1) CVC	EXPIRED REGISTRATION	\$54
CVC 4457	ILLEGIBLE PLATES/TAB	\$54
CVC 4461	MISUSE OF PLACARD	\$307



**CITY OF DEL MAR  
PARKING VIOLATION BAIL  
SCHEDULE**

*Exhibit A  
Adopted June 16, 2025 by  
City Council Resolution 2025-XX  
Effective July 1, 2025*

<b>Violation Code</b>	<b>Description</b>	<b>Violation Fee</b>
4463 CVC	DISABLED PLACARD FRAUD	\$307
4463 (a)(1)	VEHICLE REGISTRATION FRAUD	\$307
4464	ALTERED PLATES	\$54
5200(a)	BOTH PLATES REQUIRED	\$46
CVC 5201	IMPROPER DISPLAY OF LIC. PLATES	\$54
5204A CVC	NO CURRENT TABS DISPLAYED	\$54
72.111 SDCC	MEDIAN STRIP	\$62
72.115B SDCC	PARKED IN SAFETY ZONE/ RED	\$73
72.116(d) SDCC	BLOCKING HYDRANT	\$73
72.117 SDCC	NO PARKING	\$62
72.118 SDCC	BLOCKING HIGHWAY	\$73
72.119 SDCC	TEMPORARY NO PARKING	\$62
72.120 SDCC	MOVING OF VEHICLE BY SDSO/ SDSO TOW	\$62
72.121 SDCC	REMOVAL OF IGNITION KEY	\$54
72.122 SDCC	STORAGE ON STREET	\$68
72.123 SDCC	PARKED FOR SALE	\$62
72.123 B SDCC	WASHING OR REPAIRING VEHICLE	\$62
72.125 SDCC	TOW AWAY ZONE	\$73
72.126 SDCC	COMMERCIAL VEHICLES	\$62
72.134 SDCC	BUS LOADING ZONE	\$73
72.135 SDCC	20 MIN LIMIT-GREEN CURBS	\$62
72.135(C) SDCC	RED CURBS	\$73
72.138 SDCC	STANDING IN ALLEY	\$62
72.140 SDCC	LONG TERM LIMIT	\$62
72.140(N) SDCC	NO NIGHT PARKING	\$62
72.150 SDCC	ANGLE PARKING	\$62
72.66 SDCC	SIGNS/ MARKINGS	\$62
SDCC 73.110	SLEEPING/CAMPING IN VEHICLE	\$90



# City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Clem Brown, Assistant City Manager  
Via Ashley Jones, City Manager

DATE: June 16, 2025

SUBJECT: Discussion on Reinitiating the Shores Park Master Planning Process

## REQUESTED ACTIONS/RECOMMENDATION:

Staff recommends that the City Council: 1) Receive an update on the prior master planning process for the Del Mar Shores property; 2) Direct staff to reinitiate the completion of the Shores Master Plan process; and 3) Establish a subcommittee of the City's Parks and Recreation Advisory Committee to advise staff and the City Council on the completion of the Master Plan.

## BACKGROUND:

The 5.3 acre Del Mar Shores property, located west of Camino del Mar between 9th Street and Stratford Court, was purchased by the City of Del Mar in 2008. Over half of the approximately \$5.4 million cost was funded by community donations. The site was formerly owned by the Del Mar Unified School District and later leased to various tenants, including the Winston School since 1988. The City acquired the property with the intention of preserving open space and recreational uses while supporting the continued operation of the Winston School (Winston).

Today, the park portion of the site is used for physical education purposes by Winston, and for informal recreation and a dog park during non-school hours. The on-site Del Mar Community Building currently houses Del Mar Community Connections, who provides senior programs and activities to the community, and the local non-profit Del Mar Foundation.

At the time of acquisition, an adopted City Council resolution identified that the City would complete a master planning process for the property prior to any substantive changes to the property. In fall 2013, the Council directed staff to initiate the process of preparing the Shores Master Plan (Master Plan) and subsequently established the Shores Park Master Plan Advisory Committee (Shores Advisory Committee). The purpose of the Shore Advisory Committee was to provide input to the City Council on the Master Plan process to make its development open, inclusive, and consistent with the needs of the community.

In 2014, the City selected the Schmidt Design Group, Inc. as the consultant to lead the master planning effort for the Del Mar Shores property. Schmidt Design Group identified three main phases to the master planning process:

---

City Council Action:

- Phase One – “Discover” – Completion of a site inventory and analysis and program/needs assessment
- Phase Two – “Imagine” – Program refinement and site alternatives development
- Phase Three – “Create” – Development of a preferred concept into Master Plan recommendation

Phase One of the Master Plan was focused on *discovering* the site by conducting an inventory to learn what is currently there (e.g., existing buildings, topography, and drainage) and engaging with the community through multiple avenues, including community surveys, workshops, and informal pop-up tent events, to identify major themes for how the public would like to use the park space. Schmidt Design Group completed Phase One in 2015, with a summary report presented to the City Council on July 6, 2015 (Attachment A).

Phase Two of the Master Plan effort involved *imagining* site alternatives and developing concept designs (“bubble diagrams”) based on information gathered from Phase One. Schmidt Design Group presented three initial bubble diagrams to the City Council on January 19, 2016. Council affirmed that all three concepts represented input received from the community and to proceed with further development of the three concepts.

Initially, the portion of the Del Mar Shores property leased by Winston was not included in the master planning effort. By 2016, the City and Winston began exploring a more collaborative, shared-use approach to the Master Plan. In 2017, the City Council directed staff to pursue this approach, leading to the development of three additional concept designs. Schmidt Design Group then entered Phase Three of the process to *create* a preferred concept plan. Based on further input from the community, the Shores Advisory Committee, and the City Council, Schmidt Design Group presented two revised concept plans to the City Council on April 16, 2018.

However, following litigation between the City and Winston related to the redevelopment of the leased portion of the property, the shared-use discussions were halted, and the City returned to designing the park but excluding the area leased by Winston. Before proceeding with further revised concept designs, Schmidt Design Group requested direction from the City on the number of parking spaces to include in the refined design in 2019. Due to pending negotiations with Winston related to the litigation, Council directed staff to delay the parking design work and asked the consultant to identify how to initially accommodate 12-20 parking spaces into the park’s design, with staff to explore future expansion options. Schmidt Design Group was then expected to revise the two concept plans to reflect these parking updates. The revised concepts were to be reviewed by the Shores Advisory Committee, followed by City Council to determine next steps.

Due to a variety of factors, including litigation between the City and Winston and the onset of the COVID-19 pandemic, the master planning effort was deferred. In 2021, the Shores Park Advisory Committee was placed on hold pending the resumption of the park master

planning effort. A full summary of all prior agenda reports and City Council actions related to the master planning process is included as Attachment B.

By September 29, 2023, the City and Winston reached an agreement to dismiss the lawsuit and enter into an amended Lease Agreement. The lease requires the City to provide 18 parking spaces in the southwest lot of the Shores Property for Winston use Monday through Friday during instructional hours and after-hours school events. In addition, Winston must make 18 spaces in its northwest lot available to the public during weekday non-instructional hours, weekends, or when not in use for Winston events. The City must also consult with Winston during the planning for any proposed development of the parking areas or athletic field.

DISCUSSION/ANALYSIS:

If directed by the City Council, staff's approach to complete the Master Plan is to leverage the extensive work that was completed during the six years the project was active (2013 to 2019), which included significant public participation and community engagement. To date, the City has expended \$206,740 on the master planning process. The following outlines staff's recommended next steps for the project:

**I. Execute a new contract with the Schmidt Design Group to complete the Master Plan.**

Due to their prior work on the project and satisfactory performance, there is sufficient justification to exempt the contract from public bidding requirements under Del Mar Municipal Code Section 7.04.090, Exemption from Bidding. Staff would return to the City Council in August to approve the proposed contract, scope of work and fee.

In addition to approving the necessary contract, staff would facilitate a discussion with the City Council regarding the process for completing the draft Master Plan, and potentially establish guiding principles for doing so.

**II. Establish a subcommittee of the City's Parks and Recreation Advisory Committee to advise staff and the City Council on the completion of the Master Plan.**

To advise the project and provide input from the Del Mar community, the City Council has two options. It could direct staff to reinstate the Shores Advisory Committee, or it could establish a subcommittee of the Parks and Recreation Advisory Committee to work with staff on the project. Staff recommends the latter, as Parks and Recreation is already an active advisory committee to the City Council and its charter has a direct nexus to the project. Further, the Shore Advisory Committee has been on hold since 2021, and it is possible that its prior members are no longer available to serve in that capacity.

**III. Complete the draft Master Plan for City Council review and approval.**

Staff will work with the Schmidt Design Group and a subcommittee of the Parks and Recreation Advisory Committee (if approved by the City Council) to complete the draft Master Plan, with a goal by the end of Fiscal Year 2026. Although a significant amount of the conceptual design work and community outreach has been completed, additional modifications will be needed to reflect current conditions, most notably to adhere to the City's amended lease agreement with Winston. Specifically, this would include updates to

the design to account for the following conditions: 1) Winston's footprint and square footage will remain the same under the 2023 amended lease agreement, and 2) the amount and location of the parking spaces for the new park and Winston given the new terms in the amended lease agreement.

**IV. Return to City Council with a refined concept design.**

Staff anticipates returning to the City Council with a draft Master Plan by the end of Fiscal Year 2026. If approved by the City Council, the next steps would be to allocate funding to prepare construction-level design plans and cost estimates and environmental review and permitting.

**V. Collaborate with the Del Mar Foundation to raise funds for the project.**

The Del Mar Foundation (Foundation) and Friends of Shores Park (Friends) have expressed interest in leading a community fundraising effort to provide supplemental funding for the project. To generate interest from prospective donors, a final concept design with visual renderings of what the park will look like is needed. As such, it is a critical path item that the Master Plan be completed as soon as feasible so that community fundraising can begin. Staff will coordinate and keep the Foundation and Friends updated throughout the completion of the master planning process.

FISCAL IMPACT:

There is no fiscal action or immediate fiscal impact related to this agenda item. Staff estimates it will cost approximately \$200,000 for a consultant to complete the Master Plan, which is included in the proposed Fiscal Year 2025-2026 and 2026-2027 Operating and Capital Budget. If Council directs staff to restart the master planning process, staff will return in August with a consultant contract for Council consideration following the Council summer meeting recess.

ENVIRONMENTAL IMPACT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

This is a Tier 2 item on the City's Fiscal Year 2024-2025 Work Plan.

ATTACHMENTS:

Attachment A – Phase I Summary Report – July 2015

Attachment B – Shores Park Master Plan Agenda Reports Summary Table

# SHORES PARK

THE CITY OF DEL MAR

# DISCOVER EXPLORE ENVISION

“DISCOVER” PHASE

Date: June 15, 2015

By: Schmidt Design Group, Inc.

Project Name: Shores Park Master Plan

DRAFT

SCHMIDT DESIGN GROUP, INC.

BALANCING ARTISTIC EXPRESSION IN DESIGN  
WITH ENVIRONMENTAL SENSITIVITY

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## APPENDIX

- A. Community Survey
- B. Architectural Building Assessment Report

# 1 INTRODUCTION

The City of Del Mar has taken the first step in developing a new master plan vision for the 5.3 acre Shores Park site, located southwest of the Camino Del Mar and 9th Street intersection. The first phase of this master plan effort, termed “Discover,” includes extensive research, data collection, and community engagement.

This document provides a summary of the first steps in the Shores Park Master Plan process and includes a review of applicable planning policy documents, an assessment of existing facilities, a site inventory and analysis, community outreach, and the development of guiding principles.

Ultimately, the goal of the research and community outreach is to establish a foundation of knowledge which the City and design team can utilize in future phases of the master planning effort. From this effort, program elements and master plan alternatives will be developed. Next steps in the master planning process include continued community engagement, case study exploration, a refined park program, and master plan alternatives. This effort will culminate with the development of a preferred Shores Park Master Plan with supporting recommendations for budget, implementation, and management.



Community Workshop #1, “Plan Your Park” Event  
Image by City of Del Mar

## 2 APPLICABLE PLANNING DOCUMENTS

The following includes an analysis of City planning documents and their relevance to the Shores Park Master Plan effort.

### 2.1 City of Del Mar Community Plan

The City of Del Mar Community Plan (synonymous with “General Plan”), contains land use policy and is intended to be used to guide community development. The plan also outlines the review process for approvals and permitting. The plan includes policies to achieve the City’s goals and objectives, such as: prudent use of water resources, limit building height to two stories in all residential areas, creation of viewpoints, protect and enhance human scale, etc.

### 2.2 City of Del Mar Municipal Code

The City’s Municipal Code contains regulations pertaining to land use development standards and permitting requirements. The design of Shores Park will need to comply with all sections of the City code. This includes a requirement that Planning Commission review and make recommendations to the City Council on all proposed allowable uses and development of public parkland.

#### Public Facility Zone

The park site is zoned as Public Facility Zone (PF). Included in the regulations for PF Zones are building height regulations (max 26 feet), parking requirements, landscape requirements, and the requirement to abide by the Water Efficient Landscape Ordinance. In accordance Municipal Code section 30.31.060, Design Review, all development in the PF Zone shall be subject to design review by the Design Review Board. The design, scale, height, bulk, coverage, and exterior appearance of all structures shall be in harmony with neighborhood character and development on nearby lots. Design considerations shall include the preservation of privacy on neighboring residential properties. In reviewing development proposals in the PF Zone, the Design Review Board shall also consider a project’s potential impact on the preservation of views to the ocean from both public and private lands.

#### Parking

The Parking Ordinance, Chapter 30.80, does not identify specific parking requirements for parks or open space and charges the Planning Commission to make a final determination of required number of parking spaces. Potentially applicable parking ratios include ratios for auditorium, meeting mall, museum, office, K-6/JR School, high school, recreation

facility, pool, and/or game courts. The lower parking lot is currently shared between the Winston School and the park. Continued shared parking should be evaluated in the Park Master Plan.

#### Protected Trees

In accordance with Municipal Code section 23.50.010, subsection C, the species Torrey Pine, and the species Monterey Cypress are of particular significance to the City, and should therefore be protected to conserve the environmental qualities of the City.

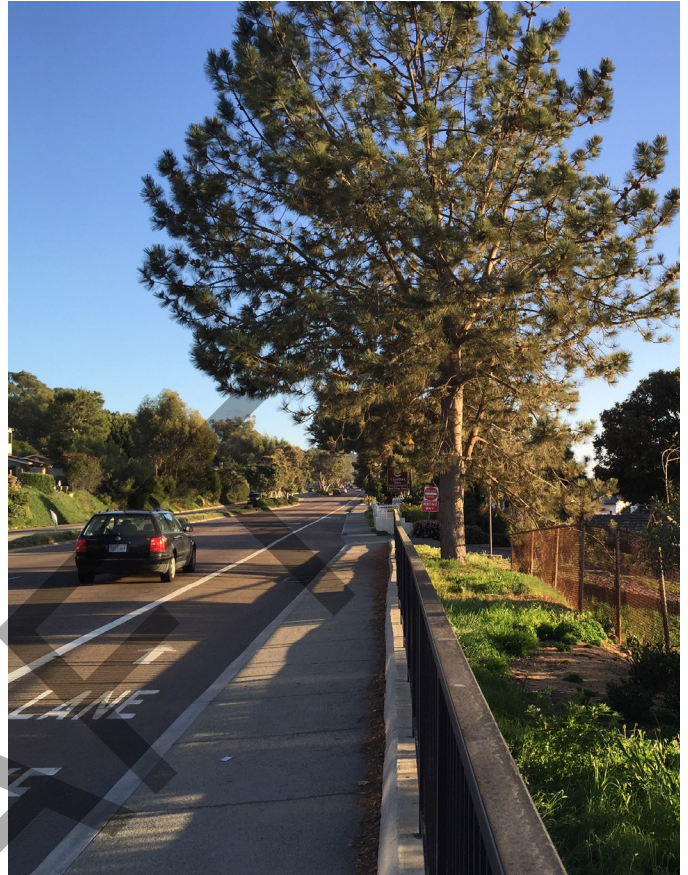
### 2.3 City of Del Mar Landscape Development Guidelines

The Landscape Development Guidelines include specific landscape design principles and elements that should be incorporated into the Shores Park Master Plan design. The Landscape Design Guidelines are based on the following six (6) objectives:

- Preserve natural features, including existing native plant materials.
- Preserve and enhance existing views.
- Protect the safety of the residents of Del Mar.
- Conserve precious resources, notably water.
- Vitalize the downtown commercial area.
- Clarify processes and requirements for landscape development within the City.

### 2.4 Camino Del Mar Streetscape Plan

Published in 1996, this study examines a three mile length of Camino Del Mar from Via de la Valle to its termination near Carmel Valley Road. The study identifies opportunities to preserve and enhance the qualities that the people of Del Mar hold dear. The opportunities include elements such as preserving



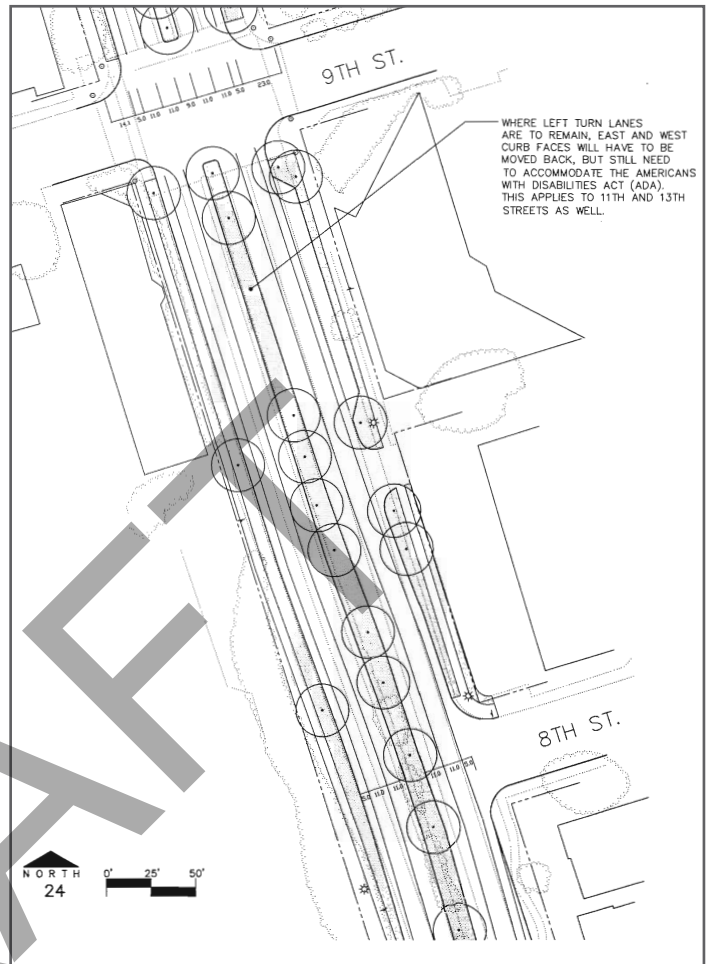
Torrey Pine trees are of particular significance to the City of Del Mar and should be protected



A mature Torrey Pine tree is located adjacent to the Community Building

Torrey Pine trees, creating scenic view corridors, and incorporating pedestrian improvements. The study also includes an overall shrub and groundcover plant list and provides recommendations for street tree locations along the portion of Camino Del Mar adjacent to the park site.

**2.5 Del Mar Foundation Use Agreement**  
 Located at 225 9th Street in Del Mar is a City-owned office facility, known as the Del Mar Community Building, which is approximately 1,831 square foot in size. The City has entered into a two-year long use agreement with the Del Mar Foundation (commencing in September 2014). The Del Mar Foundation is responsible for coordinating the use of the facility by the Del Mar Community Connections (DMCC) and other non-profits organizations that provide valuable public service functions to the residents of Del Mar.



Street Tree Planting Plan per Page 24 of the Del Mar Streetscape Plan

**2.6 Winston School Lease Agreement and Winston School Memorandum of Understanding**  
 The 1.8 acre school site is a City-owned property with a 55 year lease to the Winston School (commencing in 2008). Required as part of the lease agreement, Winston School must achieve all “Redevelopment Milestones” by the respective “Milestone Deadline” as defined in the lease document. The final “Milestone Deadline” is December 31st 2027 indicating the completion of the redevelopment process. The City is required to provide an open turf space for the school’s recreation needs as a part of the lease agreement.

Botanical Name	Common Name
<b>Groundcovers</b>	
Arctostaphylos ‘Carmel Sur’	Prostrate Manzanita
Baccharis pilularis ‘Twin Peaks’	Prostrate Coyote Brush
Ceanothus G. ‘Yankee Point’	California Lilac
Eriogonum fasciculatum ‘Dana Point’	Prostrate California Buckwheat
Fragaria chiloensis	Beach Strawberry
Salvia ‘Pt. Mugu’	Sage
<b>Shrubs</b>	
Arctostaphylos ‘Howard McMinn’	Manzanita
Ceanothus maritimus	Maritime Ceanothus
Eriogonum cinerium	Ashy Leaf Buckwheat
Rhamnus Californica ‘Eve Case’	Coffeeberry
Rhus integrifolia	Lemonadeberry
Ribes speciosum	Fuschia Flower
Ribes viburnifolium	Evergreen Currant
<b>Perennials and Grasses</b>	
Aloe species	Aloe
Armeria maritima	Sea Thrift
Artemesia pycnocephala ‘David’s Choice’	Sandhill Sage
Dudleya species	
Elymus condensatus ‘Canyon Prince’	Blue Wild Rye
Eriogonum grande rubescens	Pink Buckwheat
Festuca Californica	California Fescue
Galvesia speciosa ‘Firecracker’	Island Bush Snapdragon
Heuchera maxima hybrids	Alum Root
Iris douglasia hybrids	Pacific Coast Iris
Muhlenbergia rigens	Deer Grass
Verbena lilacina	Verbena

Planting Palette per Page 56 of the Del Mar Streetscape Plan

# 3 EXISTING FACILITIES ASSESSMENT

The purpose of this section is to document existing parks, recreation facilities, and programs in Del Mar that affect recreation programming and planning for the community. An inventory of existing parks, recreation facilities, and programs was achieved through site visits, City staff interviews, document searches, and interviews with service providers.

## 3.1 Parks and Community Centers

The City of Del Mar has three primary parks (Shores Park, Powerhouse Park, Seagrove Park) and one community center (Powerhouse Community Center) that are available for public use.

### i. Shores Park (5.3 Acres)

Shores Park is comprised of a parking lot, landscaped area, asphalt activity area, and the Del Mar Community Building. A portion of the site (1.8 acres) is leased to The Winston School. As part of the lease agreement, The Winston School is granted non-exclusive access to the landscaped turf area during school hours. The landscaped area serves as a shared use area providing space as a dog park, youth baseball field, and multi-purpose field, each with their specific times of use. The City issues permits for youth sports practices periodically. The Del Mar Community Building has a two-year lease between the Del Mar Foundation and the City of Del Mar. The building includes a conference room, computer lab, and kitchen, and is available to the public with advance reservations. The Community Building provides office space for the Del Mar Foundation and Del Mar Community Connections with which the Del Mar Foundation has an agreement. It is primarily used by Del Mar Community Connections which provides services to mature adults. Maintenance of the majority of the landscaped areas, including the turf area, is



Ocean View from Shores Park  
Image by Schmidt Design Group, Inc.

conducted by the City through a maintenance contract. Maintenance and operation of the Community Building is the responsibility of the Del Mar Foundation with portions of the grounds around the Community Building being maintained by the Del Mar Garden Club.

ii. Powerhouse Community Center

The Powerhouse Community Center is an attractive facility with views of the ocean. It has a capacity for 120 guests indoors and outdoors on two levels. The Community Center provides services to the community through private rentals, scheduling of non-profit agency activities, and co-sponsoring events. It is well maintained by the City Community Services Department through City part-time staff. It is also supervised by part-time and full-time City staff during the times that it is scheduled. It is scheduled by the Community Services Department's full time employee. The outside grounds and exterior restroom maintenance is performed through the City's Public Works Department.

iii. Powerhouse Park

Powerhouse Park is adjacent to the Powerhouse Community Center. It is a large grassy area overlooking the beach with a children's tot lot, public restroom, and two concrete walkways which lead to the beach. The park is well maintained through the City's Public Works Department. The park is open to the public and may also be reserved through the City's Community Services Department.

iv. Seagrove Park

Seagrove Park is south of Powerhouse Park and is a large grassy area overlooking the beach, without beach access. The park is well maintained through the City's Public Works Department. The park is open to the public and may be reserved through the City's Community Services Department.

### 3.2 Existing Recreation Programs and Services

The City of Del Mar provides recreation programs and services to the community through private rentals, scheduling of non-profit agency activities, and co-sponsoring events. As a part of the review process to determine opportunities for programming, an inventory of local services and programs provided by non-profits was compiled.

i. Del Mar Foundation

The Del Mar Foundation (DMF) is a 501(c)(3) nonprofit organization that sponsors and conducts a



Powerhouse Park  
Image by [www.sandiegoville.com](http://www.sandiegoville.com)

number of events for the community. These include the popular Summer Twilight Concert Series conducted at the Powerhouse Community Center and Park, the First Thursday Performances, and the DMF Talks held at the Powerhouse Community Center. The Foundation also provides special events for children in the community such as Family Bingo Night, Easter Egg Hunt, Fancy Nancy Night, and more.

- ii. Del Mar Community Connections  
Del Mar Community Connections is a 501(c)(3) nonprofit organization that sponsors and conducts a number of events for the community primarily for mature adults. Many of the activities are conducted at the Del Mar Community Building but are also scheduled at other locations including the Powerhouse Community Center, the County Library, and the City Hall Annex. Some of the activities provided include Brain Fitness, computer training, Tuesday Lunch Connections, specialty classes, services and presentations, bridge and mahjong at the Community Center, and shopping and grocery trips with transportation provided by DMCC's shuttle.
- iii. City of Del Mar Community Services offers concessions for summer camps such as junior lifeguarding, surf camps, as well as general surf classes. They also partner with the San Dieguito Unified High School District Adult School for exercise held at the Powerhouse Community Center.



The City of Del Mar has a formal lease agreement with The Winston School that utilizes a portion of Shores Park  
Images by Schmidt Design Group, Inc.

### 3.3 Public/Private Partnerships

The City of Del Mar has a formal lease agreement with The Winston School that utilizes a portion of Shores Park (primarily the school buildings). The City also has an Interim Use Agreement for two years with the Del Mar Foundation for the Foundation's use of the Del Mar Community Building located at Shores Park. In turn, the Del Mar Foundation has an agreement with Del Mar Community Connections for their utilization and scheduling of programs for the Del Mar Community Building.

### 3.4 Maintenance and Operations for Parks and Recreation Facilities

The Powerhouse Community Center and park facilities in Del Mar are well-used and busy centers of activity throughout the week, especially on the weekends. The parks and Community Center are well maintained and exceed most community standards. They are operated and maintained in an efficient manner.

The City Public Works Department utilizes contracted landscape maintenance services combined with supplemental part-time employees for the parks, grounds, and beaches. They have a City staff member that supervises these operations. This is an efficient and cost effective way of providing maintenance services, particularly limiting the need and related costs for City staffing. The Community Services Department similarly utilizes part-time staff for custodial services and also for supervision along with full-time staff during times that the Community Center is scheduled. They have a City staff member that coordinates these operations and also schedules the Community Center and the parks. This also is an efficient and cost effective approach to providing maintenance and operations for the Community Center, although recruitment and retention of part time staff is sometimes difficult.

The City of Del Mar adequately maintains and operates the existing parks and the Community Center. The additional resources and costs associated with the proposed improvements to Shores Park will be evaluated and reported during future phases of the master-planning effort.



The turf area serves as a shared use dog park with specific times of use  
Image by Schmidt Design Group, Inc.

# 4 SITE INVENTORY AND ANALYSIS

## 4.1 Site History

- The Shores property was first the site of the original Del Mar train station from the late 1800s through the early 1900s.
- The property was then acquired in 1906 by the South Coast Land Company led by partners Col. Ed Fletcher, William G. Kerckhoff, and others.
- Kerckhoff's company eventually took title and, in 1946, conveyed it to the struggling Del Mar Unified School District (DMUSD) with the deed restriction that the property be used for "school purposes only." This restriction included a prohibition against commercial or residential development.
- In 1988, a portion of the property was leased to the private Winston School.
- In 2005, a group of concerned community leaders formed The Friends of Del Mar Parks (a certified 501(c)(3) tax exempt, non-profit California corporation) and joined together with Winston School families to help raise funds to contribute toward purchasing the land.
- In 2007, the park was purchased by the City of Del Mar for \$8.5 million with a combination of private fundraising proceeds and public City funding.



The old California Southern Railway station on the SE corner of 9th Street and Stratford Court  
Photo Courtesy of the City of Del Mar Historical Society

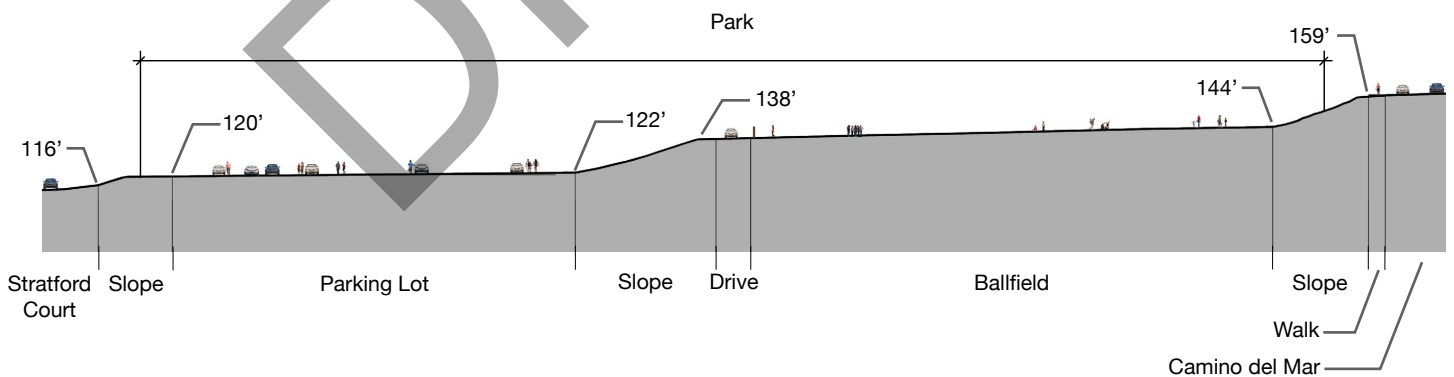
#### 4.2 Site Analysis

Shores Park is located southwest of the Camino Del Mar and 9th Street intersection in the City of Del Mar. Parking options include on-site parking areas and off-site street parking. Alternative transportation includes North County Transit District bus line 101 with stops in the north and south direction at 9th and Camino Del Mar. Additionally, designated bike lanes exist in the north and south directions along Camino Del Mar.

The Shores Park property has a terraced landscape along a dramatic hillside with views to the Pacific Ocean. Change in elevation between terraces is approximately 15 feet with an overall grade differential of approximately 30 feet. Many notable views to the Pacific Ocean were inventoried.

Existing park amenities include a turf field and backstop, multi-use court area, landscaped areas, parking lots, and a Community Building. The landscaped areas include several mature trees, including a large Torrey Pine near the Community Building. Based on initial on-site observation, stormwater is directed off-site via daylighted cobble-mortar storm culverts. Along 9th Street, adjacent to the northern boundary of the site, an existing deep swale carries stormwater off-site. Drainage also enters the park on the second terrace and flows down the existing on-site drainage/driveway. An opportunity for water quality improvements was observed.

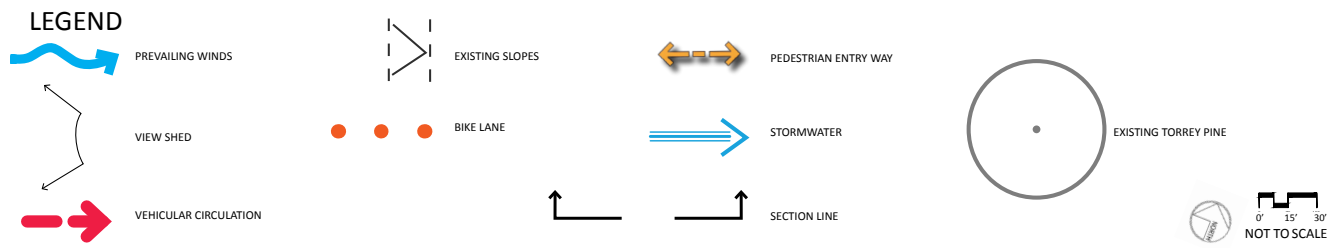
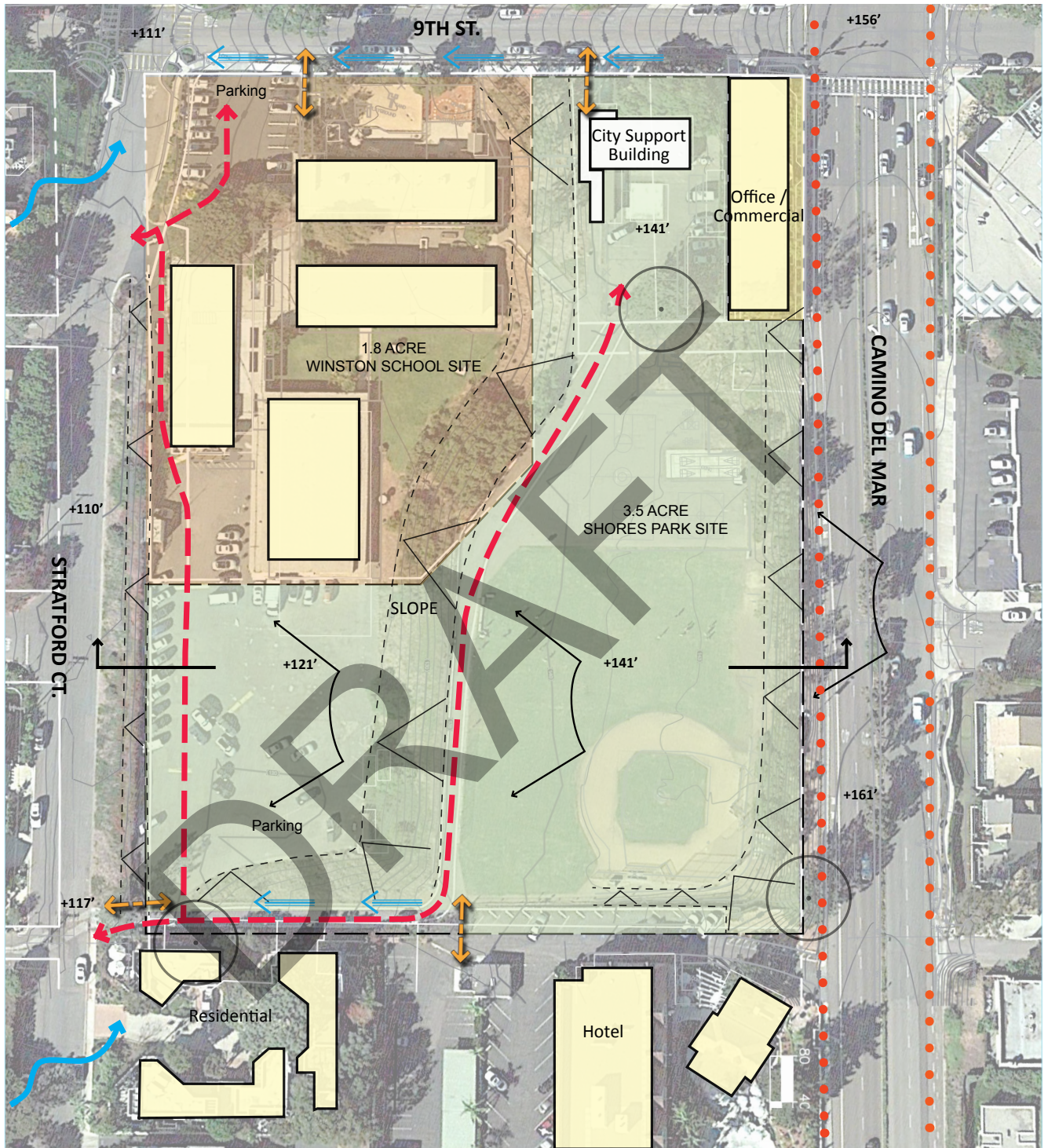
A portion of the park land (1.8 acres), is leased to The Winston School. Non-exclusive use of the parking area and athletic field during school hours is part of the lease agreement.



Section West-East, Shores Park  
Not to Scale

Shores Park Site Terraces from east to west offering views to the Ocean  
Section by Schmidt Design Group, Inc.

Site Analysis Plan



Site Analysis  
Graphic by Schmidt Design Group, Inc.

#### 4.3 Architectural Assessment of Del Mar Community Building

The overall general condition of the existing building at 225 9th Street was evaluated by OBR Architecture on January 29, 2015. A full copy of the report is included in the Appendix.

The building is laid out in an 'L' configuration and is a single story. No destructive testing was performed, but the main framing system is assumed to be wood. Overall the building appears to be in good condition. The recent refurbishment concentrated on finishes and the renovation to create an accessible restroom. The stucco is free from significant cracking and there is no evidence of any substantial seismic issues. The building currently acts as the Del Mar Community Building and houses the Del Mar Foundation and the Del Mar Community Connections. The building also provides community meeting space and storage space.

It has been noted through various interest group interviews and conversations with the community that the overall layout and size of the facility limits the programs and services that are offered by the Del Mar Community Connections organization.



Del Mar Community Building,  
Photo by OBR Architecture

# 5 COMMUNITY OUTREACH

The “Discover” phase of the Shores Park Master Plan process was structured to maximize opportunities to obtain community feedback as indicated by the Shores Advisory Committee appointed by the City Council. This included a formal community survey, interest group interviews, community pop-up events, and a “take-part” community workshop. The following is a summary of the Shores Advisory Committee role and each community outreach event.

## 5.1 Shores Advisory Committee

The Shores Advisory Committee (SAC) was formed to oversee the Shores Park Master Plan process. The SAC’s mission is to ensure that the process is open and inclusive. They have worked with the community, City staff, and design team to develop the Master Plan process and will continue to guide the process and provide progress updates and recommendations to City Council.

## 5.2 Community Survey

A community-wide survey was conducted by True North Consulting during the months of March and April 2015. Participants were asked a series of questions related to City of Del Mar park facilities, Shores Park, and their recreation preferences.

### i. Community Survey Goals

The goals for the survey were as follows:

- Gather information to help inform the Shores Park Master Plan;
- Profile recreation interests and activities of Del Mar residents (adult and youth);
- Measure use and perceptions of Del Mar parks in general, as well as Shores Park in particular;
- Identify the types of amenities and improvements to Shores Park that are priorities for Del Mar residents; and
- Understand how the above may vary across subgroups.

A full copy of the community survey report is included in the appendix.



A community-wide survey was conducted by True North Research  
Image by True North Research

## ii. Community Survey Key Takeaways

The community survey is only one tool for gauging community interests with respect to the Shores Park Master Plan process but there are consistent themes between survey results and qualitative feedback (Community Workshop, Pop-Up Events, etc.).

Per the survey, residents are generally pleased with the safety, appearance, and overall quality of Del Mar's parks, but see opportunities to improve the variety of amenities offered.

Based on survey respondents, just one in five households have a child or teenager, but there appears to be interest in providing a variety of activities for a broad age spectrum.

Key amenities that were identified include:

### Passive Recreation

- Significant interest in passive recreation amenities including walking paths, benches and sitting areas, picnic and BBQs, quiet spaces for reading, watching sunsets, meditating, etc.
- Interest in green spaces, landscaping, trees, plants, gardens, and beautification.

### Open Play and Fitness Areas

- Open areas for play and informal recreation sports, but not highly programmed sports-field focused or organized athletics.
- Children's playground equipment.
- Outdoor fitness course and courts.

### Indoor Facilities

- Special purpose rooms for fitness classes, yoga, dance.
- General purpose room for meetings and classes.

### Off-Leash Dog Component

- Interest is creating a separated area for off-leash dog activities. Refer to the "Desired Shores Park Improvements" graph found in the survey report.

### 5.3 Interest Group Interviews

#### i. Summary

The City of Del Mar scheduled interviews with interested parties between January 2015 and May 2015. The purpose of the interest group interviews was to solicit personal small group feedback from a diverse range of interested parties at the beginning of the master plan design process. Below is a time line of interest group interviews to date:

- Jan 12, 2015 Farmers Market
- Jan 12, 2015 Garden Club Interest Group
- Jan 14, 2015 Del Mar Community Connections (DMCC)
- Jan 14, 2015 Historical Society
- Jan 14, 2015 Friends of Del Mar Parks
- Jan 14, 2015 Park & Recreation Staff
- Jan 14, 2015 Youth Sports Groups
- Jan 15, 2015 Del Mar Foundation
- Jan 22, 2015 Del Mar Village Association (DMVA)
- Jan 22, 2015 Dog Owners
- Feb 9, 2015 Parents/Young Del Mar/PTA
- Feb 19, 2015 Sustainability Advisory Board
- March 31, 2015 Adjacent Commercial Property Owners and Businesses
- March 31, 2015 Adjacent Residential Property Owners
- April 13, 2015 Winston School
- May 6, 2015 Community Services Department Staff
- May 6, 2015 Public Works Department Staff
- May 6, 2015 Youth Sports Organizations (conference call)
- May 12, 2015 Alvarado House Tour
- May 13, 2015 Clean Water Program Manager (conference call)

#### ii. Reoccurring Themes

From the 20 different interest group interviews, there were significant areas of overlap and reoccurring themes. They are as follows:

- Preserve Open Park Feel: Many people wanted to avoid over-programming or overbuilding the park.
- Dog Park: There were several viewpoints on the success of the current joint-use dog park. Overall, there is a desire to continue to include a grassy area for off-leash dog activity in the park that is not rigid or obviously fenced. There are a significant number of community members that advocate continued joint-use between off-leash dog activities and other park uses. However, of the groups that were interviewed, there were more community members interested in separating the off-leash dog activities from other park uses, while still having both areas.
- Multi-Use Open Field: Provide open, flexible turf space, but not necessarily a structured athletic field.
- Gardens: Passive, walking, horticulturally rich gardens; benches to enjoy views; picnic tables.
- Basketball: Currently well used, potentially half court.
- Storage and Activity Space: Several groups were interested in more indoor and outdoor programs (DMCC storage and office space, tai chi and other exercise, cultural events, personal enrichment classes such as cooking classes, etc.)

### 5.4 Informal Pop-Up Tent Events

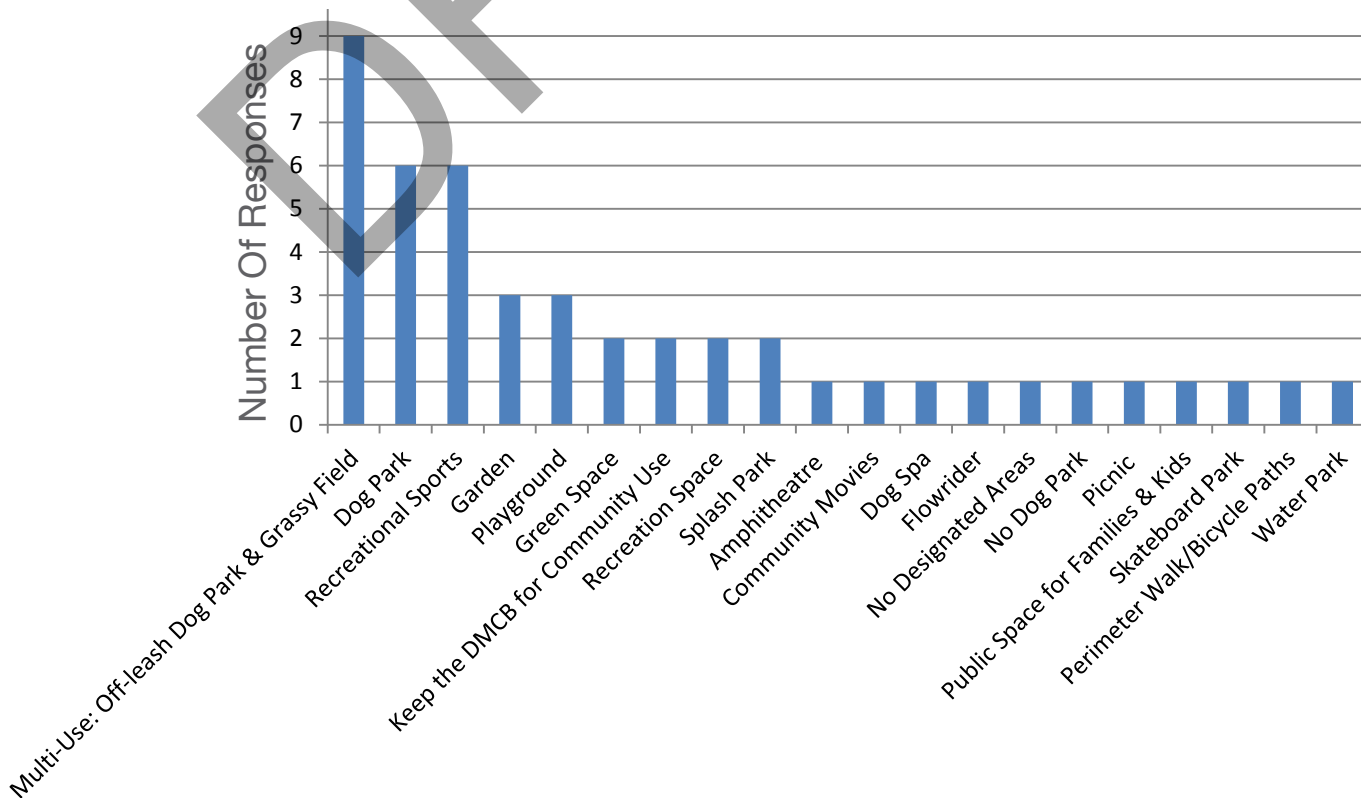
The City of Del Mar staff conducted two (2) “pop-up” community outreach events. These pop-up events were intended to capitalize on the community participation at the Del Mar Egghunt Event (April 4<sup>th</sup>, 2015), and the Farmers Market (April 18<sup>th</sup>, 2015), to publicize the Shores Park Master Plan project and to promote the May 2<sup>nd</sup> “Plan Your Park” Community Workshop.

Feedback was tallied from notations made by community members in response to open-ended questions regarding favorite parks, possible amenities for Shores Park, and preferred recreational activities. There were no formal inquiries made regarding residency. However, anecdotally, the majority of feedback was from Del Mar residents. The following graphics summarize the feedback received.

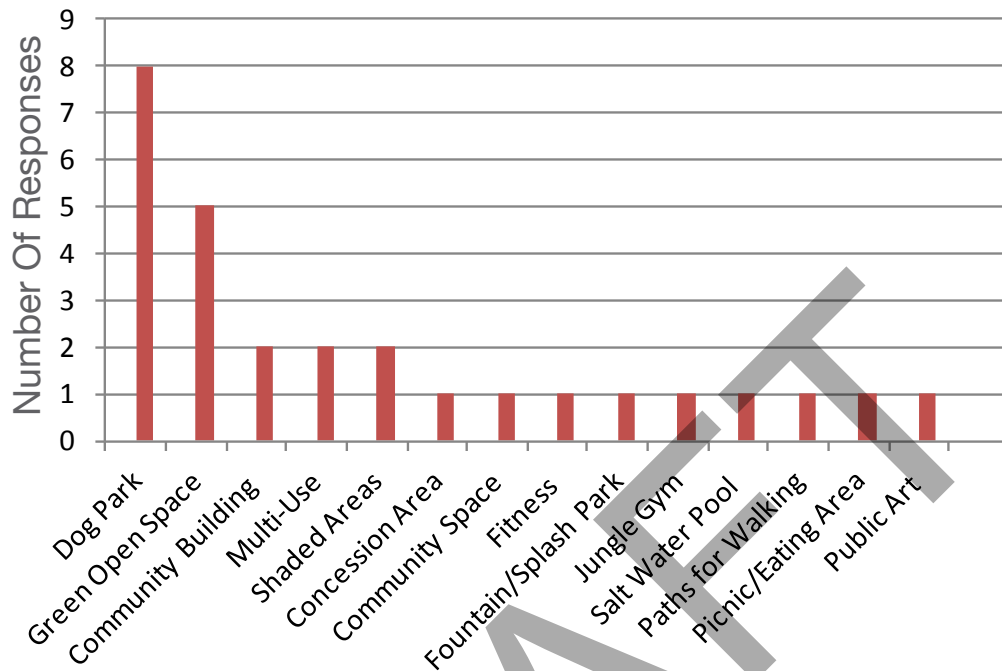


Pop-up tent event at Egghunt  
Photo by the City of Del Mar

#### i. Egghunt Event



ii. Farmers Market Event



DRAFT



Pop-up tent event at Del Mar Farmers Market, Photo by the City of Del Mar

### 5.5 Community Workshop #1

An on-site “Plan Your Park” community workshop was held May 2, 2015 from 10:00am-11:30am. A total of 155 attendees signed in for the meeting. Activities included a self-guided walking tour of the site and a brainstorming activity to provide feedback on guiding principles and potential amenities.

#### i. Site Discovery Exercise

Each attendee received a workbook at check-in and was encouraged to complete a walking tour of the site. A total of 45 completed workbooks were collected during the event. Below are the main themes and reoccurring comments that were documented in the Site Discovery Workbooks:

#### CONSTRAINTS

- Overall, participants identified constraints such as the driveway dividing the site, a disconnect between upper and lower areas, and a lack of shady areas for seating.

#### OPPORTUNITIES

- Participants identified opportunities for expanding the existing Community Building, improved parking, maintaining open space, and wide spread desire to incorporate ocean views.

#### BUILDING

- Several comments indicated a desire to keep or expand the Community Building (including expanding kitchen and providing multi-use space).
- Several people noted the need for a restroom.

#### PARKING

- Many people noted that the parking lot should be smaller while others noted an opportunity for a parking structure on the lower level with park space above.

#### DOG/GRASS

- Several comments indicated that the multi-use grassy area works well (but rules need to be enforced), while other comments indicated a desire for a separate dog area.



Community Workshop #1  
Image by Schmidt Design Group, Inc.

SITE PLAN/PLANTING

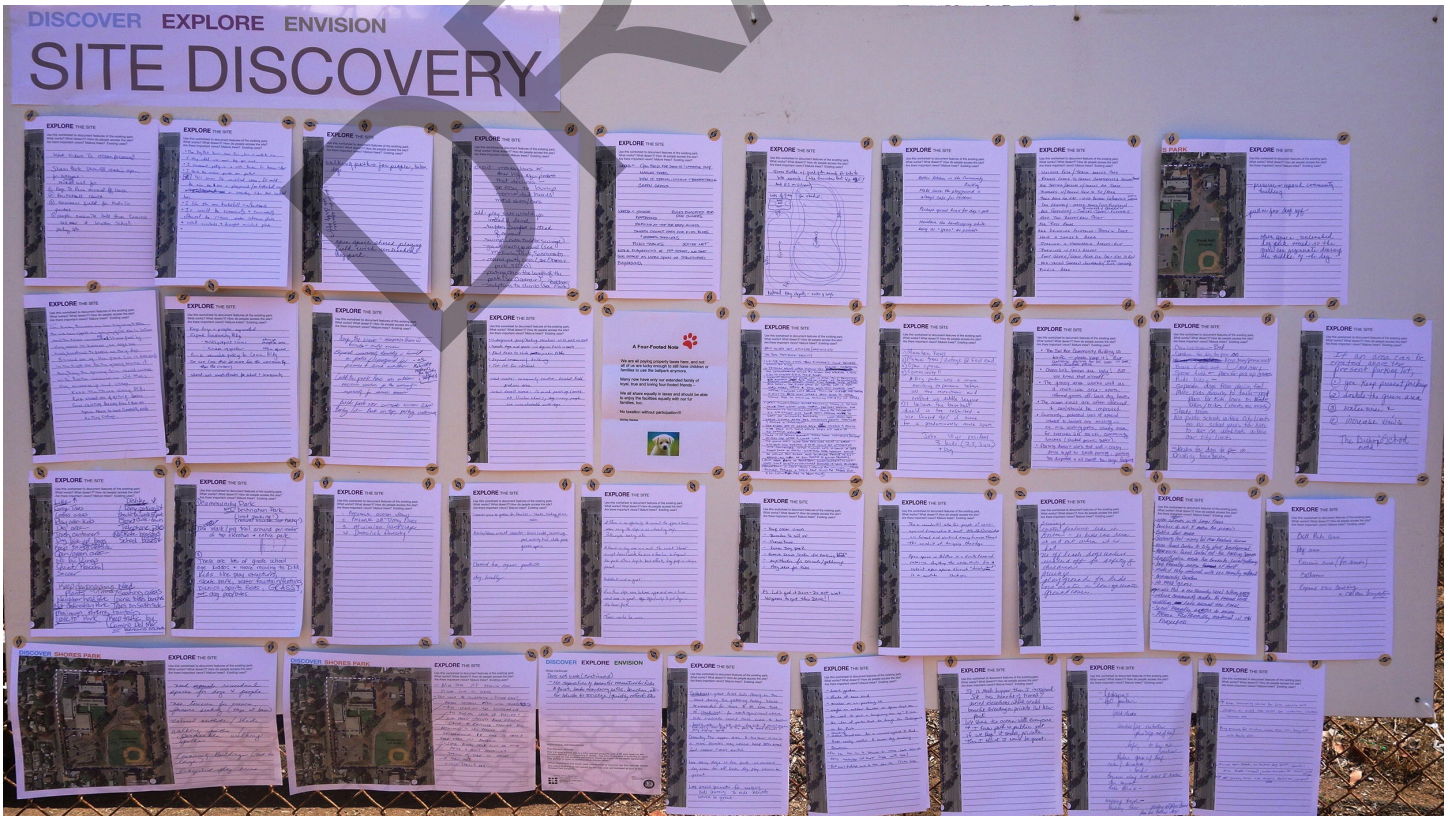
- Overall, participants noted that park should include a natural theme, feature low water use plants, connect upper and lower park areas, preserve mature trees, incorporate sustainable maintenance practices, provide universal accessibility, and highlight ocean views.

EXPAND PROGRAMS

- Several programmed activities were proposed such as: senior activities; tai chi; yoga; sports equipment to “check out.”

POTENTIAL AMENITIES

- Many participants indicated that the park should be natural/open in nature, and proposed the following amenities: loop walking paths, open field for sports, amphitheater, gardens (butterfly, meditation), fitness area, community garden, slide from upper to lower terrace, shade trees for picnicking, drinking fountain, playground, outdoor theater, swimming, skate park.
- Several participants noted that the basketball area was well used. One comment suggested a low basketball hoop for younger kids and other suggested a smaller half-court to save space.



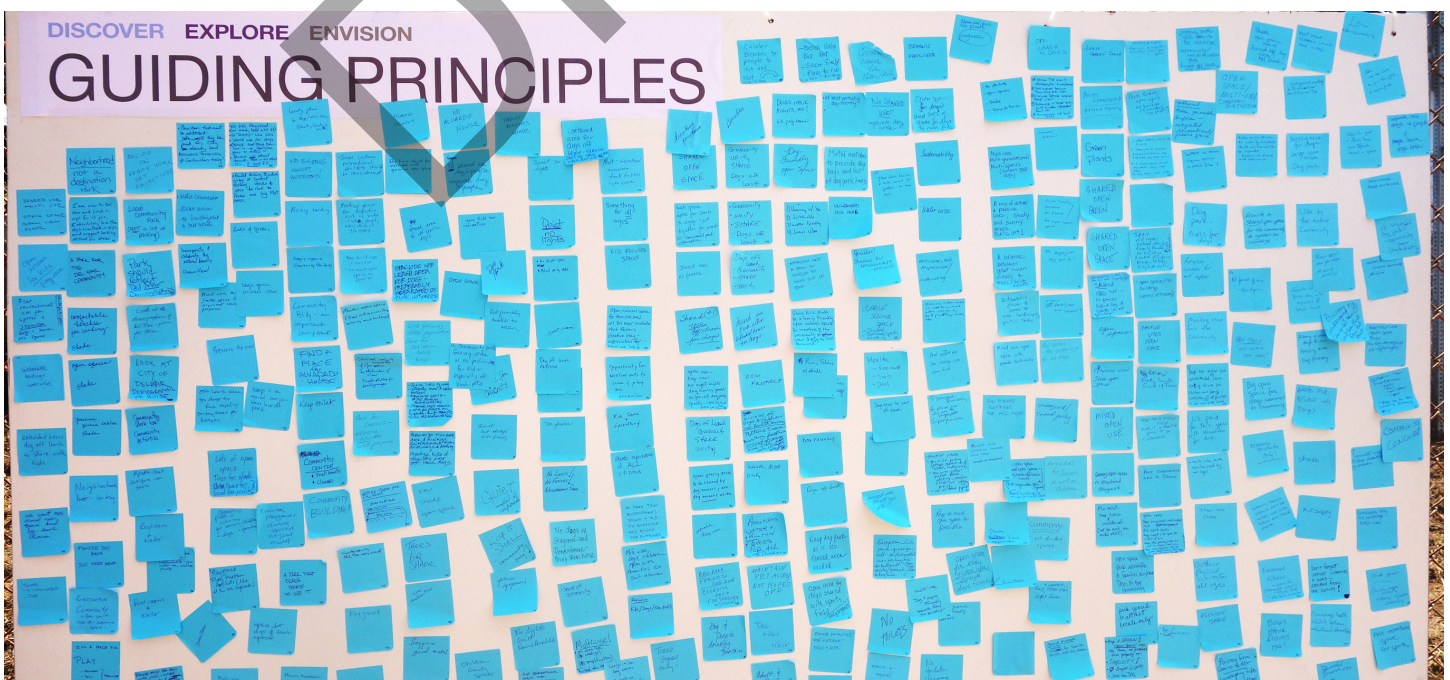
Site Discovery Image by Schmidt Design Group, Inc.

- ii) Guiding Principles Exercise  
 Each attendee received two sets of four (4) sticky notes for the Guiding Principles and Potential Amenities envisioning exercise. There was some overlap between Guiding Principles and Potential Amenities, however feedback was enthusiastic and robust with over 950 individual comments.

Participants were invited to write their desired Guiding Principles on blue sticky notes and place them on the white board. A total of 420 responses specific to Guiding Principles were received.



Guiding Principles and Potential Amenities Exercise  
 Image by Schmidt Design Group, Inc.



A total of 420 Guiding Principle responses were submitted  
 Image by Schmidt Design Group, Inc.

The main themes and guiding principles can be summarized in the following categories:

**NEIGHBORHOOD SCALE PARK**

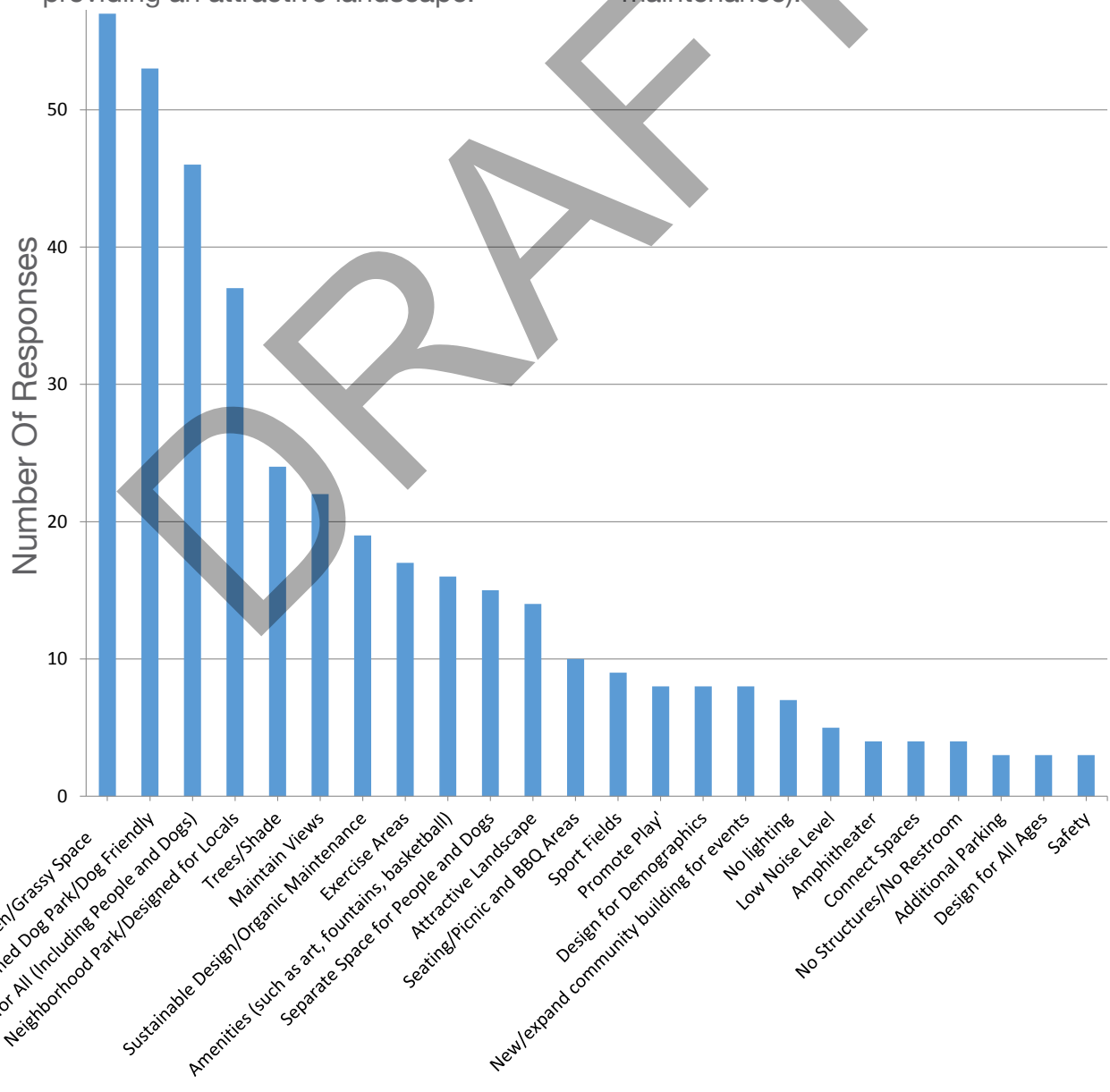
- The park should not be over developed; it should be designed for the neighborhood rather than as a regional destination. It should serve as a meeting venue for the local residents. The concept of a neighborhood scale park is also supported by other responses that were highly ranked such as providing an open/grassy space, shade, maintaining views, and providing an attractive landscape.

**HIGH QUALITY DESIGN FOR ALL USERS, INCLUDING PETS**

- The park should address the needs of the entire community. The final program should include a high quality user experience for people and pets.

**SUSTAINABLE DESIGN/ORGANIC MAINTENANCE**

- The park should incorporate an environmentally responsible design (low energy, water efficient, and organic maintenance).



- iii. Potential Amenities Exercise  
 Participants were invited to write their four key Potential Amenities on yellow sticky notes and place them on the white board. A total of 534 responses specific to Potential Amenities were received. The highest priority amenities can be combined into the main categories defined on the next page.



Potential Amenities Exercise  
 Image by Schmidt Design Group, Inc.



A total of 534 Potential Amenity responses were submitted  
 Image by Schmidt Design Group, Inc.

iii. Potential Amenities Exercise (Continued)

PASSIVE USE AMENITIES

- Trees/Shade
- Picnic/Seating Areas
- Bike/Walk/Scooter Path
- Open Grassy Space
- Attractive Landscape
- No Lighting

DOG FRIENDLY

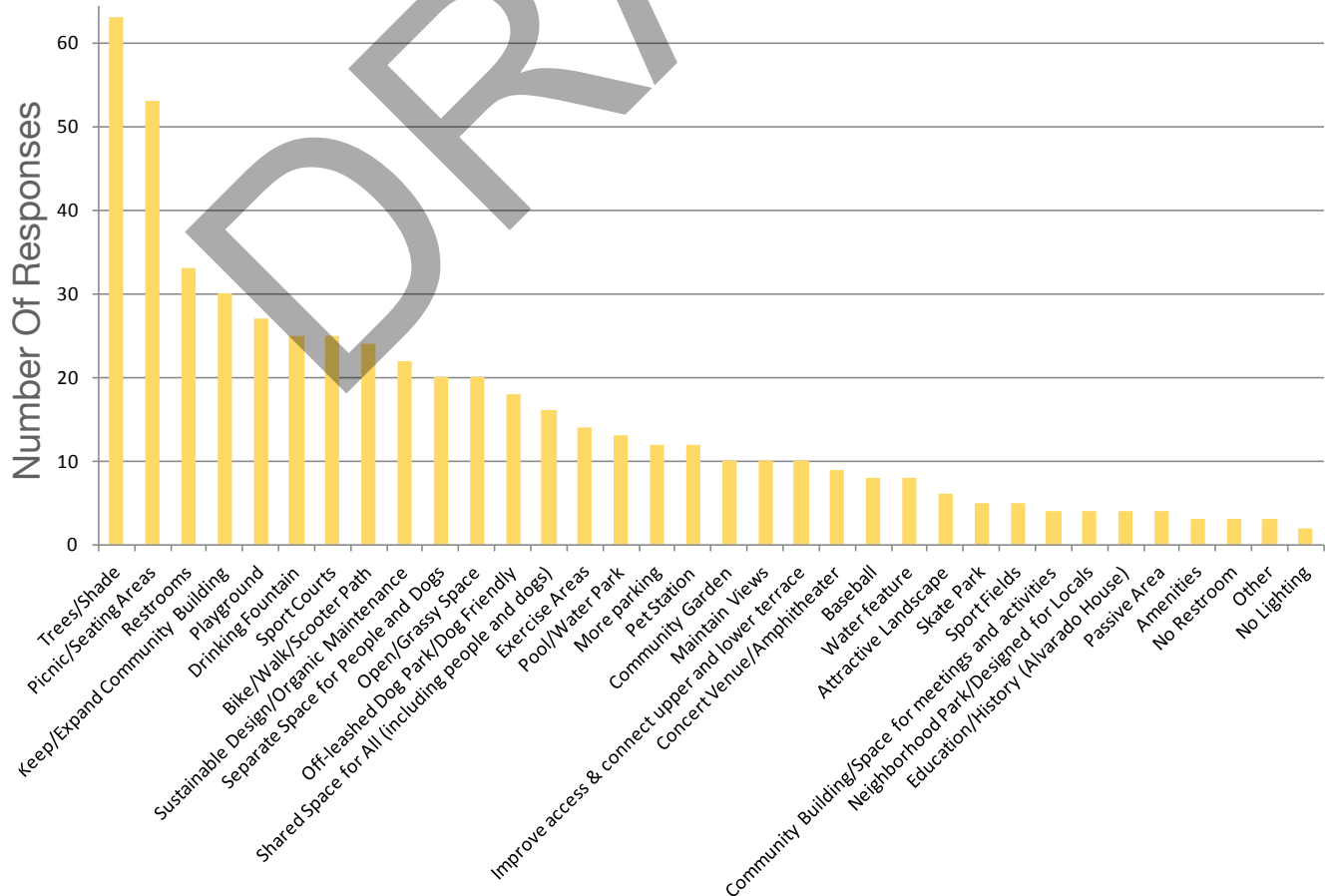
- Off-Leash Dog Park/Dog Friendly
- Separate People and Dog Space
- Shared Space for All (including people and dogs)
- Pet Station

BUILDINGS

- Provide Restrooms
- Keep/Expand Community Building
- New Community Building
- No Restrooms

ACTIVE PLAY

- Playground
- Drinking Fountain
- Sport Courts
- Exercise Areas
- Pool/Water Park
- Baseball
- Skate Park
- Sport Fields



## iv. Kids' Imagination Station

The Kids' Imagination Station drawings filled the white board with inspiring, artful ideas for play at the park.

Below is a summary of the responses and a sample of a drawing from the Kids' Imagination Station board:

- Climbing Structure
- Slide
- Huge slide that runs from the top field to the lower parking lot
- Monkey Bars
- Sand Volleyball
- Volleyball Net
- Swings
- Soccer Goal
- Squirrel, or maybe a dog
- Restrooms
- Bike Path
- Grass
- Rocks
- "Park to Play Ball and Ride My Scooter"
- Little Kids' Area
- Sand Pit
- Climbing Wall
- Bus with a big heart :)
- Water Slide
- Movie Theater
- Basketball Court



Drawing submitted by Del Mar Youth  
Image by Schmidt Design Group, Inc.

# 6 SUMMARY OF FINDINGS

The City of Del Mar purchased the 5.3 acre Del Mar Shores property in 2008 with the intention of preserving open space and enhancing recreational uses in the City, as well as the continued operation of the Winston School. Currently, the Shores Park property offers a small Community Building which is leased and operated by Del Mar Foundation (and also houses the Del Mar Community Connections), and an open grassy field that is used for informal recreation and as an intermittent dog park.

In 2014, the City of Del Mar embarked upon a master planning process for Shores Park to create a long-range vision to guide the park's future development. Based on a multi-faceted assessment of current and future needs, the master plan will identify the types of amenities and facilities that will be included in the park, the types of programs and activities it will support, as well as a plan for implementation.

A critical component of the master plan process is building a meaningful and lasting relationship with the community through ongoing community engagement. The community has been particularly engaged throughout the process which included a city-wide survey, interest group interviews, informal pop-up events, and a community workshop. The findings are summarized below into guiding principles and a preliminary list of possible amenities that will inform the next steps of the master plan process.



Community Workshop #1, "Plan Your Park" Event  
Image by City of Del Mar

### 6.1 Guiding Principles

The depth and breadth of feedback received during the “DISCOVER” phase of the Shores Park master plan process has been utilized to develop the following Guiding Principles. Future design alternatives will be evaluated in part by how well they accomplish these goals.

- Provide a beautiful and peaceful neighborhood park environment that serves the residents of Del Mar.
- Create an inclusive space that offers recreational opportunities for all ages.
- Thoughtfully integrate the needs and desires of residents visiting the park with or without pets.
- Capture the dramatic views to the Pacific Ocean.
- Provide a gardenesque park setting that is environmentally and economically sustainable.
- Integrate the activities, program, circulation, and recreational needs of the Winston School.
- Create a park that reflects the rich history, unique culture, and community character of Del Mar.



Community Workshop #1, “Plan Your Park” Event  
Image by City of Del Mar

### 6.2 Potential Amenities

One goal of the “Discover” phase was to start to identify the types of amenities that Del Mar residents view as priorities for inclusion in Shores Park in the future. Potential amenities were collected at all stages of the community outreach process and will continue to be collected and refined throughout the master plan process. Not all amenities will be accommodated within the Shores Park site based on site constraints and community preferences; therefore, the potential amenities are grouped into three tiers

based on community feedback, prioritized from Tier 1 (highest priority) to Tier 3. Within each tier, the amenities are presented in alphabetical order.

#### i. Tier I Potential Amenities

Based on recurring themes from all community outreach efforts, the community expressed a strong collective interest in the amenities identified below. Based on overwhelming consistent interest, these core elements should be incorporated in future design alternatives (not in priority order):

- Attractive gardens and landscaping (low water use/sustainable)
- Benches for sitting, enjoying views, reading, meditating, etc.
- Fully accessible for visitors with disabilities
- Furnishings such as trash and recycling receptacles, drinking fountains, bike racks, etc.
- Off-leash grassy areas for off-leash dog activities (not obvious or rigid fences)
- Open turf for flexible play (required by lease with Winston School)
- Indoor meeting/recreational community space
- Accommodate children's activities
- Parking to meet code requirements
- Picnic area(s)
- Restroom
- Shade
- Walking paths

#### ii. Tier II Potential Amenities

In addition to the core list of Tier 1 amenities, there was also significant interest in other possible amenities that should be further evaluated for inclusion based upon community interest and space availability:

- Basketball half court
- Children's playground
- General purpose room that can be used for community programming and activities (such as exercise classes, cooking classes, meetings, arts and culture, etc.)
- Multi-purpose court (basketball/pickle ball/tennis etc.)
- Outdoor fitness course

#### iii. Tier III Potential Amenities

In addition to the Tier 1 and Tier 2 amenities, there was also interest in other possible amenities that should be further evaluated for inclusion based upon community interest and space availability. This list of Tier 3 amenities is not comprehensive as it will continue to be refined throughout the process as new ideas are added by the community:

- Amphitheater
- Auditorium (joint-use with Winston School)
- Community garden
- Interpretive education (such as plant identification tags, educational signage, etc.)
- Youth sports field (youth baseball/softball). This would primarily include a practice area that is not heavily programmed.
- Bocce ball

**Shores Park Master Plan Agenda Reports  
Summary Table**

#	Date	Item Title	Action	Link to Agenda
1.	November 18, 2013	Direction for Recommended Process to Prepare the Shores Park Master Plan	Direct staff to prepare an RFP for consultants to develop a Master Plan.	<a href="https://ca-delmar.civicplus.com/AgendaCenter/ViewFile/Item/182?fileID=207">https://ca-delmar.civicplus.com/AgendaCenter/ViewFile/Item/182?fileID=207</a>
2.	January 21, 2014	Shores Park Master Plan Process	Approve the formation of a Park Master Plan Committee and direct staff to return with a charter/mission statement for the committee; return with proposed language for advertising the committee vacancies; schedule candidate interviews.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01212014-420">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01212014-420</a>
3.	February 3, 2014	Resolution Establishing the Shores Park Master Plan Committee, Mission, and Work Program	Adopt Resolution 2014-07, "A Resolution... Establishing the Shores Park Master Plan Committee to Provide Input, Guidance and Comment on the City's Master Plan Process for the Shores Park and Appointing Council Member Parks and Council Member Sinnott as Liaisons to the Committee."	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02032014-442">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02032014-442</a>
4.	March 17, 2014	Selection of Members for the Shores Park Master Plan Committee	Direct staff to use alternative option one for the candidate selection process and to invite the top 10 candidates to be interviewed at the Council Meeting on April 21, 2014.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/03172014-424">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/03172014-424</a>
5.	April 7, 2014	Shores Park Master Plan Committee Role, Selection Process and Name	Make no changes to the mission and work program and accept clarification on the conflict of interest; and, change the committee name to the "Shores Advisory Committee."	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04072014-483">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04072014-483</a>
6.	April 21, 2014	Selection of Members for the Shores Advisory Committee	Appoint and accept the eight applicants for service on the Shores Advisory Committee, and return with an amendment to Resolution 2014-07.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04212014-498">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04212014-498</a>
7.	October 6, 2014	Award of Contract to Schmidt Design Group, Inc. for Shores Park Master Plan	Adopt Resolution 2014-77, "A Resolution... Authorizing the City Manager to Enter into an Agreement with Schmidt Design Group, Inc. to Prepare a Master Plan for Shores Park, (Including any Necessary Non-Substantive Changes for Preparation of the Shores Park Master Plan for a Not to Exceed Amount of \$150,000), and Amending the Fiscal Years 2013-2014 and 2014-2015 Operating and Capital Budget for the Shores Park Master Plan."	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/10062014-640">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/10062014-640</a>

8.	January 5, 2015	Shores Park Master Plan – Update on Project Process and Timeline	Receive the report on the anticipated process and timeline for the Shores Park Master Plan project.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01052015-712">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01052015-712</a>
9.	March 2, 2015	Shores Park Master Plan – Approval of Survey	Review and approve the Shores Park Master Plan community survey.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/03022015-758">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/03022015-758</a>
10.	July 6, 2015	Shores Park Master Plan – Report on Project Phase One	Receive the report and reviewed the first phase of the Shores Master Plan project, identified the guiding principles and major themes that emerged through Phase One, and identified the next steps for this project.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07062015-878">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07062015-878</a>
11.	July 6, 2015	Discussion of Placing Indoor Recreational Programming Space at Shores Park	Direct staff to incorporate indoor recreational programming space and offices for the community organizations operating those programs into the Shores Master Plan.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07062015-878">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07062015-878</a>
12.	January 19, 2016	Shores Park Master Plan – Report on Project Phase Two	Receive the report on the status of the Shores Park Master Plan, receive Schmidt Design Group’s presentation on the three initial concept designs (“bubble diagrams”); affirm that all three concepts represent what has been heard from the community in order to proceed with further development of the three concepts to vet with the community, beginning at the March 2016 community workshop; and reviewed next steps for Phase Three of the Master Plan effort.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01192016-1036">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01192016-1036</a>
13.	January 17, 2017	Shores Park Master Plan – Shared-Use Master Planning Effort	Receive report and adopt Resolution 2017-08 “A Resolution... Authorizing the City Manager to Enter Into a Memorandum of Understanding with the Winston School for a Collaborative, Shared-Use Park Master Planning Effort and an Agreement Amendment with Schmidt Design Group, Inc. to Prepare a Master Plan for Shores Park and Amending the Fiscal Years 201,5-2076 and 2016-2017 Operating and Capital Budget.”	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01172017-1324">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/01172017-1324</a>
14.	May 1, 2017	Shores Park Master Plan – Introduction of Three Initial Shared-Use Master Plan “Bubble Diagram” Concept Designs and Report on Next Steps for Seeking Community Input	Authorize the City Manager to proceed to secure costing of all six “bubble” designs for the Shores Park Master Plan including 3-D estimates and operational costs; to move forward through the community venting process towards a workshop; and, to proceed with lease and exchanged shared use remedies.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/05012017-1432">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/05012017-1432</a>

15.	July 17, 2017	Shores Park Master Plan – Scope of Work Modification and Agreement Amendment with Schmidt Design Group	Continue the item to Sep. 2017 and approve Resolution 2017-50... “Authorizing the City Manager to Enter an Agreement Amendment with Schmidt Design Group for a Modified Scope of Work Related to the Shores Park Master Planning Effort for an Additional Not-to-Exceed Amount of \$44,000 But Not to be Spent Until There is a Clear Work Path From the City Council, and Amending the Fiscal Years 2017-2018 and 2018-2019 Operating and Capital Budgets.”	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07172017-1502">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/07172017-1502</a>
16.	October 12, 2017 (Joint Special Meeting: City Council & Shores Committee)	Memo Subject: Shores Advisory Committee Recommendations regarding Shores Park Master Plan	Support the recommendations of the Shores Advisory Committee and move the designs outlined in bubbles A and C, and the associated cost estimates, forward to the community for consideration.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/10122017-1571">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/10122017-1571</a>
17.	November 6, 2017	Shores Master Plan – Status Update and Next Steps (agreement amendment and consideration to add Winston School rep. to SAC)	Adopt Resolution 2017-68, “A Resolution... Authorizing the City Manager to Enter into an Agreement Amendment with Schmidt Design Group, Inc. to Prepare a Master Plan for Shores Park and Amending the Fiscal years 2017-2018 and 2018-2019 Operating and Capital Budget.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/11062017-1601">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/11062017-1601</a>
18.	February 5, 2018	Shores Park Master Plan – Size for Future Community Activity Building	Direct staff to proceed with including an approximately 4,775 square-foot community activity building in the two proposed concept designs for the Shores Park Master Plan, on consent.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02052018-1671">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/02052018-1671</a>
19.	April 16, 2018	Shores Park Master Plan – Review Revised Concepts and Next Steps	Adopt Resolution 2018-21, “A Resolution... Authorizing Amendment of the Fiscal Years 2017-2018 and 2018-2019 Operating and Capital Budget to Fund a Traffic Impact Analysis for the Shores Park Master Plan Concepts.”	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04162018-1729">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/04162018-1729</a>
20.	June 3, 2019	Shores Park Master Plan – Discussion of Parking	Discussion focused on the feedback received from the Shores Park Advisory Committee regarding parking; possibility of locating a transit stop at Shores Park; building the parking stalls to meet average daily demand and handle event parking through a parking management plan; opportunities to clear and cover the ditches to achieve additional parking spaces at the Shores Park; support for between 11-15 parking spaces; limiting hours for allowed parking on residential side of street on 9 <sup>th</sup> Street; exploring on street parking opportunities; support for shared use of parking spaces between City and Winston School; following up with	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/06032019-2126">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/06032019-2126</a>

			representatives from DMCC regarding their parking needs; support for the timeline proposed by staff, need for bike racks at the Park; and exploration of shared parking opportunities with surrounding businesses.	
21.	September 9, 2019	Shores Park Master Plan – Discussion of Parking	Move to a future Council Meeting (due to length of time to discuss).	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/09092019-2201">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/09092019-2201</a>
21a.	September 30, 2019	Shores Park Master Plan – Discussion of Parking	Discussion focused on the number of parking spaces for Shores Park; concept of putting the parking discussion on hold until the Winston School lease negotiations are concluded; uses that drive the need for parking spaces; need to look at concept of underground parking; keeping the discussion at the theoretic level right now; and possible accessibility of hotel parking spaces for use by park goers. The consensus of the Council was to hold off on initiating the parking design work that would be affected by the outcome of the Winston School negotiations; and directed staff and the consultant to start with identifying how to initially produce 12-20 spaces and how more spaces could be accommodated down the road if needed.	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/09302019-2217">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/09302019-2217</a>
22.	December 7, 2021	Committee Efficiencies Taskforce Report and Recommendations	As it pertained to Shores Park Advisory Committee: Adopt Resolution 2021-50, “A Resolution... Place the Shores Advisory Committee on Hold Until Such Time That the Park Master Planning Effort Resumes...”	<a href="https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/12072021-2878">https://www.delmar.ca.us/AgendaCenter/ViewFile/Agenda/12072021-2878</a>



# City of Del Mar Council Liaison Report

TO: Honorable Mayor and City Council Members

FROM: Tracy Martinez

Date: June 5, 2025

## **NCTD Retreat held on APRIL 17, 2025 MEETING SUMMARY**

- 1) NCTD Services Overview: The North County Transit District (NCTD) Board of Directors (Board) received an overview of the transit services NCTD provides. NCTD currently operates the COASTER commuter rail, SPRINTER hybrid rail, BREEZE bus, FLEX demand-response, LIFT paratransit, and NCTD+ microtransit services. Each of these modes connect to make a holistic system that serves a multitude of different transportation needs. NCTD currently operates the NCTD+ microtransit service within a defined zone in San Marcos. Beginning May 19, 2025, NCTD will also operate this service in Vista. NCTD, in partnership with the San Diego Association of Governments, is advancing two fully funded capital projects to expand COASTER service and add new stations along the line at the Convention Center in downtown San Diego and the Del Mar Fairgrounds. These projects will provide a more convenient alternative to driving to major special events in the region, like Comic-Con, Padres games, the San Diego County Fair, Del Mar races, and others. NCTD is in the process of evaluating its services to accommodate changing rider demographics. This analysis will include potential redesign of the bus network, opportunities to expand the span of service on SPRINTER, and changes in schedules
- 2) Intergovernmental Affairs Update: The Board received an update on NCTD's intergovernmental affairs efforts at the federal, state, and local levels. NCTD is working with partners at all levels of government to advocate for the District's priorities in policy and funding legislation. Congress is beginning the process to reauthorize surface transportation legislation, which sets federal policy and levels of funding for highway, transit, and rail programs. The California Legislature is also beginning the process to reauthorize the Cap-and-Trade program, which provides funding for several transit grant programs. Additionally, NCTD is considering potential changes to its enabling legislation to provide greater flexibility in procurement, construction, and revenue-generating practices, which will need to be approved by the California Legislature.
- 3) Five-Year Financial Outlook: The Board received an update on NCTD's five-year financial outlook ahead of the operating budget discussions slated for the May Board meeting. Staff provided information on different funding sources and restrictions on how NCTD can use federal and state funding. Federal funding distributed to NCTD must be used for capital and preventative maintenance expenses and requires a 20% non-federal match. NCTD must utilize operations funding to provide this non-federal match, limiting the amount of available funding for operations. NCTD is continuously identifying opportunities for efficiencies. However, if additional funding sources are not identified, which could include a

sales tax measure, NCTD may be required to review its service network to manage costs.

### **NCTD May 15, 2025 BOARD MEETING SUMMARY**

Proposed FY2026 Operating Budget and FY2026-2030 Capital Improvement Program Update: The North County Transit District (NCTD) Board of Directors (Board) received an update on the development of the FY2026 Operating Budget and FY2026-FY2030 Capital Improvement Program (CIP) for review and input. The FY2026 budget and revised CIP invests resources to further the Board's priorities, including improvements to customer communications, safety and security, and the continuation of the Youth Opportunity Pass (YOP) program. Expenses have shifted from purchased transportation to salaries, wages, and benefits due to NCTD assuming direct management of bus operations and maintenance. The Board asked staff if state and federal funding uncertainties will impact NCTD's budget process. Staff responded that the San Diego Association of Governments (SANDAG) and the Federal Transit Administration (FTA) provide estimates for more than 80% of NCTD's revenue. SANDAG recently lowered its sales tax revenue estimates, projecting FY2026 revenue to grow by only 0.3%. NCTD expects FTA funds and additional state dollars to remain flat in FY2026. Furthermore, NCTD takes a conservative approach when estimating any additional revenues in the development of its budget. NCTD announced that it has renegotiated its U-Pass program with the University of California, San Diego (UCSD), which will bring additional revenue to the District. The new U-Pass agreement will allow UCSD students to use NCTD's public transit modes free of charge – excluding NCTD+. The Board expressed its support for NCTD's continued partnerships with universities and other educational institutions within its service area to support local transportation needs and increase ridership. Staff will present the final proposed operating budget with a more detailed breakdown of revenues and expenditures to the Board for consideration of adoption at its June 26, 2025 meeting.

### **DMVA Board meeting June 25,2025 SUMMARY**

#### **Summer events:**

- Comedy night each first Friday at 8pm at Watkins Amphitheater
- SD County Fair dates: June 11 – July 6- closed Monday and Tuesdays.
- Saffron and Rose Ice Cream ribbon cutting June 19<sup>th</sup> at 845am
- Del Mar Races July 18-September 7<sup>th</sup>.
- DMVA Programing
- Del Mar water fountains and bottle filling are complete- 6 locations: lifeguard stations, North beach (dog), Powerhouse and Seagrove Park.
- Updating historic walking tour plaques.
- Urban Corp of San Diego power washing will continue its quarterly service. Provided by an anonymous donor.
- Public furniture donation- coming soon.
- Caminito Park will get a refresh.

### **Non-profit Meeting was held at the Del Mar Library on June 5,2025**

Non-profits gave an overview of their services and did some networking with one another. The non-profits present were:

- Del Mar Community Connections

- Diabetes Research Connection
- Del Mar Foundation
- Del Mar Garden Club
- Del Mar Historical Society
- Del Mar Village Association
- Del Mar Rotary Club
- Del Mar Library



# City of Del Mar Council Liaison Report

TO: Honorable Mayor and City Council Members  
FROM: Dwight Worden, Del Mar Representative to the METRO JPA  
DATE: June 5, 2025

## **METRO Commission/Wastewater JPA Dwight Worden Primary**

The June 5, 2025 Metro JPA Board meeting was short with mainly good news:

- The Board approved the budget, balanced with ample reserves.
- Heard an update on the Second Amended and Restated Agreement (SARA) which is the governing document concerning Metro's relations with the City of San Diego. The draft is undergoing comments and revisions from Metro member agencies and their attorneys and is proceeding well. Del Mar's comments are already in. Metro is hoping to have a final draft soon that it can recommend and then route to the Metro member agencies for approval.

I'll keep the City Council and staff informed as the issue progresses.

Dwight