



# 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.***

## **REVISED Regular Meeting Monday, October 7, 2024 at 4:30 PM**

**Dave Druker**  
Mayor

**Terry Gaasterland**  
Deputy Mayor

**Tracy Martinez**  
Council Member

**Dan Quirk**  
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.

**Remote Participation:** Due to technical issues, remote participation will not be offered at this City Council meeting.

**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
- VII. 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: September 23, 2024, Regular Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk’s Minutes Book

**2. Ratification of List of Demands, dated October 7, 2024**

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. Amendments to As-Needed Environmental Consulting Services Agreements**

Recommended Action: Staff recommends the City Council: 1) Approve the First Amendments to the Agreements with AECOM Technical Services, Inc. (AECOM) (Attachment A), Helix Environmental Planning, Inc. (Helix) (Attachment B), RECON Environmental, Inc. (RECON) (Attachment C), and SWCA Environmental Consultants (SWCA) (Attachment D) for As-Needed Environmental Consulting Services (Amendments) extending the terms for an additional two-year period ending September 30, 2026, and adjusting fees for inflation; and 2) Authorize the City Manager to execute the Amendments.

Reference: Clerk's File No. 406-1

**5. Adoption of Ordinances to Repeal and Replace the Inclusionary Housing and Condominium Conversion Regulations in Del Mar Municipal Code Chapters 24.21 and 24.40 and Related Amendments to the Certified Local Coastal Program for the North Commercial and Professional Commercial Zoning Regulations**

Recommended Action: Staff recommends the City Council take the following actions: 1) Adopt the Inclusionary Housing and Condominium Conversion Regulations Ordinance to repeal and replace the Del Mar Municipal Code (DMMC) regulations in Chapters 24.21 (Inclusionary Housing) and 24.40 (Condo Conversions) to implement Housing Element Programs 4D and 4E (Attachment A), including the changes read into the record at the introduction hearing identified in strikeout underline format in Attachment B; and 2) Adopt the associated Ordinance to amend the DMMC Zoning Regulations Section 30.24.070(A) North Commercial (NC) Zone Development Standards and Section 30.25.070(A) Professional Commercial (PC) Zone Development Standards in the City's certified Local Coastal Program (LCP) to make minor corrections for consistency with the citywide regulations (Attachment C).

Reference: Clerk's File No. 303-1, 401-4, 401-9

**VIII. PUBLIC HEARING**

**6. San Dieguito Drive Improvements Project CEQA Determination and Discretionary Permits**

Recommended Action: Staff recommends that the City Council adopt a Resolution (Attachment A) approving Design Review Permit (DRB24-0074), Land Conservation Permit (LC24-006), Conditional Use Permit (CUP24-004), Coastal Development

Permit (CDP24-024), and Tree Removal Permit (TRP24-012) to improve San Dieguito Drive to public road standards.

Reference: Clerk's File No. 901-4

**7. Utility Undergrounding District X1A (Crest Canyon) - Approval of Design Review Permit (DRB24-003), Conditional Use Permit (CUP24-003), and Coastal Development Permit (CDP24-020); Acceptance of Grant Deed of Easements for SDG&E; Grant of Exemption for 1810 San Dieguito Drive; and Approval of Task Order Amendment for Utility Specialists Southwest, Inc.**

Recommended Action: Staff recommends that the City Council:

- 1) Adopt a Resolution approving Design Review Permit (DRB24-003), Conditional Use Permit (CUP24-003), and Coastal Development Permit (CDP24-020) for the undergrounding of utility lines, removal of utility poles, installation of above grade utilities, and related construction of trenches and grading located within the Underground Utility District X1A (Crest Canyon) (Attachment A);
- 2) Approve a Resolution granting easements from the City to SDG&E which concern City properties located along San Dieguito Drive and Racetrack View Drive (APN: 299-200-72-00) and 15th Street (APN: 299-260-45-00) (Attachment B);
- 3) Approve a Resolution Granting an Underground Utility Exemption Allowing 1810 San Dieguito Drive (APN: 299-200-71-00, 299-200-09-00, and 299-200-10-00) to Maintain Two Overhead Electric Poles and Related Communication Facilities (Attachment C);
- 4) Approve a \$57,755 Task Order Amendment with Utility Specialists Southwest, Inc. for additional pre-construction services for UUD X1A (Attachment D);
- 5) Affirm the determination this project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302(d) (Class 2) and 15304 (Class 4); and
- 6) Authorize the City Manager to execute the referenced easement grants and task order amendment on behalf of the City.

Reference: Clerk's File No. 1001-2

**IX. COUNCIL MEETING RECESS**

**X. CITY COUNCIL OTHER BUSINESS**

**8. Award of Construction Contract to Bert W. Salas, Inc. and Related Actions for the Hoska Alley Street and Storm Drain Improvements Project**

Recommended Action: Staff recommends that City Council: 1) Award a \$441,796.50 construction contract to Bert W. Salas, Inc. (Attachment A) for the Hoska Alley Street and Storm Drain Improvements Project; 2) Award a \$69,780 Task Order to Dudek for Construction Management and Inspection Services (Attachment B); 3) Approve a 10% project contingency of \$51,423; 4) Authorize the City Manager to execute the required documents and any contract changes necessary to complete the work; and 5) Amend the Fiscal Year 2024-2025 Operating and Capital Budget as described in the Fiscal Impact Section of this report.

Reference: Clerk's File No. 406-1, 803-3

**9. Guiding Principles for Amending Trees, Scenic Views, and Sunlight Regulations**

Recommended Action: Staff recommends the City Council receive an informational update and provide feedback and direction regarding proposed guiding principles for amending the City's Trees, Scenic Views, and Sunlight regulations.

Reference: Clerk's File No. 401-4, 1403-7

**10. Request for Contribution to the North Coastal Clean Air Partnership from County Supervisor Terra Lawson-Remer**

Recommended Action: Staff recommends the City Council: 1) Consider a request from Third District County of San Diego Board Supervisor Terra Lawson-Remer for a contribution to support coastal communities in south San Diego County affected by the Tijuana sewage crisis; and 2) Identify the amount to be provided and amend the Fiscal Year (FY) 2024-2025 Operating and Capital Budget as described in the Fiscal Impact section of this report.

Reference: Clerk's File No. 1403-4

**11. City Councilmember Vacancy – Application Review and Interviews**

**TIME CERTAIN 5:30 PM**

Recommended Action: Staff recommends the City Council review the applications submitted to the City, interview the candidates, and appoint a new Councilmember to serve the remainder of the vacant term beginning October 21, 2024, and expiring in December of 2026; or, alternatively, continue the matter to a future Council meeting and provide direction to staff, as needed.

Reference: Clerk's File No. 401-1

**12. Coordination of Council Local and Regional 2024 Meeting Coverage**

Recommended Action: Staff recommends the City Council: 1) Review and discuss the local and regional meetings for the remainder of the 2024 calendar year (Attachment A) to ensure adequate coverage and make interim appointments if

needed; 2) Consider appointment of former Councilmember Worden to serve as the City's representative to the METRO JPA Board through the end of 2025; and 3) Consider whether to make primary and alternate appointments to the Regional Solid Waste Association now or as part of the 2025 Council appointments.

Reference: Clerk's File No. 401-5

**XI. REGIONAL ORGANIZATION REPORTS**

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

- A. 22<sup>nd</sup> District Agricultural Association Community Relations Committee (Martinez)
- B. Clean Energy Alliance JPA (CEA) Board of Directors (Druker)
- C. CSA-17 Ambulance District Advisory Board (Martinez/Quirk)
- D. Fire Governance Board, Solana Beach/Del Mar/Encinitas (Martinez/Druker)
- E. League of California Cities – San Diego Chapter (Martinez)
- F. League of California Cities – Coastal Cities Group
- G. North County Transit District (NCTD) (Martinez/Druker)
- H. Regional Solid Waste Association (Quirk)
- I. San Diego Association of Governments Board (SANDAG) (Gaasterland/Martinez/Druker)
- J. SANDAG Borders Committee (Gaasterland)
- K. SANDAG Regional Planning Committee (Martinez)
- L. SANDAG Shoreline Preservation Working Group (Gaasterland/Martinez)
- M. SANDAG LOSSAN Executive Task Force (Druker/Gaasterland)
- N. San Diego Metropolitan Wastewater Commission/JPA (Quirk/Druker)
- O. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Quirk)
- P. Other Regional Organization Reports

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

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

- A. Arts Advisory Committee (Druker)
- B. Clean Water Rate Project
- C. Del Mar Community Connections (Martinez)
- D. Del Mar Village Association (Gaasterland/Martinez)
- E. Finance Committee (Druker)
- F. Housing Subcommittee (Gaasterland/Martinez)
- G. Human Resources Subcommittee (Druker)
- H. Legislative Subcommittee (Gaasterland/Martinez)
- I. Measure Q Citizen Oversight Committee (Gaasterland/Quirk)
- J. Parks and Recreation Committee (Martinez/Gaasterland)

- K. Del Mar Railroad Committee (Druker/Gaasterland)
- L. Lagoon Committee (Quirk)
- M. Sea-Level Rise Adaptation Plan Implementation Subcommittee (Gaasterland/Martinez)
- N. Shores Advisory Committee
- O. Sustainability Advisory Committee (Martinez)
- P. Traffic and Parking Advisory Committee (Quirk)
- Q. Undergrounding Project Advisory Committee (Druker/Gaasterland)
- R. Other Committee-Subcommittee Reports

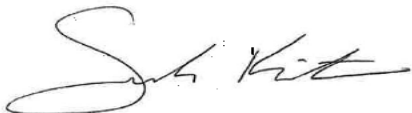
**XIII. UPCOMING AGENDA ITEMS**

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

<b>October 21, 2024</b>
Oath of Office for New Councilmember (Tentative Pending Council Appointment)
Lithium Ion Battery Safety Presentation
Military Use of the LOSSAN Rail Corridor Presentation
Blue City Network Certification Presentation
Contracts for As-needed Construction Management and Inspection Services
Contracts for As-needed Fats, Oil, and Grease Consultant Services
Contract with Redflex for Traffic Signal Enforcement Cameras
2025 City Council Meeting Schedule

**XIV. CERTIFICATION**

I, Sarah Krietor, Administrative Services Manager/City Clerk for the City of Del Mar, hereby certify that a copy of this agenda was posted at City Hall on the 3<sup>rd</sup> day of October, 2024 at approximately 5:30 p.m.



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

10/2/2024

Date