



Del Mar City Council Meeting Agenda

VIA TELECONFERENCE ONLY

1050 Camino del Mar, Del Mar, California

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

**Remote Regular Meeting
VIA TELECONFERENCE ONLY
Monday, October 17, 2022 at 4:30 PM**

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

Dwight Worden
Mayor

Tracy Martinez
Deputy Mayor

Dave Druker
Council Member

Terry Gaasterland
Council Member

Dan Quirk
Council Member

Ashley Jones
City Manager

Leslie E. Devaney
City Attorney

Sarah Krietor
Administrative Services
Manager/City Clerk

Public Participation/Comment

Members of the public can participate in the meeting by either submitting a written red dot comment via email to cityclerk@delmar.ca.us or by speaking live using the Zoom link and/or dial-in information provided below. The deadline to submit written comments is 12 p.m. on the day of the meeting and the subject line of your email should clearly state the agenda item you are commenting on. Those wishing to comment live should join the Zoom meeting when the item(s) they wish to speak on is announced or at the meeting start time for items not on the agenda.

Zoom Link: <https://us02web.zoom.us/j/84790910014>

Phone: (669) 900-6833

Meeting ID: 847 9091 0014

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

Viewing the Meeting and Access to Agenda Materials

Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 4:30 PM.

Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website: <http://www.delmar.ca.us/AgendaCenter> and a hard copy of the agenda materials are available at City Hall and the Del Mar Library during their business hours.

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

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

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

- V. CITY COUNCIL COMMENTS
- VI. COMMUNITY ANNOUNCEMENTS
- VII. CITY MANAGER'S REPORT
- VIII. CONSENT CALENDAR

All items listed on the Consent Calendar are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the City Council, staff, or the public so requests, in which event, the item will be considered separately.

1. Approval of Minutes: October 3, 2022 Regular and Special Meeting

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

2. Ratification of List of Demands, dated October 17, 2022

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

3. Waiver of Reading of Ordinances on Agenda

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

4. Approval of Agreements for As-Needed Economic Impact and Fiscal Analysis Consulting Services

Recommended Action: Staff recommends that the City Council: 1) Approve as-needed agreements with Keyser Marston Associates, Inc. (Attachment A) and David Taussig and Associates, Inc. (Attachment B) for as-needed economic impact and fiscal analysis consulting services for an initial three year period effective October 17, 2022, and ending October 17, 2025; and 2) Authorize the City Manager to execute the agreements.

Reference: Clerk's File No. 406-1

5. Approval of Agreements for As-Needed Geotechnical Services

Recommended Action: Staff recommends that the City Council: 1) Approve consulting services agreements with Atlas Technical Consultants LLC (Attachment A) and Barnett Quality Control Services, Inc. dba NOVA Services, Inc. (Attachment B) to provide as-needed geotechnical services for an initial three-year period effective November 19, 2022, and ending November 19, 2025; and 2) Authorize the City Manager to execute the agreements.

Reference: Clerk's File No. 406-1

6. Agreement with United Site Services of California, Inc. for Portable Restroom Services

Recommended Action: Staff recommends that the City Council: 1) Award an agreement with United Site Services of California, Inc. (United Site Services) (Attachment A) for portable restroom services for an initial three-year period effective November 1, 2022 and ending November 1, 2025; and 2) Authorize the City Manager to execute the agreement.

Reference: Clerk's File No. 406-1

7. First Amendments to Agreements for As-Needed General Engineering; Surveying; and Fats, Oil, and Grease Program Services

Recommended Action: Staff recommends that the City Council:

1) Approve the First Amendment to the Agreement between the City of Del Mar and Dudek (Attachment A) for as-needed general engineering (construction management) services for an additional two-year period ending November 18, 2024; 2) Approve the First Amendment to the Agreement between the City of Del Mar and PSOMAS (Attachment B) for as-needed surveying services for an additional two-year period ending November 18, 2024; 3) Approve the First Amendment to the Agreement between the City of Del Mar and Mikhail Ogawa Engineering Inc. (Attachment C) for as-needed Fats, Oil, and Grease program services for an additional two-year period ending November 18, 2024; and 4) Authorize the City Manager to execute the First Amendments.

Reference: Clerk's File No. 406-1

8. Lagoon Committee Appointment

Recommended Action: The City Council Liaisons to the Lagoon Committee recommend that the City Council re-appoint Karen Lare to the Lagoon Committee as a voting member to serve a second full three-year term starting October 31, 2022 and ending on October 31, 2025.

Reference: Clerk's File No. 401-5

9. Proposed Amendment to Civic Center Operations and Special Event Plan Related to Approved Users of the Civic Center Facilities

Recommended Action: Mayor Worden and Deputy Mayor Martinez recommend that the City Council amend the Civic Center Operations and Special Event Plan to include local non-profit WildCoast on the list of approved users of Civic Center facilities (Attachment A).

Reference: Clerk's File No. 103-4

10. Mayor's Monarch Pledge Resolution

Recommended Action: Mayor Worden requests that the City Council adopt a Resolution (Attachment A) supporting the Mayor's Monarch Pledge to raise awareness about the decline of the monarch butterfly.

Reference: Clerk's File No. 401-1

11. Approval of Agreement for Business License Tax and Administrative Services

Recommended Action: Staff recommends that the City Council: 1) Approve the professional services agreement (Agreement) with Hinderliter De Llamas & Associates (HdL) (Attachment A) for business license tax and administrative services for an initial three-year period effective October 17, 2022, and ending October 17, 2025; and 2) Authorize the City Manager to execute the agreement.

Reference: Clerk's File No. 406-1

12. Approval of a Task Order with PSOMAS to Perform Engineering Design Services for the 2023 Water, Wastewater, Pavement Improvements Project

Recommended Action: Staff recommends that the City Council: 1) Approve a \$66,510 task order with as-needed engineering consultant PSOMAS to perform design services for the 2023 Water, Wastewater, Pavement Improvements Project; and 2) Authorize the City Manager to execute the Task Order.

Reference: Clerk's File No. 406-1

13. Adoption of the 2022 Fire Code

Recommended Action: Staff recommends the City Council adopt an Ordinance (Attachment A) amending Del Mar Municipal Code (DMMC) Chapter 10.04 to adopt the 2022 California Fire Code, as introduced on October 3, 2022.

Reference: Clerk's File No. 401-4, 401-9, 1101-8

14. Adoption of the 2022 California Building Code and Local Amendments

Recommended Action: Staff recommends the City Council adopt an Ordinance (Attachment A) amending Del Mar Municipal Code (DMMC) Chapter 23.12 to adopt the 2022 California Building Code and continue to apply various locally adopted amendments thereto as necessary to reflect Del Mar's unique characteristics and approach to design and development review, as introduced on October 3, 2022.

Reference: Clerk's File No. 401-4, 401-9, 801-4

IX. PUBLIC HEARINGS

15. Planning and Engineering Fee Schedule Administrative Update

Recommended Action: Staff recommends that the City Council conduct a public hearing and adopt a Resolution (Attachment A) approving administrative updates to the Fiscal Year 2022-2023 City of Del Mar Fee Schedule for Planning and Engineering Services.

Reference: Clerk's File No. 301-16, 801-3, 802-2

16. Continued to November 14, 2022 Council Meeting: De Novo Hearing of TVS21-002

Recommended Action: Staff recommends that the City Council continue the public hearing to the November 14, 2022 Meeting.

Reference: Clerk's File No. 1403-7

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

17. Consideration of Adding a Building Electrification Ordinance to Staff's Fiscal Year 2022-2023 Work Plan

Recommended Action: The City Council Liaisons to the Sustainability Advisory Committee recommend the City Council consider whether to add the processing of a building electrification ordinance for the City of Del Mar to staff's Fiscal Year (FY) 2022-2023 work plan.

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

18. Initial Consideration of an Appeal of the City Manager's Decision on Encroachment Permit EP22-064

**EP Applicant/Appellant: Steven Crowe
Applicant's Address: 111 Sea Cliff Way**

Recommended Action: It is recommended that the City Council not set the appeal for a de novo hearing.

Reference: Clerk's File No. 802-1

19. Consideration of Retaining Wall Materials for Utility Undergrounding Project

Recommended Action: Staff recommends that the City Council: 1) Consider and select a retaining wall material for all future phases of the Utility Undergrounding Program (UUP); 2) Authorize staff to select an alternative retaining wall material that is the closest available match to what was approved by the Council if the selected material becomes discontinued; and 3) Authorize staff to select an alternative retaining wall material that is compatible with the surrounding environment and conditions in unique situations where the approved wall material would not be suitable.

Reference: Clerk's File No. 1001-2

20. Consideration of a Letter to the North County Transit District Regarding LOSSAN Rail Realignment Funding

Recommended Action: It is recommended that the City Council: 1) Receive a report from Councilmember Gaasterland who serves as the City's alternative representative to the North County Transit District (NCTD) Board; and 2) Authorize the transmittal of a letter (Attachment A) from the City of Del Mar to NCTD opposing a potential recommendation to the San Diego Association of Governments (SANDAG) to use \$300 million in State funding earmarked for the Los Angeles-San Diego-San Luis Obispo Rail Corridor (LOSSAN) Rail Realignment Project on alternative infrastructure projects.

Reference: Clerk's File No. 1005-2, 1506-20

21. Consideration of a Tree Donation Proposal from the Del Mar Foundation

Recommended Action: The City Council Liaisons to the Parks and Recreation Committee request that the City Council: 1) Initially consider a tree donation proposal from the Del Mar Foundation (DMF); 2) Provide direction as to whether or not to add this as a City staff and Parks and Recreation Committee work plan item for FY 2022-23; and 3) Provide feedback for all parties to consider in evaluating and refining a final proposal for future Council consideration.

Reference: Clerk's File No. 1202-5, 1202-11

22. Consider Continuation of Remote Public Meetings in Compliance with Government Code Section 54953 (Assembly Bill 361)

Recommended Action: Staff recommends the City Council: 1) Consider a Resolution (Attachment A) making the finding required by Government Code 54953 to continue with remote public meetings for the next thirty (30) days during the local emergency declared in response to the COVID-19 pandemic; and 2) Provide direction to staff on the timing for resuming in-person public meetings.

Reference: Clerk's File No. 401-7

23. Adoption of the 2023 City Council Meeting Schedule

Recommended Action: Staff recommends that the City Council adopt the Resolution (Attachment A) approving the 2023 City Council Meeting Schedule (Exhibit A to Attachment A) or provide direction to staff regarding changes to the proposed schedule.

Reference: Clerk's File No. 401-1

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

- J. SANDAG Regional Planning Committee (Gaasterland)
- K. SANDAG Shoreline Preservation Working Group (Worden/Gaasterland)
- L. San Diego Metropolitan Wastewater Commission/JPA (Worden/Quirk/Druker)
- M. San Dieguito River Valley Regional Open Space Park JPA –Executive Committee (Worden/Quirk)
- N. Other Regional Organization Reports

XIII. COUNCIL COMMITTEES/SUBCOMMITTEES/COMMUNITY ORG REPORTS

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

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

XIV. UPCOMING AGENDA ITEMS

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

November 14, 2022

USACE/Solana Beach/Encinitas Information Item on 50-Year Sand Replenishment Project (Susan Ming USACE)

EP22-082 SANDAG Phase 5 Bluff Stabilization

De Novo Hearing of TVS21-002

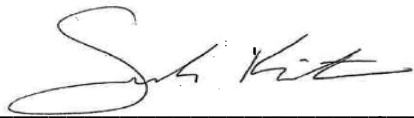
Credit Card Processing Fee Update and Agreement

Fairgrounds Housing Planning: Council Direction on Next Steps

Coastal Connection Conceptual Planning Study - Review/Discuss Draft Pedestrian Crossing Concepts

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 12th day of October, 2022, at approximately 4:50 p.m.



Sarah Krietor, Administrative Services Manager/
City Clerk

10/12/2022

Date